

# Chavruta Pesachim – Daf Bet

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## MASECHET PESACHIM

### Perek Ohr LeArba'ah Asar

#### MISHNAH

At the “*ohr*”<sup>1</sup> of the Fourteenth of Nisan, which is Erev<sup>2</sup> Pesach, there is a special mitzvah to be performed: **they search the house for the chametz, by the light of a candle.** This is in order not to transgress the prohibition of owning chametz on Pesach. The Gemara will discuss the meaning of *ohr*.

There is only an obligation to search for chametz in places where it is common to place it during the year. But, **any place that they do not bring chametz into, does not need checking.**

The Mishnah explains: Since we said that in a place where they do not bring chametz, it

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<sup>1</sup> Literally, this word means “light”. Whether it refers to evening or to morning will be discussed in the Gemara.

<sup>2</sup> The Eve of

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is unnecessary to check, therefore, **in what** case did the Sages **say** in a later Mishnah that it is necessary to check **two rows** of wine barrels arranged **in the cellar**? Is not the wine cellar a place where chametz is *not* usually brought?

The Mishnah answers its question: They only said this regarding a wine cellar that is **a place that they bring chametz into**.

For example, a wine cellar from which they supply themselves with wine during a meal. Sometimes the butler pours wine for the diners, while holding a piece of bread in his hand. If the wine runs out in the middle of the meal, it would be normal for him to enter the cellar, with the bread in hand, to bring wine. And sometimes he leaves the bread there. In a cellar such as this, the Sages said that two rows of barrels need to be checked.

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There is a disagreement between Beit Shammai and Beit Hillel regarding which two rows these are.

**Beit Shammai say:** He needs to check **two complete rows across the face of the entire cellar**. Meaning, the outer row opposite the door, from the bottom until the top, must be checked. And the same with the parallel row further in.

Alternatively, according to another view in the Gemara, these two rows are the outer row from bottom to top, and the uppermost row across the entire length and width of the cellar.

**Beit Hillel say:** He only has to check two individual rows: **Two outer rows that are the upper ones**. This means the uppermost single outer row, and another single row further in. According to the other view in the Gemara, the second row is the row below the uppermost row.

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### GEMARA

It was stated in the Mishnah: At the “*ohr*” of the Fourteenth, they search for the chametz.

The Gemara asks: “**What is “*ohr*”?**”

**Rav Huna said:** “*Ohr*” is **light**, meaning daybreak of the Fourteenth.

**And Rav Yehudah said:** “*Ohr*” is **the evening** of, meaning the evening of the Fourteenth.

**You would assume** at this point **that the one who said “light,”** meant **actual light**. I.e. Rav Huna holds that we check for chametz only during the morning of the Fourteenth and not during the previous night.

**And the one that said, “evening,”** meant the **actual evening**.

**They** the scholars of the study hall **contradicted** Rav Yehudah, from what was said regarding Yosef’s<sup>3</sup> brothers (*Bereishit*<sup>4</sup> 44:3), “**The morning was *ohr* (light), and the men were sent.**”

The Gemara understands that the verse means to say that in the morning, which is called “*ohr*,” the men were sent.

**We see** from here that “*ohr*” is **day**.

This is a difficulty for Rav Yehudah who said that “*ohr*” is night.

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<sup>3</sup> Joseph

<sup>4</sup> Genesis

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The Gemara answers: **Is it written, “the *ohr* is morning”** which would indicate that “*ohr*” is the noun, and the morning is called “*ohr*?”

Rather **it is written, “the morning is *ohr*”**. The word “*ohr*” is the verb, and the intention is that the morning became light and the men were sent.

**And it is like one who says**, i.e. it is common for people to say: **The morning lit up**. However, the word “*ohr*” as a noun refers to the night.

The verse is teaching us, incidentally, a proper method of conduct that is learned from Yosef’s brothers, who waited until the light of day. This is **as Rav Yehudah said in the name of Rav**.

**For said Rav Yehudah in the name of Rav: A person should always enter** a town, when he is on a journey, **when “it is good.”** Meaning, that a person should enter a town at the end of the day while the sun is shining. This is based on the verse (*Bereishit* 1:4) “And G-d saw that the light was good.” **And** similarly, **he should exit** the town in the morning **when “it is good,”** while the sun is already shining, so that he will be safe from wild animals and robbers.

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**They contradicted** Rav Yehudah, from a verse in the closing statements of King David (*Shmuel*<sup>5</sup> II 23:4), “**And as the *ohr* (light) of the morning (when) the sun shines.**” The Gemara understands that the word “*ohr*” here is a noun. David is saying: In the World to Come the righteous will leave their darkness and the sun will shine for them, just like this “*ohr*” which is the morning.

**We see that “*ohr*” is the day.**

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<sup>5</sup> Samuel

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The Gemara answers: **Is it written, “*ohr* is morning,”** which indicates that *ohr* is identical with morning?

But note that **it is written, “And as the *ohr* of the morning.”** It is not a name for morning, rather it refers to the brightness of the morning.

**And this is what** David said: **“And as the light of the morning,”** i.e. the time the morning begins to get light, at dawn. Here **in this world** it is still dark, but that time will have lots of light, **similar to the sunrise, for the righteous in the World to Come.** In the future the light of the sun will be very great, so that even at dawn the light will be strong like it is at sunrise in this world.

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**They contradicted** Rav Yehudah, from what it says (*Bereishit* 1:5), **“And G-d called the *ohr* – day.”**

**We see that *ohr* is the name of the day.**

The Gemara answers: The *ohr* mentioned here is not a noun, rather **this** is what the verse **said:** The time that it **started to get light, He called day.**

The Gemara asks: **But now,** that which it says in the continuation of the verse, **“and to the darkness He called night,”** are we going to explain also there, the time that **started to get dark, He called night?**

**But** it cannot be explained like that, because **note** that the Halachah **has been established** that even after it starts to get dark, it is not yet night. **Because until the stars come out,** which is a later time than when it starts getting dark, **it is still day.**

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The proof is from the building of the Second Temple, as it says (*Nehemiah*<sup>6</sup> 4:15), “And we do the work, and half of them hold the spears from dawn until the stars come out.” It must be that this entire time is day, since it says in the next verse, “and the night was for us a [time of] guarding, and the day, [a time of] work.” (*Berachot* 2B)

Therefore when it says, “And G-d called the light—day,” it cannot be explained that it is starting to get light.

Rather, we must say that “*ohr*” is a noun which means “day”. This is a difficulty for Rav Yehudah.

The Gemara answers: **Rather**, “and G-d called the *ohr*—day” is not an expression of giving a name, and He was not calling the “*ohr*” by the name of day, rather it is an expression of giving a command.

**This is what the verse says: The Merciful One called to the light**, which He created, **and commanded it regarding the service of the day**, i.e. He commanded to be served during the day.

**And the Merciful One called the darkness and commanded it regarding the service of the night**. He commanded to be served during the night.

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**They contradicted** Rav Huna, from what it says (*Tehillim*<sup>7</sup> 148:3), “**Praise Him, all the stars of *ohr*.**” This apparently means that they are stars of night, since stars are only visible at night.

**We see that “*ohr*” is night**. This is a difficulty for Rav Huna who said “*ohr*” is “day”.

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<sup>6</sup> Nehemiah

<sup>7</sup> Psalms

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The Gemara answers: The word “*ohr*” mentioned here is not the name of night, rather it is an expression of light, and **this is what the verse says: “Praise Him, all the stars that give light.”**

The Gemara is puzzled: **But now**, according to this a difficulty arises. Only **stars that give light have to praise G-d**, while stars **that do not give light do not need to praise Him?**

**But note** that it is written (ibid. 2), “**Praise Him, all of His hosts.**” This means all of them, whether they give light or not.

The Gemara answers: In truth, “stars of *ohr*” are stars that give light, and the verse is not coming to exclude stars that do not give light, since all stars give light. **Rather**, the verse **teaches us that the light of stars is also light.**

The Gemara explains: **What difference does it make** if the light of stars is considered light or not?

**Regarding** someone who **vowed** not to have benefit **from the light**. It is forbidden for him to benefit even from the light of stars.

And this is **as was taught** in a Baraita: **One who vows** not to benefit **from the light**, it is **forbidden** for him to benefit **from the light of the stars**, because, as we said, it is also considered light.

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**They contradicted** Rav Yehudah, from what it says (*Iyov*<sup>8</sup> 24:14), “**At ‘ohr’ the murderer gets up, kills the poor and destitute, and at night he is like a robber.**”

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<sup>8</sup> Job

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### **AMMUD BET**

The Gemara infers: **Note that from what is said** at the end of the verse, “**and at night he is like a robber,**” **we see that ‘ohr’** at the beginning of the verse **is day**. This is because the verse said that during the day when travelers go, the murderer stands at the crossroad and kills people, and takes their money. At nighttime he becomes a robber and tunnels into people’s homes.

This is a difficulty for Rav Yehudah.

The Gemara answers: **There**, it is not speaking at all about the times of day or night. Rather, it comes to teach us the laws of a robber tunneling into a house, that the Torah gave permission to kill him, as it says (*Shemot*<sup>9</sup> 22:1), “If the robber is found in a tunnel, and he is struck and he dies, he [the striker] is not guilty.”

**This is what it is saying:** “At ‘ohr’ the murderer gets up.” **If it is obvious to you like ‘light’** is clear **that he is coming** to take **lives**, i.e. that if you do not allow him to take your money, he will kill you, **he is judged as a murderer**. **And permission is given** to anyone to kill him, in order **to save** the owner of the money **through** forfeiting **the life** of the robber, who has the status of a *rodeif*.<sup>10</sup>

And anyone who tunnels into another’s house, it is clear to us that he is coming to kill, with the exception of a father coming to steal from his son, or a similar situation involving someone who knows that the tunneler loves him very much and will not necessarily kill him.

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<sup>9</sup> Exodus

<sup>10</sup> Lit. a pursuer. This refers to someone who is attempting to kill someone else.

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**And if you have a doubt about the matter, like night**—meaning that it is not as clear as day to you that he is coming to kill you, since it is a father tunneling into his son’s house, or the like, **he should be in your eyes like a mere robber** and not like a murderer. **And permission is not given to save him**, the son, **through taking his** the father’s **life**.

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**They contradicted** Rav Yehudah, from what Iyov said when he cursed the day he was born (ibid. 3:8): **“The stars of his night should be dark, he should want ‘ohr’ and there is none, and he should not see the shining of the morning.”**

The Gemara infers: **From that which it said, “he should want ‘ohr’ and there is none,” we see ohr is day.**

The Gemara answers: **There, Iyov was cursing his fortune.** He was not cursing the day, rather himself and his misfortune.

Iyov was saying: **It should be His Will that this person, Iyov, should look for the light and not find it.** The word “*ohr*” here is not the name of the day, but rather that which gives light.

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**They contradicted** Rav Yehudah, from that which David Hamelech<sup>11</sup> said in *Tehillim* (139:11), **“Only darkness will shadow me, and night became “ohr” for me.”**

David said the following: When I was being chased, I thought that this darkness will always make it dark for me until I die. In the end it turned out good, as the night and the darkness became light for me.

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<sup>11</sup> King David

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From the fact that David said that the night became light for him, we see that “*ohr*” is **day**, since the opposite of night is day.

The Gemara answers: The verse is not speaking about the actual day and night. **There, this is what David is saying:** Because of my sin with Bat-Sheva, **I said, “Only darkness will shadow me.** And even **in the World to Come, which is similar to day**, I will not have a portion.

**Now** that my sin with Bat-Sheva has been forgiven, even **this world, which appeared to me as night**, since I was dwelling in darkness and embarrassment, it is “**light for me.**” The Holy One lit it up for me.

For the Holy One later informed David's enemies, during the era of Shlomo<sup>12</sup>, that He forgave David's sin. This was at the time when Shlomo wished to bring the Holy Ark into the Holy of Holies, during the dedication of the First Temple, and the gates sealed themselves, despite King Shlomo's profuse prayers and requests. They only opened when Shlomo said: “Hashem, do not turn away the face of Your anointed one. Remember the kind deeds of *David, Your servant*”. At that point, the gates immediately opened up. The faces of David's enemies then darkened from intense shame, and everyone knew that the Holy One had forgiven David for that sin. (*Shabbat 30A*)

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**They contradicted** Rav Huna, from a later Mishnah (12): **Rabbi Yehudah says: They search** for the chametz at the “*ohr*” **of the Fourteenth, and also at the Fourteenth in the morning, and also at the time of eradication** of the chametz, which is at the sixth hour of the day. Meaning that if one did not search for chametz at the first time, he searches at the second time. If he did not search at the second time, he searches at the third time.

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<sup>12</sup> Solomon

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**And from the fact that Rabbi Yehudah said: They search at the “*ohr*” of the Fourteenth, and also at the Fourteenth in the morning, we see that “*ohr*” of the Fourteenth is not in the morning, rather it is night.**

The Gemara concludes: **Hear from it** a proof that the meaning of *ohr* is indeed as Rav Yehudah said: it means night.

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**They again contradicted** Rav Huna: It is stated later (50A) that in a place where the custom is to refrain from work on Erev Pesach even before midday, one may not do work.

And it is taught in a Baraita regarding this: **From when on the Fourteenth is it forbidden to do work**, in a place where the custom is not to do work?

**Rabbi Eliezer ben Yaakov says: From the time of “*ohr*.”** Meaning, from beginning of the night of the Fourteenth. But before then, even if they have a custom not to do work, this may be disregarded.

**Rabbi Yehudah says: Only from the time of sunrise** on the morning of the Fourteenth must one refrain from work.

**Said Rabbi Eliezer ben Yaakov to Rabbi Yehudah:** Note that the day follows the night, and the Fourteenth starts the night before. **Where do we find a day that part of it is forbidden to do work and part of it is permitted to do work?**

Rabbi Yehudah **said to him: It itself**, the Fourteenth, **will prove it.** For its daytime is divided with regards to its laws.

**Because** note that **part** of the day of the Fourteenth **is permitted with regards to eating chametz, and part of it is forbidden with regards to eating chametz.** This is because

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according to Torah Law, eating chametz on Erev Pesach is permitted until noon. Just as the Fourteenth of Nisan is divided at midday regarding eating chametz, so may we say that it is divided at sunrise regarding doing work.

The Gemara brings out the point: **From that which Rabbi Yehudah said, “From the time of sunrise,” we see that the time called “*ohr*”, which Rabbi Eliezer ben Yaakov said, is night.**

The Gemara answers: **No**, this “*ohr*” is not another name of night. Rather, **what is “*ohr*”? The crack of dawn (*ammud hashachar*).** According to Rabbi Eliezer ben Yaakov the prohibition of doing work starts from the crack of dawn of the Fourteenth. According to Rabbi Yehudah it starts only from sunrise, over an hour later.

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The Gemara raises a difficulty: **If so**, what is the meaning of that **which** Rabbi Eliezer ben Yaakov **said** to Rabbi Yehudah? For he said: **Where do we find a day that during part of it, it is permitted to do work and during part of it, it is forbidden to do work?**

According to the present understanding of *ohr*, Rabbi Eliezer ben Yaakov could have directed this challenge just as well against himself. For even according to him, the prohibition does not start at the beginning of the night, rather at the crack of dawn. Therefore, **let him say** i.e. raise a difficulty **on himself: Note that there is the night where work is permitted**, so how can we make the daytime distinct from the nighttime regarding its laws, when both of them are the same day?

The Gemara answers: **This** is what **Rabbi Eliezer ben Yaakov is saying: It is all right according to me**, that I say that only the night is permitted, and the day is completely forbidden from the crack of dawn. For **we find that the Rabbis made distinctions** in their decrees **between daytime and nighttime**, one being permitted while the other forbidden.

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**As it was taught** in a Baraita **regarding a public fast: Until when** may a person **eat and drink** during the night preceding the fast? **Until the crack of dawn**, since the fast does not start at night, but rather only from the day. These are the **words of Rabbi Eliezer ben Yaakov**.

**Rabbi Shimon says:** It is permissible to eat and drink only **until the rooster calls**, which is a bit before the crack of dawn.

Thus, we find regarding a Rabbinic prohibition that the Rabbis made such a distinction. And we may say the same regarding work on Erev Pesach.

**But according to you**, Rabbi Yehudah, who permits work before sunrise and forbids it after sunrise, there is a difficulty. For after the crack of dawn is already day, **and where do we find that the Rabbis divided the day itself** and forbade only part of it?

Regarding this, Rabbi Yehudah **said to him: It**, the Fourteenth **itself, will prove** the point. For during **part of it, it is permitted to eat chametz, and during part of it, it is forbidden to eat chametz**. So we see that even with regards to the daytime itself, it is possible that part is permissible and part is forbidden.

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The Gemara asks: Note that **Rabbi Yehudah responded well to Rabbi Eliezer** ben Yaakov. Why did Rabbi Eliezer ben Yaakov not concede?

The Gemara answers: Rabbi Eliezer ben Yaakov responded with a disproof, and **this** is what **Rabbi Eliezer** ben Yaakov **said** to Rabbi Yehudah: **I said to you** that the issue regards **work** which is forbidden **by the Rabbis**, and I argued that the Rabbis are not accustomed to make distinctions between various hours of the daytime.

However, **you said to me** that we find that daytime is divided up regarding the prohibition of **chametz**, which is a law **according to the Torah**. This is not comparable.

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**For until here**, the beginning of the afternoon, **the Merciful One forbade**. **And until here**, the end of the morning, **the Merciful One permitted**. But this does not tell us anything about a Rabbinical prohibition, where it is not usual for the Rabbis to make a decree on only part of the daytime.

**And the other one**, Rabbi Yehudah, responds: We can prove that the Rabbis indeed make such a distinction, from the fifth and sixth **hours** of the Fourteenth, where there is a prohibition of eating chametz and of deriving benefit from chametz. And these prohibitions are **of the Rabbis**. The Rabbis added these extra hours of prohibition, whereas the Torah prohibition starts only at noon, i.e. the *end* of the sixth hour, as stated later on (11B).

**And the other one**, Rabbi Eliezer benYaakov, responds that even though the extra hours of chametz prohibition are Rabbinic, nevertheless, it is not comparable to the prohibition of work on Erev Pesach.

For regarding the chametz prohibition, **the Rabbis made** the additional hours as a **protection for a Torah** prohibition, due to confusion that might arise on a cloudy day. Therefore they decreed only on the portion of the day that is subject to such confusion.

Whereas the prohibition of doing work on the Fourteenth is entirely Rabbinic in origin. Thus once they decreed, they did so on the entire day.

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**They again contradicted** Rav Huna, from that which is taught in a Baraita: During the time that the Rabbinical Court would declare the new month based on the sighting of the new moon, they would light torches on the mountaintops in order to publicize that the new month had commenced.

**They only light the torches for the month that appeared in its time, in order to**

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**sanctify it** i.e. declare its commencement. Thus, only if witnesses came on the thirtieth day of the passing month and testified that they saw the moon, then the Rabbinical Court would declare that day as Rosh Chodesh, and they would light torches to publicize it.

However, if the witnesses did not come that day, the Rabbinical Court did not light the torches. This was because the moon was not yet “visible that it could be sanctified.” The Rabbinical Court did not have to publicize the thirty-first day as Rosh Chodesh, since it perforce fell on that day, the previous day having gone by already<sup>13</sup>.

**And when did they light the torches? The “*ohr*” of the extra day.**

This refers to the night following the thirtieth day, and they lit torches then in order to publicize that the thirtieth day was declared Rosh Chodesh. The thirtieth day is called the extra day because if the new month commences only on the thirty-first day, then the passing month gains an extra day, and has a total of thirty days. Whereas if the new month commences already on the thirtieth day, that day actually belongs to the new month, and the passing month then has only twenty-nine days, being that it lacks the “extra” day.

The Gemara brings out the point: **We see that “*ohr*” is night.** This is because they certainly would light the torches only at night, so they could be seen at a distance. This poses a difficulty for Rav Huna.

The Gemara concludes: **Hear from it** a proof that the meaning of *ohr* is as Rav Yehudah said, i.e. “night”.

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On the other hand, **they contradicted** Rav Yehudah, from that which was taught in a Baraita: Cohanim are required to sanctify their hands and feet, by washing them with

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<sup>13</sup> The moon appears either on the thirtieth or on the thirty-first day of the old month, not later.

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water from the special Laver of the Temple, before performing the sacrificial service.

They must do this every morning. And even if the cohen **was standing the entire night and bringing sacrifices on the Altar**, nevertheless, **at its “ohr”**, i.e. at the crack of dawn, **he required sanctification of hands and feet** again. These are **the words of Rabbi** i.e. Rabbi Yehudah HaNasi.

We see that “ohr” is day. This is a difficulty for Rav Yehudah.

The Gemara answers: The expression “**its ohr**” is **different**, and even Rav Yehudah would agree that this refers to day.

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**Mar Zutra contradicted Rav Huna:**

*Introduction:*

It says in the Torah that a woman who gives birth brings a sacrifice after her days of purity<sup>14</sup> pass, meaning forty days after the birth of boy and eighty days after the birth of a girl. This sacrifice also applies to the miscarriage of a fetus that was at least forty days old.

The Sages explicated the verse, “*Zot Torat hayoledet*, This is the law of the woman who gave birth.” The word *Torat*, “law”, teaches that she may bring a single sacrifice and thereby fulfill her obligation for many fetuses.

On the other hand, the word “*zot*” teaches that only if the second fetus is born during the days of purity of the first birth, thus she has not yet become obligated to bring a sacrifice for the first birth, then she may fulfill her obligation with a single sacrifice for both births.

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<sup>14</sup> Referring to the period in which any blood expelled from her body is assumed to be “pure” blood, i.e. not menstrual blood.

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However, if the second one is born after the completion of the days of purity of the first fetus, thus she already became obligated in the sacrifice for it, she has to bring a separate sacrifice for the second fetus.

The case of the single sacrifice is only possible with the birth of a girl. The mother immerses herself in a *mikveh* two weeks after the birth, thus beginning the “days of purity”. Then she could become pregnant, and miscarry after a minimum pregnancy of forty days. And she will still be during the days of purity, i.e. the eighty days from the birth. In this case she brings a single sacrifice for both.

Whereas after the birth of a boy, it is not possible for her to miscarry another fetus within forty days of the first birth, for the fetus will be less than forty days old and not have the status of a fetus. This is because we subtract the first seven days after the birth, during which she is still impure due to the birth, and forbidden to her husband, thus she cannot become pregnant. And for the miscarriage of a fetus that is less than forty days old, she does not bring a sacrifice...

# Chavruta Pesachim – Daf Gimel

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On the other hand, the word “*zot*” teaches that only if the second fetus is born during the days of purity of the first birth, thus she has not yet become obligated to bring a sacrifice for the first birth, then she may fulfill her obligation with a single sacrifice for both births. However, if the second one is born after the completion of the days of purity of the first fetus, thus she already became obligated in the sacrifice for it, she has to bring a separate sacrifice for the second fetus.

The case of the single sacrifice is only possible with the birth of a girl. The mother immerses herself in a *mikveh* two weeks after the birth, thus beginning the “days of purity”. Then she could become pregnant, and miscarry after a minimum pregnancy of forty days. And she will still be during the days of purity, i.e. the eighty days from the birth. In this case she brings a single sacrifice for both.

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<sup>1</sup> Referring to the period in which any blood expelled from her body is assumed to be “pure” blood, i.e. not menstrual blood.

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Whereas after the birth of a boy, it is not possible for her to miscarry another fetus within forty days of the first birth, for the fetus will be less than forty days old and not have the status of a fetus. This is because we subtract the first seven days after the birth, during which she is still impure due to the birth, and forbidden to her husband, thus she cannot become pregnant. And for the miscarriage of a fetus that is less than forty days old, she does not bring a sacrifice.]

It was taught in a Mishnah in Tractate *Keritut*: **One who miscarries, “*ohr*” to eighty-one**, i.e. on the night preceding the eighty-first day after this woman’s giving birth to a girl. On the morrow, she was to bring a sacrifice due to her giving birth to the girl.

**Beit Shammai exempt from a second sacrifice**, and it is sufficient for her to bring a single sacrifice for the girl and the miscarried fetus. Although the days of purity of the first birth ended on the night following the eightieth day, nevertheless, since she is only fitting to bring a sacrifice in the morning, as sacrifices are not brought at night. Thus the time for the sacrifice due to the birth of the girl has not yet arrived.

**And Beit Hillel obligate** the woman in two sacrifices, because the night of the eighty-first day is already after the end of the days of purity, and she has already become obligated in the sacrifice due to the birth of the girl—although practically speaking, she was to bring it only the next morning.

**Beit Hillel said to Beit Shammai: What is the difference** between a woman who miscarries “*ohr*” to **eighty-one**, where you exempted her from a second sacrifice, **and** a woman who miscarries on **the eighty-first day**, where even you agree that she has to bring a second sacrifice? Why should we make a distinction between them, since regarding anything that has to do with time, the day and the previous night are the same?

Furthermore, they said: Regarding the impurity of the blood that she sees now, the night preceding and the eighty-first day are the same. Neither of them is included in the days of purity. If she were to see blood during the days of purity, she is pure. And if she sees

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blood from the night of the eighty-first day and thereafter, she is impure like any menstruating woman. **If** the day and the night **are equal regarding impurity**, why should it **not be equal to it** regarding a **sacrifice**. And just like if she would miscarry in the daytime, she would become obligated for a separate sacrifice, so too if she miscarries at the preceding night.

Mar Zutra brings out the point: **From that which Beit Hillel said to Beit Shammai: “What is the difference between “*ohr*” of eighty-one, and the eighty-first day?” hear from it a proof that *ohr* is night**, and this is a difficulty for Rav Huna.

The Gemara concludes: Indeed we **hear from it** a proof that *ohr* is night.

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**They again contradicted** Rav Huna, from what was taught in a Baraita: **One could** have thought that the meat of a *Shelamim* (peace) offering **is eaten on “*ohr*” of the third day** after its slaughtering, and only on the morrow in the morning will the meat become “*notar*,” “leftover,” and forbidden to eat and one must burn it.

**And this would be logical** to say. For it would be just as we have found to be the case regarding the *Todah* (thanksgiving) and the Pesach **sacrifices**, that **they are eaten for one day, and *Shelamim* are eaten for two days. Just like there** with the *Todah* and the Pesach, they are eaten also at **night after the first day, also here** with the *Shelamim*, let us say that it should eaten also at **night after the second day**. We find with the *Todah* offering that it is written, “do not leave from it until the morning.” This indicates that at night it is still permissible to eat. Also with the Pesach it is written, “do not leave it over from it until morning.”

So as to preclude this otherwise logical conclusion, **Scripture teaches** regarding *Shelamim* (*Vayikra*<sup>2</sup> 19:6), “**On the day of your slaughtering it shall be eaten and on**

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<sup>2</sup> Leviticus

## Perek 1 – 3a

the morrow. And the remainder until the third day will be burnt in fire.” This is explicated: Only on the morrow **while it is still day, it is eaten. But it is not eaten on “ohr”** of the **third** day.

**One could** have thought that what is left over **is burnt immediately** on the night preceding the third day, because the time of its eating has already passed.

**And this would be logical** to say that it should be burnt then. For the *Todah* and the Pesach sacrifices are eaten for one day and night, and *Shelamim* are eaten for two days and one night, i.e. the night in between the two days. **Just like there**, by the *Todah* and the Pesach, **immediately at** the end of the time of **eating**, i.e. immediately in the second morning, is the time of **burning**—as it says regarding the Pesach sacrifice, “what is leftover from it until the morning, you shall burn in fire.” **Even here**, with *Shelamim*, we should say that **immediately** at the end of the second day, which is the end of the time of **eating**, it should be the time for **burning** the leftover meat.

So as to preclude this otherwise logical conclusion, **Scripture teaches** regarding *Shelamim* (ibid. 7:17), “**And what is leftover of the meat of the sacrifice on the third day should be burnt in fire.**” Here it does not say “until the third day,” rather “*on* the third day.” This teaches about the time of burning that only **during the day you burn it, and you do not burn it at night.** This is in line with the principle that one does not burn consecrated items at night.

The Gemara brings out the point: **From that which it said:** “One could have thought that **it should be eaten “ohr” of the third day**”, we see that **“ohr” is night.** For this surely refers to the night preceding the third day, and not the third day itself, when it is obvious that it is forbidden to eat the leftover meat. This is a difficulty for Rav Huna.

The Gemara concludes: **Hear from it** a proof that *ohr* is night.

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Come and hear a proof for Rav Yehudah: It was taught in a Baraita: **Ohr of Yom Kippur, a person prays** a silent prayer of **seven** blessings, **and he confesses** the Yom Kippur confession at the end of the prayer. Also in **the morning** of Yom Kippur, **he prays** a prayer of **seven, and he confesses**. Also during the **Musaf**, i.e. the additional, prayer, **he prays seven and confesses**. Also at the time of the **Minchah**, i.e. afternoon prayer, **he prays seven and confesses**. **At the evening service** of the night following Yom Kippur, **he prays** a weekday prayer, **a condensed eighteen**. Meaning that he recites the first three and the last three blessings, and in the middle he recites the *havineinu* prayer, which is a condensed form of the middle thirteen blessings. This is the short prayer that was established for travelers who cannot pray at length. They also permitted one to recite it after Yom Kippur because of the difficulty of the fast.

**Rabbi Chanina ben Gamliel says in the name of his fathers:** One should not pray *havineinu*, rather **one prays** a weekday prayer of **eighteen complete** blessings. This is **because one needs to recite *havdalah*<sup>3</sup> in the blessing of “*chonein hada’at*.”<sup>4</sup>** Whereas in the *havineinu* prayer, the blessing of “*chonein hada’at*” is not said, so there is no proper place to put *havdalah*.

Thus, we see that “*ohr*” is **night**, as is the view of Rav Yehudah.

The Gemara concludes: **Hear from it** a proof that *ohr* means night.

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Come and hear another proof for Rav Yehudah: **The House of Shmuel taught** a Baraita: **The nights of the fourteenth they check the house for chametz by the light of a candle**. Thus we see that “*ohr*” of the fourteenth mentioned in the Mishnah is **night**, since they check for chametz at night, and not during the day.

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<sup>3</sup> The prayer recited at the conclusion of Shabbat and Yom Tov. It starts with the words, “*attah chonantanu*.”

<sup>4</sup> “He Who grants wisdom.” This is the first of the thirteen middle blessings.

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Because of all of these proofs, the Gemara concludes: **Rather**, we must say that **both according to Rav Huna and according to Rav Yehudah**, there is no question over the matter. **Everyone** agrees that **“ohr” is night**. They both said the same thing, **and they do not differ** with each other. Rather, one **master** refers to night **as is done in his place**, and the other **master** refers to night **as is done in his place**.

**In the place of Rav Huna they called** night **“naghei,”** which is an Aramaic word that means light, **and in the place of Rav Yehudah they called** night **“leilei,”** which means night.

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The Gemara asks: **And our Tanna, what is the reason** that he used the expression **“ohr” and he did not teach “the nights of the fourteenth,”** as the House of Shmuel taught in the Baraita? For this would seem to be a much clearer way of stating the Halachah.

The Gemara answers: The Tanna of our Mishnah **used a refined expression**. **“Ohr”** is a refined expression, and there is a mitzvah to use refined speech; this is the way of refined people. **And this is like** the teaching of **Rabbi Yehoshua ben Levi**.

**For said Rabbi Yehoshua ben Levi: A person should never allow a coarse expression to leave his mouth. Because note that the Scriptures used an extra eight letters and did not allow a coarse expression to leave its mouth. As it says (Bereishit<sup>5</sup> 7:8), “From the animal which is pure and from the animal which is not pure.”** It could have said, “the animal which is impure,” as it does elsewhere in the Torah, but the Torah changed the expression in one place and added eight letters in order to teach that one should prefer refined speech. The eight extra letters are calculated as follows: The word **“hatemei’ah,”** “impure,” has five letters, while the expression, **“asher einenah tehorah,”** “which is not pure,” has thirteen. Thus the Torah used an extra eight letters for the sake of refined speech.

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<sup>5</sup> Genesis

## Perek 1 – 3a

In fact, the word “*leilei*,” “nights,” is not truly a coarse expression. And the teaching of Rabbi Yehoshua ben Levi is not directed to the Mishnah. Rather we learn from his teaching that it is the way of the Sages to prefer refined speech. Thus *ohr*, literally meaning “light”, is preferable to *leilei*, even though *leilei* is only coarse relative to *ohr*.

**Rav Pappa said:** We even find that the Torah used **nine** extra letters in order not to use a coarse expression. As it says (*Devarim*<sup>6</sup> 23:11), “**And if there will be amongst you a man who is not pure; a happening of the night.**” The Torah does not say “*tamei*,” “impure,” which has three letters. Rather, it wrote, “*asher lo yi'he'yeh tahor*,” which has twelve letters. Thus the Torah added nine letters.

**Ravina said:** The Torah here added **ten** letters, since we have to count also the **vav of *tahor***, since in the Torah the word is written with the vav.

**Rav Acha bar Yaakov said:** We find that Scriptures added **sixteen** letters in order not to use a coarse expression. **As it says** (*Shmuel*<sup>7</sup> I 20:26), “**Because he said, ‘it is a happening; he must be not pure, for he has not been pure.’**” In Hebrew the verse says, “*mikreh hu bilti tahor hu ki lo tahor*.” It does not say, “*mikreh tamei hu*,” “It is a happening; he is impure.” The verse uses an additional sixteen letters here in order not to write “*tamei*.”

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**The House of Rabbi Yishmael taught** in a Baraita: **A person should always speak with clean expressions, because note that regarding a male *zav*<sup>8</sup> the Scriptures called it “riding equipment,”** as it says (*Vayikra*<sup>9</sup> 15:9), “And all riding equipment that the *zav* rides on will be impure.” **And with a menstruating woman or a *zavah*,<sup>10</sup> the Scriptures called it “a seat.”** Meaning, the law of riding equipment is not mentioned in connection

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<sup>6</sup> Deuteronomy

<sup>7</sup> Samuel

<sup>8</sup> A male who has become impure due to a seminal-like discharge.

<sup>9</sup> Leviticus

## Perek 1 – 3a

to women, only the law of seats, as it says (ibid. 23), “Or on the utensil which she is sitting on.” In truth there is no Halachic difference between a man or a woman in this regard, and also a woman who is impure will render riding equipment impure. Yet, since it is not proper to mention riding, which entails separating the legs, in connection with women, therefore the law of riding equipment is not mentioned in connection with them.

**And** the Scriptures **says** further (*Iyov*<sup>11</sup> 15:5), “**You choose the language of the clever.**” The verse commands to use the language of the Sages, who use refined speech.

And **it says** further (ibid. 33:3), “**The knowledge of my lips, speaks clearly,**” a clear clean language.

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The Gemara raises a difficulty: For **what** is it necessary for the Baraita to add, “**and it** (the Scriptures) **says,**” with the two verses from *Iyov*? Did we not learn this from the earlier verses about *zav*?

The Gemara answers: It was necessary to bring more verses, to preclude the following line of reasoning: **If you say** that from the verses of the Torah, we only learn that **these words are regarding the Torah**—i.e. that only the Torah was careful with its expressions, since it was said by the Holy One. **But with the Sages, no,** they do not have to be careful with their expressions in the Mishnah and Baraita.

Therefore, **come and hear** a proof to the contrary: **And it says,** “**You choose the language of the clever.**” We learn from here that the clever ones, i.e., the Sages, use refined speech.

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<sup>10</sup> A female who has become impure due to a menstrual-like discharge.

<sup>11</sup> Job

## Perek 1 – 3a

But yet, **if you say these words are regarding the Sages**, that only in the Mishnah and Baraita they have to be careful with clean speech, **but common speech**, it is **not** necessary—

Therefore **come** and **hear** a proof to the contrary: **And it says: “The knowledge of my lips speaks clearly.”** One should *always* be careful to use clear and clean speech.

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The Gemara challenges the earlier proof from the fact that it does not say “riding equipment” regarding a woman: **And regarding a woman, is it not written** anywhere in Scripture an expression of **riding?**

But note that it is written (*Bereishit* 24:61), **“And Rivkah<sup>12</sup> arose with her girls, and rode on the camel.”**

The Gemara answers: **There, because of fear** due to the height **of camels, it is the way** of a woman to ride. Since she is afraid that she might fall, she sits in the riding position with her legs apart—rather than in the sitting position with her legs together—so she can hold on with her hands and feet.

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<sup>12</sup> Rebecca

## Perek 1 – 3B

The Gemara raises a further difficulty: **And note that it is written** (*Shmot*<sup>13</sup> 4:20), **And Moshe took his wife and his sons, and he made them ride on the donkey.**” We see that even on a donkey, where a woman can safely sit with her legs together, the verse used an expression of riding.

The Gemara answers: **There...**

### **AMMUD BET**

**...because of his sons**, who are male, **and it is usual** for them to ride, therefore the verse used the expression of riding.

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The Gemara again raises a difficulty: **And note that it is written** regarding Avigayil<sup>14</sup>, the wife of Naval (*Shmuel*<sup>15</sup> I 25:20), **“And she was riding on the donkey**, and descending under cover of the mountain, and behold, David and his men descending towards her, and she met them.” Here it says riding in connection to a woman.

The Gemara answers: **There**, she rode at night. And **because of the fear of night, it is usual** even for a woman to ride.

**And if you wish, I will say** an alternative answer: although **there is no fear of night**, nevertheless, it was **because there is fear of David**. She feared David, who was on his way to annihilate the household of Naval, therefore she sat in the riding position.

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<sup>13</sup> Exodus

<sup>14</sup> Abigail

<sup>15</sup> Samuel

## Perek 1 – 3B

**And if you wish, I will say** an alternative answer: **there was also no fear of David**, but **there was fear of the mountain**. Since she was descending the mountain, she was afraid that she would fall from the donkey.

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The Gemara raises a further difficulty: **And in the Torah, it is not written** the word “**impure**”? The word “*tamei*,” “impure,” appears many times in the Torah, and the verse did not change it to read “not pure.”

The Gemara answers: **Rather, wherever** the two expressions—the refined and the coarse—**are the same** length, the verse **speaks with a clean expression**. But, **wherever there are more words**, i.e. more letters, when using the refined expression instead of the coarse expression, the verse **speaks with the shorter expression**, even though it is not a refined expression.

This is aside from the places mentioned earlier, where the Scriptures wrote lengthier expressions so as not to use the word “impure,” departing from their usual pattern, in order to teach us that one should prefer a refined expression. But we are to do so only where it is the same length as the unrefined. In other places, a coarse expression was used by Scripture and the Sages, for the sake of brevity. For a person should always teach his disciple in a concise manner.

**As Rav Huna said in the name of Rav, and some say, said Rav Huna in the name of Rav in the name of Rabbi Meir: A person should always teach his disciple in a concise manner**, since that way it is easier for him to remember his learning.

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The Gemara again raises a difficulty: **And wherever** the two expressions, the refined and the coarse, **are the same** amount of letters, the verse **speaks with an honorable**

## Perek 1 – 3B

expression?

**But note** that “*rochevet*,” “she rides,” and “*yoshevet*,” “she sits,” are the same number of letters, and nevertheless the verse says regarding Avigayil: “*rochevet*,” even though it is not an honorable expression in connection to a woman.

The Gemara answers: **It is written** “*rechevet*” without the vav, and if it were to write “*yoshevet*,” it would have to add one letter.

One cannot suggest that it should write, “*yeshevet*,” without the vav, because the Torah only writes something with a missing letter in a place where this is to be explicated, and here we do not explicate “*yeshevet*.” However, the missing letter in “*rechevet*” comes to teach us this very point, that a person should use a concise expression even if it is coarse.

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**There were two disciples that were sitting before Rav. One said: this teaching** was so hard, **it made us like a tired-out “something”<sup>16</sup>**, a euphemism for a pig.

**And the other one said: This teaching made us like a tired-out kid.**

**And Rav did not speak with that one.** Rav stopped speaking with the disciple who said “a tired-out something”, because the disciple spoke unnecessarily with a coarse expression.

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**There were two disciples who were sitting before Hillel, and one of them was Rabban Yochanan ben Zakai.**

**And others say:** That the two disciples were sitting **before Rabbi**, i.e., Rabbi Yehudah

## Perek 1 – 3B

Hanasi, **and one of them was Rabbi Yochanan.**

**One said: Why do they harvest grapes in purity, i.e., using pure utensils, and they do not harvest olives in purity?**

**And the other one said: Why do they harvest grapes in purity, and they harvest olives in impurity?**

**Said their master: I am sure about this one, who said “they do not harvest in purity,” that in the future he will render legal decisions among Israel.**

**And it was not too long until he rendered legal decisions among Israel.**

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**There were three Cohanim in the Temple. One said to them, to his friends: My portion of the *lechem hapanim*<sup>17</sup> reached me, and it was like the size of a bean.**

**And one said: Like the size of an olive reached me from the bread.**

**And one said: A little bit of bread reached me, like the size of a lizard's tail.**

**They investigated after him, the one who spoke in a coarse manner and said “like a lizard's tail,” and they found in him an invalidating flaw.** They discovered in his lineage something that invalidated him from serving in the Temple as a Cohen.

The Gemara is puzzled: Why did they investigate after his lineage?

**But note that it was taught in a Mishnah in Tractate *Kiddushin* (76A) regarding the investigation of lineage for marriage: They do not investigate from the Altar and**

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<sup>16</sup> *Davar Acheir*

<sup>17</sup> The twelve loaves of Show Bread.

## Perek 1 – 3B

**upwards.** I.e. there is no need to investigate the lineage of a Cohen who performed service on the Altar, in order to ascertain whether someone in his family was invalid as a Cohen. For if he would not be valid to perform the service, they would not allow him to do so on the Altar, as it was stated in Tractate *Midot*, that the Great Rabbinical Court in the *Lishkat Hagazit*<sup>18</sup> would investigate the lineage of all the Cohanim and Levites before they came to do the service.

Also here, since that Cohen was already serving as a Cohen, they must have investigated his lineage. Why did they investigate him again?

The Gemara answers: **Do not say** that they investigated his lineage and found in him an **invalidating flaw. Rather, say** they investigated him and found in him an **invalidating haughtiness.** They saw that he was haughty and belittled the Divine service of sacrifices, and therefore it is not fitting for him to perform this service. This is similar to the rule that any Cohen who does not concur that all the services of the Cohanim are Divinely commanded, does not receive a portion from the sacrificial meat.

**And if you wish, I will say** an alternative answer: In truth, they investigated the validity of his lineage, even though “they do not investigate from the Altar and upwards.” But **it** the case **is different there, as he discredited himself.** By using a coarse expression he weakened his *chezkat kashrut* (assumption of validity), and they needed to investigate. It was then discovered that the original investigation was not sufficiently thorough.

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<sup>18</sup> A chamber in the Temple where the Sanhedrin sat.

## Perek 1 – 3B

**There was a certain Aramean gentile that would go up to the Temple on Erev Pesach and eat of the meat of the Pesach sacrifice in Jerusalem.** When he returned to his town, he would boast **and say: It is written** in the Torah (*Shmot* 12:43), **“Every son of a foreigner shall not eat it,”** i.e. the Pesach sacrifice. It also says regarding the Pesach sacrifice (ibid. 48), **“All uncircumcised shall not eat it.”** **And I,** although I am both uncircumcised and the son of a foreigner, **I eat from the best of the best,** i.e. the best cut of the sacrifice.

**Said to him Rabbi Yehudah ben Beteira: Did they give you to eat from the tail,** which is the fattiest and choicest meat? They only gave you from the lean parts of the sacrifice!

The gentile **said to him:** Indeed, they did **not** give me from the tail.

Rabbi Yehudah ben Beteira **said to him: When you go up there** to Jerusalem the next time, **say to them: Feed me from the tail.**

Rabbi Yehudah ben Beteira's intention was to trick him into revealing his identity and save the Pesach sacrifice from the disgrace of being consumed by this man. The fatty tail was offered on the Altar and was forbidden to eat. When he would ask to eat from the tail, they would realize that he is not a Jew.

Rabbi Yehudah ben Beteira could not directly stop the man from going up to the Temple next Pesach, therefore he sought to prevent him in a roundabout fashion.

**When he went up** again to Jerusalem, **he said to them: From the tail** of the Pesach, **feed me!**

**They said to him: The tail goes up On High,** i.e. to Hashem on the Altar.

**They then said to him: Who said this to you,** to ask to eat from the tail?

## Perek 1 – 3B

**He said to them: Rabbi Yehudah ben Beteira** told me that you only give me the lean meat. I bought the sacrifice just like you, and why are you cheating me?

**They said: What is** the meaning of **this** strange report **before us?** How is it that Rabbi Yehudah ben Beteira told him this?

**They investigated after him and found that he was a Aramean gentile, and they killed him.**

**They sent a message to Rabbi Yehudah ben Beteira: Peace to you, Rabbi Yehudah ben Beteira, that you live in Netzivin and your net is spread in Jerusalem.**

This story was brought here in connect with the previous story, as both people caused their own investigations.

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**Rav Cahana took ill. The Rabbis sent to Rabbi Yehoshua the son of Rav Idi, and they said to him: Go check what is his situation.**

Rabbi Yehoshua the son of Rav Idi **came. He found that** Rav Cahana **died.**

Rabbi Yehoshua the son of Rav Idi **tore his clothes, and turned the tear behind him** in order not to frighten the Rabbis when they unexpectedly see the tear and realize that Rav Cahana died. **And he came crying** to the Rabbis.

The Rabbis **said to him:** Did Rav Cahana **die?**

## Perek 1 – 3B

**He said to them:** You understood this yourselves. **I did not say** this news explicitly, because it is written (*Mishlei*<sup>19</sup> 10:18), **“One who spreads evil speech is a fool.”**

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**Yochanan Chakuka’ah**<sup>20</sup> **went out to the villages** to examine the state of the grain crop.

**When he came back, they said to him: Did the wheat come out well?**

**He said to them: The barley came out well.** From his words they understood that the wheat did not, but he did not want to say so explicitly, in order not to say anything bad.

**They said to him:** Why are you answering us about the barley, which is not food for humans but for livestock? **Go out and inform this good tidings to the horses and donkeys,** for this is their food, as it is written (*Melachim*<sup>21</sup> I 5:8), **“And the barley and the straw for the horses and swift steeds.”**

The Gemara is puzzled by their derogatory response to his report: **What should he have said?** What else could he say, without saying anything bad?

The Gemara answers: He should have said: **Last year the wheat came out well.** That way they would have understood that this year it did not.

**Or else,** he could have said: **The lentils came out well,** since lentils are human food, thus he did not have to speak about animal food.

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<sup>19</sup> Proverbs

<sup>20</sup> This was his nickname.

<sup>21</sup> Kings

# Chavruta

## Pesachim – Daf Daled

Translated by: *Rabbi Avraham Rosenthal*  
Edited by: *R. Shmuel Globus*

**Rav was the son of the brother of Rabbi Chiya, and also the son of his sister.** This was because Aivo, Rav's father, was Rabbi Chiya's brother only through their father. And Ima, Rav's mother, was Rabbi Chiya's sister only through their mother.

**When Rav went up** from Babylon to **there**, the Land of Israel, and he came to Rabbi Chiya, Rabbi Chiya **said to him:** Is **Aivo**, your father and my brother, still **alive?**

Rav **said to him:** And is **Ima alive?** Meaning, before you ask me about my father, ask me about my mother, who is also your sister. He was hinting that his father had died and he did not want to tell him directly.

Rabbi Chiya again **said to him:** Is **Ima**, your mother and my sister, still **alive?**

Rav **said to him:** And is **Aivo alive** that you ask me about my mother?

He now hinted to him that even his mother died.

Rabbi Chiya **said to his servant:** **Remove my shoes** because I am mourning for my brother and sister. **And bring my clothes after me to the bathhouse.** He intended to teach halachot to the disciples.

**Hear from this**, the words of Rabbi Chiya, **three** halachot:

1) From that which he said, "remove my shoes," **hear from it** that a mourner is forbidden to wear shoes.

2) **And** from the fact that he said to immediately bring his clothes to the bathhouse, **hear**

## Perek 1 – 4a

**from it** that when one is mourning over **distant news**, i.e. where the news about the death arrived after thirty days, the mourning **is only observed for one day**. He does not observe the regular seven days of mourning. We see this because a mourner may not bathe, yet Rabbi Chiya did not wait seven days.

3) **And hear from it**: Even on that day, one need not observe mourning the entire day, rather one hour is sufficient. This is because **part of the day is like its entirety**. For Rabbi Chiya bathed on that very day and did not wait until the next day.

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The Gemara relates an incident regarding **a certain person that** whenever he had an argument with his friend, **he would say** to him: **Judge my case**, i.e. come with me to Court. He never wanted to listen to anyone, rather he only wanted to go to the Court.

**They said** about him: Since he always says this, **hear from it that he comes from** the tribe of **Dan**. **Because it is written** about this tribe (*Bereishit*<sup>1</sup> 49:16), **“Dan will judge his people, like one of the tribes of Israel.”**

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**A certain person would regularly say**, **“On the shore of the sea, I will build a palace.”** If I have the opportunity to build a palace, I will build it on the seashore. He was constantly praising the seashore.

**They investigated and they found that he comes from** the tribe of **Zevulun**, which it is **written** about this tribe (ibid. 13), **“Zevulun, on the shore of the sea, he dwells.”**

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<sup>1</sup> Genesis

## Perek 1 – 4a

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It was stated in the Mishnah: At the “*ohr*”, i.e. the night, of the Fourteenth of Nisan, which is Erev<sup>2</sup> Pesach, there is a special mitzvah to be performed: they search the house for the chametz, by the light of a candle.

The Gemara asks: **And now that we have established** regarding the disagreement between Rav Huna and Rav Yehudah **that according to everyone “*ohr*” is night**, and the time of checking for chametz is the night of the Fourteenth, then the question arises: why is it necessary to check specifically during the night?

**For whether** it is going according to **Rabbi Yehudah or whether** according to **Rabbi Meir** (who differ with each other in a later Mishnah, 11B, as to the exact hour at which the Sages forbade eating chametz on Erev Pesach), all agree that by Torah law, **chametz is only forbidden to eat from** the end of **six hours** into the day **and onwards**, i.e. from noon. **And** if so, **we should check** at the beginning of the **sixth hour** and destroy it at the end of the sixth hour, which is when it is forbidden according to the Torah.

It would be all right if “*ohr*” means day, since then we could say that this is the Mishnah's intention, to check during the sixth hour. But now that we said that according to everyone we check for chametz at night, the question arises: why do we have to check so much earlier?

**And if you say** the reason we bring the search forward to the night is because **those who are zealous rise early for mitzvot**, i.e. they seek to fulfill them at the earliest possible time, then **let us check** right away **in the morning**. It would be sufficient to check early

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<sup>2</sup> The Eve of

## Perek 1 – 4a

in the morning of the Fourteenth, and thereby fulfilling the practice of the zealous to rise early for mitzvot.

**As is written** regarding the mitzvah of circumcision (*Vayikra*<sup>3</sup> 12:3), “**And on the eight day you will circumcise the flesh of his foreskin.**” And it was taught in a Baraita regarding this: **The entire day is valid for circumcision, but those who are zealous rise early for mitzvot**, and they circumcise in the morning, as we find **that it says** by the binding of Yitzchak<sup>4</sup> (*Bereishit* 22:3), “**And Avraham rose early in the morning.**” He did not wait until sunrise to go on this Divine mission; rather he rose early at the break of dawn.

Nevertheless, he did not bring it forward to the night. Thus we see that even those who are zealous about mitzvot, as was Avraham, only bring it forward to early in the morning. Therefore, why is it necessary to check for chametz during the night before the Fourteenth?

The Gemara answers: **Said Rav Nachman bar Yitzchak:** The Sages wished the search for chametz to take place **at a time when people are found in their homes**, whereas during the day people are at work. **And** another reason is because at night **the light of a candle is effective for checking.**<sup>5</sup> During the day, however, a candle’s light does not help one see better, due the stronger daylight.

**Said Abaye:** Since one must check specifically at night, **therefore, a Torah scholar should not start his fixed time** to learn. I.e. he should not start learning **on the night** following the **thirteenth**, which is **the evening of the Fourteenth**, when one must check for chametz. This is because **perhaps his learning will continue** for a long time **and he will fail to do the mitzvah** of checking for chametz.

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<sup>3</sup> Leviticus

<sup>4</sup> Isaac

## Perek 1 – 4a

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**They** the scholars of the study hall **posed an inquiry to Rav Nachman bar Yitzchak: A landlord who rents a home to his friend on the Fourteenth** of Nisan, **on whom** is the obligation **to check** the house for chametz?

Is it **on the landlord to check** because **the chametz** in the house **is his**?

**Or perhaps it is on the tenant to check.** Because what is **forbidden**, i.e. the chametz, **is located in his domain**, since the house is his for the entire period of the lease.

The Gemara answers: **Come and hear** a proof that the tenant must check, from what was taught in a Baraita: A landlord **who rents a house to his friend, it is on the tenant to affix a mezuzah.** We thus see that mitzvot connected to the house are the tenant's obligation. Therefore, checking for chametz should be the same.

The Gemara dismisses this: **There**, the responsibility to affix the mezuzah is placed upon the tenant because of **that** which was **said by Rav Mesharshia: Mezuzah is always the obligation of the resident.** Whoever lives in the house is obligated in mezuzah since the mezuzah protects him, and also because it is written that they are to be placed “on the doorposts of your house (*bei'techa*).” The word “*bei'techa*” is interpreted to mean “*bi'atcha*,” “your entering.” Thus the obligation is on who enters and exits the house. But **here**, with checking for chametz, it is quite different. For by Torah law it is sufficient to nullify the chametz, in order to fulfill one's obligation of not owning chametz during Pesach. This renders the obligation to check the house a Rabbinic one. Thus the question remains: **what** is the law? Who is obligated to check the house?

**Said to them Rav Nachman bar Yitzchak: It was taught** in a Baraita: A landlord **who rents a house to his friend**, the law is as follows: **If, before he gave him the keys, the**

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<sup>5</sup> The light of a candle is especially suited for checking into cracks and crevices, thus the Sages wished one

## Perek 1 – 4a

night of the **Fourteenth arrived, it is upon the landlord to check.** This is because the giving over of the keys is the act of acquisition that clinches the rental of the house. Since the obligation to check the house arrived before the landlord gave over the keys to the prospective tenant, the obligation is on the landlord, and remains on him even after he gives over the keys.

**And if after he gave him the keys, the Fourteenth arrived,** since he gave the keys to the tenant on the thirteenth or earlier, **it is upon the tenant to check.** This is because the obligation to check the house arrived at a time when the house was already rented out.

c c ã d d

**They posed an inquiry to Rav Nachman bar Yitzchak,** regarding the following case: A landlord **who rents a house to his friend on the Fourteenth** of Nisan in the morning, and the tenant does not know if the landlord checked the house yesterday evening or not. Is there a *chazakah* (assumption) **that it was checked,** because we trust that the landlord fulfilled the mitzvah of checking for chametz in its proper time, since, as the Gemara ruled before, the obligation is on him in this situation?

**Or** perhaps it does **not** have a *chazakah* **that it was checked,** and the tenant needs to check now for chametz.

The Gemara, still in the process of stating the inquiry, asks: **What practical difference is there,** if it has a *chazakah* of being checked or not? One may simply go and **ask him.** Ask the landlord if he checked or not.

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to conduct the search for chametz aided by such a light.

## Perek 1 – 4B

The Gemara clarifies: We are discussing a case where **this one**, the landlord, **is not here to ask**. Since he is not here, our question is whether **to trouble that one**, the tenant, to check the house, out of doubt. **What** is the law—did the Sages trouble him to check in this situation, or not?

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The Gemara now answers the inquiry.

**Said to them Rav Nachman bar Yitzchak:** This halachah **was taught** in a Baraita: **Everyone is trusted** to testify on the Fourteenth of Nisan **regarding the eradication of the chametz**. I.e. everyone is believed if they say that the owners of this house checked it yesterday evening. **Even women, even slaves, even minors** are believed.

The Gemara infers: **What is the reason they are trusted** to testify about this, given that regarding most matters, they are judged invalid to testify?

### **AMMUD BET**

(*position #1: a house has a chazakah*):

Is **not** the reason **because it has a *chazakah*** that the house was **checked**? Thus the Tanna of the Baraita **holds that everyone is** judged as having the status of “*chaverim*” **with regards to the checking of chametz**. A “*chaver*” (colleague of the Sages) is a person considered knowledgeable and meticulous in Halachah, even regarding Rabbinic stringencies.

## Perek 1 – 4B

Here, this Tanna holds that every person is as reliable as is a *chaver* when it comes to checking for chametz. He is trusted, and is not suspect that he did not check. Since he is trusted, there is indeed a *chazakah* that he has done the mitzvah in its proper time. Therefore, every house has a *chazakah* that it was checked on Erev Pesach. This is why women, slaves and minors are believed: even without their testimony, the house itself has a *chazakah* of having been checked.

As **it was taught** in a Baraita: A *chaver* has a *chazakah* that he does a mitzvah in the proper time: **A *chaver* who died and left a silo full of produce; even if it the produce is just one day old**, i.e. it only became obligated in tithes today, **it has a *chazakah* that it has been rectified**, i.e. that tithes have been separated from the produce, rendering it fit to be eaten. This is because the *chaver* has a *chazakah* that he tithed it immediately.

Thus we may conclude that if a landlord rents out a house on the morning of the Fourteenth and is not available to be asked whether he checked the house or not, the tenant need not check it. The house has a *chazakah* that it was checked.

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*(position #2: we rely on testimony of invalid witnesses)*

The Gemara, before presenting position 2, refutes the above proof to position 1.

**From where** do you know that everyone is trusted to check for chametz, thus every house has a *chazakah* it was checked? **Perhaps, here** where we have a testimony on the matter, **it is different. Because these** people, the woman, the slave or the minor, **said** that they saw the landlord check the house, and only on this basis does the house have a *chazakah* that it was checked. Although they are judged as invalid as regards other forms of testimony, here they are believed.

## Perek 1 – 4B

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*(reply of position #1)*

The Gemara replies: **Does the speech of these people have any substance** i.e. significance **to it?** They are invalid witnesses, and cannot establish a *chazakah* that the house was checked for chametz. Rather, the house must have a *chazakah* on its own, since everyone is a *chaver* as regards checking for chametz.

*(reply of position #2)*

The Gemara replies: **But what** will you say is the reason – because the house **has a *chazakah* that it was checked?**

If so, a difficulty arises with **that** which **was taught**: “**Everyone is trusted** regarding eradication of chametz”. According to what you said, it is not dependant on their trustworthiness, rather on the *chazakah* of the house. **It needs** to say: “**All the houses have a *chazakah* of having been checked on the Fourteenth.**”

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*(position #1's rejoinder)*

The Gemara replies: **But what** will you say – that the reason is **because of the speech of these?** But **note** that if **these do not say**, i.e. if they would *not* testify that they saw him check, we do **not** assume the house was checked. Therefore we should **conclude from it**, the Baraita, the exact opposite: **that** the house does **not have a *chazakah* that it was checked.** Therefore, regarding the original inquiry of the Gemara, it will emerge that a tenant who rents a house on the Fourteenth in the day indeed needs to check it.

## Perek 1 – 4B

The Gemara concludes the discussion: Do **not** resolve from here in either direction. **In truth, I will tell you** that any unknown house **has a *chazakah* that it was checked, and here, with what are we dealing? That there is a *chazakah*** regarding the landlord **that he did not check.** For example, we saw that he was busy with something else the entire time of the checking, or that he went on a trip on the thirteenth by day. And then **these** people, the woman, slave or minor, came and **said that we checked it.**

**What might you say? The Rabbis did not believe them** in this matter, since they are invalid to testify. Therefore, **it** the Baraita **informs us** that this is not so. In fact they are believed, **since** the entire obligation **of checking for chametz is Rabbinic.** This is **because according to the Torah, mere nullification** of the chametz **is sufficient.** For it does not say in the Torah: “you shall eradicate (*teva'aru*)”, implying physical removal. Rather it says, “you shall eliminate (*tashbitu*)”, and this can be fulfilled even through thought alone. Therefore **the Rabbis believed them,** the women, slaves and minors, **regarding** the checking for chametz which is only **Rabbinic.** Since the Rabbis created the obligation, it is within their power to determine who will be relied upon regarding this obligation.

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**They** the scholars of the study hall **posed an inquiry,** regarding the following case: A landlord **who rents a house to his friend** on Erev Pesach **with the *chazakah* that it was checked, and he** the tenant **found that it was not checked. What is its law? Is it like a purchase made on false premises?** In which case the tenant may renege on the lease and say, “I never would have rented it if I would have known that I would have to trouble myself to check it!” **Or** perhaps he **cannot** renege.

**Come and hear** a proof that he cannot renege, from **that** which **said Abaye: It is not**

## Perek 1 – 4B

**necessary** to even mention that he cannot renege, **in a place where they do not** ordinarily **pay wages** to someone else **for them to check** for chametz, rather everyone checks for chametz himself. In that situation, it is obvious that the tenant cannot claim “false premises”, and say that had he known the house was not checked, he would not have rented it.

This is **because it is pleasing to a person to do a mitzvah himself**, and even had he known that it was not checked, he assumedly would have rented it anyway. Now he is just saying this because he found a nicer house that he wishes to rent.

Abaye continues: **But even in a place where they pay wages for them to check**, i.e. the local custom is that householders hire others to check for them, the law is the same. In the question at hand, the tenant who discovered that the house was not checked will suffer a monetary loss, as he will hire someone to check for him, in line with the local custom. Nevertheless, the tenant cannot claim “false premises”.

This is because **it is pleasing to a person to do a mitzvah even with his money**. Even had he known that he would need to spend money for the checking, assumedly he would have agreed to rent the house nevertheless. Now he is just saying this because he found a nicer house that he wishes to rent.

c c õ d d

**It was taught there** in a Mishnah (11B): **Rabbi Meir says: They eat** chametz on Erev Pesach **the entire** first **five** hours of the day, **and they burn** it **at the beginning** of the **sixth** hour. One should not wait until the beginning of the seventh hour because then it is forbidden according to the Torah. The Sages decreed that chametz is forbidden during the sixth hour, because perhaps people will err by one hour and they will think that the seventh hour is really the sixth.

## Perek 1 – 4B

**Rabbi Yehudah says: They eat the entire four hours, and they suspend it the entire fifth.** I.e. they do not eat chametz during the fifth hour, because people could err even by two hours, and they might think that the seventh is really the fifth. However, it is not necessary to burn the chametz during the fifth hour, and it is still permissible to derive benefit from it, such as by feeding it to one's livestock. **And they burn it at the beginning of the sixth,** because from then on it is forbidden even to derive benefit from it, according to Rabbinic Law.

**Everyone nevertheless agrees that chametz, from the end of six hours and onwards is forbidden** according to the Torah. I.e. it is forbidden from noon on. If it would not be forbidden until nightfall, the Sages would not have forbade it so early in the day, because people do not make a mistake between night and day.

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The Gemara asks: **From where** do we know that chametz is forbidden by the Torah on Erev Pesach from noon on?

**Said Abaye: Two verses are written** about chametz:

**It is written** (*Shmot*<sup>6</sup> 12:19), **“Seven days, sourdough shall not be found in your homes.”** This indicates that it may not be found in your homes at any time during the seven days.

**And it is written** (ibid. 15), **“But on the first day, eliminate sourdough from your homes.”** This indicates that during the course of the first day, they eliminate the chametz.

**How is this?** How do we reconcile these two contradictory verses? If one eliminates the

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<sup>6</sup> Exodus

## Perek 1 – 4B

chametz during the course of the first day, one has the chametz until then—in which case one transgresses the first verse: “Seven days, sourdough shall not be found in your homes”!

We are forced to the conclusion that “on the first day” is the day *before* the seven days of Pesach. And the verse is coming **to include the Fourteenth for eradication**, i.e. that we are obligated to eradicate the chametz on Erev Pesach, the Fourteenth of Nisan. (Later, the Gemara will explain how we know that the prohibition starts at noon.) This resolves the contradiction between the two verses, for indeed the chametz shall not be found at any time during the entire seven days.

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The Gemara raises a difficulty: We are not forced to the above conclusion, for **I will say** that in truth, “on the first day” is the first of the seven days of Pesach. And the verse is coming **to include the night of the fifteenth for eradication**, that we must eradicate the chametz on the night of the fifteenth, which is at the very beginning of Pesach, and not wait until the morning.

**For I might think** the following: “Seven days, sourdough shall not be found in your homes. In this verse **it is written “days,”** which indicates **“days,” yes**, there is a prohibition on chametz. But **nights, no**, there is no prohibition. Therefore **it**, the verse of “On the first day”, **informs us** that even before the daytime of the first day comes, we must eliminate the chametz. **And** therefore we must do this **even at night**.

The Gemara answers: For **that** teaching, the Torah **does not need** to write the verse of “On the first day”. Because even without the verse, we would know that the night of the fifteenth is included in the prohibition stemming from “Seven days, sourdough shall not be found in your homes.”

# Chavruta Pesachim – Daf Heh

Translated by: *Rabbi Dov Zimmel*  
Edited by: *R. Shmuel Globus*

[The Gemara answers: For **that** teaching, the Torah **does not need** to write the verse of “On the first day”. Because even without the verse, we would know that the night of the fifteenth is included in the prohibition stemming from “Seven days, sourdough shall not be found in your homes.”]

**For note that the elimination of sourdough** from one’s possession **is compared<sup>1</sup>** by the Torah **to the prohibition on the eating of chametz**. I.e. one must have eliminated his sourdough by the time it becomes forbidden to eat chametz. **And the prohibition on the eating of chametz is compared to the mitzvah of eating of matzah**. Just as the mitzvah of eating matzah is on the night of the fifteenth of Nissan, so too is it forbidden to eat chametz at that time. Therefore, we can derive from these comparisons that one must have eliminated his sourdough from his possession by the night of the fifteenth of Nissan—and the verse of “On the first day” is not needed to teach us this.

Thus we are forced to conclude that “On the first day” teaches us that we must eliminate chametz on Erev<sup>2</sup> Pesach, the fourteenth of Nisan.

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The Gemara explains: **The elimination of sourdough is compared to the eating of chametz, for it is written** (*Shmot*<sup>3</sup> 12:19), “**Seven days, sourdough should not be found in your homes, for anyone who eats leaven – he shall be excised from the Jewish people...**”

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<sup>1</sup> The comparison is derived by the juxtaposition of the verses teaching these Mitzvot.

<sup>2</sup> The Eve of

<sup>3</sup> Exodus

## Perek 1 – 5a

**And the eating of chametz** is compared **to the eating of matzah**, for it is written (*ibid* 12:20), “**Any leaven you shall not eat; in all your dwelling places you should eat matzot**”.

And **it is written concerning** this mitzvah of eating **matzah** (*ibid* 12:18): “On the first day, on the fourteenth day of the month, **in the evening, you shall eat matzot**”.

\*

The Gemara raises a difficulty: **But** we could **say** that the verse of “On the first day” comes **to include** even **the night of the Fourteenth** as the time **to eradicate** the chametz. I.e. how do we know that the mitzvah of eliminating the chametz applies in the *daytime* of the fourteenth of Nissan – maybe it begins from the night before?

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The Gemara answers: **It is written “On the first day”**. This implies that the mitzvah is specifically in the daytime and not at night.

\*

The Gemara raises a difficulty: **But** we could **say** that the mitzvah begins **from the morning** of the Fourteenth. How do we know that the mitzvah of eliminating the chametz begins only at noon?

\*

The Gemara answers: The verse says (*ibid* 12:15), “**But (*ach*)** on the first day you should eliminate...” The word *ach* comes to **divide** that day, and say that the mitzvah applies to only part of the day – after midday.

## Perek 1 – 5a

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**In the House of Rabbi Yishmael it was taught: We have found that the Fourteenth of Nissan is called “first”, for it is stated (*ibid* 12:18), “On the first, on the fourteenth day of the month, in the evening you shall eat matzot”.**

Therefore, the same is true in the verse which speaks of the mitzvah of eliminating the chametz (*ibid* 12:15). When it says “On the first day”, it refers to the fourteenth of Nissan. This is an alternative way of coming to the same conclusion as the Gemara reached above.

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**Rav Nachman bar Yitzchak said** yet another way coming to the conclusion that “The first day” refers to the fourteenth of Nissan: the word **first**, “*rishon*”, implies “prior to”. I.e. the “first” day actually means the day prior to the seven days of Pesach. This is proved from a verse: **For the verse states (*Iyov*<sup>4</sup> 15:7), “Were you born prior to (*harishon*) Adam?”**

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The Gemara questions this: **But according to this**, a difficulty arises regarding what is written about the mitzvah of taking the four species on the first Yom Tov of Succot. For it is written (*Vayikra*<sup>5</sup> 23:40): “**And you should take for yourselves on the *first* day...**”

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<sup>4</sup> Job

<sup>5</sup> Leviticus

## Perek 1 – 5a

**There also**, are we to say that the word “**first**” implies prior to, and the four species are to be taken on Erev Succot? This obviously is not true.

The Gemara resolves the difficulty: **It is different** over **there** concerning Succot, **for it is written** at the end of the above verse: “**And you shall rejoice before Hashem your G-d, for seven days**”. And this is interpreted to mean that **just as the seventh** day of these seven days means the **seventh day of the festival** of Succot, **so too the first day** refers to the **first day of the festival** of Succot.

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The Gemara poses a difficulty: But **here also** concerning chametz, **it is written** (*Shmot* 12:15): “**But on the first day you shall eliminate** the sourdough from your homes”. And earlier in that same verse it says, “**For seven days you shall eat matzot...**”

Why do we not say that just as the first part of the verse refers to the days of the festival of Pesach, so too “the first day” refers to the first day of Pesach, and not the day before?

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The Gemara resolves the difficulty: **If so**, that the verse comes to teach that one should eliminate the chametz only on the fifteenth of Nissan, **let the verse be written: “first day”**. **Why is it** written “**The first day**”? Rather, **hear from this** a proof that the mitzvah of eliminating the chametz begins from the fourteenth day of Nissan, **like we said**.

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The Gemara poses a difficulty: **If so**, then **there also** concerning the four species, **why** does it say “**The first day**” and not just “first day”?

## Perek 1 – 5a

**And furthermore**, over **there** concerning the festival of Succot, it is written (*Vayikra* 23:39), “**On the first day it shall be a day of rest, and on the eighth day it shall be a day of rest**”. Let us say that there too, “**the first day**” implies **from before**. I.e. there shall be a day of rest on the day *before* the seven days of the festival, and not *on* the first day of the festival.

The Gemara answers: **It is different** over **there**, concerning the festival of Succot, **because the verse states**, “**And on the eighth day it shall be a day of rest**. And this is interpreted as follows: **Just as the eighth** day refers to **the eighth day of the festival, so too the first** day refers to **the first day of the festival** (and not to the day prior to it).

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The Gemara poses a difficulty: But **why is it** written “**The first** day”, concerning Succot? How do we interpret the extra letter ‘*hey*,’ representing “the”?

The Gemara resolves the difficulty: The extra “*hey*” is coming **to exclude Chol Hamoed**<sup>6</sup>. It teaches that *chol hamoed* is not a time when all work is forbidden, as is the case on Yom Tov, when all work (except for food preparation) is forbidden.

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The Gemara is puzzled by this: But ***Chol Hamoed*** does not need the extra ‘*hey*’ to exclude it. Because **it can be derived from** what is anyways written in the verse (*ibid*), that **the first and eighth** days shall be days of rest. This implies that the days in between are not days of rest from work.

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<sup>6</sup> The intermediate days of the festival.

## Perek 1 – 5a

The Gemara answers: Even so, **it is necessary** for the extra ‘hey’ to exclude *Chol Hamoed*. Because **you might have said** the following:

**Since it is written in the Torah: “And on the eighth day** it shall be a day of rest’, one might think that the extra letter ‘vav’ (representing “and”) **is coming to add on to the initial subject** (i.e. the previous days). Thus, it would be saying that the eighth day is a day of rest just like the previous days. And we would conclude **that even on Chol Hamoed**, one must rest from work.

Therefore, the extra letter ‘hey’ **comes to teach us** that one does not need to rest from work on *Chol Hamoed*.

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The Gemara poses a difficulty: But according to this, **the Torah should neither write the ‘vav’** of “And on the eighth day”, **nor the ‘hey’** – of “*the* first day”. In this way, we would still know that only on the first and eighth days are days of rest.

**And furthermore**, another difficulty will arise: Over **there**, concerning the festival of Pesach, **that it is written** (*Vayikra* 23: 67) “For seven days you shall eat matzot. **On the first day you shall have a holy assembly**, you shall not do any laborious work”. Shall we say also there, that the word “**first**” **implies prior to**, and that on the fourteenth day of Nissan it would be forbidden to do work? Yet this obviously is not true.

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The Gemara answers: **Rather**, we shall say that **those three** times the word “**first**” is written – in reference to the four species, Succot and Pesach – they **are needed for that teaching which was taught in the House of Rabbi Yishmael**.

## Perek 1 – 5a

**For it was taught in the House of Rabbi Yishmael: In the merit of these three which are called “first”, the Jewish people merited three other things which are called “first”.**

They merited:

(1) The ability to wipe out the offspring of Eisav<sup>7</sup>.

(2) The building of the Holy Temple.

(3) And the name of Mashiach<sup>8</sup>.

Each of these are referred to as “first”, as the Gemara will now show.

**To wipe out the offspring of Eisav, who is called “first”, for it is written (*Breishit*<sup>9</sup> 25:25), “The *first* one came out entirely red, like a hairy cloak”.**

**And the building of the Holy Temple, which is called “first”, for it is written (*Yirmeyahu*<sup>10</sup> 17:12), “The Throne of Glory, elevated from the *first* time, the place of our Temple”.**

**And the name of Mashiach, who is called “first”, for it is written (*Yeshayahu*<sup>11</sup> 41:27), “The *first* one [to come] to Zion [will announce] “Behold, they are here!”**

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<sup>7</sup> Esau

<sup>8</sup> The Messiah

<sup>9</sup> Genesis

<sup>10</sup> Jeremiah

<sup>11</sup> Isaiah

## Perek 1 – 5a

The Gemara, above, explained how we know that one must eliminate the chametz by midday of Erev Pesach. Now the Gemara will bring another way of deriving this teaching.

**Rava said:** We can learn it out **from here**, for it is written (*Shmot* 34:25), “**You shall not slaughter my blood-offering, while you have chametz.**” This verse means that **you shall not slaughter the Pesach-offering, while chametz still exists.** And since the Pesach-offering is slaughtered from midday of Erev Pesach, we learn that one must have eliminated his chametz by that time.

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The Gemara poses a difficulty: **But I could say** that the Torah only prohibits an individual from having chametz in his possession **when each one has slaughtered** his personal Pesach-offering.

If a person slaughtered his Pesach-offering at three in the afternoon, he would be permitted to have chametz in his possession until then. How do we know that after midday, no one may have chametz in his possession?

The Gemara resolves the difficulty: **The Torah is stating the time for the slaughtering**, not the physical act of slaughtering. The Torah is prohibiting the possession of chametz at a time which is fitting to slaughter the Pesach-offering – i.e. from midday. But not from the time that each person actually slaughters his Pesach-offering.

It is reasonable to assume that the Torah intended the prohibition to be dependent on a unified time which applies to everyone, rather than giving a time which will be different from one person to the next.

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## Perek 1 – 5a

**It was also taught** in a Baraita **like this**, i.e. as Rava said: The verse says (*Shmot* 12:15), **“But on the first day you shall eliminate sourdough from your homes.”** The Torah is teaching that one shall eliminate one’s sourdough **from the day before Yom Tov**.

**Or** maybe the verse means that the mitzvah **only** applies **on the day of Yom Tov itself**, and not the day before?

Therefore the verse **comes to teach** (*Shmot* 34:25), **“You shall not slaughter my blood-offering while you have chametz”**. **You shall not slaughter the Pesach-offering while chametz is still in existence**. Thus, “on the first day” must mean the day before Yom Tov. These are **the words of Rabbi Yishmael**.

**Rabbi Akiva says: It is not necessary** to revert to another verse to bring out the meaning; it may be proven from the verse itself.

Because **note that it states** (*Shmot* 12:15), **“But on the first day you shall eliminate sourdough from your homes”**. This eliminating means that one needs to burn it. **And yet it is written** concerning Yom Tov (*ibid*, 12:16), **“No work may be done on them”**. **And we have found that burning is considered a primary type of work**. So it must be that the eliminating of the chametz takes place on the fourteenth of Nissan and not on the first day of Yom Tov.

**Rabbi Yosi says: It is not necessary** to bring a proof from the prohibition of doing work; rather one can bring out the meaning from the mitzvah itself of eliminating the chametz.

**Because it says** (*ibid*, 12:15), **“But on the first day you shall eliminate sourdough from your homes”**. Does this mean **on the day before Yom Tov** one shall eliminate the **chametz? Or** maybe the verse means that the mitzvah **only** applies **on the day of Yom**

## Perek 1 – 5a

**Tov.** Therefore the verse **comes to teach** through the word “**but**” (*ach*) that we are to **divide** the day. Part of the day is permitted to have chametz in one’s possession, and part of the day not.

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The Gemara elucidates the proof of Rabbi Yosi: **And if** “on the first day” means **on Yom Tov itself, is it permissible** to have chametz in one’s possession for even part of that day?

But **note** that **the elimination of sourdough is compared<sup>12</sup> to the eating of chametz, and the eating of chametz is compared to the eating of matzah.**

Now, the time of the mitzvah of eating matzah is at the start of the night of the fifteenth of Nissan. Thus we can derive that both the prohibition of eating chametz and the eliminating of sourdough already apply at that time. If so, how could we say, based on the word “but”, that it is permissible to have sourdough in one’s possession for part of that day?

Rather, it must be that “on the first day” refers to the day before Yom Tov – and for part of *that* day, one indeed is permitted to have sourdough in one’s possession, and only from midday does it become forbidden to possess sourdough.

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<sup>12</sup> By placing these two Halachot next to one another in the verses, the Torah teaches us that one can derive similarities in Halachah from one to the other.

## Perek 1 – 5B

**Said Rava:**

### **Ammud Bet**

We may **hear, from that** which **Rabbi Akiva** said, a proof to **three** things:

- (1) **Hear from it** a proof that **one can only eradicate** one's **chametz through burning** it. This is like the view of Rabbi Yehudah later on (21a).

Because if Rabbi Akiva held like the Sages do, that one can eradicate it in any manner, then one could do so even on Yom Tov itself – e.g. by throwing it into the sea, or by feeding it to dogs. Yet Rabbi Akiva proved from the fact that it is not possible to eradicate it on Yom Tov that “on the first day” must mean the day before Yom Tov.

- (2) **And hear from it** a proof that **kindling a fire was taken out** of the general category of forbidden forms of work, in order **to divide** between the various forms of work. The verse states (*Shmot* 35:3), “You shall not kindle a fire in any of your dwellings on the day of Shabbat”. Now, the Torah had already stated (*Shmot* 20:10), “But on the seventh day is Shabbat to Hashem, your G-d, you shall not do any work...” So why was it necessary for the Torah to state a second time that one cannot kindle a fire – surely it was included in the first, general prohibition?

This is a support for Rabbi Natan, who holds<sup>13</sup> that kindling a fire was taken out of the general category of forbidden work in order to “divide”. I.e. in a case where someone did

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<sup>13</sup> Shabbat 70a

## Perek 1 – 5B

not know it was Shabbat and he did many different types of work, he must bring a sin offering for each category of forbidden work that he performed. This is because the Torah mentioned kindling a fire on its own, to teach that we are to divide between the various categories of forbidden work, and not regard them all as one and the same, requiring one sin offering for all. Rather, each category of work requires its own sin offering.

Rabbi Yosi explains differently why kindling a fire was taken out of the general category of forbidden forms of work. He holds that it teaches that kindling is different from other forms of work, and that kindling does not constitute a primary category of work at all, and therefore, one is not liable a sin offering for inadvertently kindling a fire on Shabbat. It is a regular Torah prohibition which is punishable by lashes for a deliberate transgression.

Now, since Rabbi Akiva called the kindling of fire a primary type of work, he certainly holds like Rabbi Natan, that kindling was taken out of the general category of work in order to divide between the various forms of work. Because according to Rabbi Yosi, it is not a primary type of work at all.

- (3) **And hear from it** a proof that **we do not say** the following line of reasoning: **Since kindling a fire on Yom Tov is permitted for the purpose** of preparing food, **it is also permitted** even if it is **not for the purpose** of preparing food. (This issue is subject to a disagreement between Beit Hillel and Beit Shammai.<sup>14</sup>)

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<sup>14</sup> Brought in Tractate *Beitzah* (12a)

## Perek 1 – 5B

**The Rabbis taught** in a Baraita: The verse states (*Shmot* 12:19), “**For seven days, sourdough shall not be found in your houses.**” **What is this** verse **coming to teach?**

**Note that it already stated** (ibid 13:7), “**Chametz shall not be seen in your possession, and sourdough shall not be seen in your possession in all your borders**”. And since houses are included in the general category of “your borders”, i.e. your domain in general, why does the verse need to state that sourdough shall not be found in your houses?

**Because** if it would have **stated** only the verse “**sourdough shall not be seen**”, I could have said the following:

We derive from the phrase “in your possession”, which is repeated, that only **your chametz, you may not see. But you may see chametz belonging to others**. This teaches that one may keep chametz belonging to a non-Jew in one’s house. **And** we also derive that chametz which **belongs to the most High** may be kept in one’s home, for this also is not in “your possession”. The Baraita is referring to chametz food items that were consecrated to the Temple. The Temple treasurers will sell these food items, and use the revenue for Temple upkeep.

In the same way, **I might** say that we could derive from this verse that **one may cover over** his chametz so that he shall not see it, and that would be sufficient, although it remains his property.

And similarly, I might say that **one may receive deposits** of chametz **from a non-Jew** to safeguard them, and there would be no prohibition in this, since the chametz does not belong to you.

To obviate such a conclusion, **it** the second verse of “for seven days, sourdough shall not be found...” **comes to teach** us that it **shall not even be found**. I.e. it is forbidden to

## Perek 1 – 5B

keep chametz in one's possession, even if it is covered over and out of sight. This is because it is still "found" in one's possession, although it is not "seen".

Similarly, we can derive from this second verse that it is forbidden to receive deposits of chametz from a non-Jew for safeguarding. Because this second verse does not contain the phrase "in your possession". Thus it teaches that no chametz in anyone's possession may be found in your homes.

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But still, **I only** know that it is forbidden to receive a deposit of chametz from **a non-Jew who has not been subjugated to you, or is not living with you in your courtyard.**

However, **a non-Jew who has been subjugated**, whose possessions are considered like yours, or **a non-Jew who is living with you in your courtyard**, who is your neighbor although his possessions are not like yours, **from where do we know** that if he deposits chametz with you for safeguarding, that you will transgress a Torah prohibition?

For this purpose the verse **comes to teach: "It shall not be found in your houses"**.

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The Baraita continues: And if it would only be written, "sourdough shall not be found in your houses", **I would only** know that it is forbidden to keep chametz **which is in your houses**, where it is easily accessible at all times. However, chametz which is located **in pits, in ditches or in caves – from where do I know** that this chametz is forbidden to be kept?

For this purpose the verse **comes to teach**, "sourdough shall not be seen to you **in all of your boundaries**" – even if it is not in your house.

## Perek 1 – 5B

**But** even with these two verses, **I could still say** that only regarding chametz that is **in your houses, will you transgress the prohibition of not seeing, and not finding, and not concealing, and not accepting deposits** of chametz **from a non-Jew**. This is because the prohibition of not concealing and not accepting deposits is derived from the prohibition that it shall not be found, and this prohibition was stated only as regards “in your houses”.

However, concerning chametz that is located **in your boundaries** but not in your houses – i.e. it is in pits, ditches or caves – I could say that there is no prohibition to receive deposits from a non-Jew. For the verse which prohibits having chametz in all of your boundaries refers specifically to chametz that belongs to you. And we derive from the verse that only chametz **which is yours, you may not see, but you may see chametz of others, and of the Most High**.

Similarly, I might think that in your boundaries it will not be prohibited to conceal chametz. For the verse that prohibits chametz in your boundaries states that it shall not be seen – which implies that if it were hidden it would be permissible to keep it.

**From where** do we know that we are **to give** the prohibition **that was said in this** verse, where it mentions in your houses, **to that** verse, where it mentions in your boundaries, and apply it there as well? And to give the prohibition that was said **in that** verse, **to this** verse, and apply it here as well?

For this purpose the verse **comes to say: “Sourdough, sourdough” for a *gezeirah shavah***<sup>15</sup>. Since both words contain the word sourdough, the two verses are viewed as connected to one another, and their respective laws are transferred from one to another.

## Perek 1 – 5B

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The Baraita explains the *gezeirah shavah*: **It says the word ‘sourdough’ concerning the prohibition of chametz in one’s houses, in the verse of “For seven days sourdough shall not be found in your houses”. And it says the word ‘sourdough’ concerning the prohibition of chametz in one’s boundaries, as the verse says, “Sourdough shall not be seen to you in all of your boundaries”.**

**Just like** when the word ‘sourdough’ is said in regards to one’s houses, one transgresses the prohibition of **not seeing it, and of not finding it, and of not hiding it, and of not receiving deposits from a non-Jew.**

**So too** when the word ‘sourdough’ is said in regards to one’s boundaries, one transgresses the prohibition of **not seeing it, and of not finding it, and of not hiding it, and of not receiving deposits of it from a non-Jew.**

**And just as** when the word ‘sourdough’ is said in regards to one’s boundaries, we derive from it that only **your chametz you may not see, but you may see the chametz of others, or of the Most High** within your boundaries.

**So too,** when the word ‘sourdough’ is said in regards to one’s houses, we derive that only **your chametz you may not see, but you may see the chametz of others and of the Most High.**

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<sup>15</sup> A method of exegesis in the Torah whereby two similar words are put together to derive Halachot one

## Perek 1 – 5B

**Said the master** i.e. the Tanna of the above Baraita:

“I might say that we could derive from this verse of ‘it shall not be found’ that one may cover over his chametz. To obviate such a conclusion, comes the second verse of ‘for seven days, sourdough shall not be found....’

“But still, **I only know that** it is forbidden to receive a deposit of chametz from **a non-Jew who has not been subjugated to you, or is not living with you in your courtyard.**

“However, **a non-Jew who has been subjugated**, whose possessions are considered like yours, or **a non-Jew who is living with you in your courtyard**, who is your neighbor although his possessions are not like yours, **from where** do we know that if he deposits chametz with you for safeguarding, that you will transgress a Torah prohibition?

“For this purpose the verse **comes to teach: ‘It shall not be found in your houses’.**”

The Gemara is puzzled by this: **Just the opposite!** It makes more sense to say that a deposit of a non-Jew who *has* been subjugated, or who *is* living with him, should be forbidden to keep. For it is more like his own chametz. If so, why are these cases considered the more far-reaching application of the law, requiring an additional statement of the Torah to forbid them?

The Gemara answers: **Said Abaye: Switch around** the words of the Baraita. It should be understood as follows:

The chametz of a non-Jew who has been subjugated by you, or who is living with you, is surely not allowed to be kept. But regarding the chametz of a non-Jew who has not been subjugated, or who is not living with you – you might think that you could keep it in your

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from the other.

## Perek 1 – 5B

domain. Comes the verse, “It shall not be found” to teach that one shall not keep even this type of chametz in one’s domain.

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**Rava said** an alternative answer: **In truth**, you **do not** need to **switch around** the words of the Baraita. **And** I will explain **that it is referring to the first clause** of the Baraita.

The first clause taught that chametz of a non-Jew is permitted to be kept in your domain. Because only **your** chametz **are you not allowed to see, but you may see** chametz **of others, and of the Most High**.

Then the Baraita continues: **I only know** that it is permissible to keep chametz **of a non-Jew who has not been subjugated, or is not living with you in your courtyard**. But chametz of **a non-Jew who has been subjugated, or is living with you in your courtyard** – which is like your own chametz – **from where** do I know that even this chametz is permitted to be kept in your domain? For this the verse **comes to teach**, “**It shall not be found**”. And all this refers to chametz which was *not* accepted as a deposit for safeguarding; it is present in the Jew’s domain under no special terms.

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The Gemara is puzzled by this: **But** according to Rava’s explanation, **that Tanna** of the Baraita **is searching** for a source **to permit** keeping the chametz of a non-Jew, i.e. we would expect him to cite such a source as support for the law he stated. **Yet** at the end **he brings a verse** telling us that **it is forbidden**: “it shall not be found”!

The Gemara answers: The source for permitting keeping such chametz is actually **because it is written “to you” two times**. One time is in the verse (*Shmot* 13:7), “And chametz shall not be seen *to you* ...”. This taught that one may see chametz that belongs

## Perek 1 – 5B

to others. But the Torah writes it a second time in the verse (*Devarim*<sup>16</sup> 16:4), “And sourdough shall not be seen *to you* in all your boundaries for seven days”.

Now, since the second phrase ‘to you’ is superfluous, it is applied to a different verse, the one cited by the Tanna of the Baraita: “It shall not be found”. It thus teaches that only your chametz may not be found in your domain, but chametz of a non-Jew (even one who has been subjugated) may be found in your domain.

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**The master** i.e. the Tanna of the above Baraita **said**:

“**I might** say that **one may cover over** his chametz so that he shall not see it, and that would be sufficient, although it remains his property. And similarly, I might say that **one may receive deposits** of chametz **from a non-Jew** to safeguard them, and there would be no prohibition in this, since the chametz does not belong to you.

“To obviate such a conclusion, **it** the second verse of ‘for seven days, sourdough shall not be found...’ **comes to teach** us that it **shall not even be found**. I.e. it is forbidden to keep chametz in one’s possession, even if it is covered over and out of sight. This is because it is still ‘found’ in one’s possession, although it is not ‘seen’.”

The Gemara poses a difficulty: **But you** the Tanna of the Baraita **said earlier**: “**Yours, you may not see, but you may see** chametz **of others and of the Most High**”. Whereas now the Baraita is saying that it is forbidden to receive deposits from non-Jews, even though it is the chametz of others.

The Gemara resolves the difficulty: **It is not a difficulty**. **This** case where one may not keep chametz of a non-Jew, it refers to where **he** the Jew **accepted responsibility for it**,

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<sup>16</sup> Deuteronomy

## Perek 1 – 5B

the deposit. If something happens to it, the Jew will have to pay. Because he has accepted this responsibility, it is considered his chametz, and therefore it is forbidden for him to retain this chametz in his domain.

However, **that** case where one may keep the chametz of a non-Jew, it refers to a case where the Jew **did not accept responsibility** to pay if something happens to the deposit.

And it is **similar to that** incident in **which Rava said to the residents of** his town of **Mechuza**: “Before Pesach arrives, **eradicate the chametz of the gentile army from your homes**. And even though the chametz does not belong to you, but **since if** the chametz **would be stolen or if it would be damaged, it is under your responsibility and you would need to pay** for it. Therefore **it is** considered to be **like yours** and **it is forbidden** to keep it in your domain.”

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*Introduction:*

One who steals a consecrated item from its original owner<sup>17</sup> is exempt from paying a double payment (which normally a thief would pay), according to the Sages.

Rabbi Shimon holds that if the item is an animal designated for a sacrifice, which the owner must replace should something happen to it, then the thief must pay double to the owner. Since the thief has caused the original owner a loss, the animal is viewed as “belonging” to the original owner.

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<sup>17</sup> The owner did not yet bring the item to the Temple.

## Perek 1 – 5B

The Gemara raises a difficulty with what was said above, that a non-Jew's deposit for which a Jew accepted responsibility is regarded as the Jew's property:

**It is all right according to the view** (Rabbi Shimon) that says: **“Something which causes a loss of money is itself considered to be money”**. It is understandable that one who has the responsibility to safeguard chametz is forbidden to keep it in his domain during Pesach. This is because if something would happen to it, he would have to pay for this loss. If so, the item is considered like his money, i.e. his property.

**But according to the view** (the Sages who differ with Rabbi Shimon) that says: Something that causes a monetary loss **is not** considered to be **money, what can we say** to explain what was said above? Since the deposit of chametz is not considered the Jew's money, why should he be forbidden to keep it in his domain?

The Gemara resolves the difficulty: **It is different over here, because** the verse **says, “it shall not be found”**. This comes to include an additional case: chametz that is not his, but he has responsibility for it. Thus, this type of chametz is also forbidden.

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**Some say** the opposite: **It is all right according to the view** that says, **“something which causes a loss of money is not considered to be money”**.

# Chavruta Pesachim – Daf Vav

Translated by: *Rabbi Dov Zimmel*

Edited by: *R. Shmuel Globus*

[Some say the opposite: **It is all right according to the view** that says, “**something which causes a loss of money is not considered to be money**”.] And **that is why it is necessary** for the Torah to write: “**It should not be found**”. The verse is teaching that chametz accepted for safeguarding, even though it is not considered to be money,<sup>1</sup> is nevertheless forbidden to keep in one’s domain over Pesach.

**However, according to the view** that holds “Something which causes a loss of money is considered **like money, why do I need** the verse of “**It should not be found**”? Surely according to this view it is just like his property, so of course he cannot keep it in his domain.

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The Gemara answers: Even according to that view **it is necessary** to have this verse. Because **I might have thought** that in this case the chametz is not considered like his money.

Perhaps, something that causes a loss is considered like money only in a case where it is no longer around – like in the case Rabbi Shimon was speaking about, where a consecrated animal was stolen from the original owner’s domain, and is no longer present. In that case it is causing an actual monetary loss, because the owner in fact needs to replace the animal in order to bring the his sacrifice.

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<sup>1</sup> See explanation at end of previous *ammud*.

## Perek 1 – 6a

But here, with chametz, **since it is still intact**, the guardian **can** simply **return it as it is** after Pesach. And there will be no actual monetary loss. Thus I would think that **it is not** considered to be **in the domain** i.e. the ownership of the guardian.

For this reason, it was necessary for the Torah **to inform us** that this is no so, through the verse of “It shall not be found”. Even though it is not causing any actual monetary loss, he may not keep it in his domain. This is because potentially, if it would be stolen, it would cause him a loss of money.

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### *Introduction:*

The halachot of the first-born animal (*bechor*) apply only if the animal has a Jewish owner(s). If a gentile person owns even part of the animal, the special halachot of *bechor* do not apply. For the verse states (*Shmot*<sup>2</sup> 13:2), “The first issue of every womb *among the Children of Israel*, of man and beast, is Mine”. This verse teaches that only when it belongs exclusively to a Jew will it have the status of a first-born.

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**They posed an inquiry to Rava: Concerning an animal which is subject to the *arnona*<sup>3</sup>, the royal tax, is it obligated in the halachot of a first-born animal, or is it not obligated in the Halachot of a first-born animal?**

The issue underlying this inquiry is: do we consider these animals as being partly owned by the gentile king, thereby exempting them from the halachot of *bechor*?

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<sup>2</sup> Exodus

## Perek 1 – 6a

The Gemara elaborates on the inquiry: **Wherever** the owner **is able to exempt** himself from this tax by paying *zuzim*<sup>4</sup> i.e. money, instead of giving the actual animals, **we do not have a question. For then it is certainly obligated in the halachot of a first-born animal.** The king is not considered to be a part owner in the flock, since the owner has no obligation to give the king any of his animals.

**When do we have a question? Where the owner is not able to exempt** himself by paying *zuzim*. In this case, **what** is the Halachah?

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Rava **said to them:** Since they cannot exempt themselves by paying *zuzim*, the king is considered a part owner in the flock, and therefore **they are exempt** from the halachot of a first-born animal.

The Gemara poses a difficulty: **But it was taught** in a Baraita: An animal which is subject to the *arnona* **is obligated** in the Halachot of the first-born animal.

The Gemara answers: **There** it is speaking in a case when the owner **is able to exempt himself** by paying *zuzim*.

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**Some say that Rava said:** Concerning an animal which is subject to the *arnona*, it is exempt from the Halachot of a first-born animal. **And even though** the owner **is able to exempt himself** by paying *zuzim*, nevertheless the king is considered to be a part owner in the flock.

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<sup>3</sup> This is a tax levied by gentile king. One tenth of the flock is to be given to the king.

## Perek 1 – 6a

However, **dough which is subject to the *arnona*<sup>5</sup> is obligated in *Challah*<sup>6</sup>. And this is true even though the owner is not able to exempt himself by paying *zuzim*.**

[The verse which teaches the obligation of *Challah*, speaks of “your dough”. From this the Sages derive that a Jew can eat from the dough of a gentile without removing *Challah*. The Gemara will now explain why dough subject to the *arnona* is obligated in *Challah*.]

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The Gemara inquires: **What is the reason** that the Halachah of dough is different from that of first-born animals, and is obligated in *arnona*?

The Gemara answers: According to Torah law, both are exempt. However, the Rabbis obligated this dough in *Challah* for the following reason.

Concerning **an animal, there is a widespread report (*kol*)** that it is subject to the *arnona*. I.e. knowledge of this is widespread. Thus, people will not suspect the owner of failing to fulfill his obligation to give the animal to a Cohen.

However, concerning **dough, there is not a widespread report** that it is subject to the *arnona*. Thus the Rabbis made a decree to take *Challah*. Because one who will see the owner eating from the dough without having taken *Challah* might suspect the owner of committing a transgression.

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<sup>4</sup> 1 zuz = 192 prutot

<sup>5</sup> The king receives a portion of it.

## Perek 1 – 6a

**The Rabbis taught** in a Baraita, concerning the following case: **A gentile who** on Pesach goes **into the courtyard of a Jew, and his dough** (which is chametz) **is in his hand**. The Jew **is not required to eradicate** it. I.e. the Jew is not required to force the gentile to leave his house, for as we learnt above, one is permitted to see the chametz of others.

However, if the gentile **deposited** the chametz **with him** (the Jew), **he** the Jew **is required to eradicate it**. Even if the Jew did not explicitly accept responsibility for this chametz, rather he just let the gentile leave it with him, still it is considered as though he accepted responsibility for this chametz.

But if **he** the Jew **designated his house to him** to the gentile – i.e. the Jew said, “My house is available to you, put your chametz wherever you want” – it is considered as though he has stated he is not accepting responsibility for the chametz of the gentile. Rather the Jew is telling him: bring your chametz into what will be considered your own domain. Therefore the Jew **is not required to eradicate** this chametz, **for it says, “It shall not be found”**.

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The Gemara asks: **What is the Baraita saying?** How do we derive from the verse of “It shall not be found” that there is no obligation for the Jew to eradicate the chametz in this case?

The Gemara answers: **Said Rav Papa:** The Baraita, when it brought the verse “It should not be found”, **was referring to the first clause** of the Baraita.

**And this is what it was saying:** If the gentile **deposited** his chametz **with him** (the Jew) **he** the Jew **is required to eradicate it, for it says, “It should not be found”**. From this

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<sup>6</sup> A portion removed from dough of the five grains. In the era of the Holy Temple it was given to a Cohen,

## Perek 1 – 6a

verse we derive that chametz of a gentile, which a Jew has accepted responsibility over, he is required to eradicate.

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**Rav Ashi said: In truth, the Baraita was referring to the latter clause** of the Baraita.

**And this is what it was saying: If he designates the house for him, he is not required to eradicate** the chametz. **For it says, “It should not be found in your houses”.** This implies only chametz which is ‘found’ in your house, i.e. it is accessible and available to you. Only that are you required to eradicate.

This could include chametz for which a Jew accepts responsibility, since that is also considered to be accessible to him. **But this** chametz, regarding which the Jew set aside his house to the gentile to use to keep his chametz in, there is no acceptance of responsibility by the Jew. Therefore it is not his. **For when the gentile brought his chametz into the house, he brought it into his own house.**

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The Gemara raises a difficulty: Do you mean **to say that renting is an acquisition**, and the renter becomes the owner of the place he is renting?

The Gemara is assuming that the case of designating the house is one in which the gentile has become the owner of this house. For if the Jew is still the owner, it should be viewed as though he has let the gentile place chametz in the Jew’s house. Then it like he accepted responsibility for the chametz, and he would be required to eradicate it.

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but today it is burned.

## Perek 1 – 6a

**But note that it was taught** in a Mishnah (*Avodah Zarah* 20b): One may not rent out houses to gentiles in the land of Israel, but outside of the land of Israel one may rent out to them. And **even in a place where they** the Sages **said** that one may **rent out** to gentiles, **this does not apply to a place of living**, i.e. where the gentile will actually live in the house.

This is **because** we suspect that gentiles will **bring their idols into** the houses. And the Jew will transgress the prohibition of “not bringing an abomination into your houses”. Rather, it is only permitted to rent out to them buildings to be used for their animals or possessions.

**But if you assume that renting is an acquisition**, and the gentile thereby becomes the owner of the house, what is the prohibition when he brings his idol into the house? **When he brings the idol into the house, he is bringing it into his own house.**

Rather, that Mishnah forces us to say that renting is not an acquisition. And because the house remains in the ownership of the Jew, he cannot rent it out to gentiles, lest they bring their idols into the house of the Jew.

Thus, concerning chametz, we should say the same: the house still belongs to the Jew, even if he designated it to the gentile. This should be viewed as if the Jew accepted responsibility for this chametz, and the Jew must eradicate it.

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The Gemara answers: In truth, renting is not an acquisition, and the Jew remains the owner of this house. That is why he may not rent a house to gentiles to live in. And regarding the case of chametz, we would indeed expect the Jew to be held responsible to eradicate any chametz which comes into his house. Nevertheless **it is different over here**, concerning chametz, because of how the Torah defined the prohibition.

## Perek 1 – 6a

Since the Torah expressed the prohibition with the term “it shall not be found”, we learn that the prohibition applies only to chametz **which is found in your possession**, i.e. it is accessible. **This excludes chametz which is not found in your possession.** Since this chametz is not readily available to the Jew, he does not have to eradicate it.

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**Said Rav Yehudah in the name of Rav: One who finds chametz in his house on the Yom Tov of Pesach, he should cover it with a utensil.** For he cannot remove it from his house, as chametz is *muktzeh*<sup>7</sup> on Yom Tov. The purpose of covering it over is to prevent him from coming to eat this chametz.

**Said Rava: If this chametz was consecrated property,** one does **not need** to cover it over with a utensil.

The Gemara asks: **what is the reason** that chametz of consecrated property need not be covered?

The Gemara answers: Since people **separate themselves from** consecrated items all year round, due to the prohibition of deriving benefit from them. Therefore there is no concern that a person will come to eat it.

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**And Rav Yehudah also said in the name of Rav,** regarding the following case: A Jew has **chametz of a gentile** in his house, and he did not accept responsibility over this

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<sup>7</sup> An item that the Rabbis prohibited to move on Yom Tov (and Shabbat).

## Perek 1 – 6a

chametz. Even though it is permitted to keep it in his house, on the day before Pesach the Jew must **make a partition** around it, of *ten tefachim*. This is done as a **reminder**, so that he should not come to eat it.

**But if the chametz belonged to consecrated property, it is not necessary** to make this partition.

**What is the reason** it is not necessary? **Because people** anyway **separate themselves from it**, and therefore we do not suspect they will come to eat it.

\*

**And Rav Yehudah also said in the name of Rav:** Concerning **one who leaves** to travel by the sea, **or one who goes away by caravan** to a distant place. If he leaves more than **thirty days before** Pesach, **he is not required to eradicate** the chametz in his house before he leaves.

But if he leaves **within thirty days** of Pesach, **he is required to eradicate** it.

The reason that within thirty days he is required to eradicate it, is because one is required to start study of the Halachot of Pesach thirty days before the festival arrives. Therefore one is also required to be more careful in matters relating to chametz.

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**Said Abaye:** **That which you said, that if he leaves within thirty days he is required to eradicate** his chametz, **was only said when he intends to return** to his house during Pesach. **But if he does not intend to return** during Pesach, **he is not required** to eradicate his chametz.

## Perek 1 – 6a

The reason for this: only if he intends to return during Pesach could he transgress the prohibition of, “It shall not be seen or found”. Therefore only under these circumstances is he required to eradicate it before leaving.

**Rava said to him** Abaye **But if he intends to return** during Pesach, why is he required to eradicate the chametz only if he leaves within thirty days of Pesach? **Even** if he left **from Rosh Hashanah** time, he should **also** be required to eradicate his chametz!

**Rather, said Rava, that which you** (Rav Yehudah in the name of Rav) **said**, that if one leaves more than **thirty days before** Pesach, **one is not required to eradicate** his chametz – **this was only said when he is *not* intending to return** during Pesach. **But if he is intending to return** during Pesach, then **even** if he leaves **from Rosh Hashanah** time, **he is required to eradicate** the chametz.

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**And Rava is going according to his reasoning** that he said elsewhere:

**For Rava said: One who makes his house into a storehouse** for produce, and there is chametz underneath the produce. If he made it into a storehouse more than **thirty days before** Pesach, **he is not required to eradicate** the chametz at that time.

For at that time, he has no requirement to eradicate the chametz. And when the time arrives to eradicate the chametz, it is already considered eradicated. For it is comparable to case of a wall that falls down on chametz (31b), which it is considered as though the chametz had been eradicated.

However, if he made the storehouse **within thirty days** of Pesach, **he is required to eradicate** at that time the chametz which is found there.

## Perek 1 – 6a

And **even** in the case where he made the storehouse more than **thirty days before** Pesach, **they only said** that he is not required to eradicate the chametz **when he is not intending to clear out** the storehouse during Pesach. **But if he is intending to clear it out** during Pesach, then **even** if he made it well over **thirty days before** Pesach, **still he is required to eradicate** the chametz which is there.

This reflects the same reason as Rava stated in our case.

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The Gemara asks: **Those thirty days, what is special about them?** I.e. why does the time for eradicating the chametz begin specifically at thirty days before Pesach?

The Gemara answers: It is **like it was taught** in a Baraita: **We ask and expound concerning the Halachot of Pesach**, starting from **thirty days before Pesach**.

**Rabbi Shimon ben Gamliel says:** We ask and expound the Halachot of Pesach, starting from **two Shabbatot** before Pesach (i.e. two weeks before).

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The Gemara asks: **What is the reason of the first Tanna**, who holds that we begin learning the Halachot thirty days before?

## Perek 1 – 6B

### **Ammud Bet**

The Gemara answers: **Because** we find that **Moshe<sup>8</sup> stood** at the time of **the first Pesach, and instructed** the Jewish people **about the Halachot** of the **second Pesach<sup>9</sup>**. And they are separated by thirty days.

**For it says** (*Bamidbar*<sup>10</sup> 9:2), **“The Children of Israel shall make the Pesach in its time”**.

**And it is written** after this (*ibid* 9:6), **“There were men who were impure from a human corpse** and could not make the Pesach-offering on that day”. The Torah then goes on to explain that on that day, the fourteenth of Nissan, Moshe explained to them about the Halachot of the second Pesach, which would take place thirty days later on the fourteenth of Iyar. From here we derive that thirty days before the Yom Tov, we ask and expound on the Halachot of Pesach.

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The Gemara asks: **And Rabbi Shimon ben Gamliel** – why does he not learn from there, like the first Tanna does?

The Gemara answers, **he Rabbi Shimon ben Gamliel would say to you:** There is no proof from there. Perhaps Moshe told them about the second Pesach *Sheini* at a later stage, not at the time of the first Pesach-offering.

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<sup>8</sup> Moses

<sup>9</sup> Someone who was not able to bring the Pesach offering on the 14<sup>th</sup> of Nissan, can bring it on the 14<sup>th</sup> of Iyar – this is called ‘*Pesach Sheini*’, the Second Pesach.

<sup>10</sup> Numbers

## Perek 1 – 6B

And if you will ask why the verse implies that he told them about it a month before, the reason could well be as follows: **Since the verse was referring to matters of the Pesach-offering, it concluded** mention of **with all matters of Pesach**, including the second Pesach.

The Gemara asks: **And what is the reason of Rabbi Shimon ben Gamliel**, that he says it is sufficient to learn the Halachot just two weeks before Pesach?

The Gemara answers: **Because** we find that **Moshe stood up at the beginning of the month** of Nissan **and instructed** the Jewish people **about the first Pesach-offering. For it says** (*Shmot* 12:2), **“This month shall be to you the first of the months”**. This is Rosh Chodesh Nissan.

**And** then straight after it is written (*ibid* 12:3): **“Speak to the entire assembly of Israel saying, ‘On the tenth of this month they shall take for themselves – each man – a lamb for each father’s house, a lamb for the household”**. From here we see that Moshe taught them the Halachot of the Pesach-offering two weeks before they needed to bring it.

\*

The Gemara raises a difficulty: **And from where is your proof that this took place at the beginning of the month? Maybe**, although Moshe was told by Hashem about the mitzvah on the beginning of the month, he actually instructed the Israelites about it later. And it is possible that this **took place only on the fourth of the month or the fifth of the month.**

**Rather, said Rabbah bar Simi in the name of Ravina:** It is from here that Rabbi Shimon ben Gamliel derived his ruling. For it says (*Bamidbar* 9:1), **“And Hashem spoke**

## Perek 1 – 6B

to Moshe in the Wilderness of Sinai, in the second year... in the first month, saying...”

And it is written there (*ibid* 9:2) that Hashem said to him: **“The Children of Israel shall make the Pesach-offering in its appointed time”**.

And since Moshe was told this at the beginning of the month of Nissan, we can derive that the Halachot of Pesach should be taught two weeks before Pesach.

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The Gemara poses a difficulty: **Here also, from where is your proof that it is referring to the beginning of the month?** I.e. that the command by Hashem took place at the start of the month. **Perhaps it took place on the fourth of the month or the fifth of the month?**

The Gemara answers: **Said Rav Nachman bar Yitzchak:** It is derived by means of a *gezeirah shavah*<sup>11</sup> of the word ‘wilderness’ from the word ‘wilderness’.

**It is written here (*ibid*) “In the wilderness of Sinai”, and it is written there (*ibid* 1:1), “Hashem spoke to Moshe in the wilderness of Sinai, in the Tent of Meeting, on the first of the second month”.**

**Just like over there** it took place **on the first of the month** (of Iyar). I.e. the command of Hashem to count the Jewish people, and the command of Moshe to the Jewish people to do this, both took place on that first day. For the verse states later on (*ibid* 1:18), “On the first of the second month they established their genealogy according to their families”.

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<sup>11</sup> One of the methods of exegesis from the Written Torah. Two identical words from different verses teach about each other various Halachot.

## Perek 1 – 6B

**So too over here**, it took place **on the first of the month** (of Nissan). I.e. the command of Hashem to Moshe, and also the command of Moshe to the Jewish people concerning the Pesach-offering, were both said on the same day.

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The Gemara poses a difficulty: **But let it write first** that verse **of the first month**. Let the Torah first write the section dealing with the Pesach-offering, which was said in the first month. **And then go back and write** the verse **of the second month**, which deals with the counting of the Jewish people. Why is a section which deals with an earlier event written later on in the Torah, after an event that really took place earlier?

The Gemara answers: **Said Rav Menasya bar Tachlifa in the name of Rav: This tells us that there is no earlier or later in the Torah**. The Torah does not write events in chronological order.

\*

**Said Rav Pappa:** This principle **was only said concerning two subjects. But within one subject, whatever is written earlier** took place **earlier, and whatever is written later** took place **later**.

**Because if you do not say like this**, how can we apply the rule: “If a **generality** is followed by a **specific reference**, we **only apply the generality to what is said in the specific reference**”<sup>12</sup>“?

Now, if even in one subject there is no chronological sequence, **maybe** the specific reference precedes the generality. And if so, a different rule applies: “**A specific**

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<sup>12</sup> This is one of the thirteen rules of exegesis of the Written Torah.

## Perek 1 – 6B

**reference followed by a general reference**". This rule states the opposite of the above rule, in that it applies the specific reference in a general way to other cases.

**And** there is a **further** difficulty if we say that even in one subject there is no chronological order. For in a case where the specific reference precedes the general reference, we say the following: "A specific reference and a general reference – the general reference is made to add on to the specific reference, to include every matter".

Now, if we say that even in one subject there is no chronological order, how can we ever apply the rule of "**A specific reference followed by a general term, the general term adds on to the specific reference**"? **Perhaps** this is a case of "**A generality and a specific reference** which follows it?

Rather, it is clear that in one subject there is a chronological order.

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The Gemara poses a difficulty: **If so, even in two subjects** we **also** should ask how these rules may be applied. For there too, we can say that the generality really came first, and not the specific parts, and vice-versa.

**This is fine according to the view that says: "A generality followed by a specific reference", in a case which they are distant from each other, we do not apply the rule of "A generality followed by a specific reference".**

**But according to the view that we say this rule even when they are distant from each other, what can we say?** How can we know which comes first?

The Gemara answers: **Even the one who says that we apply this rule** even when they are distant, **these words are** only when they are **in one subject**, i.e. in the same section of

## Perek 1 – 6B

the Torah. **But if they are in two subjects**, i.e. two sections of the Torah, then everyone agrees that **we cannot apply this rule**, since we do not know which really comes first.

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**Said Rav Yehudah in the name of Rav: One who checks** his house for chametz **must** also mentally and verbally **nullify** the remaining chametz, right after checking the house. He should say: “All *chametz* that is in this house should be nullified”.

The Gemara asks: **What is the reason** for nullifying the chametz? After all, he will eradicate all the chametz he finds in the house.

And **if you will say** it is **because** we suspect that there will be some small **crumbs** left over after the checking which he did not find.

But even if there are leftover crumbs, the owner will not transgress a prohibition due to their presence. For **they are not significant**, and are therefore considered nullified even without any special thought or declaration to that effect.

**And if you will say that** the nullification is needed **since they are guarded on account of his house**. I.e. when he locks the door of his house he is thereby guarding all the items in the house, including the crumbs, and this act of guarding renders them **significant**, and not nullified—

**But note that it was taught** in a Baraita: Concerning **figs that are** left over on the tree **at the end** of the harvesting, and they are never going to fully ripen. **And** the owner of the field **guards his field**, where the figs are, **on account of the** valuable **grapes** that have not yet ripened but will eventually ripen.

## Perek 1 – 6B

And similarly, concerning **grapes** that are left over on the vine **at the end** of the harvesting. **And** the owner **guards his field on account of the squash and gourds** that are growing there.

Concerning these, **at a time when the owner is particular about** keeping **these** figs or grapes, then the figs and grapes **are forbidden on account of stealing** i.e. a passerby may not take them for himself. **And they are obligated to have tithes taken from them.**

But **at a time when the owner is not particular about these** fruits, **they are permitted on account of stealing.** Anyone can take them. **And they are exempt from giving tithes** on these fruits, since they are considered ownerless.

We see the following: although the field is guarded, this does not automatically grant significance to all the items contained within it. Thus, regarding chametz, the crumbs do not become significant just because the house is guarded.

The question remains: why is it necessary to nullify the chametz after checking the house?

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The Gemara answers: **Said Rava**, nullifying the chametz is a Rabbinical **decree**. This is in case one will not check well. For we are concerned that **maybe he will find** during Pesach **a nice piece of pastry, and he will have his mind on it.** I.e. he will hesitate to eradicate it. In such a case the pastry is not considered nullified, unless he specifically nullified all chametz beforehand.

The Gemara poses a difficulty: Why does he need to nullify the chametz at the time of checking his house for chametz? Why is it not sufficient that **when he finds it**, the pastry, that **he will nullify it?**

## Perek 1 – 6B

The Gemara answers: We are concerned **perhaps he will find it after** the time it has **become forbidden**, i.e. after midday on Erev<sup>13</sup> Pesach.

Once the chametz has become forbidden to him, it is **no longer in his domain** i.e. his ownership. Thus **he is not able to nullify it**, since he cannot nullify chametz which does not belong to him.

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This is in line with that statement **which Rabbi Elazar said: Two things are not in the domain** i.e. the ownership of a person, and **Scripture made them as if they are in the domain** i.e. the ownership of the person, as regards the person being liable for them.

**And they are:**

- (1) **A pit in a public domain:** One who digs or uncovers a pit in the public domain is liable to pay for damages caused by this pit. And even though the pit is not his, being a part of the public domain, still he is held responsible as though it was his own pit.
- (2) **And chametz from** the end of **six hours** on Erev Pesach **and on**. It is forbidden from this time on to derive benefit from chametz. (This removes the chametz from his ownership, since ownership is a function of his ability to use the said object for some personal gain, such as selling it, eating it, etc.) Nevertheless the

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<sup>13</sup> The Eve of

## Perek 1 – 6B

Torah makes the person liable for having chametz, as though it was truly his property.

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The Gemara poses a difficulty: But **let him nullify** the chametz on the fourteenth of Nissan **at four** hours in the day, **or let him nullify it at five** hours in the day, before it becomes forbidden to him. Why does he need to nullify it the night before?

The Gemara answers: **Since** at four or five hours **it is still not the time** that chametz **is prohibited, nor is it the time of eradicating** it, we suspect **maybe he will be negligent and not nullify it** then. And it will remain in his possession until it becomes forbidden to him, and he will no longer be able to nullify it.

But at the time he is checking his house for chametz, he will remember that he needs also to nullify the chametz. Therefore they fixed this time to nullify the chametz.

# Chavruta Pesachim – Daf Zayin

Translated by: *Rabbi Dov Zimmel*

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The Gemara poses another difficulty: **And let him nullify** the chametz **in the sixth** hour. At that time, since he is busy with burning the chametz he will remember to nullify the chametz he needs to nullify. Why did the Sages require nullification the night before?

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The Gemara answers: **Since** at that time, from the start of the sixth hour, **he has a Rabbinical prohibition** to derive benefit from chametz, **it is like the Torah** made it forbidden to benefit from. Therefore the chametz **is not in his domain** i.e. his ownership, **and he cannot nullify it**, as explained on the previous *ammud*.

**For as Rav Gidel said in the name of Rav Chiya bar Yosef who said in the name of Rav:** Concerning **one who betroths**<sup>1</sup> a woman by giving her chametz on the day before Pesach, **from six hours and on**, i.e. from the beginning of the sixth hour. **Even** if he betroths her **with** a leavened food item made of **wheat from *Kurdenita***, i.e. very fine wheat, **we are not even concerned that he might have betrothed her**. Because by that time, the wheat is no longer his, having become forbidden to benefit from.

We thus see that from the beginning of the sixth hour, chametz is no longer considered to be his, even though the prohibition is only Rabbinic. Therefore it is impossible to nullify it at that time.

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<sup>1</sup> This is the first part of the marriage process (called *kiddushin* or *eirusin*), whereby the man gives the woman something of worth, for the purpose of effecting a marriage bond with her.

## Perek 1 – 7a

The Gemara poses a difficulty: **And after** the time that chametz becomes forbidden, can he not nullify it?

**But note** that it was taught in a Baraita: If he was sitting in the study hall and he remembered that he has chametz in his house, he should nullify it mentally. This is what he should do, **whether** it took place on Shabbat or Yom Tov.

The Gemara brings out the point: **It is all right** if it took place on Shabbat. For then we can find a case where he could nullify it before it became forbidden to him. **For example, that the fourteenth of Nissan fell out on Shabbat**, and he nullifies it before the beginning of the sixth hour.

**But** how do we have a case of him nullifying the chametz on Yom Tov? It is already **after** the time that it became prohibited to him! And yet we see that he can still nullify the chametz.

This shows that that one can nullify chametz even after the time it has become forbidden.

The Gemara answers: **Said Rav Acha bar Ya'akov**: In truth, one cannot nullify chametz after the time it has already become forbidden. And **here we are dealing with** a case of a **disciple who is sitting in front of his master** on Yom Tov. **He remembered that there is kneaded dough in his house** which has not yet become chametz, **and he is worried that perhaps it will become chametz**. And out of awe and respect to his master he does not want to leave to go back to his house in order to quickly bake the dough.

Therefore **he immediately nullifies it** from where he is, mentally, **before it will become chametz**. At that time he can certainly nullify it because it is still permitted to eat it, and it is therefore still considered his.

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## Perek 1 – 7a

**It is also implied** by the Baraita that it is speaking of a case that it has not yet become chametz. **Because it teaches, “He was sitting in the study hall”.** This implies he is nullifying it only because he was in the study hall and could not leave at this point. But had he been elsewhere he would not have nullified it. He rather would go back home and bake it before it becomes chametz.

However, if the case was where it had already become chametz, why did the Baraita speak of him being in the study hall? Even if he was at home, he would not be able to do more than nullify the chametz. This is because the Gemara ruled (6a) that one who finds chametz in his home on Yom Tov may do no more than cover it with a utensil.

The Gemara concludes: **Hear from it** a proof that this is the case the Baraita is speaking of.

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**Said Rabbah bar Rav Huna in the name of Rav:** Concerning **bread that became moldy** but was still somewhat edible, and was found on Pesach. It is not apparent whether it is chametz bread or a thick piece of matzah.<sup>2</sup> **Since** the box where the bread was found **is used more for matzah** than for chametz, **it is permissible** to eat it on Pesach. For we follow the majority in deciding doubtful situations. Thus we assume it is matzah, since more matzah was put there than was chametz.

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## Perek 1 – 7a

The Gemara poses an inquiry: **What is the case? If you say that we know that this food is chametz**, if so, even **if it is used mostly for matzah, so what?** It is chametz, and forbidden to be eaten.

**Rather**, we must say that **we do not know if it is chametz or if it is matzah**. But if so, **why is it speaking of permissibility because it is used mostly for matzah?** Note that **even if it is not used mostly for matzah**, it should **also** be permissible. In other words, even if all year round it is used mostly for chametz, still it should be permissible here. Since it is found on Pesach, we should **follow the last** usage, which is for matzah.

**For was it not taught** in a Mishnah, that we follow the most recent usage, when deciding a doubt?

As it was taught in the Mishnah: Concerning **money that was found** in Jerusalem **in front of the animal dealers – in all cases**, the money is assumed to be of *ma'aser sheini*<sup>3</sup>. This is because most animals that are bought in Jerusalem, are bought from money of *ma'aser sheini*.

This is because people who came up to Jerusalem for the Festivals were often not able to use up all their *ma'aser sheini* money. So before returning home, they would exchange this money with Jerusalem residents, who would use the *ma'aser sheini* money during the rest of the year. It was used primarily to buy animals to offer as a *shlamim* offering<sup>4</sup>.

Thus most animals acquired in Jerusalem were bought with *ma'aser sheini* money, and the money which was found in front of the animal dealers was assumed to be of *ma'aser sheini*.

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<sup>2</sup> In the time of the Talmud, it was common practice to bake thick matzot (*Mishnah Berurah* 446:12). The practice followed today in many communities, to use only thin wafers of matzah, is based on a stringency and is not a requirement of basic Halachah.

<sup>3</sup> Second Tithe. A portion (10%) of agricultural produce in the Land of Israel, separated by the owner and taken to Jerusalem to be eaten there. Often the produce was redeemed onto a coin, and with this *ma'aser sheini* money they bought animals in Jerusalem, the meat of which they ate in *lieu* of their produce.

<sup>4</sup> Peace offering.

## Perek 1 – 7a

But if the money is found **on the Temple Mount**, it is always considered to be *chullin*, i.e. ordinary money. This is true even if it is found during the Festival, when most of the money in Jerusalem is money of *ma'aser sheini*. The reason for this is because we go after the majority of money that is found throughout the year, which is regular *chullin* money. I.e. we assume that the money found there during the Festival had fallen there from before the Festival, and most of the money in Jerusalem during the year is *chullin*.

And concerning money which is found **in** other areas of the city of **Jerusalem**, it will depend on when it is found. If it is found **at the time of the Festival**, it is considered to be *ma'aser*. This is because most of the money in Jerusalem at that time is of *ma'aser sheini*.

And if it is found in Jerusalem **on other days of the year**, it is considered to be *chullin*. For most of the money in the city then is *chullin*.

**And said Rav Shmayah bar Zeira: What is the reason** the money is considered to be *ma'aser* if it is found at the time of the Festival? Why do we not say that it fell there before the Festival and it is *chullin* money, just as we explained concerning money found on the Temple Mount?

The Gemara answers: **Since the markets of Jerusalem are usually swept every day**, because of the dirt. So if money had fallen before the Festival, the cleaners would have found it and taken it for themselves. So if it is found now, it must be that it fell during the Festival.

But the Temple Mount was not swept every day. This is because it is sloped, and the wind blows the dust away, so it did not need to be swept each day. Furthermore, people did not go there with dust on their feet. Therefore if money was found there, it could have fallen before the Festival, and be found now.

## Perek 1 – 7a

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Now the Gemara brings out the point: Since money is something which will be swept up, **from here we may derive that we say that the first ones already went away.** The money which fell before the Festival has already been taken away. **And this** money which is found now in Jerusalem **is different**, for it fell here during the Festival itself.

If so, **here also** regarding the bread found inside the box during Pesach, **we should say** the same: **The first ones went away.** The older bread was taken first, since they would not want it to rot. And especially before Pesach, any food left in there would have been removed. **And this** bread that is found there during Pesach, **it is from now.** It is from during Pesach, and is therefore matzah.

Thus the Gemara asks: why is permission to eat it based on the fact that more matzah is put into this box than is chametz? Surely it should be allowed to eat it even without this reason, since we can assume that any chametz bread has been taken away a long time before.

The Gemara answers: **It is different** over **here** with this food because it is moldy. **For its mold proves about it** that it has been in the box a long time, even from before Pesach. Thus it would be considered chametz, if not for the fact that the box is used more for matzah during the whole year.

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The Gemara now challenges the premise on which the answer is based: **If its mold proves about it** that it has been there a long time, just **because it is used primarily for matzah, what does that do** to permit it? It is still suspect to be chametz, since most of

## Perek 1 – 7a

the bread in the world is chametz during the course of the year, and we cannot rely merely on the majority usage of this particular bread box. (*Meiri*)

The Gemara answers: **Said Rabbah: Do not say** that Rav said, **“That it is used mainly for matzah”**. **Rather say: “That there have been many days of matzah for it”**. I.e. the food was found after many days of Pesach already passed. Now, even if it was matzah, enough time has passed for it to become moldy.<sup>5</sup> Thus we can assume that this food is from the most recent food, and is matzah.

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The Gemara raises a further difficulty: **If so, it is obvious** that it is matzah, for he certainly checked on the day before Pesach to see if there was any chametz in his house!

The Gemara answers: **No**, it is not obvious. **It is necessary** to teach this case because **there is a lot of mold** on the bread. **I might have said: Since there is so much mold** on the food, **this shows that** it is **certainly** from before Pesach, **and it is chametz**.

Therefore, **he** (Rabbah bar Rav Huna in the name of Rav) **teaches us** that **since there have been many days of matzah for it**, i.e. many days of Pesach have passed by, **we say** that on **each day** of Pesach, **hot matzah was baked and it was placed on** the old matzah. **And** because of the abundance of matzah placed together, **it molded a lot**, but not because it was from before Pesach.

c c õ d d

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<sup>5</sup> As explained in a previous footnote, the matzah in common use during the time of the Talmud was similar to chametz bread in many of its characteristics.

## Perek 1 – 7a

The Gemara now raises a difficulty with the Mishnah cited above, which ruled that money found in Jerusalem is assumed to be from recently fallen money.

**And do we really go after the last one?**

**But note that it was taught** in a Baraita: **Rabbi Yosi bar Yehudah says:** Concerning a box that was used both for *chullin* money and money of *ma'aser sheini*. And money is found inside it, and we do not know if it is *chullin* money, or money of *ma'aser sheini*.

**If most** of the money that is placed in the box **is *chullin*** money, then we can assume that this money **is *chullin***. **And if most** of the money that is placed there **is *ma'aser***, and then we can assume that this money also **is *ma'aser***.

The Gemara brings out the point: **And** if the rule is that we go after the last one, **why** do we go after the majority in this case? We should rather **go after the last one**. We should find out which money was last put in the box, and according to this, decide if the money which was found, is *chullin* or *ma'aser*.

The Gemara answers: **Said Rav Nachman bar Yitzchak:** **Here, with what case are we dealing? For example, that he used it for** both types of money, **money of *chullin* and money of *ma'aser sheini***. **However, he does not know which one** he used **last** in this box. And since it is not possible to go after the last one, we go after what was used the most.

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**Rav Zevid said** a different answer: Here, with what case are we dealing? **For example that he used it** for both money of *ma'aser* and of *chullin* at one time, in a way that they were distinguishable – that they were placed **in separate piles**. In one corner of the box was a pile of *ma'aser* money, and in a different corner there was a pile of *chullin* money.

## Perek 1 – 7a

After these piles of money had been removed, some money was found in the box, and it is not clear from which pile they are left over. In this case we cannot follow the last one, so we follow the one which was used more.

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**Rav Pappa said** a different answer: Here, in what case are we dealing? **For example that we found** the money **in a hole** inside the box. In this case we cannot go after the last usage of this box, since perhaps this money remained from before, for the owner did not notice it since it was covered over.

c c o d d

**Said Rav Yehudah:** One who checks his house for chametz **needs to recite a blessing** before he begins the checking, just as with all mitzvot.

The Gemara inquires: **What does he bless?** I.e. what is the text of the blessing?

**Rav Papi said in the name of Rava:** He recites, "...Who has sanctified us with His mitzvot and commanded us **to eradicate chametz** (*leva'eir chametz*)".

**Rav Papa said in the name of Rava:** He recites, "...Who has sanctified us with His mitzvot and commanded us **regarding the eradication of chametz** (*al bi'ur chametz*)".

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**Concerning** the version of "*leva'eir chametz*", **all concur.** For certainly one may recite the blessing in this way. Because this wording **implies in the future**, and the actual

## Perek 1 – 7B

eradication of the chametz indeed takes place at a later time. The blessing precedes the checking of the house, whereas the burning of the chametz is not until the next day.

### **Ammud Bet**

**When they disagree, it is concerning** the version of “*al bi’ur chametz*”.

One **master**, Rav Papi, **held** that this **implies the past**, which would be inappropriate in this case.

**And** the other **master**, Rav Papa, **held** that this too implies **in the future**, and it may be used for the blessing.

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**They contradicted** Rav Papi, from a Baraita: One who performs a circumcision recites the blessing, “**Blessed ... Who sanctified us with His mitzvot and commanded us regarding the circumcision (*al hamilah*)**”. Since we recite this blessing *before* performing the act of circumcision, it must be that this form implies the future. This is a difficulty to Rav Papi, who holds that it implies the past.

The Gemara answers: **There**, concerning circumcision, the *mohel*<sup>6</sup> has no choice but to recite the blessing this way. For **how else should he say** the blessing?

**Should he say, “To perform the circumcision (*lamul*)”?** But he cannot say this, for it would imply that he is the one with the responsibility to circumcise this child, which is not true. **Could it not be done in a different way, that he will not perform the**

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<sup>6</sup> One who performs the circumcision.

## Perek 1 – 7B

**circumcision?** Really the one responsible to circumcise the child is the father, who may either do it himself or find anyone he wishes to do it for him. That is why the *Mohel* must recite *al hamilah*.

However concerning the eradication of chametz, where each person has an obligation to eradicate his own chametz, a person should recite *leva'eir chametz*.

\*

The Gemara challenges the above answer: This is all right when the *mohel* is not the father of the child who is being circumcised. But when the *mohel* is **the father of the son, what can we say** to explain the text of the blessing? In this case he does have the responsibility to do the mitzvah, so he is able to say "*lamul*". According to Rav Papi, a father who is the *mohel* should recite *lamul*.

The Gemara answers: **Yes, it is really so!** According to Rav Papi, if the *mohel* is the father he indeed recites the blessing that way.

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**They contradicted** Rav Papi, from a Baraita: One who performs *shechitah*<sup>7</sup> recites the blessing, "**Blessed...Who commanded us with His mitzvot and commanded us regarding kosher slaughtering (*al hashechitah*)**". Since the blessing is prior to the act of *shechitah*, we should say, according to Rav Papi, '*al hashechitah*'.

The Gemara answers: **There also**, the slaughterer cannot recite otherwise. Because **how else should he say** the blessing?

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<sup>7</sup> Kosher slaughter

## Perek 1 – 7B

**Should he say “to perform the slaughtering (*lishchot*)”?** He cannot, for this would imply he has an obligation to perform *shechitah* on the animal. But that is not true, for **could it not be done in a different way, that he will not perform the *shechitah*?** In fact the *shechitah* is not incumbent on any particular person, not even on the owner of the animal. Should they choose to abstain from eating meat, there would be absolutely no need for the *shechitah*; it is merely a necessary preparation for eating meat.

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The Gemara challenges the above answer: This is all right concerning the *shechitah* of ordinary livestock. But concerning the *shechitah* of **the Pesach-offering or any other offering, what can we say** to explain the wording of the blessing? Since the owner of this animal is indeed commanded to perform the *shechitah*, either himself<sup>8</sup> or through a representative, he should recite *lishchot*.

The Gemara answers: **Yes, it is really so!** According to Rav Papi, one recites *lishchot* over the *shechitah* of offerings.

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**They contradicted** Rav Papi, from a Baraita: **One who makes a *lulav***, i.e. he ties the four species<sup>9</sup> together **for himself, blesses: “Who has kept us alive and upheld us, and has brought us to this time (*shehecheyanu...*)”**. When he picks it up to fulfill his obligation, **he says: “Who sanctified us with His mitzvot and commanded us regarding the *lulav* (*al halulav*)”**.

This is difficult for Rav Papi, who holds that this implies the past. Yet here, the blessing comes before the mitzvah.

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<sup>8</sup> Although other aspects of the sacrificial service are performed exclusively by Cohanim, the *shechitah* may be performed by an ordinary Jew.

## Perek 1 – 7B

The Gemara answers: **It is different there** concerning the *lulav*, **for at the time one picks up** the four species, **one has** already **fulfilled** the mitzvah. So the blessing always comes *after* one has fulfilled the mitzvah.

The Gemara challenges the above answer: **If so**, that the blessing comes after one has already fulfilled the mitzvah, why does the Baraita state: “He picks it up **to fulfill** the obligation? This implies he has not yet fulfilled it. **It should have said**, “When he picks it up and **fulfills** his obligation”.

The Gemara answers: **It is really so!** This is what the Baraita means to say. **But because it wished to teach in the latter clause** of the Baraita: “When he comes in **to dwell in the succah**, where he did not yet fulfill the obligation in question, therefore **it also taught in the first clause** of the Baraita a similar expression: “**to fulfill** his obligation”, even though it is not the most accurate description for the first clause.

**For it taught in the latter clause** of the Baraita: **One who makes a succah for himself says**, “**Blessed are You**, Hashem our G-d, King of the World, **Who has kept us alive and upheld us and brought us to this time** (*shehecheyanu...*)”.

When **he comes in to dwell in it**, he says, “**Blessed...Who sanctified us with His mitzvot and commanded us to dwell in a succah**”.

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The Gemara concludes: **And the Halachah is** in accordance with Rav Papa: we recite *al bi'ur chametz*, “**regarding the eradication of chametz**”. For we indeed regard this term as implying the future.

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<sup>9</sup> This refers to the four species that on Succot, we are commanded to hold together – a palm branch (*lulav*),

## Perek 1 – 7B

c c o d d

Based on the previous section of Gemara, it is evident that **everyone**, i.e. according to all views, agrees **that we need to bless prior to** the fulfillment of the mitzvah.

The Gemara asks: **From where** do we derive this principle?

The Gemara cites the source of the principle: **For Rav Yehudah said in the name of Shmuel:** With regards to every mitzvah, one should bless prior to doing them (*oveir la'asiyatan*).

The Gemara inquires: **How is it implied that** the word '*oveir*' is a term of preceding?

**Said Rav Nachman bar Yitzchak:** It is evident from Scripture, because of that which the verse says (*Shmuel*<sup>10</sup> II, 18:23), **“And Achima’atz ran by the route of the plain and went before (‘vaya’avor’) the Cushite”**. We see that the term '*oveir*' means to go before.

**Abaye said from here** we see that '*oveir*' is a term of preceding: It is written concerning Ya’akov<sup>11</sup> (*Breishit*<sup>12</sup> 33:3), **“And he went (‘avar’) before them”**. Ya’akov went before his wives and children, in approaching Eisav<sup>13</sup>.

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an *etrog*, myrtle branches (*hadassim*) and willow branches (*aravot*).

<sup>10</sup> Samuel

<sup>11</sup> Jacob

<sup>12</sup> Genesis

<sup>13</sup> Esau

## Perek 1 – 7B

**And if you wish, I could say** that we see it **from here**: In the prophecy of Micah (*Micah* 2:13) it is said that **“Their king will pass before (*vaya’avor*) them, with Hashem at their head”**.

c c õ d d

**In the House of Rav they said**: For every mitzvah we recite the blessing before doing the mitzvah, **except for immersion** in a mikveh **and** blowing the **shofar**. With these mitzvot we recite the blessing after fulfilling the mitzvah.

The Gemara raises a difficulty: **It is all right** with the case of **immersion** that we make the blessing after the immersion. **Because** before the immersion, **he is still a person who is unfit** to recite the blessing, due to his state of impurity.

[In the impurity of a *ba'al kerī*<sup>14</sup> one is forbidden to recite blessings until after he has immersed. Because he could not make the blessing on his immersion until after he immersed, the Sages instituted that every impure person would only make the blessing after they had already immersed. In a later period, the Sages revoked the law forbidding a *ba'al kerī* to recite blessings, as recounted in Tractate *Brachot*]

**However** concerning blowing the **shofar**, **what is the reason** we recite the blessing after fulfilling the mitzvah?

**And if you will say** we recite the blessing afterwards **because** we are concerned **perhaps the blowing will be deficient** i.e. not fulfilling the requirements of Halachah, and the blessing will be in vain—

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<sup>14</sup> A person who has a seminal emission.

## Perek 1 – 7B

But **if so, even** concerning the mitzvot of *shechitah* and *milah* **also**, we should make the blessing afterwards, for maybe there too it might be deficient!

The Gemara answers: **Rather, said Rav Chisda:** Rav did not say as we thought. He **only said: “Except for immersion”**.

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**It was also taught** in a Baraita **like this**, that regarding immersion, the blessing is made afterwards:

After **he has immersed and come up** from the water, **when he comes up he says**, **“Blessed...Who sanctified us with His mitzvot and commanded us regarding immersion”**.

c c õ d d

It was stated in the Mishnah: “At the night of the Fourteenth of Nisan, we search the house for the chametz, **by the light of a candle.**”

The Gemara inquires: **From where** do we derive **these words**, that the search needs to be by the light of a candle?

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## Perek 1 – 7B

The Gemara replies: **Said Rav Chisda: We have learnt a *gezeirah shavah*<sup>15</sup> of “*metziah*” (finding) from “*metziah*”, and “*metziah*” from “*chipus*” (searching), and “*chipus*” from “*chipus*”, and “*chipus*” from “*neirot*” (candles), and “*neirot*” from “*ner*” (candle).**

The Gemara now explains: We have learnt “*metziah*” which is stated regarding chametz from “*metziah*” which is stated in reference to the goblet found in the sack of Binyamin<sup>16</sup>.

**It is written here regarding chametz (*Shmot*<sup>17</sup> 12:19), “For seven days, sourdough shall not be found (*yimatzei*) in your houses”.**

**And it is written there, regarding the goblet (*Breishit* 44:12), “He searched (*vaychapeis*); he began with the oldest and ended with the youngest; and the goblet was found (*vayimatzei*) in Binyamin’s sack”.**

**And this “*metziah*” (it was found) concerning the goblet, we derive from the “*chipus*” of it, i.e. from the searching which is said in this verse regarding the goblet. I.e. we derive from there that the finding of the goblet came through searching for it. Therefore we derive that the finding which is said in regards to chametz is also through searching.**

**And the “*chipus*” of the goblet we derive from “*neirot*” (candles).**

**For it is written (*Tzefaniya*<sup>18</sup> 1:12), “It will be at that time that I will search (*achapeis*) Jerusalem with candles”. So too we derive that the search for chametz is with candles.**

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<sup>15</sup> One of the rules of expounding the verses of the Bible. This says that two identical or similar words in different passages can come to teach Halachot one from the other. This teaching is based on an oral tradition from Mount Sinai.

<sup>16</sup> Benjamin

<sup>17</sup> Exodus

<sup>18</sup> Zephaniah

## Perek 1 – 7B

And “*neirot*” we derive from “*ner*”, for it is written (*Mishlei*<sup>19</sup> 20:27), “A man’s soul is the candle of Hashem, which searches all the chambers of one’s innards”.

c c ã d d

It was taught in the House of Rabbi Yishmael: On the night of the fourteenth we search for chametz by the light of a candle. And even though there is no proof to this matter that the search needs to be done by the light of a candle, nevertheless, there is a mentioning of this matter. For it says, “For seven days, sourdough shall not be found”. And it says, “He searched; he began with the oldest and ended with the youngest”. And it says, “It will be at that time that I will search Jerusalem with candles”. And it says, “A man’s soul is the candle of Hashem, which searches all the chambers of one’s innards”.

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The Gemara raises a difficulty: **What is the need for the last “And it says”?** Why do we need to derive from the verse of “A man’s soul is the candle of Hashem” that searching is with a candle? We already derived this from the verse of “It will be at that time that I will search Jerusalem with candles”.

The Gemara replies: This is what it is saying. **And if you will say** that one cannot learn from **that** verse of “It will be **at that time**”. I.e. that verse does not prove to us that it is sufficient to search for chametz by the light of candles alone, since the verse **is** referring to a search by candles as **a leniency**.

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<sup>19</sup> Proverbs

## Perek 1 – 7B

**For the Merciful One was saying: I did not search the sins in Jerusalem with the light of a torch which has a lot of light, but rather I searched with the light of an oil candle whose light is minimal.** I did this because then **I would only find very serious sins, but less severe sins I would not find.** However, when searching for chametz it is not sufficient to use the light of candles, because we are trying to find any chametz that can be found.

Therefore the Baraita added: **“Come and hear”** an additional proof from the verse of **“A man’s soul is the candle of Hashem”**. From this verse we see that a search with a candle is excellent, because the verse tells us that with it, one can search all of the chambers of the innards. So too, for the search for chametz its light will be good.

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**The Rabbis taught in a Baraita: We do not search for chametz by the light of the sun, nor by the light of the moon, nor by the light of a torch, but only by the light of a candle [because the light of a candle is very good for searching.]**

# Chavruta Pesachim – Daf Chet

Translated by: *Rabbi Dov Grant*  
Edited by: *R. Shmuel Globus*

[The Rabbis taught in a Baraita: We do not search for chametz by the light of the sun, nor by the light of the moon, nor by the light of a torch<sup>1</sup>, but only by the light of a candle] because the light of a candle is very good for searching.<sup>2</sup>

And although there is no proof for the matter, there is a mention of the matter from the following four verses in Scripture.

For it states (*Shmot*<sup>3</sup> 12:19): “Seven days, sourdough shall not be found (*yimatzei*) in your houses”.

And it states (*Breishit*<sup>4</sup> 44:12): “And he searched (*vaychapeis*), he began with the oldest and ended with the youngest; and the goblet was found (*vayimatzei*) in Binyamin’s sack”.

And it states (*Zephaniah* 1:12): “It will be at that time that I will search (*achapeis*) Jerusalem with candles”.

And it states (*Mishlei*<sup>5</sup> 20:27): “A man’s soul is the candle of Hashem, which searches all the chambers of one’s innards”.

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<sup>1</sup> I.e. two or more wicks intertwined

<sup>2</sup> Although candles are more commonly used today, the oil candle was prevalent in Talmudic times.

<sup>3</sup> Exodus

<sup>4</sup> Genesis

<sup>5</sup> Proverbs

## Perek 1 – 8a

The Gemara examines this Baraita: **That** which it says in the Baraita, “One may not check...by the **light of the sun**” — **what is the case** that it is referring to?

**If we say** that it was said **regarding** the checking of **a courtyard**, a place where sunlight is commonly present—

**But** that cannot be. For **Rava said** that **a courtyard does not need checking** at all, **since ravens are commonly found there**. Any chametz remaining there would be eaten by them.

**Rather**, we could say that one may not check by sunlight **regarding a veranda**, which also has sunlight.

**But** that, too, cannot be. For **Rava said** that **a veranda may indeed be checked** for chametz **by its own light** i.e. by sunlight.

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The Gemara answers: There is **no** difficulty! This Baraita is **necessary for** the case of **a skylight that is in** the ceiling of **a room**. Despite the large amount of sunlight present, it is still forbidden to check for the chametz by way of its light.

The Gemara poses a difficulty: **And in what situation** does this halachah apply?

There will be a problem **if** we say this applies even when checking **opposite** i.e. directly underneath **the skylight**. Surely the amount of sunlight there should be sufficient, for **that is** comparable to the case of **the veranda!**

The Gemara explains: **Rather**, the Baraita prohibits checking by sunlight in the areas of the room that are **to the sides** of the skylight. The sunlight is not as strong there.

## Perek 1 – 8a

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The Baraita taught that one may not check the house for chametz by way of a torch.

The Gemara analyzes this: **And** is it so that **a torch is not** fit to be used in checking the house for chametz?

**Surely Rava** has **said** that the light of a torch is very powerful. For he taught the following:

**What is the meaning of the verse** (*Chavakuk*<sup>6</sup> 3:4): **“And there will be a brightness** [of the *tzaddikim*<sup>7</sup> in the future world] **like the light** [of the days of Creation]; **rays of light** [of the splendor of Hashem will come] **to him** [to irradiate the faces of the *tzaddikim*] **from His hand; and there** [next to Hashem], **His strength** will be **hidden**”? This verse is saying that the power of the light next to Hashem is greater than the light next to the *tzaddikim*).

And Rava explained: **To what are the *tzaddikim* compared, in relation to the face of the Shechinah**<sup>8</sup>? **Like the light of a candle in front of a torch.**

**And Rava also said:** Using **a torch for the Havdalah candle** is called doing the **mitzvah in the best way.**

Thus we see that the light of a torch is stronger than the light of a candle. Why, then, is it not permissible to check the house for chametz by the light of a torch?

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<sup>6</sup> Habakuk

<sup>7</sup> The righteous

<sup>8</sup> The Divine Presence

## Perek 1 – 8a

The Gemara answers: **Rav Nachman bar Yitzchak said: This** one, the candle, **can be brought into holes and cracks** to check them for chametz. **But that** one, the torch, **cannot be brought into holes and cracks** to check them for chametz.

**Rav Zevid said** that a candle is better than a torch for a different reason: **This** one, the candle, has an advantage in that **its light shines in front of itself**. **But that** one, the torch, does not do so. Rather, **its light shines behind itself**. Since a person checks for chametz in places that are in front of him, the torch is unsuitable for the task.

**Rav Pappa said** that a candle is better than a torch for yet a different reason: A person who holds **this** one, the torch, **is afraid** that the house will burn down if he does not hold it properly. Therefore he will not be sufficiently attentive to check the house properly. **But** a person who holds **that** one, the candle, **is not afraid** of such an occurrence taking place and will conduct his search properly.

**Ravina said** that a candle is better than a torch for yet a different reason: **This** one, the candle, **draws light** to its wick in a steady fashion. **But that** one, the torch, **continuously cuts** short its light in one place and jumps to another place, making it unfit for the search.

c c õ d d

The Mishnah taught (2a): **Any place that one does not bring** chametz into, does not require checking for chametz.

The Gemara discusses this: When the Tanna said “**any place**”, **what** did he mean **to include** with the word “any”? It would have been sufficient to have stated “*a* place that one does not bring...”

The Gemara answers: **To include** the cases **that the Sages taught** in the following Baraita:

## Perek 1 – 8a

One does not have to check for chametz in **holes** found in the walls **of a house**. And this is true, whether they are **the “upper” ones** i.e. holes set very high up in the wall, **or** whether they are **the “lower” ones** i.e. holes set very low down. Since these holes are not easy to use, they are considered places where chametz is not brought in.

**And** similarly **the sloping roof of a yetzia**<sup>9</sup> does not require checking. Even though it is *low* enough for use, it is nevertheless unsuitable for use due to its slope. (Other house roofs used to be flat).

**And** similarly **the sloping roof of a migdal**<sup>10</sup> does not require checking. It only needs to be checked internally.

**And** similarly **a cattle barn and chicken coop** do not require checking. The animals and chickens would eat up any chametz left there.

**And** similarly **a barn for straw, and storehouses for wine, and storehouses for oil do not need checking** for chametz, since people do not normally bring chametz there.

**Rabban Shimon ben Gamliel says** that the following item requires checking for chametz: **A bed that is used as a partition within a house**, to divide a room for different uses. **And it** has legs tall enough to **divide** its board from the floor to create a space under the bed. **It requires checking** in the space underneath.

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**They** the scholars of the study hall **posed a contradiction** between this Baraita’s statement about bed and the following Baraita’s statement. Similarly, between this Baraita’s statement about holes and the following Baraita’s statement about holes.

A Baraita says: One must check for chametz in **a hole** in the wall **that is between** the house of **a person and** the house of **his fellow**. **This person checks** the hole on his side **as far as the place where his hand can reach**. **And that one checks** the hole on his side

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<sup>9</sup> A cabin adjacent to the house

<sup>10</sup> A wooden cupboard containing food and cooking utensils.

## Perek 1 – 8a

as far as the place where his hand can reach. And if there is any chametz in the remaining part of the wall space, which cannot be reached by either of them, he should at least nullify it mentally.

**Rabban Shimon ben Gamliel says:** Regarding a bed that is a partition within a house, and wood and stones are arranged underneath it, and its legs raise it sufficiently to divide the board from the wood and stones. It does *not* require checking in the space underneath.

This poses a difficulty between the first Baraita of the bed as opposed to the second Baraita of the bed. And it poses a difficulty between the first Baraita of the holes as opposed to the second Baraita of the holes.

The Gemara answers: There is no difficulty between the first Baraita of the holes as opposed to the second Baraita of the holes.

For that first Baraita, which stated that holes do *not* have to be checked for chametz, was dealing with the upper ones and lower ones. (Since these holes are generally inaccessible, they would have no chametz there, as mentioned).

And that second Baraita, which stated that holes *do* have to be checked, was dealing with the middle ones, i.e. holes located in the middle of the wall, that are easily accessible.

And there is even no difficulty between the first Baraita of the bed as opposed to the second Baraita of the bed.

For that first Baraita, which stated that the space under the bed-partition has to be checked for chametz, was dealing with a bed that is high. The large space underneath the bed lends itself to usage.

And that second Baraita, which stated that the space under the bed does not have to be checked, was dealing with a bed that is low. The space underneath the bed is too small to be used.

## Perek 1 – 8a

c c õ d d

We learnt in the first Baraita: Storehouses for wine and storehouses for oil do not need checking for chametz.

The Gemara poses a difficulty: **And** is it so, that **storehouses of wine do not need checking** for chametz? **But surely it was taught** in a Baraita: **Storehouses of wine need checking** for chametz. Only **storehouses of oil do not need checking** for chametz.

The Gemara answers: **What are we dealing with here**, when it states that we need to check storehouses of wine? **With** a storehouse from which one **supplies himself** during his meal. When someone runs out of wine during his meal, his servant may well go to the storehouse to bring more, while carrying his bread in his hand.

The Gemara poses a difficulty with this: **If so**, then storehouses of **oil** should **also** need to be checked for chametz. Surely we should be equally concerned that one's servant will go there in the middle of the meal, while still holding his bread?

The Gemara answers: **Oil** is different, in that it is used for eating rather than drinking. And **there is a fixed amount for eating**. There is a fixed amount of oil needed for a meal, according to the number of participants. Since the servant prepares this in advance, he rarely has to get up in the middle of the meal to bring more oil. Regarding **wine**, however, **there is no fixed amount for drinking**. Since the amount of wine drunk at a meal is variable, the servant cannot prepare exactly in advance. Thus sometimes he has to bring more wine whilst in the middle of the meal.

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**Rabbi Chiya taught** the following Baraita: **They**, the Sages, **made** it a requirement for **the storehouses of beer** that are **in Babylon** to be checked for chametz, just **like the**

## Perek 1 – 8a

**storehouses** that are **in the land of Israel**. Specifically, the Sages made it a requirement **regarding** storehouses of beer from which one would **supply himself** during his meal. For the Jews in Babylon were accustomed to drink beer in the same way that the Jews of the land of Israel were accustomed to drink wine. And since there is no fixed amount for drinking, the Sages were concerned that the servant might bring more beer from the storehouse while still holding his bread.

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**Rav Chisda said: A storehouse of fish does not need to be checked** for chametz.

The Gemara poses a difficulty: **But surely it was taught** in a Baraita: **They**, storehouses of fish, **need to be checked** for chametz!

The Gemara answers: **It is not a difficulty**. For **that** statement of Rav Chisda was made **regarding** a storehouse of fish that specifically contains **large ones**. In such a case, it is possible to accurately assess how many will be needed for the meal. Thus, there will be no need to go to the storehouse to bring more during the course of the meal. Whereas **that** statement of the Baraita, which required checking for chametz, was made **regarding** a storehouse of fish containing **small ones**. Since it is difficult to calculate how many small fish will be needed, we are concerned that the servant might bring more from the storehouse while still holding his bread.

\*

**Rabbah bar Rav Huna said: Storehouses of salt and storehouses of wax candles need checking** for chametz. For sometimes one sometimes arises in the middle of his meal to bring more salt or candles from the storehouse.

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**Rav Pappa said: A storehouse of firewood and a storehouse of dates need checking** for chametz. More of these items are also sometimes required during a meal.

## Perek 1 – 8a

c c ã d d

A Tanna taught the following Baraita: **They** the Sages **did not obligate him to stick his hand into holes and cracks** in a wall in order **to check** them for chametz, **because of the danger** involved.

The Gemara discusses this: **What is the danger** that the Sages were concerned about?

It cannot be correct, **if we** were to **say** that is **because of the danger of a scorpion** that may be lying there. For **when he used** those places the whole year around, **how** did **he use** them? Surely the danger of a scorpion should have prevented him from ever putting anything there, including chametz. In such a case, he surely would have no obligation to check there, because they are places where chametz has never been brought, due to danger!

The Gemara answers: **No**, there is another danger. **It** the Baraita **is needed** for the case of a wall **that fell**. The holes were used to store chametz when the wall was standing. Thus they are considered places where chametz has been brought, and should require checking. Nevertheless, the Sages exempted a person from thoroughly checking a fallen wall for chametz, because of the danger of scorpions that are commonly found under debris. Rather, an external check of the surface of the wall suffices.

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The Gemara challenges the above answer: **If** the Baraita is dealing with a case where **it** the wall **fell**, then **why does** it even need **checking** on the surface? Even if there were no danger from scorpions, there would be no need to check a fallen wall for chametz. For

## Perek 1 – 8a

**surely it was taught** in a Mishnah: **Chametz, on which a ruin has fallen, is regarded as if it has been eradicated.** So why should any checking be required?

The Gemara answers the difficulty: **There**, the Mishnah is dealing with a ruin that buries the chametz three *tefachim* deep, **where a dog cannot search after it** under the ruin. Therefore we treat the chametz as if it has been eradicated. But **here**, the Baraita is dealing with a wall that fell in such a way **where a dog can search after it**, the chametz. For the resulting mound buries the chametz less than three *tefachim* underneath. Thus the chametz is considered to still be in existence and ought to be removed, if there were not the danger of the scorpion.

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The Gemara poses a difficulty: Why were the Sages concerned over the danger of a scorpion, at a time when one is occupied with the mitzvah of checking for chametz? **But surely Rabbi Elazar said: Agents of a mitzvah** i.e. people engaged in the fulfillment of a mitzvah **are not harmed!**

The Gemara answers: **Rav Ashi said**, we are concerned **lest he lose a needle** in the ruins beforehand. **And** then, whilst he is checking for chametz, **he will also come to search after it** the needle. Since he also intends to find the needle, he is no longer protected from harm as an agent of a mitzvah.

The Gemara challenges the above answer: **And is it true that in such a case**, where he is thinking about the mitzvah as well as his own needs, that **he is not** considered an agent of a mitzvah? **But surely we learnt** in a Baraita: Regarding **one who says**, “**This sela** i.e. this coin should go **for tzedakah, in order that my son should live** in the merit of this mitzvah”. **Or** he says, “**In order that I will become a member of the future world**, in the merit of this mitzvah”—

## Perek 1 – 8B

### **Ammud Bet**

**Behold, he is a completely righteous person** regarding this action. He is not criticized for doing a mitzvah with ulterior motives, since his main intention is to fulfill Hashem's commandment of giving tzedakah.

Here also, since his main intention is to check for chametz, he should be regarded as an agent of a mitzvah, even if he also intends to find his needle.

The Gemara answers: We are concerned that **perhaps after he has checked** for chametz and completed the entire mitzvah, **he will come to search after it** the needle. Thus he is no longer an agent of a mitzvah and could be harmed by a scorpion.

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**Rav Nachman bar Yitzchak said** an alternative explanation of the danger involved with checking the wall: In truth, the Baraita is dealing with holes and cracks in a wall that is still standing. And the reason that the Sages do not require checking in the holes is **because of the danger of gentiles**. When the Jew sticks his hand into the holes in the wall separating between their houses, the gentile will suspect him of performing witchcraft, and might harm him.

**And** this statement **is** in accord with the view of the Tanna **Fleimo**.

**For it was taught** in a Baraita: **A hole that is** in the wall **between a Jew and a gentile** requires checking for chametz. **He** the Jew **must check** the hole **as far as the place where his hand can reach**. **And** if there is any chametz in **the remaining** part of the wall, **he should** at least **nullify it mentally**.

But **Fleimo said: He does not check any of it, because of the danger**.

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## Perek 1 – 8B

The Gemara discusses the above Baraita: **What is the danger** that Fleimo was referring to?

It cannot be correct **if we were to say** that it is **because of the danger of witchcraft**. For until now, **when he used** the hole, **how did he use** it? Surely the gentile's suspicion should have prevented him from ever sticking in his hand to put chametz there! This being so, he is exempt because it is a place to which chametz has never been brought.

The Gemara answers: **There**, i.e. during the course of the year, **when he used** the hole, he did so in the **daytime and** by natural **light**. **And** in such a case, **he** the gentile **would not think** that the Jew is engaged in sorcery.

But **here**, when he checks for chametz, he does so at **night and** by **candlelight**. **And** in such a case, **he** the gentile **will** indeed **think** that the Jew is engaged in sorcery.

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The Gemara raises a difficulty with the Baraita: Why was Fleimo concerned over the danger of a gentile, at the time when one is occupied with the mitzvah of checking for chametz? **But surely Rabbi Elazar had said: Agents of a mitzvah are not harmed!**

The Gemara answers: In a case **where harm is commonly present**, i.e. highly probable, like this case of the gentile, **it is different**. Even people engaged in a mitzvah could be harmed.

A proof for this is provided from the incident of Hashem sending Shmuel to anoint David as king.

**For it says** (*Shmuel*<sup>11</sup> I 16:2): **And Shmuel said, “How shall I go [to anoint David]? For if [King] Shaul<sup>12</sup> hears about it, he will kill me”. And Hashem [therefore] said, “You shall take a calf with you and you shall say, ‘I have come to slaughter [an offering] to Hashem’.”**

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<sup>11</sup> Samuel

<sup>12</sup> Saul

## Perek 1 – 8B

Thus we see that Shmuel was afraid of Shaul, even though Shmuel was sent on a mitzvah mission by the word of Hashem Himself. For the danger from Shaul was a case of “harm is commonly present”, i.e. highly probable.

c c õ d d

**They** the scholars of the study hall **posed an inquiry to Rav:** Regarding **those disciples who live in the villages of the valley, what is the Halachah?** May **they** travel to **come to the study hall early**, before dawn, **and leave late** to go home, after dusk? Perhaps we should be concerned over harmful spirits that are present in the dark?

**He Rav said to them: Let them come**, and the punishment for this should come **on me and on my neck!** Meaning, the disciples need not be concerned for harmful spirits, since the mitzvah will certainly protect them.

They further asked: **Should we let them go** back at night after they conclude their studies? **What is the Halachah**—may they rely on the mitzvah to protect them on the way back as well?

**He said to them: I do not know.**

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**It was said** in a statement of Amoraim: **Rabbi Elazar said: Agents of a mitzvah are not harmed** at all. **Not when they go** to do the mitzvah **and not when they return** from it. When a person engages in a mitzvah, it protects him even on his return from it.

The Gemara discusses this: The halachah stated by Rabbi Elazar goes **according to whose** view amongst the Tannaim?

## Perek 1 – 8B

The Gemara answers: **Like this following Tanna. For it was taught in a Baraita: Issi ben Yehudah says: Since the Torah states** about those who go up to Jerusalem for the Festivals (*Shmot*<sup>13</sup> 34:24): **“No man will desire to take your land when you go up to appear before Hashem, your G-d, three times a year”, it teaches that when you do this mitzvah, you can be secure that your cow is grazing in the meadow and no wild animal is harming it. And similarly your chicken is pecking in the refuse and no weasel is harming it.**

**And** certainly, your own self will come to no harm whilst engaged in the mitzvah. For **surely** a *kal vachomer*<sup>14</sup> can be applied to these **things**, as follows.

**For what** is characteristic of **these**, i.e. the cow and chicken? **That it is usual for them to come to harm.** And nevertheless the Torah promises that **they will not come to harm**, in the merit of the mitzvah of going up to Jerusalem for the Festivals.

Whereas **humans, who are not so usually harmed** since they can protect themselves better than these docile livestock can, **all the more so** they will be protected by the mitzvah.

Based on this reasoning, **I only have** a source **regarding** protection while **going** to do a mitzvah.

**Regarding returning** from doing a mitzvah, **from where** do I know that it protects a person?

**The Torah teaches** regarding returning home from the festival of Pesach (*Devarim* 16:7): **“And you shall turn in the morning and go [back] to your tents”.** It this verse teaches that you will go back and you will find your tent i.e. your home at peace.

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<sup>13</sup> Exodus

<sup>14</sup> A logical inference using *a fortiori* reasoning

## Perek 1 – 8B

The Gemara raises a difficulty: **But surely, since** this latter verse promises that **even on returning** from Jerusalem after the Festival, after one is completely done with the mitzvah, one is protected from harm. This being so, **why do I need** the verse of “no man will desire to take your land”? It is obvious that one will be protected from harm **when going** to do the mitzvah, i.e. when one is actively involved in the mitzvah. Thus the first verse seems superfluous.

The Gemara answers: It is needed **for that teaching of Rabbi Ami.**

**For Rabbi Ami said:** We learn from the verse of “no man will desire to take your land” the following halachah: only **a man that has land** i.e. he is a landowner **goes up** to Jerusalem **for the Festival. But** a man **that has no land, does not** have to **go up** to Jerusalem **for the Festival.** I.e. he has no obligation to do so.

c c o d d

**Rabbi Avin bar Rav Adda said in the name of Rabbi Yitzchak:** Why is it that none of those very sweet *Ginosar*<sup>15</sup> **fruits** are available **in Jerusalem?** (Since Jerusalem is the source of all the abundance of the land of Israel, we would expect to find these luscious fruits there.) **In order that those going up to Jerusalem for the Festivals should not say, “If we would have gone up just to eat the *Ginosar* fruits, that would have been enough for us!”** For as a result of this **it will turn out** that the mitzvah of **going up** for the Festival **was** done for ulterior motives and **not for its own sake.**

**Similarly, Rabbi Dostai the son of Rabbi Yannai said:** Why is it that the hot springs of Tiberius are not in Jerusalem? **In order that those going up to Jerusalem should not say, “If we would have gone up just to bathe in the hot springs of Tiberius, that**

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<sup>15</sup> From the area of the *Kinneret*, the Sea of Galilee. See *Devarim* 33:23, *Rashi* and *Onkelos ad loc*

## Perek 1 – 8B

would have been **enough for us!**” And so it turns out that the mitzvah of **going up** for the festival **was** done for ulterior motives and **not for its own sake**.

c c õ d d

We learnt in the Mishnah: **And in what** case **did they** the Sages **say** that **two rows** in a cellar must be checked for chametz? In the case of a cellar into which chametz is brought.

The Gemara discusses this: The Mishnah’s question about **a cellar** is problematic. For **who mentioned it**, a cellar, in the first place? Where does it say that a cellar is not usually checked, so that the Mishnah was brought to ask about the exception to the rule?

The Gemara answers: **This is what he** the Tanna **is saying: Any place into which they do not bring chametz does not need checking** for chametz.

**And** we said above (8a) that when the Mishnah uses the word “any”, it means to tell us that **storehouses of wine and storehouses of oil**, into which chametz is not brought, **also do not need checking** for chametz.

And about this the Tanna asks: “**And in what** case **did they say** that **two rows in a wine cellar need to be checked** for chametz”, in exception to the general rule?

The Mishnah then answers: The kind of a cellar which is “**a place where they bring chametz into**”. **And** this is **regarding** a cellar from which **he supplies himself** with wine during his meal.

c c õ d d

## Perek 1 – 8B

We learnt in the Mishnah regarding the amount of space that needs checking: **Beit Shammai say: Two rows** across the entire cellar.

**Rav Yehudah said:** The **two rows**, regarding **which they** (Beit Shammai) **said** must be checked, are the two outermost ones containing all the layers of barrels **from the floor to the ceiling**.

Wine cellars are filled up with rows of barrels until the floor space is covered. Then another layer is added on top of all the rows until the height of the ceiling. Beit Shammai say that one must check the outside row that faces the entrance, from top to bottom. And similarly, the row that is immediately further inside needs checking, from top to bottom.

**But Rabbi Yochanan said:** Beit Shammai is not referring to the two outer rows containing layers of barrels up to the ceiling. Rather, it is regarding **one vertical row** and one horizontal row. Thus the area that must be checked looks **like** the Greek letter *gam*, or an upside-down capital letter ‘L’. One must check the outside row from top to bottom, and the top layer of all the rows, across the entire length and breadth of the cellar.

**It was taught** in a Baraita **in agreement with Rav Yehudah**, and **it was taught** in a Baraita **in agreement with Rabbi Yochanan**.

**It was taught** in a Baraita **in agreement with Rav Yehudah: Beit Shammai say:** One must check **two rows over the entire surface of the cellar**. And these **two rows that they Beit Shammai said** need checking, extend **from the ground until the ceiling**.

**It was taught** in a Baraita **in agreement with Rabbi Yochanan:** These are the **two rows over the entire surface of the cellar** that Beit Shammai was referring to: One of the rows is the **outer** vertical one that “sees”, i.e. faces, the wall containing **the entrance**. And the second row is the **upper** horizontal layer that “sees” **the ceiling**.

But the remaining rows **that are behind it**, the outside row, **and under it**, the upper layer, **do not need checking for chametz**.

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## Perek 1 – 8B

We learnt in the Mishnah: **Beit Hillel say:** The **two outside rows that are the upper ones** need checking for chametz.

**Rav said:** One of the rows is the **upper one**, the upper layer, but not extending across the entire surface of the cellar. Rather, only the top layer of the outer row that faces the entrance and the ceiling. **And** the second row is the layer **underneath it**.

**But Shmuel said:** One of the rows is **the upper one** i.e. the top layer of the outside row. **And** the other row is the top layer **behind it**.

The Gemara discusses this: **What is the reason of Rav?** Why does he not explain like Shmuel does? For Shmuel seems to fit more closely with Beit Hillel's description: the "upper ones".

The Gemara answers: Because **he Rav was being precise** in his interpretation of the first part of Beit Hillel's description: "the two outside rows". This indicates that the two rows are on the outside. They are thus the first two horizontal rows or layers in the outside vertical row.

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The Gemara poses a difficulty with Rav's understanding of Beit Hillel: **But surely it was taught** in the name of Beit Hillel: "**the upper ones**"? How can the second layer be considered "an upper one"?

The Gemara answers: Beit Hillel did not mean literally "the upper ones". Rather, they just meant **to exclude** the remainder of the horizontal rows or layers underneath the top two. I.e. the **lower ones of the** second row, which is the **lower one** of the two uppermost rows.

We said above: "**But Shmuel said the upper one and behind it**".

**What is the reason** that he did not say like Rav, that the two rows are the horizontal layers that are the outside ones?

## Perek 1 – 8B

Because **he** Shmuel **was being precise** in his interpretation of the latter part of Beit Hillel's description: "the **upper ones**".

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The Gemara poses a difficulty with Shmuel's understanding of Beit Hillel: **But surely it was taught** in the name of Beit Hillel: "the **outside ones**"? How can the second horizontal row of Shmuel be considered "an outside one"?

The Gemara answers: Beit Hillel did not mean literally "the outside ones". Rather, they just meant to exclude the remainder of the vertical rows behind the front two. I.e. the row **behind the** second vertical row, which is the one **behind** the outer one.

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**Rabbi Chiya taught in accordance with the view of Rav. But all the "tannaim" i.e. the reciters of Baraitot taught in accordance with the view of Shmuel.**

The Gemara concludes: **And the Halachah goes according to the view of Shmuel** in his explanation of Beit Hillel. Thus, one must check the top layers from the two outside vertical rows.

# CHAVRUTA

## PESACHIM – DAF TET

Translated by: *Rabbi Dov Grant*

Edited by: *R. Shmuel Globus*

### Mishnah

Once a room is checked for chametz, it does not have to be checked again after moving on to the next room. For **we are not concerned that** in the meantime **a weasel might have dragged** chametz **from a house** that has not been checked **to a house** that has been checked. Here, 'house' means 'room'.

And **similarly**, we are not concerned that a weasel might have dragged chametz **from place to place** within a room while the checking is taking place. There is no need to place people to watch over the checked areas until the checking has been completed.

**Because if** we were to be **so** concerned, then even appointing people to watch would not help. For we should also be concerned for the same problem *after* the search has been completed. After all, there is a possibility that a weasel dragged chametz **from the courtyard** of a neighbour who had not yet made his search, to his **courtyard**.

**And** even if all the people of this town had checked their houses already, we should still be concerned for the same problem. For a weasel may have dragged chametz **from another town** that had not yet been checked, to this **town**.

And so **there is no end to the matter**, since it is impossible for all Jews to check for chametz at the same time. Therefore we are not concerned for the possibility of a weasel having dragged chametz from place to place.

## PEREK 1 – 9A

### Gemara

The Gemara infers the following, from the words “perhaps a weasel dragged”:

**The reason** that we are not concerned for this possibility **is only because we did not** actually **see it** the weasel **take** any chametz there. **But** if **we saw that it** the weasel **took** chametz there, to the place that had been checked, then **we are** indeed **concerned** about it. Perhaps the chametz is still there **and** the place **needs rechecking**.

The Gemara raises a difficulty: **But why** should we require another checking in such a case? **Let us say** that **it** the weasel **ate it!** For weasels are assumed to eat all the food, wherever they are present, as will now be shown.

**Did we not learn** the following in a Mishnah in Tractate *Oholot*? There it is stated: **Dwellings of gentiles are** considered **impure** due to corpse impurity, because they bury their stillborns there. And a dead body transmits impurity under a roofed place.

Therefore, if a gentile has lived there for a certain amount of time, a Jew that subsequently lives there must determine if a stillborn is buried there. **And how much** time is it that **he**, a gentile, would **have to stay in a dwelling**, so that there is a requirement **that the dwelling needs checking** for a stillborn? **Forty days**. For this is the time that it takes for a woman to become pregnant and miscarry a fetus that transmits impurity.

**And even though he** the gentile **has no wife**, the dwelling is still treated as impure, since gentiles are suspected of having relations even out of wedlock.

**But any place** where **a weasel or a pig** are able to go, **does not need checking** for a stillborn. For these animals would already have dug down and eaten it.

## **PEREK 1 – 9A**

So if a weasel is assumed to have eaten a stillborn, why is it not assumed to have eaten the chametz in our case? Surely, even if we see a weasel dragging chametz into an already checked area, we can safely assume that the weasel has eaten it, and there should be no need to check the area again.

The Gemara answers: **Rabbi Zeira said: This is not a difficulty. That Mishnah in *Oholot* is dealing with the eating of a stillborn, which is meat. But our Mishnah is speaking about bread and other chametz products. In regard to eating meat, it the animal does not leave over anything, and no checking for the impure remains is required. In regards to bread, however, it the animal does leave over remains, and therefore another check for the chametz is required.**

The Gemara provides an alternative answer: **Rava said: What is the basis for this comparison to the Mishnah in *Oholot*? The cases are actually quite different.**

**It is all right** for us to rely on the weasel's eating habits over **there** regarding the impurity of gentile dwellings, since the presence of a stillborn was never established. It was a mere suspicion. **One could say** that a stillborn **was** there, or **one could say** that a stillborn **was not** there. **And** so the Halachah is lenient in an area where weasels are commonly present. We reason as follows: Even **if you wish to say** that a stillborn **was** there, **one could say** that **it** the weasel **ate it** all up.

**But here**, we do not have such latitude for leniency. **For it is a certainty** that chametz was here, **since we saw that it** the weasel **took** the chametz here. Therefore, **who can say** for certain **that it** the weasel **ate it** entirely? For **it is an uncertainty** whether the chametz was eliminated, **and a certainty** that the chametz was present. **And** the **uncertainty** that it was eliminated **does not remove the status of certainty** regarding the chametz's presence.

## PEREK 1 – 9A

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The Gemara challenges this answer: **And** is it true that in general, **an uncertainty does not remove the status of certainty?**

**But surely it was taught** in a Baraita: In the case of a *chaver*<sup>1</sup> that died and left a storehouse full of produce, we assume that the tithes have been taken from it. **And** this is so **even if** it appears that **it** the produce just now came to the point of being obligated in tithes<sup>2</sup>, i.e. it is only **of that day**. Nevertheless **it is presumed to have been “rectified”** i.e. had the tithes removed.

**And here** it is a case **where the produce is certainly *tevel***, i.e. in need of tithing. **And** it is a case of **an uncertainty** whether **it was tithed, and an uncertainty** whether **it was not tithed**. We do not know if the *chaver* tithed the produce before he died.

**And yet, the uncertainty** that the *chaver* tithed the produce **comes and removes the status of certainty** of being *tevel*!

The Gemara resolves the difficulty: **There**, regarding the *chaver* that died, **it is** a case of **certain *tevel* and** equally **certain** tithing. **For** it is **certain** that **they *chaverim*** immediately **tithe** their produce.

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**And the above Baraita is in accord with Rabbi Chanina Chozah.**

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<sup>1</sup> A person regarded as a “colleague” of the Sages, i.e. he is trustworthy in observing all the stringencies of Rabbinic law.

<sup>2</sup> Once the grain has been piled and smoothed down, it is called *tevel* and must be tithed.

## **PEREK 1 – 9A**

**For Rabbi Chanina Chozah said:** There is a presumption regarding a *chaver* that he does not allow anything from his possessions to go out, unless it is “rectified” i.e. tithed.

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**And if you wish, I could say** an alternative answer: In truth, it is not certain whether a *chaver* tithed his produce before he died. Yet it is permitted to eat the produce because it is a case of a double uncertainty. There is **an uncertainty** whether he tithed, **and an uncertainty** whether there was any prohibition of *tevel* here in the first place.

For **one could say** the following: **Perhaps in the beginning, they** the piles of produce were **not *tevel***. This could be possible, **in accordance with** the teaching of **Rabbi Oshaya**.

**For Rabbi Oshaya said:** A person may cheat with his grain and bring it in to his house while it is still **in its chaff**. Afterwards, he completes the processing inside his house. In this way the grain never becomes *tevel*, i.e. in need of tithing. For the obligation to separate tithes only takes place when the *finished* product “sees the face of the house” i.e. passes through the entranceway of a dwelling.

Nevertheless, the Sages prohibited eating a fixed meal even from produce which entered the house in an unfinished state. But they did not extend this prohibition to animal feed. Thus a person can make a substantial gain. When he brings unprocessed grain into his house, his intent is **in order for his animal to eat** it after he processes it in the house, **and thus be exempted from the tithes**.

Thus we have here a double uncertainty. In such a case, we say that the uncertainty whether he tithed the produce combines its strength with the uncertainty that the produce was ever *tevel*.

## **PEREK 1 – 9B**

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The Gemara raises the same difficulty with the statement of Rava, but based on a different source: **And is it true that an uncertainty does not remove the status of certainty?**

**But surely we learnt in a Baraita: Rabbi Yehudah said: There was an incident regarding the maidservant of a certain Jewish thug in Rimon, who placed a stillborn in a pit.**

### **Ammud Bet**

**And a Cohen came, stood at the edge of the pit and peered into it in order to know if it the stillborn was male or if it was female.**

In this way, the Cohen could inform the mother how many days of impurity after birth she would have to keep. For if it was a male, then the mother must keep seven days of impurity and thirty-three days of purity. And if the stillborn was a female, then the mother must keep two weeks of impurity and sixty-six days of purity.

But this Cohen was not sufficiently careful about the danger that he might lean over the stillborn in the pit and thus transgress the prohibition of Cohanim defiling themselves with a dead body.

In any event, the Cohen was unable to determine if there was in fact a stillborn in the pit at all.

## **PEREK 1 – 9B**

**And** then the details of the **incident came before the Sages, and they declared him** the Cohen **pure**. This was despite the possibility of a stillborn actually being in the pit.

The reason why the Sages declared the Cohen pure is **because weasels and polecats are commonly found there** in pits. Therefore, it is fairly certain that such an animal dragged the stillborn to a hole in the side wall of the pit. Thus no impurity was transmitted to the Cohen leaning over the pit.

**Now surely** the case **here** is **that she** the maidservant **certainly placed** the stillborn in the pit. Thus it is certain that there was impurity in the pit at some time. **Whereas** it is uncertain whether a weasel dragged the stillborn to a hole. On the one hand, there is **an uncertainty** if **it dragged it** from the pit. **And** on the other hand there is **an uncertainty** if **it did not drag it** yet, at **the time** that the Cohen leaned over the pit.

**And** we see that **an uncertainty** regarding dragging **comes and removes the status of certainty** regarding the presence of the stillborn! This contradicts the statement of Rava above.

The Gemara answers: **Do not say: “that she placed the stillborn in the pit”, thus** creating a situation of certain impurity. **Rather, say: “that she dropped something that looked like a stillborn into the pit”**. In actuality, it could be that she dropped the air-filled sac of the fetus into the pit.

**And then it is** a case of a double uncertainty. **An uncertainty** if there was a stillborn in the pit, **and an uncertainty** if a weasel was present to drag the stillborn to a side hole. The uncertainties combine their strength.

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## **PEREK 1 – 9B**

The Gemara poses a difficulty with above answer: **But surely it** the Baraita **taught** “he peered into the pit **to know if it was a male or female**”? Does this not imply that a stillborn was certainly there, and the only uncertainty was regarding its gender?

The Gemara answers: **This is what it** the Baraita **said**: The Cohen peered into it in order **to know if she dropped** a sac full of **air**, and the mother is not impure at all. Or **if she dropped a stillborn**, and the mother is impure. **And if you conclude and say that she dropped a stillborn**, the Cohen still has **to know if it is a male or if it is a female**. For he needs to determine how many days of impurity the woman must keep.

\*

**If you wish, I could say** an alternative answer: Really, the maidservant dropped a stillborn, and the Sages nevertheless declared the Cohen pure. For **there it is** a case of **certainty and an equal certainty**. **Since weasels and polecats are commonly found there, it is certain that they dragged it**, the stillborn, to the hole. And that this took place **at** i.e. before **the time** that the Cohen leaned over the pit.

For **granted** that regarding chametz, we are concerned **that they** weasels will **leave over** some. Thus the place that the weasel brought the chametz needs rechecking. But regarding this case of impurity, we say that when **they drag, at least, they certainly dragged them** the stillborns **away at the time**.

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[A different version: **Granted that we do not say that they certainly ate them**. Therefore regarding chametz we are stringent to recheck the place. But **we certainly say that they dragged them to their holes**.]

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## **PEREK 1 – 9B**

We learnt in our Mishnah that we are not concerned that a weasel may have dragged chametz from house to house and place to place.

The Gemara raises a difficulty: **And do we really say that we are not concerned that a weasel may have dragged** chametz from an unchecked place, to a place that had been checked?

**But surely it was taught in the latter clause** of our Mishnah (i.e. in the coming Mishnah): After the completion of the search, **that** chametz **which is left over** for breakfast on the following day should be dealt with thusly: **He must put it in a protected place so that he will not have to search after it.**

This implies that he must recheck the house for chametz, if he does not hide this chametz away. For what reason? Presumably because a weasel might drag the chametz to a place that had already been checked!

The Gemara resolves the difficulty: **Abaye said: This is not a difficulty. This case is dealing with the fourteenth** of Nissan, whereas **that case is dealing with the thirteenth.**

Our Mishnah, which is not concerned for weasels dragging the chametz, was taught **regarding the thirteenth**, i.e. the beginning of the night following the thirteenth, the time that the checking takes place. **For** at that time **bread is commonly found in all houses** and the weasel will not be concerned that there will not be enough for it to eat. Thus, **it** the weasel **will not** drag chametz from an unchecked place and **hide it away** in a place that has been checked.

The next Mishnah, however, was speaking about **on** the day of **the fourteenth**. Perhaps at that time the weasel will indeed drag the chametz that was found and set aside after the

## **PEREK 1 – 9B**

check of the previous night. For that is a time **when bread is not commonly found in all houses** and the weasel will see far less bread than it is accustomed to see. Therefore it is concerned that it will not have anything to eat, and **it hides away** some of the chametz.

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**Rava said: Is a weasel a prophet, that it knows that today is the fourteenth** of Nissan **and that they are not baking** anymore dough **until the night?** It cannot be that for this reason, **it leaves over** from the chametz **and stores** it away.

**Rather, Rava said:** In truth, even on the fourteenth we do not have to be concerned lest a weasel drag the chametz.

And there is a different reason why “that which is left over, he must put it in a protected place”.

For perhaps **the weasel may take** from the remaining chametz **in front of us.** **And** if this were to happen, then **one will** certainly **need to search after it,** since we do not know where it hid it.

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**It** a Baraita **was taught,** that is **in accordance with Rava’s** explanation: Regarding **someone who wants to eat chametz after** the **checking** has taken place. **How should he act?**

**That which he leaves over** for eating later, **he should place in a protected place.** This will ensure **that a weasel will not** be able to **come and take** from the chametz **in front of us.** For if that would happen, **he would need to check after it.**

## PEREK 1 – 9B

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**Rav Mari said:** The reason why the remaining chametz must be hidden away is because of a safeguarding **enactment**. The Sages were concerned that **he might place there ten** pieces of chametz **and** afterwards **find** only **nine**. Then there is certainly a concern that a weasel dragged the tenth missing piece.



The Gemara now cites a number of halachot involving uncertainties, as they relate to the need to recheck a house for chametz.

- A) In front of us, there were **nine piles of matzah and one pile of chametz**. **And** then, in front of us, **a mouse came and took** a piece from one of the piles, and carried it into a house that had already been checked. **However, we did not know if it took** from the pile of **matzah**, which would cause no problem. Or **if it took** from the pile of **chametz**, which would create a need to recheck that house for chametz.

The Halachah is that the house has to be rechecked, and we cannot be lenient based on the fact that the majority of the piles are matzah. For **this is** similar to the case of **nine shops** that was taught in a Baraita.

The Baraita discusses a town that has nine shops selling kosher meat and one shop selling unkosher meat. If someone forgets which shop he bought from, the meat is prohibited, despite the fact that the majority of the shops in the town are kosher.

For there is a principle known as “anything fixed is similar to fifty-fifty”, *kol kavua kemachatzeah al machatzeah dami*. This applies to anything which a person has taken from

## **PEREK 1 – 9B**

the place where it was properly located. In such a case we cannot follow the majority of places in determining the status of the item. Rather, its status is considered to be equally balanced in uncertainty. Thus we must treat it stringently.

Our case of chametz is also subject to this principle, since the uncertainty began regarding the place where the food was originally fixed. For he saw the mouse take food from one of the piles. And the pile is regarded as the fixed place of the food.

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B) A piece became **separated** from of the ten piles, but it is not known from which pile, **and then a mouse came and took** the piece into a checked house. The Halachah is that the house does not need to be checked again. In this case we follow the majority, and assume that the piece separated from one of the piles of matzah.

**And that is** similar to the case in the **latter clause** of that Baraita of the nine shops. First the Gemara will cite the middle of the Baraita.

**For it was taught** in a Baraita: There are ten shops selling meat in a town. **Nine** of the ten **shops all sell** kosherly **slaughtered meat and** only **one shop sells unkosher meat. And he** someone **bought** meat **from one of them, but he did not know** i.e. remember, **from which one of them he bought.** The Halachah is that **its** status of **uncertainty** renders it **forbidden.**

And in the latter clause of the Baraita it says: **And regarding** a case where meat was **found** between shops, the Halachah is that **one goes after the majority.**

The meat is judged kosher, because the uncertainty began only at the time that the meat was found on the street. And since the street is not the fixed place of the meat, it does not

## **PEREK 1 – 9B**

have the Halachah of a fixed item. Rather, it follows the rule of “anything that has separated, is treated as having separated from the majority”. Therefore, we assume that the meat separated from the majority of shops, which are kosher.

And so it is in our case of chametz. We only had an uncertainty after the piece had already separated from its fixed place. Therefore, we apply the normal Halachah that one goes after the majority.

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C) **Two piles** are before us. **One** of them is **of matzah** and **one** of them is **of chametz**. **And in front of them are two houses**, **one** of which is **checked** and **one** of which **has not been checked**. **And then two mice came**. **One** took a piece of **matzah**, and **one** took a piece of **chametz**. **And** they each went into a different house, although **we do not know which** mouse **went into this** house **and which** mouse **went into that** house. Thus there is an uncertainty whether the mouse with the chametz entered the house that had already been checked.

**That is** similar to the case of the **two boxes**. We can apply the leniency stated there to our case here, and exempt him from rechecking the already checked house. For we assume that the mouse with the matzah entered the checked house, and the mouse with the chametz entered the unchecked house.

**For it was taught** in a Baraita: There are **two large boxes** in front of us. **One** of them is a box **of chulin** produce, i.e. its tithes have been removed and it is permitted to be eaten. **And** the other **one** of them is a box **of trumah**<sup>3</sup> produce, forbidden to all who are not Cohanim. **And in front of them are two small containers** of similar produce. **One** of them is **of chulin** produce, **and one** of them is **of trumah**. **And** the contents of **these two**

## **PEREK 1 – 9B**

small containers **fell into those** two large boxes. But we do not know which produce fell into which box.

The Halachah is that the produce in the *chulin* box is judged **permitted** for consumption by a non-Cohen. And we are not concerned that it may have been the *trumah* that fell into the box of *chulin*, which would prohibit its consumption by a non-Cohen<sup>4</sup>.

**For I say** that the *chulin* produce **fell into** the box of *chulin*, and the *trumah* produce **fell into** the box of *trumah*.

And so it is in our case of chametz, which deals with two piles and two houses. We assume that the mouse with the chametz entered the house that was unchecked. And the mouse with the matzah entered the house that was checked.

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The Gemara raises a difficulty. The case of *trumah* does not seem comparable to the case of chametz. **I would say** that **when we say** the principle of “**for I say**”, i.e. that we assume that similar materials join one another, this is specifically [**regarding trumah** that we apply this Halachic principle].

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<sup>3</sup> The small portion separated from agricultural produce in the land of Israel and given to the Cohanim for them to consume in purity.

<sup>4</sup> unless there was at least 100 times more *chulin* produce than there was *trumah* produce, in which case the latter becomes nullified

# CHAVRUTA PESACHIM – DAF YUD

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[The Gemara raises a difficulty. The case of trumah does not seem comparable to the case of chametz. **I would say that when we say** the principle of “**for I say**”, i.e. that we assume that similar materials join one another, this is specifically] **regarding trumah**<sup>1</sup> that we apply this Halachic principle.

For nowadays, trumah only has the force of **Rabbinic law**, thus we are lenient regarding cases of uncertainty, and apply the above Halachic principle. However **for** the prohibition of **chametz** which has the force of **Torah law**, **do we say** that one could be lenient by applying “For I say”?

The Gemara replies: **Is checking** the house **for chametz** nowadays required by **Torah law**? Surely this obligation too only has the force of **Rabbinic law**, **because in Torah law a mere nullification** of one’s chametz would be **sufficient**. Given that the question here is rechecking the house, for a Rabbinic obligation we are able to apply such a principle.

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D. If there was **one pile of chametz**, and in front of us stood **two houses that had been checked** for chametz. **And a mouse came and took** a piece of chametz from the pile and entered one of the houses. **And we do not know if** the mouse **entered this** house or **if it entered that** house. Does it require rechecking?

The Gemara answers: **This** parallels the case of the “**two paths**”.

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<sup>1</sup> A small portion separated from agricultural produce in the Land of Israel, and given to cohanim for their

## **PEREK 1 – 10A**

**For it was taught** in a Mishnah in Tractate *Tohorot*: If there were **two paths, one impure and one pure**, and one did not know which was which. Here the Mishnah refers to a case where we knew that one of the paths passed over a hidden grave, making it impossible for one to travel along it without becoming impure, but it was not known which path. **And a person traveled on one of them and afterwards touched pure food.**

Were this the only uncertainty, we would have said that the food that he touched remains pure. This is because we could apply the principle that items that might have become impure, and the uncertainty arose in a public domain, are regarded as remaining pure. However, here **his friend came and traveled on the second path, and touched different pure food.** Now the question is whether we can declare *both* of the foods pure based on this principle, given that one of the people definitely traveled along the impure path.

**Rabbi Yehudah says: If they asked** their question to a Sage, and the case was that **this one asked on his own, and that one asked on his own**, then both of the foods would be declared **pure**. The Sage could rule that each of them was pure, given that in each case there was a doubt as to whether they had been rendered impure.

However if **both of them** came in order to ask the Sage **at one time**, then both of them would be declared **impure**. Since the Sage would have to make one ruling for both of them, he would be forced either to declare both impure, or both pure. Since one definitely was impure, he would have to declare both of them impure.

**Rabbi Yosi says: Whether this way or whether that way**, i.e. even if they were both to ask the Sage on their own, they would both be **impure**.

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personal consumption. It may be eaten only in purity.

## **PEREK 1 – 10A**

**Rava said, and if you will say** it was in fact **Rabbi Yochanan** who said, the views regarding the above case are different: If both of them came to ask the Sage **at one time**, according to **all views** both of them would be declared **impure**.

And similarly, if they came **one after the other** to ask the Sage individually, even if they were to tell him that their friend had traveled along the second path, but did not ask for a ruling on his case, then **according to all views**, both of them would be **pure**.

Rabbi Yehudah and Rabbi Yosi **only disagree where** one of them **came to ask, for both himself and for his friend**, saying: “What is the ruling for both of us?”

**Rabbi Yosi compares** this to where both of them asked **at one time**, and therefore the Sage would declare them impure. He would not be able to declare both as being pure, as explained above.

**And Rabbi Yehudah compares** it to where they came **one after the other** in order to ask the Sage. Since there was only one questioner, the Sage would be able to answer him by saying that he was pure. The questioner would then inevitably understand that his friend was also pure, being that their question was identical.

However, when both came to ask at one time, the Sage would be forced to answer both of them together and would be unable to declare both pure.

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So too in our case of chametz and two houses. If the owners of both houses were to come and ask at the same time, the ruling would be that they both must check again for chametz. However, if they were to ask independently, then the ruling would be that they need not search again. Because the obligation to check one’s house for chametz is Rabbinic in origin, we could rule leniently in a case of doubt.

## **PEREK 1 – 10A**

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E. If we saw a mouse that took chametz and there was **a doubt** as to whether it **entered** a house that had already been checked for chametz, or it **did not enter**. One need not check the house again. This is because **this** case parallels that of the **plain, and** is the subject of **a disagreement between Rabbi Eliezer and the Rabbis** (called the Sages, below). Although the cases are similar, here both would agree that one would not need to check again.

**For it was taught** in a Mishnah in Tractate *Tohorot*: If **one entered a plain**, an area containing many fields adjacent to each other, and it was **in the rainy season**, when the crops have already begun to sprout and people would not normally have permission to walk there. In this case, the plain would be viewed as a private domain with regards to questions of impurity. We would apply the principle that items which doubtfully became impure in a private domain are regarded as impure.

**And** if we knew that there was a source of **impurity in a certain field** within the plain. **And one** person came and **said: I traveled in that place, the plain, and I do not know whether I entered that field**, which contained the source of impurity, **or whether I did not enter**. Here **Rabbi Eliezer** declares him **pure and the Sages** declare him **impure**.

Rabbi Eliezer declares him pure because **Rabbi Eliezer would say: A doubtful entrance is judged pure**. If the doubt is whether the person entered the field at all, then he would be judged pure, because this would involve a case of a double doubt (*sfeik sfeika*): There is a doubt whether he entered the field at all, and even if he did, he may not have passed directly over the part of the field that contained the source of impurity. In the case of a double doubt such as this, we would declare him pure, even in a private domain.

## **PEREK 1 – 10A**

Only in the case of a single doubt, i.e. he definitely entered the field but had a **doubt** whether he **touched the** source of **impurity**, then we would say that he is **impure**.

Whereas the Sages hold that even in a case of a double doubt, we apply the principle that items that doubtfully became impure in a private domain are regarded as impure.

But in our case of checking for chametz, even the Sages would rule leniently, given that the obligation to check for chametz is only Rabbinic in origin, as explained above. Therefore in a case of doubt such as this, one would not be obliged to check again.

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F. If the mouse **entered** a house that had previously been checked, while carrying chametz, **and** the householder **checked** the house afterwards **and did not find** any chametz. He need not check further, because this case parallels **the disagreement between Rabbi Meir and the Rabbis** (called the Sages, below).

**For it was taught** in a Mishnah in Tractate *Niddah*: There were three mounds of rocks. One of them was impure, given that it covered over a piece of a corpse that was at least a *kazayit*<sup>2</sup> in size. And because one was unable to tell the mounds apart, one checked all three of them, but did not find the piece of the corpse anywhere. According to Rabbi Meir all of the mounds are considered impure.

Because **Rabbi Meir used to say: Anything that has an established status of impurity will forever remain in its status of impurity until it becomes known where the impurity is.** Until the source of impurity is found, we must be concerned that it is still there, even though it was not found during the search.

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<sup>2</sup> *Kazayit*: 0.9 fluid oz. or 28 cu. cm.

## **PEREK 1 – 10A**

**And the Sages say:** One must **check** each mound and dig beneath them **until one reaches rock or virgin earth**, i.e. soil that was hard, indicating that it had never been dug out. If one checked this far and did not find anything, then the mounds would be considered pure. This is because we would say that an animal came and removed the piece of corpse.

In our case of checking one's house for chametz, even Rabbi Meir would agree that if one did not find the chametz, we could say that the mouse had eaten it, and one need not check further.

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G. If the mouse **entered** a house that had previously been checked, carrying chametz, **and** the householder subsequently **checked** the house **and found** a piece of chametz. However, he did not know whether this was the piece that the mouse had brought in, or whether it was a piece that he had overlooked in his first search, and the piece of chametz carried by the mouse was still there. The question whether he must continue his search is dependent on a **disagreement between Rabbi** i.e. Rabbi Yehudah HaNasi **and Rabbi Shimon ben Gamliel**.

**For it was taught** in a Baraita: If there were a **field in which a grave was lost**, i.e. one did not know its exact location, **anyone who enters** the field would become **impure**. We would be concerned that he might have passed over the grave and become impure.

If later on, **a grave was found in it** and one did not know whether this was the grave that was 'lost' or not, then **the one who enters** the field without coming near the grave would be judged **pure**. Because **I would say: The grave that was lost is the very same grave that was found;** these are **the words of Rabbi**.

## **PEREK 1 – 10A**

**Rabbi Shimon ben Gamliel says:** We are still uncertain whether this is the grave that was lost, thus one must **search the entire field**. If one subsequently found another grave, only then would one be able to say that this was the same grave that was lost, meaning that the rest of the field was pure.

Similarly in our case of checking for chametz, according to Rabbi we would say that he found the piece that the mouse had brought into the house. However according to Rabbi Shimon ben Gamliel, one would have to be concerned that this was a different piece of chametz, thus one would be obliged to check the house again.

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H. If a **one placed nine** pieces of chametz in a house that had been checked, **and** subsequently **found ten** pieces, this would be the subject of a **disagreement between Rabbi and the Rabbis** (called the Sages, below).

**For it was taught** in a Baraita: If **one placed one hundred** *zuz*<sup>3</sup> of *ma'aser sheni* money<sup>4</sup> in a box, **and** subsequently **found two hundred** *zuz* there. The two hundred *zuz* would be considered as being *chulin*<sup>5</sup> **and** *ma'aser* that had been **mixed with one another**, because we could not be sure which of the coins were the *ma'aser sheni* and which were the ordinary money. In this case one would have to take a different one hundred *zuz*, and redeem the *ma'aser sheni* that is in the box upon it.

This new set of coins would then assume the status of *ma'aser sheni*, and the other two hundred would have the status of *chulin*, i.e. ordinary money. These are **the words of Rabbi**.

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<sup>3</sup> A denomination of coin.

<sup>4</sup> Money that had been used to redeem fruits of *ma'aser sheni* (the second tithing), which would themselves take on the status of *ma'aser sheni*.

<sup>5</sup> Non-consecrated [money].

## **PEREK 1 – 10A**

**And the Sages say:** Since he did not find the amount that he had left in the box, we may rule leniently. We may say that the original one hundred *zuz* that he left in the box was taken to another location, and was replaced by a different two hundred *zuz*, which are assumed to be ordinary money. Thus **all** of the money would be judged *chulin*.

Similarly in our case of chametz, Rabbi would hold that the nine pieces that were placed in the house are the same pieces that were found, and that another piece was added to them, thus one would not need to recheck the house. However according to the Rabbis, since one found a different number of pieces we must be concerned that all of these ten pieces are new, having been brought there by someone else. It follows that all of the original nine pieces are still in the house, and one would be obliged to search the house for them.

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I. If **one placed ten** pieces of chametz in a house that had already been checked, **and** subsequently **found only nine** pieces, **this** would parallel the **latter clause** of the Baraita that was quoted above.

**For it was taught** in a Baraita: If **one placed two hundred** *zuz* of *ma'aser sheni* money in a box, **and** subsequently **one found only one hundred** there. We would say that **one hundred** *zuz* of the original two hundred **was still placed** there, **and** the other **one hundred** that was missing had **been taken** from the box; these are **the words of Rabbi**.

**And the Sages say:** **All** of the money is *chulin*. Since one found less money than had originally been placed in the box, we say that the original two hundred were taken out and subsequently a different one hundred *zuz* of *chulin* money was placed there.

Similarly in our case of chametz, if one placed ten pieces and found nine, Rabbi would hold that one would only need to search for one more piece of chametz, because the

## **PEREK 1 – 10B**

pieces that he found were nine of the original ones that he placed there. However according to the Sages, one would have to search for another ten pieces of chametz. We would be concerned that perhaps all of the ten pieces had been moved by an animal to another place within the house, and what he found was nine entirely different pieces of chametz.

### **Ammud Bet**

J. **One who placed** the chametz that remained after checking, **in this corner** of the house. And afterwards he **found** chametz **in a different corner**. And he does not know if this is the same chametz that he left in the other corner, or whether this is different chametz, and the first chametz was dragged around the house by a mouse to an unknown location. This depends on **a disagreement between Rabbi Shimon ben Gamliel and the Sages**.

**For it is taught in a Baraita: A spade that got lost in the house** i.e. it disappeared to an unknown location. All the utensils in **the house are rendered impure, for I say:** perhaps **a person who was impure entered there and took it**, and while he was there he touched all the utensils in the house and rendered them impure.

**Rabbi Shimon ben Gamliel says: The house is pure, for I say:** Certainly the master of the house **lent the** spade to **another** person, **and forgot** about it, **or that** he himself **took it from this corner and put it in the other corner, and forgot** about it.

The Gemara raises a difficulty: Why does Rabban Shimon ben Gamliel speak of a **corner? Was it** a corner **mentioned** earlier in the Baraita? The case was a spade that was lost completely, not one put in a corner and found in another.

## **PEREK 1 – 10B**

The Gemara answers: **A clause has been omitted** from the Baraita, **and this is what it is saying:**

**1. A spade that was lost in the house, the house is impure, for I say that a person who was impure entered there and took it.**

**2. Or** the spade was not lost, rather **he placed it in this corner** of the house, **and found it in another corner** – all the utensils in **the house are impure**. **For I say: An impure person entered there, and took it from this corner and placed it in another corner.** And while doing this, he touched all the utensils in the house and rendered them impure.

**Rabbi Shimon ben Gamliel says:** In both cases **the house is pure**. Regarding the case that he lost the spade, **I say:** The master of the house **lent it to another** person, **and forgot**.

**Or** regarding the case that it is found in a different corner, I say: **That** he himself **took it from this corner** where it was before **and placed it in that corner** where it is now, **and forgot**.

Similarly with chametz, the Sages (i.e. the first Tanna) suspect that the chametz in this corner is not the same chametz that was in the other corner, because the mouse dragged that chametz into an unknown location, and the whole house now needs to be checked again. Whereas according to Rabbi Shimon ben Gamliel, we assume that the master of the house moved it from one corner to the other and forgot, and he does not need to check again.

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**Said Rava:** **A mouse that entered** a house that had been checked for chametz, **and a loaf of chametz is in his mouth, and** the master of the house **enters after him and finds**

## **PEREK 1 – 10B**

**crumbs.** We do not say that this is the same loaf that the mouse brought in, and crumbled it into crumbs. Rather, the house still **needs checking** for this loaf, **because it is not the way of a mouse to crumble** the loaf, thus these crumbs are not from this loaf. We assume that the loaf is still somewhere in the house.

**And said Rava: A child that entered** a house that had been checked for chametz, **and a loaf is in his hand, and he enters after him** i.e. after the child, **and finds crumbs.** **There is no need to check** for this loaf, **because it is the way of a child to crumble** the loaf, and we assume that this is the loaf that he brought in, except that he crumbled it.

\*

**Rava posed an inquiry:** We see **a mouse enter** the house **and a loaf is in its mouth.** Afterwards we see **a mouse go out** of the house **and a loaf is in his mouth.** **What is the Halachah?**

**Do we say:** **This is the same mouse that went in and went out,** and there is no need to check the house again?

**Or perhaps** this mouse that went out **is a different** mouse, and the loaf that was in the mouth of the first mouse is still in the house, and he needs to check for it.

\*

**If you conclude and say:** **this mouse that went in, is the same as that mouse that went out** and there is no need to recheck the house, still there is a question in the following case:

**A white mouse enters** the house **and a loaf is in his mouth,** and afterwards we see **a black mouse go out and a loaf is in his mouth,** **what is the Halachah?**

## PEREK 1 – 10B

Do we say: **this** loaf that went out **is certainly a different one**, since a different mouse took it out?

**Or perhaps** it is the same loaf. The first mouse **cast it** the loaf **in front of it**, the second mouse. And the second mouse took it out.

\*

**If you conclude and say:** it cannot be the same loaf because **mice do not take food from each other**, still there is a question in the following case:

**A mouse enters** the house **and a loaf is in his mouth, and a weasel goes out** afterwards **and a loaf is in his mouth. What is the Halachah?**

Do we say: the **weasel certainly took it** the loaf **from the mouse** that entered, since it is the way of weasels to hunt mice?

**Or perhaps** the loaf in the weasel's mouth is **a different one**, and not the loaf that the mouse brought in. **For if it is true that he** the weasel **took it** the loaf **from the mouse**, he would have caught **the mouse itself**, too, and even the mouse **would be found in its** the weasel's **mouth**, along with the loaf!

\*

**If you conclude and say:** it cannot be that the weasel has the mouse's loaf because **if it is true that he took it from the mouse, the mouse should have been found in its mouth**, still there is a question in the following case:

## **PEREK 1 – 10B**

**A mouse enters the house and a loaf is in his mouth, and a weasel goes out, and a loaf and a mouse is in the mouth of the weasel.** The loaf is in this side of its mouth and the mouse is in the other side. **What is the Halachah?**

Perhaps we say: **here, certainly it is that same one.** The mouse that entered with the loaf in its mouth was caught by the weasel, which now has both in his mouth.

**Or perhaps** we assume that this is a different mouse and a different loaf. Because **if it was true that it is that same one,** then what is the loaf doing in the mouth of the weasel? **The loaf should be found in the mouth of the mouse!**

**Or perhaps** the reason the loaf was not found in the mouse's mouth is **because** out of the mouse's **fear** of the weasel, **it** the loaf **fell** from its mouth, and the weasel **took it** in its mouth, and this is the same mouse that entered with the loaf.

The Gemara concludes: **Let it stand.** The questions remain unresolved.

\*

**Rava posed an inquiry:** A loaf of chametz, which is found above **on a ceiling beam,** does **he need** to bring a **ladder** before Pesach, **to bring down** the loaf from there and to burn it, **or he does not need to?**

The sides of the question are as follows:

**Do we say:** since the obligation to eradicate the chametz is only Rabbinical, because nullifying it is enough according to the Torah, therefore **until that extent the Sages did not trouble him** to go up on a ladder to bring it down? **Because it will not come down by itself.** The loaf will not fall from the ceiling by itself. Therefore, we are **not** concerned perhaps **he will come to eat it,** and the nullification of the chametz is sufficient.

## **PEREK 1 – 10B**

**Or perhaps, sometimes** it happens **that** the loaf **falls** down by itself, **and he could come to eat it**. Therefore he must go up the ladder and burn the loaf.

\*

**And if you conclude and say:** he needs to go up the ladder to eradicate the loaf, because **sometimes it falls and he could come to eat it**, still there is a question in the following case:

**A loaf** which is found **in a pit**, does **he need** to go down on **a ladder and bring it up** from there to eradicate it, **or he does not need to?**

Perhaps we say: **here, certainly** there is no concern that he might eat it. **For it does not go up by itself!** It is impossible that the loaf will lift itself up from the pit.

**Or perhaps, sometimes he goes down** into the pit **to do what he needs**. **And** while he is there **he could come to eat it** the loaf. Therefore he needs to bring the loaf out of the pit and eradicate it.

\*

**If you conclude and say:** he must bring it up from the pit and eradicate it, because **sometimes he goes down to** into the pit **to do what he needs**. **And** while he is there **he could come to eat it** the loaf. Still there is a question in the following case:

**A loaf** which is found **in the mouth of a snake** in his house, does he **need** to hire **a snake expert to remove** the loaf from its mouth and eradicate it, **or does he not need to?**

## **PEREK 1 – 10B**

Perhaps we say: only **regarding his self, do the Sages trouble him** to check for and eradicate the chametz. But **regarding his money**, i.e. to spend money on this, **the Sages do not trouble him**.

**Or perhaps there is no difference**, and even if he must spend money, he is obligated to eradicate the chametz, although he fulfills his Torah obligation by nullification alone.

The Gemara concludes: **Let it stand**, the questions remain unresolved.

### **Mishnah**

**Rabbi Yehudah says:** In one of the three following times, a person checks for chametz.

1. Properly, one should **check the night of the Fourteenth** of Nissan.
2. One who did not check then, should check **on the Fourteenth** in the **morning**.
3. And if also then he did not check, he should check **at the time of the eradication** of the chametz, which is the sixth hour of the day of the Fourteenth. After this time he should not check, rather he relies on the mental nullification of the chametz that he previously performed. And if he happens to find any chametz afterwards, he eradicates it.

**And the Sages say:** Even after these times he should still check. Thus, the times are as follows:

**If he did not check the night of the Fourteenth, he should check on the Fourteenth in the morning.**

## **PEREK 1 – 10B**

And if **he did not check on the Fourteenth** in the morning, **he should check within the appointed time** in the sixth hour, which is the appointed time for eradicating the chametz. (*Tosafot* explain “the appointed time” to mean the entire period from noon of Erev Pesach until the end of the Festival.)

And if **he did not check within the appointed time, he should check after the appointed time** of eradication, which is six hours and on, until nightfall, and after that he no longer checks. (*Tosafot* explain “after the appointed time” to mean after the festival of Pesach has concluded.)

**And what he leaves over** after checking on the night of the Fourteenth, in order to eat it in the morning, **he should put it in a protected place, in order that he should not have to check after it** if any of the leftover chametz is missing. For example, if he left over ten slices of bread and afterwards only finds nine, he must check the house again.

### **Gemara**

The Gemara initially understands that Rabbi Yehudah requires checking the house thrice, in each of the times he mentioned. (This is contrary to how the Mishnah was explained above.) Thus the Gemara asks: **What is the reason of Rabbi Yehudah**, for checking the house thrice?

The Gemara answers: **Rav Chisda and Rabbah bar Rav Huna, both of them said:** It is **corresponding to the three** times that **elimination (*hashbatah*)** of chametz is mentioned **in the Torah:**

## **PEREK 1 – 10B**

“And there shall not be seen with you chametz and there shall not be seen with you sourdough”.<sup>6</sup>

“Seven days, sourdough shall not be found in your houses”.<sup>7</sup>

“Only, on the first day you shall eliminate sourdough from your houses”.<sup>8</sup>

These are the three references to elimination: “seeing”, “finding” and “eliminating”.

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**Rav Yosef contradicted** this, from a Baraita: **Rabbi Yehudah says: Whoever does not check in these three time periods** mentioned in the Mishnah, **does not check any further.**

**Therefore,** we see that Rabbi Yehudah and the Sages **are disagreeing in the case of from now and on.** The point of disagreement is whether to check *after* these three time periods, not whether to check in all three of them.

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**Mar Zutra teaches it,** Rav Yosef’s contradiction, **in this manner:**

**Raf Yosef contradicted** this, from a Baraita: **Rabbi Yehudah says: Whoever does not check in *one of* these three time periods, does not check any further.**

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<sup>6</sup> *Shmot* 13:7.

<sup>7</sup> *ibid* 12:19.

<sup>8</sup> *ibid* 12:15.

## **PEREK 1 – 10B**

Here Rabbi Yehudah expressly states that one out of the three time periods is sufficient. **Therefore, we see that Rabbi Yehudah and the Sages are disagreeing in the case of “does not check any further”.**

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The Gemara concludes: **Rather, Rabbi Yehudah also** does not require checking thrice. **He is saying: if one did not check** the night of the Fourteenth, one checks the next morning etc. Whereas the Sages hold that he can check even after the appointed time.

**And here, they are differing over this** point:

One **master, Rabbi Yehudah, holds** the view: **Before it is forbidden, yes,** one checks for chametz. But **after it is forbidden,** i.e. after the sixth hour, **no,** one should not check. This is because of a Rabbinical **decree, lest** while he is involved with the chametz **he come to eat from it.**

Whereas the Sages do not hold of this decree.

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The Gemara challenges this explanation: **Does Rabbi Yehudah really make a decree** forbidding a person to handle food that is forbidden to eat, **lest he come to eat from it?**

**Is it not taught otherwise in a Mishnah** in Tractate *Menachot* (67B)? There it is stated: Immediately **after the Omer was offered** on the sixteenth of Nissan, they would **go out and find the marketplaces of Jerusalem full of flour and parched grain** from the new grain that is allowed to be eaten only after offering the Omer.

# CHAVRUTA

## PESACHIM – DAF YUD ALEF

Translated by: *Rabbi Reuven Bloom*

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[**Does Rabbi Yehudah really make a decree** forbidding a person to handle food that is forbidden to eat, **lest he come to eat from it?**

**Is it not taught otherwise in a Mishnah** in Tractate *Menachot* (67B)? There it is stated: Immediately **after the Omer was offered** on the sixteenth of Nissan, they would **go out and find the marketplaces of Jerusalem full of flour and parched grain** from the new grain that is allowed to be eaten only after offering the Omer.]

And this practice was **against the will of the Sages**, because they harvested and ground this grain before Yom Tov, when it was still forbidden to eat. The Sages were concerned lest while handling the produce, they will come to eat from it and transgress the prohibition to eat from the new crop before bringing the Omer offering. These are the **words of Rabbi Meir**.

**Rabbi Yehudah says:** It is **in accordance with the will of the Sages** that **they do this**.

So we see that **Rabbi Yehudah did not decree** against handling produce that is forbidden to eat, **lest he come to eat from it**. So why did he decree against handling chametz, in the case that one forgot to check in the proper time?

The Gemara answers: **Said Rabbah:** **The new crop of grain is different, because you did not permit him** to harvest normally with a scythe, but **rather** in a different way **by means of picking** by hand.<sup>1</sup> Thus he will not come to eat it. Since he does it differently, **he remembers** that the grain is from the new crop that is forbidden to eat.

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<sup>1</sup> According to Torah law it is forbidden to harvest anything before harvesting the Omer, since the Torah describes the Omer as the first harvesting of the new produce. Only by harvesting in a different way than usual is one permitted to harvest before the Omer.

## **PEREK 1 – 11A**

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**Abaye said to him**, to Rabbah: **Granted** that there is no concern that he will eat from the grain **at the time of picking**, due to the different way he picks. But at the time of **grinding and sifting** the flour, which is permitted in the normal fashion, **what is there to say?** How will he remember not to eat from it? Since the flour in the marketplaces of Jerusalem was ground and sifted before the Omer, and how did Rabbi Yehudah permit this?

Rabbah answers: **This is not a difficulty**, because these tasks were also done differently than usual, in order to remember the prohibition to eat from the grain.

**Grinding** was done **with a hand mill** and not as usually done with a water mill. **And the sifting** was done **on top of the sieve**. I.e. the sieve was turned over and sifted on the other side.

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The Gemara raises another difficulty with Rabbi Yehudah: **However, this which is taught in a Mishnah: They may reap** grain before the Omer (even without changing the normal method), if it grows in a **field which requires irrigation**, or it grows in **valleys**. This is because such grain is of inferior quality, and is not used for the Omer offering. This is permitted by Torah law, and the only problem would be the concern lest they eat from it before the Omer.

**But** the grain **may not be heaped up**. It is forbidden to make a pile from it before offering the Omer. The Sages only permitted the harvesting since some of the crop could go to waste by delaying until after the Omer. But they did not allow heaping up the grain before the Omer, because a delay in that will not cause any loss.

## PEREK 1 – 11A

And in Tractate *Menachot*, we set up the Mishnah as **Rabbi Yehudah**, i.e. the Gemara there determined that the Mishnah is following his view.

**What is there to say** to explain this? Why does Rabbi Yehudah permit reaping in these cases without any change in method, and he is not concerned lest they come to eat from the grain?

The Gemara answers: **Rather, said Abaye: The new** crop of grain is different, because a person **abstains from it**. People are accustomed not to eat from it all winter long. Therefore Rabbi Yehudah did not decree against reaping it in the usual method, since not eating from the new grain is already habitual to them.

But **chametz**, a person **does not abstain from it**. On the contrary, people are accustomed to eat chametz the entire year. Therefore Rabbi Yehudah was concerned lest, while checking, he might forget and eat from the chametz.

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**Said Rava:** Is it only **this** statement **of Rabbi Yehudah** about chametz, **regarding that** statement **of Rabbi Yehudah** about the new grain, which poses **a difficulty**? Whereas **this** statement **of the Sages, regarding that** statement **of the Sages, does not** pose **a difficulty**?

In our Mishnah, the Sages obligate checking for chametz even after it is forbidden, without concern lest he come to eat it. But regarding the new grain, we find that Rabbi Meir forbids working with it, lest one come to eat from it. And Rabbi Meir is actually the Tanna in our Mishnah termed “the Sages”, who differs with Rabbi Yehudah. (This is according to the principle that an unnamed statement in a Mishnah is assumed to be Rabbi Meir’s view.)

## **PEREK 1 – 11A**

**Rather, said Rava: This statement of Rabbi Yehudah, regarding that statement of Rabbi Yehudah, is not a difficulty.** For it is **as we answered** previously, that people are used to eating chametz all year, whereas they are used to abstaining from the new grain all winter.

And **this statement of the Sages, regarding that statement of the Sages, is also not a difficulty.** They are always concerned lest one eat from a forbidden food while handling it. But checking for chametz is an exception to the rule: **His whole purpose in searching after it,** the chametz, is **to eradicate and burn it.** In such a situation, should we suspect that **he will eat from it?** The act of checking is itself the greatest reminder that chametz is forbidden to eat.

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**Rav Ashi said** a different answer: **This statement of Rabbi Yehudah, against that statement of Rabbi Yehudah, is not a difficulty.** Because **“flour and parched grain”** are the products **taught in the Mishnah** that were found in the marketplaces of Jerusalem. And they are not fit to eat as they are. Therefore Rabbi Yehudah was not concerned lest one eat from them. Whereas when searching for chametz, one might find a tasty pastry that is fit to eat.

The Gemara rejects this: **This alleged answer of Rav Ashi, it is a mistake!** He never said it.

**Granted that from** the act of **parching and on,** the grain is unfit to eat. But **from the beginning,** when the grain is still tender and moist, **until** the point that **it is parched,** **what is there to say?** How does Rabbi Yehudah permit handling the grain?

## **PEREK 1 – 11A**

**And if you will say**, it is because he allows harvesting only **by means of picking** by hand. Thus he will remember that the grain is forbidden and will not eat from it, **like that** answer **of Rava** given previously. (Except that the Gemara there asked how they permitted grinding and sifting; and to this question, Rav Ashi answers that by then, the grain is parched and unfit to eat.)

**However**, there is a difficulty with this explanation: the Mishnah teaches that **they may harvest in a field which requires irrigation, or** when it grows **in valleys**, even without changing methods. **And it was set up** i.e. it was determined that this Mishnah is **in accordance with Rabbi Yehudah**. In this case **what is there to say?** Why did he permit harvesting without any change, if at the time of harvest the grain is still fit to eat?

The Gemara concludes: **Rather, this** alleged statement **of Rav Ashi is a mistake**. He never said it. The Gemara prefers Abaye's answer, that a person abstains from the new grain, which is not the case with chametz.

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The Gemara raises a difficulty: **And wherever one does not** habitually **abstain from it**, from a forbidden act, **does Rabbi Yehudah decree against** coming into proximity with **it?**

**But have we not learned** otherwise, **in a Mishnah** in Tractate *Shabbat*? The Mishnah states: **A person should not perforate an eggshell and fill it with oil, and place it** before Shabbat **on the side of the clay oil-lamp, so that it** the oil **will drip** into the lamp on Shabbat, and the light will burn longer. This is forbidden, out of concern lest he remove some oil from the eggshell, for eating purposes, which would reduce the time that the lamp will stay lit. To do this would constitute extinguishing a fire.

## **PEREK 1 – 11A**

**And even** if he did not use an eggshell, rather he put oil in a little dish that **is made of clay**, one may not place it next to the lamp. Although the oil becomes unfit for eating once it is placed in the clay dish, it is forbidden nevertheless.

**And Rabbi Yehudah permits** placing the perforated eggshell filled with oil next to the lamp. He is not concerned that one will take from it to eat.

Thus we see that Rabbi Yehudah does not make a decree lest one come to eat something forbidden, even though it is something that a person does not habitually abstain from, such as oil. So why does he decree regarding chametz, lest he come to eat from it?

The Gemara answers: **There**, regarding oil, it is different. **Because of the seriousness of Shabbat he stays away from it.** Therefore Rabbi Yehudah does not make a decree there, lest he partake of the oil.

\*

**And they** the scholars of the study hall **posed a contradiction** between **this** statement of **Shabbat and that** statement of **Shabbat**.

**For it is taught** in a Baraita: **The rope of a bucket that breaks** in the middle, **one may not tie it** on Shabbat, because this is a permanent knot, and is forbidden. **Rather, one may make a loop** to tie it.

**Rabbi Yehudah says:** One may overlap the two broken ends of the rope, **and twine around it a belt or strap, provided one does not** instead **make a loop** to tie it. Because while he is involved with making the loop, there is a concern he will make a permanent knot.

## **PEREK 1 – 11A**

This is a **difficulty** between **this** statement of **Rabbi Yehudah** here, **and that** statement of **Rabbi Yehudah** regarding oil. For regarding oil he does not decree, whereas regarding the rope he decrees, and both concern Shabbat.

This is also a **difficulty** between **this** statement of **the Sages** here, **and that** statement of **the Sages** regarding oil. For regarding oil they decree, and regarding the rope they do not decree.

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The Gemara answers: **This** statement of **the Sages** against **that** statement of **the Sages** is **not a difficulty**. This is because **oil** placed in the eggshell next to the lamp **can be interchanged** i.e. confused **with oil** designated for its normal use. Therefore they decree lest he forget and take oil from the eggshell, which resembles ordinary oil. However, **a loop is not exchanged** i.e. confused **with a knot**, since they appear quite different. Therefore they did not make a decree in that case.

**This** statement of **Rabbi Yehudah** against **that** statement of **Rabbi Yehudah** is also **not a difficulty**. This is because the **reason of Rabbi Yehudah** for forbidding a loop on Shabbat **is not because he decreed on a loop** lest it lead to **a knot**. **Rather**, it is because **he holds that a loop itself is considered tying a forbidden knot**.

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**And they** the scholars of the study hall **posed a contradiction** between **this** statement of **the Sages** and **that** statement of **the Sages**.

**For it is taught in a Mishnah** in the Tractate *Shabbat*: **One may tie a bucket with a belt**, in order to fill it with water from the well. Since he wants the belt for its normal use

## **PEREK 1 – 11A**

and will not leave it there forever, the knot is not a permanent one. **But one may not** tie a bucket **with a rope**.

**And Rabbi Yehudah permits** even to tie a bucket with a rope.

The Gemara asks: **A rope of what** type?

**If we say an ordinary rope**, rope that is normally used for this purpose, it is not plausible. Is it possible that **Rabbi Yehudah permits** to tie with it? **It is a permanent knot, for surely he will nullify it** the rope, i.e. he will leave it there indefinitely. This transgresses the work of tying.

**Rather, it is obvious** that it is speaking about a rope **of a weaver, which is not fit** for filling up water with on a regular basis. Thus the knot is not permanent.

**And the Sages decreed** against tying with **a weaver's rope, lest** he come to tie with **an ordinary rope** which would be a permanent knot. Yet we saw before that the Sages do not decree against a loop lest one come to tie a knot, so why do they decree against a weaver's rope lest it lead to an ordinary rope?

The Gemara answers: **Yes**, this is quite reasonable. For weaver's **rope can be interchanged** i.e. confused **with ordinary rope**. But **a loop with a knot is not interchanged**. They do not resemble one another.

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The Gemara raises a difficulty: **And wherever** a person habitually **stays away** from a certain prohibition, **Rabbi Yehudah does not make a decree?**

## **PEREK 1 – 11B**

**But have we not learned** otherwise, **in a Mishnah** in Tractate *Bechorot*? For the Mishnah states: Regarding a **first-born animal**<sup>2</sup>, **that was seized by blood** i.e. it became sick from excess blood, and its treatment is to let its blood. But this treatment will blemish the animal, and thereby invalidate it as a sacrifice. **Even if it will die** without treatment, **they may not let its blood**, even if it will not make permanent blemish, since the wound will heal. These are **the words of Rabbi Yehudah**, who decrees lest they perform bloodletting in a place that makes a permanent blemish. For there is a Torah prohibition against making permanent blemish in a first-born animal.

**And the Sages say: One may let its blood, but only if he does not put in it a blemish.** The procedure must be done in a way that the wound will heal without leaving a blemish.

This contradicts Rabbi Yehudah's previous statement. For people habitually refrain from making forbidden use of consecrated animals, yet Rabbi Yehudah stills decrees against bloodletting first-born animals lest it result in making a permanent blemishes.

The Gemara answers: **There** regarding first-born animals it is different. For the animal is dangerously ill. **Since a person is anxious...**

### **Ammud Bet**

**...about loss of his property**<sup>3</sup>, **we say: if you permit him to let blood in a place that does not make a blemish, he will come to do it even in a place that makes a blemish.**

**And the Sages** hold that since he is anxious about his property, **all the more so** he should be permitted to let blood in a place that will not make a blemish. **For if he is not**

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<sup>2</sup> Which is given to a Cohen and then offered as the sacrifice of *bechor*.

<sup>3</sup> This refers to the Cohen, whose property the *bechor* is. Although he offers it as a sacrifice, the meat belongs to him to eat.

## **PEREK 1 – 11B**

**permitted** to let blood **at all, he will come** to transgress the Rabbinical decree and **to do** bloodletting anyway. And then he will not care whether the place makes a blemish or not.

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The Gemara challenges the above answer: **Do we really say that according to Rabbi Yehudah**, where **a person is anxious about his property**, a decree should be made?

**But have we not learned** otherwise **in a Mishnah** in Tractate *Beitzah*? The Mishnah states: **Rabbi Yehudah says: They may not curry an animal with a metal comb on Yom Tov**, in order to remove the mud on the animal. This is **because it** the act of currying with such a comb **makes a wound**, because it has fine bristles. Drawing blood is a primary form of work, and forbidden on Yom Tov.

However **they may curry** the animal **with a wooden comb**. This is because it has thick bristles and does not make a wound.

**And the Sages say: They may not curry with a metal comb** on Yom Tov, **and even may not curry with a wooden comb**. The Sages decreed against a wooden comb lest one come to use a metal comb.

**And it is taught in a Baraita: What is currying with a metal comb, and what is currying with a wooden comb?**

**Currying with a metal comb** is with a comb that has **fine** bristles, **and it makes a wound**.

**Currying with a wooden comb** is with a comb that has **thick** bristles, **and it does not make a wound**.

## **PEREK 1 – 11B**

This contradicts what we said before about Rabbi Yehudah. Although the mud on the animal weakens and pains it, and a person is anxious about his loss of money, even so Rabbi Yehudah does not decree lest he come to use a metal comb.

The Gemara answers: **There**, regarding the first-born animal, it is different. **For if he leaves it alone** and does not let its blood, **it dies**. There, **we say: “a person is anxious about his property”**.

But **here** regarding currying, even **if he leaves** the animal **alone** and does not curry it at all, it will not die. It will only be **generally in pain** from the mud that clings to it. In such a case, **we do not say “a person is anxious about his property”**.

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The Gemara raises a further difficulty: **And for Rabbi Yehudah, what is the difference regarding chametz, that he decrees** against checking after the time chametz becomes forbidden, lest he eat from it, **and what is the difference regarding currying, that he does not decree against** it lest he curry with a metal comb? (Working on Yom Tov is a less severe prohibition than is working on Shabbat, and a person does not stay away from it as much.)

The Gemara answers: **Bread** after the time that it is forbidden **is interchanged** i.e. confused **with bread** that is eaten the entire year. And therefore Rabbi Yehudah makes a decree. Since he normally eats bread the entire year, he will come to forget and eat bread after the time that it is forbidden.

But **currying with a metal comb is not interchanged with currying with a wooden comb**, and there is no concern that will come to use a metal comb.

## **PEREK 1 – 11B**

And the Sages hold that even the two types of combs are indeed interchanged, therefore they forbid even a wooden comb.

### **Mishnah**

**Rabbi Meir says: They may eat** chametz on Erev<sup>4</sup> Pesach the **entire** first **five** hours of the day, **and they must burn it in the beginning of the sixth** hour. Even though according to the Torah, chametz may be eaten until the end of the sixth hour, the Sages decreed not to eat or derive benefit from chametz an hour earlier, perhaps people will mistake the seventh hour for the sixth hour.

**Rabbi Yehudah says: They may eat** chametz the only the **entire four** hours, because a person can mistake the seventh hour for the fifth hour. But the chametz is still permitted to benefit from, during the entire fifth hour. **And we suspend** the status of the chametz during **entire fifth** hour, i.e. it may not be eaten, but it also need not be burnt. During this hour he may still benefit from the chametz, for instance by feeding his animals with it. **And they must burn it at the beginning** of the **sixth** hour, and from that time on it is forbidden by Rabbinic decree even to benefit from it, lest it be confused with the seventh hour, when it is forbidden according to the Torah.

**And Rabbi Yehudah also said: Two loaves** of chametz **from a thanksgiving (Todah) offering**, which are **invalid** for eating (for a reason that the Gemara will explain), were **resting on top of the raised platform** on the Temple Mount, where they served as a sign for the people.

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<sup>4</sup> The Eve of

## **PEREK 1 – 11B**

As long as both the loaves **are resting** on the platform, **all the people** still **eat** chametz.

When **one** loaf **is taken** away, at the beginning of the fifth hour, the status of chametz **is suspended**. Thus the people **do not eat but also do not burn** it, since it is still permitted to benefit from it.

When **both** loaves **are taken** away, this is a sign that the sixth hour arrived. Now, **all the people begin burning** the chametz.

**Rabban Gamliel says:** Chametz that is *chulin* (ordinary, non-consecrated food), **may be eaten** on Erev Pesach **all four** hours, like Rabbi Yehudah's view. Chametz that is **trumah**, however, is eaten **all five** hours. The Sages did not decree regarding trumah like they did regarding *chulin*, since it is forbidden to destroy trumah as long as it can be eaten.

**And they** must **burn** it **at the beginning of six** hours. For in the sixth hour the Sages decreed also on trumah, since it is very common to mistake the seventh hour for the sixth.

## **Gemara**

The Gemara presents a parallel Mishnah.

**It is taught in a Mishnah there,** in Tractate *Sanhedrin*: **One** of the witnesses coming to testify **says: On the second of the month,** So-and-So killed somebody. **And one** the other witness **says** the event occurred **on the third of the month**. But both say the same day of the week, such as one says on Tuesday which is the second of Cheshvan and the other says Tuesday which is the third of Cheshvan .

## **PEREK 1 – 11B**

**Their testimony is valid**, because both of them intend to say the same day. It is just **that this** one who says on the second of the month **knows about the declaration of a full month**, that the previous month was declared full, and the first day of this month was on the thirty-first day of the previous month. **And that** one who said on the third of the month, **did not know about the declaration of a full month**, and he thought the previous month was short, and the first day of this month was a day earlier. Therefore he mistakenly thought the second of the month was the third.

But if **one** of them **says: On the third** of the month the event occurred, **and** the other **one** says **on the fifth** of the month it occurred, **their testimony is nullified**. This is because they are judged as contradicting each other.

And if **one** of the witnesses **says: At two hours** of the day the event occurred, **and** the other **one** says: **At three hours** of the day it occurred, **their testimony is valid**. This is because such a mistake is common and it is not a contradiction.

But if **one** says that the event occurred **at three** hours, **and one** says **at five** hours, **their testimony is nullified**. Usually, people do not make such a large error, so they are judged as contradicting each other. These are the **words of Rabbi Meir**.

**Rabbi Yehudah says:** Even if one witness says three hours and the other says five **their testimony is valid**. This is because a person could err by two hours. But if **one** says the event occurred **at five** hours of the day, **and one** says **at seven** hours, **their testimony is nullified** even according to Rabbi Yehudah. This is because **at five** hours, the **sun** stands **in the east** of the sky, **and at seven** hours, the **sun** stands **in the west** of the sky. And one can readily recognize this, from the shade of one's hand when raised.

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## **PEREK 1 – 11B**

**Said Abaye:** When you analyze the disagreement between the Tannaim, you will conclude:

**According to the words of Rabbi Meir, a person does not make any mistake.**

**According to the words of Rabbi Yehudah, a person makes a mistake by half an hour.**

Abaye explains his statement: **According to the words of Rabbi Meir, a person does not make any mistake**, and if they do not say the exact same time, they are contradicting each other. Nevertheless, Rabbi Meir validates the testimony when one says at two hours and the other says at three hours, because we assume that they are actually testifying about the same moment. For the **event, when it occurred**, it was **with the going out of the second hour and the coming in of the third hour**. I.e. they both meant the very same time.

**And this witness who said** the event occurred at the **second** hour, meant: **at the end of the second. And that witness who said** at the **third** hour, meant: **at the beginning of three**. Thus both gave accurate testimony.

**According to the words of Rabbi Yehudah, a person makes a mistake of half an hour.** Therefore when one witness says three hours and the other says five, their testimony is valid. Because we assume that the **event, when it occurred—at half to four** (i.e. at three and a half hours) is when **it occurred**.

**And this witness who said “three”**, meant: **at the end of three, and made a mistake of half of the previous hour**. I.e. he said half an hour before the real time. **And that witness who said five**, meant: **in the beginning of five**. And he **made a mistake of half an hour after it**. I.e. he said half an hour after the right time.

## **PEREK 1 – 11B**

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Some say a different version of the above:

**Said Abaye:** When you analyze the disagreement between the Tannaim, you will conclude: according to the words of Rabbi Meir, a person makes a mistake of the slightest amount, and according to the words of Rabbi Yehudah, a person makes a mistake of an hour and the slightest amount.

According to the words of Rabbi Meir, a person makes a mistake of the slightest amount, and when one witness said at two hours and the other said at three, we assume this one meant the end of two, and the other meant the beginning of three. **And the event, when it occurred, it was either at the end of two that it occurred, or at the beginning of three. And one of them made a mistake of the smallest amount.**

And according to the words of Rabbi Yehudah, a person makes a mistake of an hour and the smallest amount. Thus when one says at three and the other at five, we assume this one meant the end of three and the other meant the beginning of five. **And the event, when it occurred, it was either at the end of three, or at the beginning of five.**

# **CHAVRUTA**

## **PESACHIM – DAF YUD BET**

Translated by: *Chavruta staff of scholars*

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**And** it emerges that **one of them is mistaken** by **an hour and a small amount**. Given that if the incident had taken place at the end of the third hour of the day, the witness who stated that it took place in the fifth hour would have been mistaken by a little over one hour. Similarly, if the incident took place at the start of the fifth hour, the witness who stated that it took place in the third hour would have been mistaken by a little over one hour.

**Rav Huna son of Rav Yehudah went and said this statement** of Abaye **in front of Rava**.

Rava **said**: According to Abaye's explanation, we should not have validated their testimony. How do we know that the witness who said the third hour meant the end of the hour, and the witness who said the fifth hour meant the beginning of the hour, leaving a relatively small period of time between the two?

**And what** would have been the case **if we had inferred from these witnesses, that this witness who said** that the incident took place in the **third** hour referred **to the beginning of the third** hour. **And that** witness **who said** that it took place in the **fifth** hour, referred **to the end of the fifth** hour? Then it would emerge that according to Rabbi Yehudah, there was a discrepancy of just under three hours between their testimonies, which is beyond the accepted limit according to both views. **And thus it would** certainly be judged as **contradicted testimony, and we would not execute** the person that they testified about.

**And** therefore, when we do not know which part of the hour they refer to, should we **stand up** and say that they refer to two times that are close to each other, **and execute** a person based **upon a doubt**? Surely **the Merciful One** i.e. the Torah **said** in reference to

## **PEREK 1 – 12A**

the judgment of a murderer<sup>1</sup>, “**And the congregation shall judge**”, “**And the congregation shall save**”. This verse teaches that the Court searches for any grounds to acquit, when judging someone for the death penalty.

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Since the Mishnah in Tractate *Sanhedrin* rules that we accept such testimony, we must explain the views differently. We must say that a discrepancy as large as this is also within the range of error that a person is expected to make, and this is why the two testimonies are not contradictory. Thus it would be valid even if the witness who testified about the later time meant the end of that hour, and the witness who testified about the earlier time meant the beginning of that hour.

**Rather, Rava thus said: According to the words of Rabbi Meir, a person is mistaken by two hours less a small amount. And according to the words of Rabbi Yehudah, a person is mistaken by three hours less a small amount.**

Rava explains:

**According to the words of Rabbi Meir, a person is mistaken by two hours less a small amount.** And when one witness says that the incident took place in the second hour, and the other witness says it took place in the third hour, even if they referred to the beginning of the second hour and the end of the third hour, the testimony would not be contradictory. Because even if **the incident happened either at the beginning of the second hour or at the end of the third hour, and** thus we were forced to say that **one of them was mistaken by two hours less a small amount**, we would still validate the testimony. Because it is normal for a person to be mistaken by an amount of time such as this.

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<sup>1</sup> *Bamidbar* 35:24

## **PEREK 1 – 12A**

**And according to the words of Rabbi Yehudah, a person is mistaken by three hours less a small amount.** And if one witness said that the incident took place in the fifth hour and the other said that it took place in the third hour, even if we were to say that they referred to the end of the fifth hour and the beginning of the third hour, the testimony would not be contradictory. Because even if **the incident happened either at the beginning of the third hour or at the end of the fifth hour, and** we were forced to say that **one of them was mistaken by three hours less a small amount,** the testimony is still valid. Since we say that it is normal for a person to be mistaken by this amount of time.

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The Gemara posed a difficulty to Rava: **It was taught** in a Mishnah in Tractate *Sanhedrin*: **They would examine them,** the witnesses of capital cases, **with seven investigations** (*chakiroth*):

1. **In which seven-year *shmitta*<sup>2</sup> cycle** of the seven *shmitta* cycles that make up a Jubilee (*yovel*) did the incident take place.
2. **In which year** of the seven years in a *shmitta* cycle did it take place.
3. **In which month.**
4. **On what day of the month.**
5. **On what day** of the week.
6. **At what time.**

## **PEREK 1 – 12A**

7. **In which place** did the incident take place.

**And it was taught** in the Mishnah there that in addition to the seven investigations they would also ask the witnesses additional questions, which were called examinations (*bedikot*). These questions would involve the specific details of the incident, such as whether they knew the victim (perhaps he was a gentile), what clothes was he wearing, what was the murder weapon, did you warn the murderer, etc. And we learned that it is praiseworthy for a court to ask many of these questions.

The Mishnah continued: **What is the difference between investigations and examinations?**

Regarding the **investigations**, if **one of them** one of the witnesses **said: I do not know** the answer to one of the questions, **their testimony is invalid**. However, regarding the **examinations**, even **both of them said: We do not know** the answer to one of the questions, **their testimony is valid**, except in a place where they obviously contradict each other.

**And** the Gemara there **considered: What is different about investigations and what is different about examinations?** Why does an answer of “I don’t know” invalidate the testimony in one, but not in the other?

Regarding **investigations**, if **one of them said I do not know**, **their testimony is invalid** because **it is testimony that one cannot render as *hazamah***.

I.e. a second set of witnesses testify that the first witnesses were with us, in a different place, at the time when the incident allegedly took place. Therefore if a witness were to answer “I don’t know” to any of these investigations, which determine the time and place

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<sup>2</sup> The agricultural cycle of seven years, the final year of which is the *shmitta* (sabbatical) year, when the land is not cultivated.

## **PEREK 1 – 12A**

of the incident, it will not be possible to render his testimony as *hazamah* by bringing other witnesses to say that he was with them at the time of the incident.

From the following verse, it is derived that only testimony open to *hazammah* is regarded as valid. The Torah states: “And the judges should enquire well, and behold he has testified false testimony, falsehood has he spoken against his brother. And you shall do to him as he conspired (*zaman*)<sup>3</sup> to do to his brother.”

However for **examinations**, even if both of the witnesses were to answer “I don’t know” to one of the questions, **it** would still constitute **testimony that one can render as *hazamah*.**

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The Gemara now brings out the point that constitutes a difficulty to Rava: **And if you will say that a person is mistaken by an amount of time as much as this**—two hours according to Rabbi Meir and three hours according to Rabbi Yehudah—then the **investigations of “which hour”** would **also** be **testimony that one cannot render as *hazamah*.** If another set of witnesses would come to court and say: You were with us at the time you said the incident took place, the first witnesses could **say** in reply: True, you were with us at that time. But **we made a mistake**, and the incident actually took place an hour before or after the time that we originally stated.

The Gemara answers: It would still be possible to render it *hazamah* **when we give them room for all of their period of error.** If the second set of witnesses said that they were with the original witnesses for the entire period in doubt, this would be effective.

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<sup>3</sup> From the same root as *hazamah*.

## **PEREK 1 – 12A**

The Gemara explains: **According to Rabbi Meir**, who said that is normal for a person to be mistaken by a period of two hours, **we give them** the first set of witnesses **from the beginning of the first hour** of the day, **until the end of the fifth** hour.

Meaning to say that we allow either of them to claim that they were mistaken within part of this five hour period, before we render their testimony as *hazamah*.<sup>4</sup>

**And in principle**, we should **give him**, the witness who testified about the second hour, one **more hour at the beginning**. Meaning that in order to render his testimony as *hazamah*, the second set of witnesses would have to claim that he was also with them during the last hour of the night.

**However**, we do not give him this hour because **a person does not make a mistake between day and night**. And if the incident really took place at the end of the night, he would not have been so mistaken as to say that it happened in the second hour of the day.

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<sup>4</sup> The witness who testified about the second hour may claim to have been mistaken, and say that the incident actually took place any time from the beginning of the first hour until the end of the fourth hour. Thus if a second set of witnesses were to claim that he was with them during the second hour he could either claim that the incident actually took place either one hour earlier (the Gemara will shortly explain why he may not claim a full two hours), or two hours latter, namely up until the end of the fourth hour. Thus the only way to perjure him would be if the second set of witnesses claimed to have been with him for the entire first four hours of the day.

The witness who testified about the third hour may claim to have been mistaken by two hour either side of the third hour, and say that the incident actually took place at any time from the beginning of the first hour until the end of the fifth. Therefore in order to perjure him the second set of witnesses would have to claim that they were with him for this entire five hour period.

## **PEREK 1 – 12B**

**And according to Rabbi Yehudah<sup>5</sup>**, who said that it is normal for a person to be mistaken by a period of three hours, **we give them from the beginning of the first hour until the end of the sixth** hour.

The witness who testified about the third hour may claim to have been mistaken, and say that the incident actually took place either in the first or in the second hour of the day. **And in principle, we should give him one more hour at the beginning**, given that according to Rabbi Yehudah it is normal for a person to be mistaken by up to three hours.

### **Ammud Bet**

**However, a person does not make a mistake between day and night.<sup>6</sup>**

**And in principle, we should give him more time later on**, allowing him to claim that the incident in fact took place in the seventh or eighth hour. **However**, Rabbi Yehudah himself taught in a Baraita that a person is not liable to be mistaken between the fifth and seventh hours. Because **in the fifth** hour, **the sun stands in the east, and in the seventh** hour **the sun stands in the west.**<sup>7</sup>

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<sup>5</sup> who validated the testimony of two witnesses, one who testified about the third hour and one about the fifth

<sup>6</sup> We also allow him to claim that the incident in fact took place at any time until the sixth hour, given that he could say that he had been mistaken, and it took place three hours later than he had originally testified.

The witness who testified about the fifth hour may claim that the incident in fact took place up to three hours earlier, in the second hour, or that it happened in the sixth hour.

<sup>7</sup> All that the Gemara has mentioned, regarding the necessity for the second set of witnesses to have been with the first set of witnesses for the entire period of doubt, is only true concerning their ability to perjure the witnesses. However in order to invalidate their testimony this would not be necessary.

## **PEREK 1 – 12B**

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The Gemara now seeks to understand our Mishnah in light of its conclusions regarding the amount of time by which a person is likely to be mistaken.

**It was taught** in our Mishnah: **Rabbi Meir says: One may eat chametz for all of the fifth hour and one must burn it at the beginning of the sixth hour.**

**Rabbi Yehudah says: One may eat chametz all of the fourth hour, one suspends its status all of the fifth, and must burn it at the beginning of the sixth hour.**

The Gemara poses a difficulty: **For Abaye—according to his understanding of Rabbi Meir, who said that a person does not make a mistake in time at all—let us be permitted to eat chametz all of the sixth hour.**

**And also according to that second version of Abaye's view—which said according to Rabbi Meir that a person is likely to be mistaken by a small amount—let us be permitted to eat chametz until close to the end of the sixth hour.** The Rabbis should only have prohibited one from eating chametz for a small amount of time at the end of the sixth hour. What was their reason for prohibiting it for the entire hour?

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For example, if a second set of witnesses were to say that during the third, fourth and fifth hours, they were with the person who testified regarding the third hour, his testimony would be invalidated. Even though in such a case he would still be able to claim that the incident had in fact taken place in the second hour, saving himself from 'perjury'. Nonetheless, given that there would now be a time difference of greater than three hours between his testimony and that of the witness who testified about the fifth hour, greater than the amount by which a person is likely to be mistaken, the two testimonies would be incompatible.

## **PEREK 1 – 12B**

**And** so too, one may pose a difficulty to **Abaye**—**according to** his understanding of **Rabbi Yehudah, who said that a person is mistaken by half an hour— let us** be permitted to **eat chametz until half of the sixth** hour.

**And also according to that** second version of Abaye’s view—**which said** according to Rabbi Yehudah that **a person is mistaken by an hour and a small amount— let us** be permitted to **eat chametz until the end of the fifth** hour. Why did Rabbi Yehudah prohibit one from eating chametz from the beginning of the fifth hour?

**Abaye said:** Giving **testimony** in court **is the province of zealous people.** A person does not come to testify unless he is an expert in determining the exact time. Since he knows that he will be interrogated with the above mentioned investigations and examinations, he will only be mistaken by a relatively small amount.

However the prohibition of eating **chametz is the province of all**, even people who are not expert in determining the time. Therefore, the Rabbis saw fit to prohibit the eating of chametz for an even greater period of time.

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The Gemara poses another difficulty: **And for Rava**—**according to** his understanding of **Rabbi Meir, who said that a person is mistaken by two hours less a small amount— from the beginning of the fifth** hour, **let us not eat** chametz, in order to distance one from the time of Torah prohibition by two hours. What was the reason that Rabbi Meir only prohibited one from eating chametz in the sixth hour?

The Gemara replies: People are not likely to mistake the fifth and seventh hours, because **in the fifth hour the sun is in the east, and in the seventh hour the sun is in the west.**

## **PEREK 1 – 12B**

The Gemara questions: **If so, in the sixth hour also, let us eat chametz!** For only at the beginning of the seventh hour does the sun begin to tilt towards the western side.

The Gemara replies: **Rav Ada bar Ahava said: In the sixth hour, the day** appears as if it is **standing still in a corner**. The sun stands in the middle of the sky, close to leaning towards the east and close to leaning towards the west. Therefore, it is impossible to tell towards which side it leans and thus one could be mistaken between the sixth and seventh hours.

The Gemara poses a further difficulty: **And for Rava—according to his understanding of Rabbi Yehudah, who said that a person is mistaken by three hours less a small amount—from the beginning of the fourth hour, let us not eat chametz**. This would be in order to distance ourselves from the time of Torah prohibition by three hours. What was the reason that Rabbi Yehudah permitted one to eat chametz in the fourth hour?

The Gemara replies: Rabbi Yehudah himself holds that people are not generally mistaken between the fifth and seventh hours, because in **the fifth hour the sun is in the east, and in the seventh hour the sun is in the west. And all the more so** one would not be mistaken between **the fourth** hour and the seventh hour.

The Gemara questions: **If so, in the fifth hour also, let us eat chametz**, given that a person will not be mistaken between the fifth and seventh hours.

**Abaye explained** the view of Rabbi Yehudah **according to** what **Rava** would answer: Only in the case of witnesses would a person not be mistaken between the fifth and seventh hours, because **testimony is the province of the zealous**. However, in the case of **chametz, which is the province of all**, a person is liable to be mistaken by a greater margin.

## **PEREK 1 – 12B**

Nonetheless, people will not be mistaken between the fourth and seventh hours, given that in the fourth hour the sun is still far from the west side, and only in the fifth hour does it become difficult to discern whether it is in the east or the west.

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**And Rava himself said**, in order to resolve the difficulty posed by the Gemara: In truth, even in the case of chametz, which is the province of all, Rabbi Yehudah holds that a person will not be mistaken between the fifth and seventh hours. Because in the fifth hour the sun is in the east and in the seventh hour it is in the west. Though he prohibited one from eating chametz in the fifth hour, **this was not the reason of Rabbi Yehudah**. His reasoning was not, as we previously thought, because a person is liable to be mistaken by this amount of time.

**Rather, Rabbi Yehudah** goes according to his reasoning elsewhere, **for he said** on *daf* 21a: The **only** proper method of **eradication of chametz is burning**. He disagrees with the view of the Rabbis there, who hold that one may eradicate it using any method that one wishes.

**And** this is the reason that we may not eat chametz in the fifth hour. It is because **the Rabbis gave him one hour**, in order for him to be free **to collect wood** to burn the chametz in the sixth hour. Had he been permitted to eat chametz he would not have remembered to prepare firewood, however now that the Rabbis prohibited its consumption he will pay attention to the need to collect wood.

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**Ravina contradicted Rava**, from the following Baraita: **Rabbi Yehudah said: When** did I say that the only method to eradicate chametz is by burning? Specifically when it is **not at the time for imminent eradication** of chametz, i.e. it is still in the sixth hour, thus

## **PEREK 1 – 12B**

the Torah prohibition of possessing chametz has not yet begun. **But at the time for its imminent eradication**, i.e. at the beginning of the seventh hour when it is prohibited by Torah law, **it may be eradicated in any way.**

If so, why would one have to go to the effort of collecting firewood? If he did not have any prepared, he could wait until the beginning of the seventh hour and destroy the chametz in any way that he wished.

**Rather, Rava said:** The reason for the prohibition according to Rabbi Yehudah was a **decree** made by the Rabbis **because of** a concern that arises on a **cloudy day**. On such a day the sun would not be visible and one would not be able to discern the time so well. In such a circumstance, one could be mistaken between the fifth and seventh hours. Therefore the Rabbis made a cautionary decree, prohibiting one from eating chametz on any Erev Pesach, even if it is a sunny day, from the fifth hour onwards.

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The Gemara poses a difficulty: **If so, even in the fourth hour, let him also not eat.** Given that according to Rabbi Yehudah, a person could be mistaken by three hours in a circumstance where he cannot determine the time using the sun.

The Gemara replies: **Rav Papa said:** Everyone is capable of determining when the **fourth** hour falls, because **it is a mealtime for all**. Therefore there is no concern that one would be mistaken between the fourth and seventh hours.

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**The Rabbis taught** in a Baraita: **The first hour** is the time that *Lodim* eat. The *Lodim* were cannibals who were constantly hungry and would thus eat early in the day.

## **PEREK 1 – 12B**

**The second** hour is the time that **bandits eat**. Although they are always hungry, given that they are away for the entire night they are not awake to eat until the second hour.

**The third** hour is the time that **inheritors eat**. People who have inherited a large sum of money do not have to be concerned about their livelihood and thus may eat early.

**The fourth** hour is the time that **laborers eat**.

**The fifth** hour is the time that **scholars eat**.

And **the sixth** hour is the time that **all other people eat**.

The Gemara poses a difficulty: **Surely Rav Pappa said** above: **The fourth hour is the meal-time for all**, whereas the above Baraita stated that average people eat in the sixth hour.

The Gemara replies: **Rather, reverse** the text of the Baraita: **The fourth** hour is the time that **all ordinary people eat**, **the fifth** is the time that **laborers eat** and **the sixth** is the time that **scholars eat**.

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The above Baraita concludes: If one eats **from here onwards**, it is **as if one threw a stone into a bag**. Meaning to say that after this time, the food will be detrimental a person's body.

**Abaye said: We only said** that it would be like throwing a stone into a bag **when one had not eaten anything in the morning. But if one had eaten something in the morning, there is no problem with it**. If he were to eat later on it would still be beneficial to the body.

## **PEREK 1 – 12B**

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**Rav Ashi said:** Just as **the disagreement is regarding testimony**, where Rabbi Yehudah holds that a person is liable to be mistaken about the time by a greater margin than does Rabbi Meir, **so too is the disagreement is regarding chametz**. Thus in the case of chametz, Rabbi Yehudah is also concerned that one will be mistaken by a greater margin, and he prohibits one from eating chametz one hour before Rabbi Meir.

The Gemara is puzzled: This is **obvious!** Surely **this is** the same as **that which we said** above, in order to resolve the apparent contradiction between the laws concerning testimony and those concerning chametz.

The Gemara replies: **This is to inform us** that **the answer that we answered was a valid answer** for resolving the contradiction. All of the explanations that the Gemara said above are valid in Halachah.

**And** therefore, **do not say** the alternative resolution: that it is the subject of a **Tannaic dispute**. I.e. that the later Tannaim disagree as to the true views of Rabbi Meir and Rabbi Yehudah.<sup>8</sup>

Therefore Rav Ashi informs us that there is no disagreement between the two Mishnayot, rather there is a difference between testimony and chametz, as was explained above.

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<sup>8</sup> Because one may have said that the Tanna of our Mishnah holds that according to Rabbi Meir, a person is only liable to be mistaken by one hour, and according to Rabbi Yehudah a person may be mistaken by two hours. And regarding the Mishnah in Sanhedrin concerning testimony, one may have said that the Tanna of that Mishnah holds that according to Rabbi Meir, a person is liable to be mistaken by two hours, and Rabbi Yehudah holds that one may be mistaken by three hours (according to the explanation of Rava).

## **PEREK 1 – 12B**

**Rav Shimi bar Ashi said: They only taught** what was said above concerning testimony, when the contradiction concerns the **hour**. I.e. if witnesses contradict each other regarding the time of an incident, we explain it as a mere error in determining the time, and still validate their testimony. For example in a case where one witness said that the incident took place in the third hour and the other said it took place in the fifth hour. **But if one says** that the incident took place **before sunrise, and one says** that it was **after sunrise, their testimony is invalid**, given that a person is not likely to be mistaken between these two times.

The Gemara poses a difficulty: This is **obvious!**

The Gemara replies: **Rather**, this is what Rav Shimi actually said: If **one said** that the incident took place **before sunrise and one said** that it took place *during sunrise*, **their testimony is invalid**.

The Gemara questions: **This is also obvious**, because a person is not likely to be mistaken between these two times.

The Gemara replies: **What would you say**, were it not for the statement of Rav Shimi? That in truth, **both of them were saying one thing**, i.e. referring to the same time. The incident took place a short time before sunrise. And the fact **that** one of them **said** [that the incident took place “**during the sunrise**”...]

# CHAVRUTA

## PESACHIM – DAF YUD GIMEL

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[The Gemara replies: **What would you say**, were it not for the statement of Rav Shimi? That in truth, **both of them were saying one thing**, i.e. referring to the same time. The incident took place a short time before sunrise. And the fact **that** one of them **said**] that the incident took place “*during the sunrise*”, was because **he was standing in the open and it was a mere shining** of the sun from behind the horizon **that he saw**. Therefore, we would have thought that the two testimonies are not contradictory, because he mistook the rays of the sun for the sunrise itself.

That is why Rav Shimi bar Ashi **informs us** that a person is not likely to be mistaken in this matter, and thus their testimony is judged as contradictory and invalid.

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**Rav Nachman said** in the name of **Rav: The Halachah is in accordance with** the view of **Rabbi Yehudah**, who said that one may eat chametz in the fourth hour, suspend its status in the fifth, and burn it at the beginning of the sixth hour.

**Rava said to Rav Nachman: And let the master say: The Halachah is in accordance** with the view of **Rabbi Meir**, who permits one to eat chametz in the fifth hour. **Because** a Mishnah **was taught in an unnamed way in accordance with his** Rabbi Meir’s view. And generally, an unnamed statement in a Mishnah reflects the normative view.

**For it was taught** in a Mishnah at the beginning of the second *perek*: **All the time that it is permitted to eat** chametz, **one may feed it** to one’s animals.

And it follows that once one is forbidden to eat chametz, one may not feed it to one’s animals, i.e. it is forbidden to derive any benefit from it. This would be in accordance

## PEREK 1 – 13A

with the view of Rabbi Meir, who permitted one to eat chametz until the beginning of the sixth hour, and from this time on, benefit from it is forbidden. Whereas according to the view of Rabbi Yehudah, although in the fifth hour one is forbidden to eating chametz, one may nonetheless derive benefit from it.

Thus, Rav Nachman should have ruled according to the view of Rabbi Meir.

Rav Nachman replied: **That is not** a Mishnah that was taught **in an unnamed way** in accordance with the view of Rabbi Meir.

**Because** if it were in accordance with the view of Rabbi Meir, the word “**permitted**” would pose **a difficulty**. If according to Rabbi Meir, the Mishnah should have read: “All the time that one eats chametz, one *may feed it* to one’s animals”. When the Mishnah said “All the time that one is *permitted* to eat, one may feed his animals”, this phrasing refers to a second person. The Mishnah is saying that all the time that one person is permitted to eat chametz, a second person—who was already forbidden from eating chametz—may still feed it to his animals.

Because of this phrasing, the Gemara on that Mishnah interprets it as going according to the view of Rabban Gamliel. For Rabban Gamliel holds, as stated in our Mishnah, that chametz of *chulin* (ordinary, non-consecrated food) may be eaten for the entire fourth hour. But chametz of *trumah*<sup>1</sup> may be eaten even in the fifth hour.

This is what the Mishnah means: all the time that it is permitted for a cohen to eat chametz of *trumah*, a non-cohen may feed his animals chametz of *chulin*. But the non-cohen himself would be forbidden from eating the chametz.

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## **PEREK 1 – 13A**

Rava questioned Rav Nachman again: **And let the master say that the Halachah is in accordance with** the view of **Rabban Gamliel, for he has decided** the issue in the disagreement between Rabbi Meir and Rabbi Yehudah. Rabban Gamliel rules like Rabbi Yehudah in the case of *chulin* chametz, and like Rabbi Meir in the case of *trumah* chametz. Therefore we should apply the principle: “Any place where you find two views disagreeing, and another view decides the issue between them, the Halachah follows the deciding view”<sup>2</sup>.

Rav Nachman **said to him: Rabban Gamliel is not deciding** between the two views. Rather, **he said a reason of his own** that is independent of the other two views.

Rabbi Meir and Rabbi Yehudah did not make mention of a difference between *chulin* and *trumah* chametz. Thus Rabban Gamliel is considered as a third, unconnected view.

\*

**And if you wish, I could say** a different answer: **Rav** (whose teaching Rav Nachman cited) ruled in favor of Rabbi Yehudah because **he Rav said** that the Halachah is **in accordance with** the view of **this Tanna:**

**For it was taught** in a Baraita: Concerning **the Fourteenth** of the month of Nissan, **which fell on Shabbat, one must eradicate all** of one’s chametz **before Shabbat. And one must burn *trumah* chametz, whether it is impure, whether it is suspended** (doubtfully impure), or whether it is **pure.**

**And one leaves aside from the pure *trumah*, enough food for two meals, in order to eat from them until four hours** of the Shabbat day have passed. These are **the words of**

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<sup>1</sup> A small portion separated from agricultural produce in the Land of Israel, and given to cohanim for their personal consumption. It may be eaten only in purity.

<sup>2</sup> Shabbat 31b

## PEREK 1 – 13A

**Rabbi Elazar ben Yehudah Ish Bartuta, who said them in the name of Rabbi Yehoshua.**

**They said to him:** One should **not burn pure *trumah*** at all prior to Shabbat, given that the time for eradication of chametz has not yet arrived. This is because one is not permitted to destroy *trumah* directly so long as it is still fit to eat. This would be true even if a cohen had sufficient *trumah* for his household to eat on Shabbat, because **perhaps he would find** other cohanim to **eat it** before the chametz became prohibited. If he did not find any other cohanim, he would then be able to feed the chametz *trumah* to the dogs of a cohen, or simply annul its ownership mentally (which would satisfy the requirements of Torah law regarding chametz, yet avoid the Torah prohibition of destroying pure *trumah*).

Rabbi Elazar **said to them:** We are referring to a case where **he had already searched** for other cohanim to eat the *trumah*, **and not found** anyone else. If the owner of the *trumah* had already distributed chametz *trumah* to all of the cohanim in the town, he could be sure that no one else would come on Shabbat. If so, why should he not be permitted to burn the rest of the chametz?

**They said to him:** Even if this were the case, he should still wait, and not burn the pure *trumah*. Because **perhaps they slept outside the wall** of the town. Other cohanim who were outside the town itself, but still within its Shabbat boundary, might arrive on Shabbat. In such a case he would be able to give his surplus chametz *trumah* to them.

Rabbi Elazar **said to them:** **According to your words**, that you take into account these unexpected possibilities, **even suspended *trumah* should not be burned** prior to Shabbat. Because **perhaps Eliyahu<sup>3</sup> will come** before the time for eradication arrives on Shabbat morning, **and render it pure** by saying that the *trumah* was never contacted by a source

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<sup>3</sup> The Prophet Elijah

## **PEREK 1 – 13A**

of impurity. For we have a tradition that Eliyahu will come in the end of days and clarify such uncertainties in Halachah.

Rather, we do not take such unexpected possibilities into account, and neither do we expect that other cohanim will arrive on Shabbat.

**They said to him: It has already been assured to the people of Israel that Eliyahu will not come on Erev Shabbat or on Erev Yom Tov, because of the effort** that people are engaged in then in preparing for the coming holy day. If he were to come in the middle of preparations, everyone would leave that aside in order to greet him, resulting in a lack of honor of the holy day.

But we may still suspect that other cohanim might arrive from outside the town.

**They said: They did not move from there until they had established the Halachah** as going **according to** the view of **Rabbi Elazar ben Yehudah Ish Bartuta**, in that halachah **which he said in the name of Rabbi Yehoshua**.

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The Gemara brings out the point: **Is it not** that the Halachah they established includes the time that it is permitted **to eat** chametz? For note that Rabbi Elazar ben Yehudah Ish Bartuta had said that one may only eat *trumah* chametz until *the fourth hour*. His view is thus in accordance with Rabbi Yehudah, and not with Rabban Gamliel (who permitted one to eat *trumah* chametz until the fifth hour).

And that is why Rav ruled that the Halachah is in accordance with the view of Rabbi Yehudah.

## **PEREK 1 – 13A**

The Gemara rejects this answer: **Rav Papa said in the name of Rava:** There is no proof from that Baraita that the Halachah follows Rabbi Yehudah regarding the time of eating chametz. Because they only established the Halachah in accordance with Rabbi Elazar ben Yehudah Ish Bartuta in the matter that one must also **eliminate** *trumah* chametz before Shabbat, against the view of his colleagues who said that it must be eliminated on Shabbat itself. However in the matter of the time for eradication of chametz it is possible that the Halachah does not follow him.

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**And even Rabbi** i.e. Rabbi Yehudah HaNasi **holds like that** statement **which Rav Nachman** said, that the Halachah follows Rabbi Yehudah.

**For Ravin bar Rav Ada said: In incident** once took place **with a certain person who deposited two** leather sacks full of chametz **with Yochanan Chakoka. And mice made holes** in the sacks **and the chametz was coming out** of them. The incident took place on Erev Pesach.

**And Yochanan came before Rabbi** to ask whether he should immediately sell the chametz, given that it was going to waste, or whether he should wait, given that he would not be able to sell it for its normal worth on Erev Pesach.

In the **first hour** of the day **Rabbi said to him: Wait!** Perhaps the owner of the chametz will come and eat the chametz before it becomes forbidden.

In the **second hour he said to him: Wait!**

In the **third hour he said to him: Wait!**

In the **fourth hour he said to him: Wait!**

## **PEREK 1 – 13A**

In the **fifth** hour **he said to him: Go and sell it in the market.**

The Gemara infers: **Is it not** that Rabbi was instructing him to sell it **to gentiles**, because in the fifth hour, Jews are already forbidden to eat chametz? For this reason, Rabbi only told Yochanan to sell the chametz after the owner would not have been able to eat it himself, even if he were to have returned. Nonetheless, at this time a Jew could still sell it to a gentile, thereby deriving benefit from it. Thus we see that Rabbi rules **according to** the view of **Rabbi Yehudah**.

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The Gemara rejects this proof. **Rav Yosef said: No**, Rabbi told him to sell it **to a Jew**, and he holds that a Jew may eat chametz even in the fifth hour, **like Rabbi Meir** rules. Rabbi was thus instructing him to sell the chametz now, while there were still Jews who would buy it.

**Abaye said to him**, to Rav Yosef: **If** you say that Rabbi was instructing Yochanan to sell the chametz **to a Jew**, why did Rabbi make him go to the effort of selling it in the market? Given that he was permitted to sell the chametz to a Jew, he should have been able to **take it for himself** and eat it, later paying its worth to the owner of the chametz.

Rav Yosef replied: It is forbidden for one who is safeguarding an item to acquire it for himself without the permission of the owners. This is **because of suspicion**, i.e. people would suspect him of having bought it at a lower price than the market value. Thus he must sell it to others.

**For it was taught** in a Baraita: Concerning **charity treasurers** who have copper coins in their charge, but **who do not have any paupers** to whom **to distribute** the money in that season. If they are concerned that over time the coins will corrode, and lose value, they

## **PEREK 1 – 13A**

may **exchange** them for silver coins, **with others**. I.e. they must give the copper coins to other people, and take silver coins from them in exchange. However, they may **not exchange** them **with** coins that they **themselves** possess.

**The treasurers of the *tomchoi***, food that was collected from the residents of a town and distributed to the poor, **who do not have any paupers** to whom **to distribute** the food, may **sell it to others** but may **not sell it to themselves**.

**Because it was stated** in the Torah<sup>4</sup>, **“And you shall be clean from HaShem and from Israel”**, meaning that you should not do something that will cause members of the people of Israel to suspect you of wrongdoing.

So too if one were safeguarding an item, he would not be permitted to buy it himself, for the same reason.

**Rav Ada bar Matna said to Rav Yosef: It was explicitly said to us** that Rabbi instructed Yochanan to **“go out and sell it to gentiles”**. Thus Rabbi was ruling **according to** the view of **Rabbi Yehudah**, not as you suggested, that he instructed him to sell it to Jews, according to the view of Rabbi Meir.

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At a certain stage in his life, Rav Yosef fell ill and forgot his learning. When he recovered he would often err and rule differently than he had previously. If this happened his disciples would remind him: “This is how you originally taught us”.

**Rav Yosef said: According to whom does this statement of Rabbi go**, where he instructed Yochanan to sell the chametz? **According to** the view of **Rabbi Shimon ben Gamliel**.

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<sup>4</sup> *Bamidbar* 32:22

## **PEREK 1 – 13A**

**For it was taught** in a Mishnah in Tractate *Bava Metzia*: **One who deposits produce with his friend, even if they are going to waste**, the friend may **not touch them** i.e. he may not sell them. The Gemara there explains that this is because a person has a special affinity for his own produce, preferring it to even a greater amount from someone else.

**Rabbi Shimon ben Gamliel says: He may sell them in front of the Rabbinical Court, because of the mitzvah of returning lost property.** If he were to save the owner from the loss caused by the rotting of his produce, this is included in the mitzvah of returning lost property.

Similarly regarding chametz, the Sages (the first Tanna) would have ruled that Yochanan would have been forbidden to sell it without the permission of its owner, despite the loss involved. Only according to Rabbi Shimon ben Gamliel would he have been permitted to sell the chametz. Thus it emerges that Rabbi ruled according to the view of Rabbi Shimon ben Gamliel.

**Abaye said to him**, to Rav Yosef: Rabbi's ruling was not dependent on any Tannaic disagreement. For was **it not said** as follows, in a statement of Amoraim **about this** Mishnah? It was said: **Rabbah bar bar Channah said** in the name of **Rabbi Yochanan**: The Sages **only taught** that one may not touch the deposited produce when the level of its depreciation is...

### **Ammud Bet**

...within its normal **order of loss**. The Gemara there sets normal levels of depreciation. **However** if the produce were to depreciate **more than its normal order of loss**, even the Sages would agree that **one sells them in front of the Rabbinical Court**.

## **PEREK 1 – 13B**

**And all the more so here** in the case of chametz on Erev Pesach, this would certainly be permitted, **for it** would be **totally wasted**. If one did not sell the chametz, it would become forever forbidden to benefit from, even after Pesach.



We learned in the Mishnah: **And Rabbi Yehudah also said: Two loaves** of chametz from a thanksgiving (*Todah*) offering, which are invalid for eating (for a reason that the Gemara will explain), were resting on top of the raised platform on the Temple Mount, where they served as a sign for the people.

A **‘tanna’**, i.e. someone who used to recite Baraitot, **taught** this Mishnah **before Rav Yehudah** as saying that the loaves were placed **“on top of the raised platform”**.

Rav Yehudah **said to him: And does one need to hide them?** The loaves were placed there in order that people should see them, but on top of the platform they would not be visible.

Rather, **teach** the Mishnah as saying **“on the roof of the platform”**. There was a roof that would shelter it from the rain, and there the loaves would be visible to all.

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**Rachavah said** in the name of **Rabbi Yehudah: On the Temple Mount there was a double row of platforms**. There were two rows of platforms, one inside the other, surrounding the Temple Mount.

## PEREK 1 – 13B

**Similar to this, it was also taught** in a Baraita: On the **Temple Mount there was a double row of platforms.**

**Rabbi Yehudah says:** This double row of platforms **was called** an “*Istivnit*” because it comprised a row of **platforms** (*stiv*) **within** another row of **platforms.**



We learned in the Mishnah: Two loaves of chametz from a thanksgiving (*Todah*) offering, which are **invalid.**

The Gemara asks: **Why** did they become **invalid?**

The Gemara replies: **Rabbi Chanina said:** Because on the day before Erev Pesach, people would bring many thanksgiving offerings to the Temple (as will be explained shortly). And **because there were many** loaves which were brought to accompany these offerings, there was not sufficient time to eat all of them. Therefore the surplus loaves **became invalid through lying** uneaten until the following morning, because a thanksgiving offering and its loaves may only be eaten on the day that they are brought, or the following night.

The reason that such a number of thanksgiving offerings were brought on the thirteenth of Nissan was **as it was taught** in a Baraita: **One may not bring a thanksgiving offering on the Festival of Matzot, because of the chametz** loaves that were brought **with it.** Forty loaves were brought with the thanksgiving offering, thirty of these were matzot and ten were chametz.

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## **PEREK 1 – 13B**

The Gemara asks: What is the point this Baraita is coming to make? Is it not **obvious** that one may not bring chametz on Pesach?

The Gemara answers: **Rav Ada bar Ahavah said: Here we are dealing with the fourteenth** day of Nissan, not Pesach itself, when it is still possible for one to eat chametz. Nonetheless, the Baraita still ruled that one may not bring thanksgiving offerings, because this Tanna **holds** that **one may not bring offerings** for them to **become invalid**. One may not bring an offering on a day such as this, where it is impossible for one to eat it for the whole time that the Torah would normally allow. Because if one were to do so, there would be a danger of it becoming *notar*, an offering which becomes invalid through having been left beyond its prescribed time of eating. Therefore, here on Erev Pesach one may not bring a thanksgiving offering, because one would only be permitted to eat its loaves for the first hours of the day.

**And** since it is thus forbidden to bring thanksgiving offerings on the Fourteenth of Nissan, **everyone** who came to the Temple for Pesach and wanted to bring a thanksgiving offering, had to **bring it on the thirteenth** of Nissan. **And since there were many** thanksgiving loaves on this day, they were unable to eat them all, and **they became invalid through lying** uneaten until the following morning.

The only reason that the loaves were placed on the platform was because they were invalid. If they had been valid they would not have been left there, since this prevents their being eaten before the time for eradication of chametz.

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**They said in the name of Rabbi Yannai: They were** two loaves that were indeed **fit** to be eaten. They were not invalid due to a reason such as *notar*, in which case they would have already been set aside to be burned. Rather, one could not eat them for a side reason,

## **PEREK 1 – 13B**

to be explained. And only when the time for eradication of chametz arrived would one have to burn them.

Rabbi Yannai explains: **And why** did the Mishnah **call them “invalid”**, which implies that one may no longer eat them?

**Because the sacrifice had not been slaughtered for them.** So long as the thanksgiving sacrifice has not been slaughtered, and its blood thrown on the Altar, one may not eat the loaves that are brought along with it.

The Gemara is puzzled: If so, **slaughter** the sacrifice, and eat the loaves! Why leave them until a time when one is forced to burn them?

The Gemara replies: Here we are dealing with a case **where one lost the sacrifice.** Thus the loaves are “orphaned”.

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The Gemara questions again: **And bring a different** thanksgiving **sacrifice** in its place, **and slaughter** it, in order to permit eating these loaves.

The Gemara replies: Here we are dealing with a case **where** the owners of the sacrifice **said: “This is my thanksgiving sacrifice, and these are its loaves”**. In such a circumstance one would not be permitted to bring a different sacrifice for these loaves.

**And** this would go **according to** the view of **Rabbah, for Rabbah said:** If one were to say “This is my thanksgiving sacrifice and these are its loaves”, if **he lost the loaves, he may bring other loaves** in their place. However, if **one lost the thanksgiving** sacrifice itself, **one may not bring another thanksgiving** sacrifice in its place. Rather, one would

## **PEREK 1 – 13B**

have to redeem the loaves with money, and they would then return to their original status of *chulin*.

Rabbah explains: **What is the reason** to differentiate losing the loaves and losing the sacrifice itself?

Because the **loaves come on account of the thanksgiving** sacrifice, and are considered secondary to it. Therefore, since the person offering the sacrifice said: “This is my thanksgiving sacrifice and these are its loaves”, he has designated the loaves for this sacrifice, and they are invalid for any other sacrifice that he may wish to offer in its place.

**And the sacrifice does not come on account of the loaves**, given that the sacrifice is the primary constituent of the offering. Therefore the sacrifice does not become designated for these loaves and one may replace them with others.

The Gemara still questions: **And let us redeem them**, these loaves, given that they only have the status of *kedushat damim*<sup>5</sup>. **And let us** thereby **take them out** of their sanctity, **into** a status of *chulin*. Since we can save these loaves, why do we allow them to go to waste?

The Gemara replies: **Rather, in truth** we are referring to a case **where the sacrifice had been sacrificed for them**, and the loaves have become sanctified with *kedushat haguf*,<sup>6</sup> therefore they may not be redeemed. However, here **the blood** of the sacrifice **was spilled** before it was thrown on the Altar. Thus in practice, the loaves will never be eaten, yet they are not invalidated at this point. They are merely “waiting” for something that will not take place.

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<sup>5</sup> Consecration as regards their monetary value.

<sup>6</sup> Consecration as regards themselves.

## **PEREK 1 – 13B**

Rabbi Yannai teaches us that in such a circumstance, one may treat the loaves relatively lightly, by placing them on the platform, given that there is no way of making them fit to eat.

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**And** when Rabbi Yannai said that the loaves attain the status of *kedushat haguf* once the sacrifice has been slaughtered, thus they may no longer be redeemed on money, **according to whose** view was he ruling? **According to** the view of **Rabbi**.

**For Rabbi said:** In a case where **two things permit** one to eat a certain offering, such as here, where one requires both the sacrifice of the animal and the throwing of the blood, nonetheless **this** thing **raises** its status **without that** thing. Only one of the two acts is required to raise the offering to a status of *kedushat haguf*.

**For it was taught** in a Baraita: **The lambs of the Shavu'ot** offering **only consecrate the loaves** by their **slaughter**. However, the 'waving service' of the live lambs together with the loaves does not consecrate them.

**How is this** so?

If **one slaughtered them for the sake**<sup>7</sup> of the Shavu'ot offering **and threw their blood for the sake** of the Shavu'ot offering, then this would **consecrate the loaves** entirely. The loaves would attain a status of *kedushat haguf*, and one would not be able to redeem them. Since the sacrifice had been slaughtered and its blood had been thrown, one would be permitted to eat the loaves.

However, if **one slaughtered** the two lambs, but this was **not done for the sake** of the Shavu'ot offering, **and threw their blood** on the Altar, but this was **not done for the**

## **PEREK 1 – 13B**

sake of the offering, then this does **not consecrate the loaves** at all. Given that the service was performed improperly, the loaves would not attain *kedushat haguf*, but would remain with *kedushat damim*.

If **one slaughtered them for the sake of the offering, but threw their blood not for the sake of the offering**, then the **loaves are consecrated and** at the same time they are **not consecrated**. They attain a status of *kedushat haguf*, given that the slaughter was performed properly. But the loaves may not be eaten, because the throwing of the blood on the Altar was not done for the sake of the offering; these are **the words of Rabbi**.

**Rabbi Elazar son of Rabbi Shimon says: In truth, the loaves are not consecrated with *kedushat haguf*, until one both slaughters the lambs for the sake of the offering and one also throws their blood on the Altar for the sake of the offering.**

Rabbi Elazar one requires both proper slaughter and throwing of the blood in order for the loaves to attain the status of *kedushat haguf*; thus Rabbi Yannai's statement would only be true according to Rabbi.

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The Gemara rejects this assertion: **You may even say that Rabbi Yannai holds like Rabbi Elazar son of Shimon**, in that he agrees that the loaves of the thanksgiving offering would not be consecrated without proper throwing of the blood on the Altar. **Here, with what case are we dealing**, that the loaves of the thanksgiving offering were placed on the platform in the Temple on Erev Pesach, since they could no longer be redeemed on money? **For example, where the blood of the thanksgiving sacrifice was indeed received in a vessel, and subsequently was spilled.**

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<sup>7</sup> It is a requirement concerning these offerings that their service must be performed with the specific intention of bringing that offering - *Lishmah*.

## **PEREK 1 – 13B**

**And Rabbi Elazar son of Rabbi Shimon holds like Rabbi Shimon his father, who said:** Concerning **all blood that is standing** and waiting **to be thrown**, it is **as if it were** already **thrown** on the Altar.

So here, given that the blood was ready to be thrown, even though ultimately it was not, the loaves attained the status of *kedushat haguf*.

But to eat the loaves, this would not be sufficient. Therefore, the loaves were left on the platform, given that they were not fit to be eaten, and also could not be redeemed.



**It was taught: In the name of Rabbi Elazar they said:** The two loaves of the thanksgiving offering that were placed on the platform **were valid** for consumption.

**All the time that** both of them **were placed** on the platform, **all of the people ate** chametz.

When **one of them was taken** away at the beginning of the fifth hour, this was a sign that from now on, one must **suspend** the status of one's chametz, meaning that one would **not eat it and** also **not burn** it, since one was still permitted to derive benefit from it.

When **both of them were taken** away, at the beginning of the sixth hour, **everyone began to burn** their chametz.

**It was taught** in a Baraita: **Abba Shaul says:** There was a different sign.

# CHAVRUTA

## PESACHIM – DAF YUD DALED

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

**[It was taught in a Baraita: Abba Shaul says: There was a different sign.] Two cows used to plow on the Mount of Olives.**

**All the time that both plowed, all the nation ate chametz.**

**When one of them was taken away, they suspended the status of chametz, and did not eat and did not burn.**

**When both were taken away, all the nation began burning their chametz.**

### Mishnah

*Introduction:*

Impurity, *Tum'ah*, divides into various levels. Principle impurity (*av hatum'ah*) refers the original source of the impurity. A typical example of this is the carcass of a *sheretz* (one of the six types of crawling creatures, among them a mouse, specified by the Torah as imparting impurity). Something that touches the principle impurity is termed a subsidiary (*toldah*), and has a lower level of impurity. A subsidiary that *directly* touched the principle impurity will be classified as a *rishon* (1<sup>st</sup>) level of subsidiary. Whereas a subsidiary that touched only the *rishon* is classified as a lower level of subsidiary, called

## **PEREK 1 – 14A**

*sheni* (2<sup>nd</sup>), and so forth with *shlishi* (3<sup>rd</sup>) etc. The 3<sup>rd</sup> level applies to *terumah*<sup>1</sup> but not to ordinary objects; and the 4<sup>th</sup>, only to *kodoshim* (consecrated items) but neither to *terumah* nor ordinary objects. Thus the various levels are: *Av*, then 1<sup>st</sup> level, then 2<sup>nd</sup> level, etc.

The lowest level of *terumah* and *kodoshim* is not called *tum'ah* (which infers that it can make something else impure), rather it is called *pasul* (invalidated).

A human corpse has an especially high status of impurity: it is called *Avi avot hatum'ah*, “the premier principle impurity”, and whatever touches it is classified as principle impurity.

Normally, it is forbidden to cause impurity to *terumah* and *kodoshim*. What happens if the *terumah* and *kodoshim* are already impure but with a low level of impurity—for instance, 3<sup>rd</sup> level? Is it permitted to cause them a higher level of impurity? This is the subject of our Mishnah and the ensuing discussion in the Gemara.

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**Rabbi Chanina, the *sgan-Cohen-Gadol*<sup>2</sup> of the Cohanim, says: In all the days of the Cohanim, they did not refrain from burning meat of *kodoshim*<sup>3</sup> that became impure through having touched subsidiary impurity<sup>4</sup>, together with meat<sup>5</sup> that became impure through having touched principle impurity<sup>6</sup>.**

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<sup>1</sup> A small portion given to a Cohen from agricultural produce in the land of Israel. It is forbidden to cause it impurity because the Torah writes that it must be guarded: “*mishmeret terumotai*” (the guarding of My *terumah*).

<sup>2</sup> Deputy High Priest

<sup>3</sup> To be subsequently referred to as meat #1

<sup>4</sup> *Velad hatum'ah* – see above introduction

<sup>5</sup> To be subsequently referred to as meat #2

<sup>6</sup> *Av hatum'ah* – see above introduction

## **PEREK 1 – 14A**

This is true **even though they were adding** a higher level of **impurity to its present impurity** (of meat #1). This was permitted because anyway it was impure, and thus had to be burnt.

\*

**Rabbi Akiva added and said: All the days of the Cohanim, they did not refrain from lighting oil of *terumah* that became invalidated (*pasul*) by the touch of a *tevil yom*<sup>7</sup>, in a lamp that had become impure by touching something impure from a corpse. Even though they were adding impurity to its impurity (of the oil).**

\*

**Said Rabbi Meir: From their words, we learnt that one may burn pure *chametz* of *terumah* with impure *chametz* of *terumah* on Pesach**, even though the pure *terumah* now becomes impure. This is permitted since we have to destroy the *chametz* anyway.

**Said Rabbi Yosi: This is not the same**, and we cannot learn this from their words!

Rabbi Yosi continues: And even though Rabbi Eliezer and Rabbi Yehoshua elsewhere sometimes disagree whether one may burn pure *terumah* with impure *terumah*, **Rabbi Eliezer and Rabbi Yehoshua agree that** in this case of *chametz*, **we burn this** - the pure *terumah* - **by itself, and that** - the impure *terumah* - **by itself**.

**About what do they differ?**

Only **about** when there is **doubtfully** impure *terumah* **and** certainly **impure** *terumah*.

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<sup>7</sup> *Tevil yom* means “an impure person who has immersed himself in a *mikveh*, but it is still before nightfall.” Although such a person is now pure enough to touch and eat regular food without rendering it

## **PEREK 1 – 14A**

**That Rabbi Eliezer says:** One must **burn this**, the doubtfully impure *terumah*, **by itself, and that**, the certainly impure *terumah*, **by itself**.

**And Rabbi Yehoshua says:** One may burn them **both like one**, i.e. together. Because the doubtful *terumah* cannot be eaten in any case, we are not commanded to guard its purity.

But both of them agree that pure *terumah* may never be burnt with impure *terumah*.

### **Gemara**

*Note:*

First, the Gemara will clarify the primary point made in the Mishnah. Then the Gemara devotes two *daf* to discussing Rabbi Meir's source for the law that one may burn pure and impure *terumah* together (because there are three Tannaim in the Mishnah who are lenient concerning this – Rabbi Chanina, Rabbi Akiva and Rabbi Eliezer). Then, for the following four *daf*, the Gemara discusses a tangential topic: mainly the laws of purity as they affect liquids. On *daf* 20 the Gemara returns to discussing the Mishnah.

\*

In our Mishnah, Rabbi Chanina says that Cohanim burnt meat of *kodoshim* that became impure through touching subsidiary impurity (meat #1), with meat that became impure through touching principle impurity (meat #2), although this makes the meat #1 more impure than before.

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impure, he is not allowed to touch and eat *terumah* until nightfall. If he does, he gives the *terumah* 3rd level impurity (see above introduction).

## PEREK 1 – 14A

The Gemara raises a difficulty: But this will not add any impurity to meat #1 at all!

Because **indeed, meat (#1) that was made impure with subsidiary impurity** (1<sup>st</sup> level impurity), **what is it? 2<sup>nd</sup> level** (*sheni*) impurity.

And meat #2, as well, is only 1<sup>st</sup> level impurity (*rishon*).

**So when one burns it, meat #1, with that meat #2 that was made impure with principle (*av*) impurity, what does it meat #1 become?**

**2<sup>nd</sup> level.**

So it turns out that meat #1 is 2<sup>nd</sup> level before, and 2<sup>nd</sup> level afterwards,

**And what “adding impurity to its impurity” is there?**

\*

The Gemara resolves the difficulty:

**Said Rav Yehudah: Here,** meat #1 is not 2<sup>nd</sup> level impurity as we thought, but 3<sup>rd</sup> level impurity. It became impure **from a subsidiary impurity** that became impure from a subsidiary impurity (*velad divlad*). **That gave this meat #1 a 3<sup>rd</sup> level impurity,** as follows:

Principle impurity – 1<sup>st</sup> – 2<sup>nd</sup> – 3<sup>rd</sup>.

And now, when he burns this third level meat with the first level meat, it becomes 2<sup>nd</sup> level, as follows:

## **PEREK 1 – 14A**

Meat #2 (1<sup>st</sup> level) touches meat #1 (3<sup>rd</sup> level) and makes meat #1 2<sup>nd</sup> level.

**And he** Rabbi Chanina **holds** that it is **permitted to make it** meat #1 that was 3<sup>rd</sup> level into 2<sup>nd</sup> level.

\*

The Gemara raises another difficulty:

When the Cohen burns meat #1 with meat #2, how can meat #1 become more impure than before?

**But** the rule is that **food cannot impart impurity to food!**

**Because it was taught** in a Baraita: **One may have thought that food imparts impurity to food.** However, **the verse says: “And when water is placed on seed, and from their carcasses fall on it, it is impure.”**

This verse teaches that **“it”** the seed (a kind of food) **is impure, but it cannot make other food like it to be impure.**

Liquids can indeed impart impurity to food and vice versa, but food cannot impart impurity to food.

\*

The Gemara explains that this question of how meat #2 (a food) can make meat #1 (a food) impure, is only problematic according to certain Amoraim:

## **PEREK 1 – 14A**

**It is all right according to Abaye, who said: They only taught** that food does not impart impurity to food **concerning *chulin* (regular food). But concerning *terumah* and consecrated items (*kodoshim*), it (food) does make that** which is **like it** (other food) impure.

**And it is also not a problem according to Rav Ada bar Ahava in the name of Rava, who said:**

**They only taught** that food does not impart impurity to food **concerning regular food (*chulin*) and *terumah*. But concerning consecrated items (*kodoshim*), it does make that** which is **like it** impure.

The above question is not problematic, because both meat #1 and meat #2 are sacrifices, which are consecrated items.

**But according to Ravina in the name of Rava, it is problematic. He said:**

**The verse is speaking of every case, it makes no difference** whether it is **regular food, it makes difference** if it is ***terumah*, it makes no difference** if is **consecrated items**. In all cases, **it does not make that** which is **like it** impure. According to this view, **what can one say** to explain our Mishnah?

\*

The Gemara resolves the difficulty even according to Ravina:

**Here, what are dealing with? That there are liquids with that meat #2,** and the liquid became impure from the principle impurity.

Thus, the case is **that it** meat #1 now **becomes impure from the liquid** on meat #2.

## PEREK 1 – 14A

\*

The Gemara rejects this answer:

**If so, this** statement of the Mishnah—that meat #1 is being burnt **with the meat #2 that became impure with principle impurity** (*av hatum'ah*)—is inaccurate.

Because **it should** have said: “**With the meat #2 and the liquids** on meat #2.

The Gemara thus gives another answer:

**Rather, even though food does not impart impurity to food from the law of the Torah, Rabbinically it does impart impurity.**

And Rabbi Chanina is telling us that the Cohanim were not concerned about imparting added Rabbinical impurity from meat #2 to meat #1.



Our Mishnah says: **Rabbi Akiva added** and said: **All the days of the Cohanim, they did not refrain from lighting** oil of *terumah* that became invalidated (*pasul*) by the touch of a *tevil yom*, in a lamp that had become impure by touching something impure from a corpse.

The Gemara objects that Rabbi Akiva is adding nothing to what Rabbi Chanina already said before:

**Indeed, oil that became invalidated from a *tevil yom*, what level of impurity is it?**

## **PEREK 1 – 14A**

**3<sup>rd</sup> level.**<sup>8</sup>

If so, **when he the Cohen lights the oil which is 3<sup>rd</sup> level in the lamp that became impure from something that became impure from a corpse, what level does it the oil become?**

**2<sup>nd</sup> level.**<sup>9</sup>

**What is he Rabbi Akiva telling us?**

**That it is permitted to make 3<sup>rd</sup> level into 2<sup>nd</sup> level?**

**That is the same** as what Rabbi Chanina already told us!

\*

The Gemara answers:

**Said Rav Yehudah: Here we are dealing with a lamp made of metal.**

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<sup>8</sup> When *terumah* is touched by a *tevil yom*, it becomes 3<sup>rd</sup> level impurity.

<sup>9</sup> Because the object that touched a corpse becomes primary, thus the lamp touched by this object becomes 1<sup>st</sup> level, and the lamp then renders the oil 2<sup>nd</sup> level.

## PEREK 1 – 14B

### Ammud Bet

**For the Torah said** concerning metal: “And anything that touches... **a corpse of the sword or a carcass.**”

The juxtaposition of *corpse* and *sword* teaches that **a sword is like a corpse.**

This verse tells us that metal is an exception to the rule that whatever touches a source of impurity receives a lower level of impurity. Instead, metal stays on the same level of impurity as what it touched.

Because, as said above, the juxtaposition of *corpse* and *sword* teaches that a sword is like a corpse, **and** therefore, **it** the metal sword that touched an *av hatum'ah* (principle impurity), **becomes *av hatum'ah*.**

Similarly, the metal lamp of our Mishnah which touched an *av* also becomes an *av*, and the oil burnt in it (which previously was 3<sup>rd</sup> level) now gets 1<sup>st</sup> level impurity.

**And** therefore, **he** Rabbi Akiva **holds that it is permitted to make 3<sup>rd</sup> level** (the oil) into **a 1<sup>st</sup> level**, by burning in the metal lamp which is an *av*.

Whereas Rabbi Chanina only allowed making a 3<sup>rd</sup> level into a 2<sup>nd</sup> level.

\*

The Gemara raises a difficulty:

**And what forced him** Rav Yehudah **to set him** Rabbi Akiva **up** as speaking **about a lamp of metal?**

## **PEREK 1 – 14B**

Instead, **set him up** as speaking **about a lamp of earthenware** that is only 1<sup>st</sup> level and makes the oil 2<sup>nd</sup> level.

**And** nevertheless, regarding what you asked: “**What does Rabbi Akiva add** more than Rabbi Chanina?”, this is not a difficulty.

**Because there** in the case of Rabbi Chanina, **it** (meat #1, which was 3<sup>rd</sup> level, and can impart 4<sup>th</sup> level to other sacrifices) **was impure** (in the full sense, i.e. it could make something else impure). This is the case even before it touched meat #2. And it was similarly **impure** after it touched meat #2 (although it became 2<sup>nd</sup> level, this was merely a higher level of impurity).

**But here** regarding the *terumah* of Rabbi Akiva, the 3<sup>rd</sup> level oil **was** not impure in the full sense, because it could not render other *terumah* impure (see above introduction). Rather, it had a status termed merely as “**invalidated**”, due to its inability to transfer further impurity. And when it is burnt in the lamp and becomes 2<sup>nd</sup> level, it acquires the term “**impure.**”

This being a plausible explanation of the Mishnah, what brought Rav Yehudah to the forced conclusion that Rabbi Akiva is speaking about a metal lamp?

\*

The Gemara resolves the difficulty:

**Said Rava:** The wording of the **Mishnah was problematic to him** Rav Yehudah.

**What case is it speaking of**, that Rabbi Akiva should say: “**A lamp that had become impure by touching something made impure from a corpse?**”

## **PEREK 1 – 14B**

**The Mishnah should simply say:** “A lamp **that became impure**”, and it would be understood that it was now a 1<sup>st</sup> level impurity through touching an *av* (for example, a *sheretz*<sup>10</sup>). This is because a *valad* (subsidiary impurity) cannot confer impurity to utensils, and a lamp is a utensil. Thus it is obvious that the lamp touched an *av*. Why does Rabbi Akiva specifically mention a corpse?

**Rather**, it must bear a special meaning. Let us consider:

**What object** is there, **that there is a difference in its impurity between** when the impurity comes **from a corpse** and when it comes **from a *sheretz***?

**One would say:** **This** object must be a **metal** utensil that becomes an *avi avot* if it is touched by a corpse, and an *av* if touched by a *sheretz*.

This is why Rav Yehudah said that Rabbi Akiva is speaking about a *metal* lamp that touched someone who was impure from a corpse.



We said before that something is impure in the full sense only when it can render other things impure. Whereas a level of impurity not strong enough to do this is termed “invalidated.”

All “invalidated” foods are regarded as equally impure (because none of them can impart impurity to something else). It makes no difference in this respect whether they have 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> level impurity.

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<sup>10</sup> Crawling creature

## **PEREK 1 – 14B**

Therefore, **said Rava:** Because the Mishnah says that **Rabbi Akiva *added*** to Rabbi Chanina's statement—

**Hear from this a proof that Rabbi Akiva holds the view: The ability of impure liquids to render other things impure is Torah-mandated.** (This point is subject to a disagreement later).

**Because if you think** that impure liquids only render other things impure **Rabbinically**, but according to Torah law, impure liquid is merely termed “invalidated” and not “impure” in the full sense —

**If so, indeed, how does this lamp affect that oil?**

**If to invalidate the oil itself, it is already invalidated** if there is no such thing as an “impure” liquid according to Torah law.

And even though the oil was 3<sup>rd</sup> level, and now it is 1<sup>st</sup> level, as regards to “invalidate” things, this makes no difference—because in any case they cannot make other things impure.

Therefore you must say that according to Rabbi Akiva, impure liquids can impart impurity to other things, according to Torah law. And that is why burning the oil in the lamp is raising its level of impurity.

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The Gemara raises an objection to Rava's proof that Rabbi Akiva must hold that liquids impart impurity to other things, according to Torah law:

## **PEREK 1 – 14B**

**From where** do you see that liquids impart impurity to other things, according to Torah law?

**Perhaps** what makes the oil a higher level of impurity after being put in the impure lamp is as regards **to make other things impure Rabbinnically**.

The Gemara answers the objection:

**If** the added impurity is only **Rabbinical, what is it speaking of**, that Rabbi Akiva commented on a case of oil becoming impure **with the primary impurity** (*av hatum'ah*) of a lamp, in order that the oil will thereby receive 1<sup>st</sup> level impurity?

**Even** if the oil is burnt with something that has just **1<sup>st</sup> or 2<sup>nd</sup> level also, it would become 1<sup>st</sup> level**, and impart 2<sup>nd</sup> level impurity to other things. This is because the Rabbis decreed a special stringency regarding liquids: every liquid that touches even 2<sup>nd</sup> degree impurity goes to a level of 1<sup>st</sup> degree impurity.

**Because it was taught in a Mishnah:**

Rabbinically, **every 2<sup>nd</sup> level impurity that invalidates *terumah*, also makes liquids impure, to be 1<sup>st</sup> level impurity.**<sup>11</sup>

**Except for** the impurity of *tevil yom*<sup>12</sup>, which does not make liquids to be 1<sup>st</sup> level.

**Rather**, because Rabbi Akiva does not speak of a case of 1<sup>st</sup> or 2<sup>nd</sup> level impurity making the oil 1<sup>st</sup> level, but specifically speaks of a lamp which is an *av* making the oil 1<sup>st</sup> level,

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<sup>11</sup> The Rabbis made this decree because, unlike food that can only become impure after it becomes wet, liquids are always capable of contracting impurity. Therefore the Rabbis added stringencies to liquids so that Cohanim would be careful to guard liquid *terumah* and sacrificial liquids more carefully.

<sup>12</sup> Rashi explains here that *tevil yom* makes liquids 2<sup>nd</sup> level according to Torah law, and therefore the Rabbis did not have to add stringencies to it that these liquids are considered 1<sup>st</sup> level.

## PEREK 1 – 14B

**hear from this** a proof that the impurity imparted to the oil in his case **is from the Torah.**



The Gemara now begins the discussion of Rabbi Meir's source. From which Tanna did Rabbi Meir learn that one may burn pure chametz with impure chametz? There are three possibilities. He learned either from: 1) Rabbi Chanina, or from 2) Rabbi Akiva, or from 3) Rabbi Yehoshua and Rabbi Eliezer mentioned at the end of the Mishnah.

Our Mishnah states: **Said Rabbi Meir: From their words** we learnt that one may burn pure chametz *terumah*, together with impure chametz *terumah*, before Pesach.

The Gemara inquires: **From the words of whom?**

**If you say from the words of Rabbi Chanina the *sgan-Cohen-Gadol* of the Cohanim,** who said that they burned meat #2 that was impure from principle impurity with meat #1 that was only impure from subsidiary impurity—

**What is the comparison?**

**There,** meat #1 is already **impure.** **And** after it touches meat #2 it is similarly **impure,** albeit on a slightly higher level.

But **here** in the case of chametz *terumah*, before it is burnt, it is absolutely **pure.** **And** after it touches the impure *terumah* it becomes **impure!**

\*

## **PEREK 1 – 14B**

**Rather**, Rabbi Meir must be learning **from the words of Rabbi Akiva**.

Because Rabbi Meir allows us to take the oil that was termed only “invalidated” (since it was 3<sup>rd</sup> level), and render it “impure” by making it 1<sup>st</sup> level. Therefore, just as Rabbi Akiva allows one to make “invalidated” *terumah* to become “impure,” so Rabbi Meir allows one to make pure *terumah* of *chametz* to become impure.

The Gemara objects: **What is the comparison?**

**There**, the oil was “invalidated”. Thus Rabbi Akiva says that one may make it “impure.”

But **here**, the *chametz* of *terumah* is **pure**, and you want to make it **impure!**

\*

The Gemara gives a tentative answer:

**Let us say that Rabbi Meir holds** that the **Mishnah** (i.e. Rabbi Chanina’s statement) is speaking about taking meat #2 that was impure **with primary impurity** (*av hatum’ah*), **and** burning it with meat #1 that was impure with **subsidiary impurity** (*velad hatum’ah*) that was only **Rabbinical**<sup>13</sup>.

**For according to the Torah, it meat #1 is absolutely pure.**

And Rabbi Chanina is telling us that we may burn meat #1 with meat #2, even though meat #2 has 1<sup>st</sup> level impurity by Torah law. This is because the added impurity, too, will

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<sup>13</sup> For example, meat #1 became impure by touching a utensil that touched impure liquids. According to Torah law, impure liquids cannot make a utensil impure. But the Rabbis decreed that impure liquids do make a utensil impure. They made this decree because there is a type of liquid that does make utensils impure according to Torah law – the discharge of a *zav*, which imparts impurity to utensils.

## **PEREK 1 – 14B**

be only Rabbinical (as said earlier on the first *ammud*). For according to Torah law, food cannot impart impurity to food.

# Chavruta

## Pesachim – Daf Tet Vav

Translated by: *Chavruta staff of scholars*

Edited by: *R. Shmuel Globus*

**And what** is Rabbi Meir referring to when he said, “**From their words** we learnt?”

He means, “**From the words of Rabbi Chanina the *Sgan Cohen Gadol*<sup>1</sup> of the Cohanim.**”

Because just as one may add Rabbinical impurity<sup>2</sup> to meat that already has a lower level of Rabbinical impurity, so may one add Rabbinical impurity to *terumah* that is Rabbinically forbidden to eat in the sixth hour, through burning it with impure *terumah*.

\*

The Gemara rejects the above explanation of the Mishnah:

**Said Reish Lakish in the name of Bar Kavra:** This is not the correct explanation of the Mishnah.

Rather, Rabbi Chanina in **the Mishnah** is dealing with a case of burning meat #2 that became impure **with a principle (*av*) impurity from the Torah, with** meat #1 that became impure from **subsidiary (*velad*) impurity from the Torah.**

And if you ask: if so, how can Rabbi Meir learn from here that one may impart impurity to pure *terumah* by burning it with impure *terumah*?

The answer is: **What does “from their words” mean?**

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<sup>1</sup> Deputy High Priest

<sup>2</sup> Burning the *terumah* of *chametz* with impure *terumah* makes it impure only Rabbinically, because according to Torah law, food cannot impart impurity to food.

## Perek 1 – 15a

Rabbi Meir is learning not from Rabbi Chanina nor from Rabbi Akiva, but **from the words of Rabbi Eliezer and Rabbi Yehoshua** mentioned at the end of the Mishnah.

The Gemara inquires: **Which** case of Rabbi Eliezer and **Rabbi Yehoshua** is Rabbi Meir learning from?

**If you say this** case of **Rabbi Yehoshua**, which was taught in a **Mishnah** elsewhere:

**If a doubt** of impurity **arises concerning a barrel of *terumah***, for example, if an impure person entered the room where the barrel was kept and there is a doubt whether he touched the barrel or not—

**Rabbi Eliezer says: If it the barrel was lying in an exposed place, one should lay it in a protected place, and if it was exposed one should cover it.** In other words, even though the possibly impure *terumah* may not be eaten, and may only be used for lighting purposes (if it is flammable), one is still commanded to guard it from acquiring certain impurity.<sup>3</sup>

But **Rabbi Yehoshua says:** Not only is there no mitzvah to positively protect this *terumah*, **but on the contrary: even if it was lying in a protected place, one may put it in an exposed place, and if it was covered one may uncover it.**<sup>4</sup>

Similarly, Rabbi Meir in our Mishnah learns that Rabbi Yehoshua would allow one to impart impurity to *terumah* in the sixth hour, when it in any case has to be burnt.

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<sup>3</sup> Rabbi Eliezer's rationale is that the Torah writes that one must guard "*mishmeret terumati*," which is single tense, but the words are read "*mishmeret terumotai*," which is plural and includes that one must guard even *terumah* that is impure and only suitable for lighting. Rabbi Eliezer holds the principle of "*Yesh eim lamikra*," that the way one *reads* the verse is most important. Therefore the Torah is telling us to guard *terumah* in two situations, when it is pure and when it is impure.

<sup>4</sup> See previous footnote. Rabbi Yehoshua holds the principle of "*Yesh eim lamessoret*," and the way the verse is *written* is most important. Therefore the Torah is telling us to make only *one* guarding of *terumah*, when it is pure and may be eaten.

## Perek 1 – 15a

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The Gemara rejects this explanation of Rabbi Meir:

### **How is it comparable?**

**There**, Rabbi Yehoshua does not allow one to actually render the *terumah* impure, he only allows one to make it more vulnerable to impurity, by leaving it unprotected. **And that is merely an indirect cause** (*grama*) of impurity.

But **here**, Rabbi Meir is allowing one to render the *terumah* impure during the sixth hour **with a direct action**.

\*

**Rather**, the Gemara concludes that Rabbi Meir is making his comparison to **that** other statement of **Rabbi Yehoshua** in another Mishnah.

**That it was taught** in a Mishnah: **A barrel of pure *terumah* that broke in the upper basin** of a winepress, **and in the lower** basin towards where the *terumah* is flowing, there is wine of **impure *chulin***<sup>5</sup>. If the *terumah* wine falls into the lower basin it will make the *terumah* impure, and result in the *chulin* wine being forbidden as well, due to the mixture of the two.

**Rabbi Eliezer and Rabbi Yehoshua agree that if one can save a *revi'it*** (1 ½ egg volume) **of *terumah* wine in purity**, i.e. catch it in a pure container before it flows down to the bottom basin, **one must save** it even if this prevents him from quickly pulling out the regular wine before it becomes impure.

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<sup>5</sup> Regular, non-consecrated

## Perek 1 – 15a

**And if not**, if he cannot save even a *revi'it* of *terumah* wine because he has no readily available pure container, but only an impure container—

**Rabbi Eliezer says: The *terumah* should go down** by itself **and become impure, and one should not make it impure directly** by collecting it in the impure container.

**And Rabbi Yehoshua says: One may even make it impure directly.** This does not transgress the mitzvah to guard *terumah* in purity (*mishmeret terumati*), because the *terumah* is going to become impure in any case when it reaches the bottom basin.

And similarly, Rabbi Meir in our Mishnah holds that Rabbi Yehoshua would allow one to burn pure *terumah* with impure *terumah* in the sixth hour before Pesach, because in any case it has to be burnt. And the rule is that we rule like Rabbi Meir in matters of *taharot* (laws of purity).

\*

The Gemara raises an objection to this last interpretation of Rabbi Meir:

**If so, this** statement of Rabbi Meir which says: “**From *their* words** we learnt” is inaccurate, because he is only deriving his rule from Rabbi Yehoshua. Therefore **he should say, “From *his* words”!**

The Gemara answers: **This is what he Rabbi Meir said: From their disagreement between Rabbi Eliezer and Rabbi Yehoshua, we learnt.”**

\*

## Perek 1 – 15a

The Gemara demonstrates that one can indeed infer a proof from the Mishnah for the last-mentioned interpretation of Rabbi Meir:

**One can also infer it, because the Mishnah says,** in Rabbi Yosi's rejoinder to Rabbi Meir:

**Rabbi Eliezer and Yehoshua agree** that one would burn the two kinds of chametz separately.

Thus we see that Rabbi Meir was indeed referring to Rabbi Eliezer and Rabbi Yehoshua.

The Gemara concludes: One can indeed **hear from this** a proof, as you said.

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The Gemara repeats the last interpretation of Rabbi Meir, in the name of another Amora, Rav Nachman:

**And so said Rav Nachman said Rabbah bar Avuha:** Rabbi Chanina the sgan of the cohanim of **the Mishnah** is talking about burning meat #2 that became impure **from a principle** (*av*) **impurity of the Torah** with meat #1 that became impure from a **secondary** (*valad*) **impurity of the Torah**. Therefore Rabbi Meir did not learn from Rabbi Chanina the rule of burning chametz of *terumah*, which is not impure at all.

Rather, **what** is the meaning of “**From their words** we learnt”, which Rabbi Meir said?

**From the words of Rabbi Eliezer and Rabbi Yehoshua,** as explained before.

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## Perek 1 – 15a

The Gemara now brings a Baraita that seems to refute this interpretation of Rabbi Meir. The Baraita says that Rabbi Meir's proof is from Rabbi Chanina or Rabbi Akiva, and not from Rabbi Eliezer and Rabbi Yehoshua.

**Rava contradicted Rav Nachman**, who stated this interpretation of Rabbi Meir, from the following Baraita:

**Said Rabbi Yosi to Rabbi Meir: The subject you are trying to prove is not similar to the proof you are citing.**

(The Baraita now repeats the objections our Gemara itself mentioned earlier):

**Because when our Rabbis (Rabbi Chanina and Rabbi Akiva) testified, on what did they testify?**

**If concerning meat #1 that became impure from subsidiary impurity, that one burns it with meat #2 that became impure from principle impurity, this meat #1 is already impure and this meat #2 is impure.**

**If concerning the oil of *terumah* that became disqualified through a *tevil yom*, that one burns it in a lamp that became impure with the impurity of a corpse, this oil is already disqualified and this lamp is impure.**

Rabbi Yosi continues his objection: **We, too, agree concerning *terumah* that became impure from subsidiary impurity and received 3<sup>rd</sup> level impurity, that one may burn it with *terumah* that became impure from principle impurity, making it 2<sup>nd</sup> level, because it is already impure.**

**But how can we burn doubtfully impure *terumah* with certainly impure *terumah*?**

## Perek 1 – 15B

**Perhaps Eliyahu the prophet will come and rule that it the doubtful *terumah* is pure!**<sup>6</sup>

And how much greater is the prohibition to burn totally pure *terumah* with impure *terumah*!

### **Ammud Bet**

Rabbi Yosi continues by citing another case where it is allowed to burn *kodoshim*<sup>7</sup> that has low-level impurity, with *kodoshim* that has higher-level impurity, pointing out that here, too, it is only allowed because both are impure to begin with:

***Pigul*,<sup>8</sup> *notar*<sup>9</sup> and impure sacrificial meat,**

**Beit Shammai say: They are not burnt together,** because even though the Sages decreed that *pigul* and *notar* render one's hands impure upon contact, these invalidated sacrifices will get a higher level of impurity from the impure sacrificial meat.

**And Beit Hillel say: They are all burnt together,** because the *pigul* and *notar* already have Rabbinical impurity.

But even Beit Hillel will agree that one may not burn pure *terumah* of chametz with impure *terumah* of chametz, even if it has to burnt anyway.

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<sup>6</sup> Later (20b) the Gemara asks that at the end of our Mishnah, Rabbi Yosi seems to agree that one can burn doubtfully impure *terumah* with impure *terumah*.

<sup>7</sup> Consecrated items, such as sacrifices.

<sup>8</sup> That a Cohen disqualified the sacrifice by thinking at the time he slaughtered that he would eat it beyond its regulation time when it can be eaten.

<sup>9</sup> Sacrificial meat that was actually left beyond the time when it is supposed to be eaten or burnt.

## Perek 1 – 15B

Rava now explains why this Baraita refutes Rav Nachman's interpretation of Rabbi Meir:

**And if you think that Rabbi Meir is saying** i.e. deriving his ruling **from the words of Rabbi Yehoshua, why does Rabbi Yosi reply to him from the words of Rabbi Chanina the sgan of the Cohanim?**

According to Rav Nachman's interpretation, Rabbi Meir was never referring to Rabbi Chanina at all, only to Rabbi Eliezer and Rabbi Yehoshua!

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Rav Nachman answers Rava's contradiction against him:

**Rav Nachman said to him** Rava: Regarding **Rabbi Yosi—it was not known to him** what Rabbi Meir's source was.

**Because he** Rabbi Yosi **thought that Rabbi Meir was saying** i.e. deriving his ruling **from the words of Rabbi Chanina the sgan of the Cohanim**, and that is why Rabbi Yosi mentions Rabbi Chanina.

**But he** Rabbi Meir **“said” to him** (this sentence is not written in the Baraita or Mishnah): I did not learn from Rabbi Chanina. **I said** my rule **from that** statement of **Rabbi Yehoshua**, who allows one to render pure *terumah* to be impure.

**And he**, Rabbi Yosi, then **said to him** (this sentence comes from our Mishnah): **Even according to Rabbi Yehoshua it is not comparable. Because Rabbi Eliezer and Rabbi Yehoshua agree that one burns this** (pure chametz of *terumah*) **by itself, and that** (impure chametz of *terumah*) **by itself.**

## Perek 1 – 15B

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The Gemara raises a difficulty: **And why is it not comparable? It is certainly comparable!** Because Rabbi Yehoshua indeed allows one to render pure *terumah* to be impure.

The Gemara resolves the difficulty: It is **different there**, in the case Rabbi Yehoshua ruled on, where he allows one to collect the pure *terumah* in an impure container. For this is specifically in order to prevent it from falling down into the impure regular wine, **because there is the loss of the *chulin* wine** if one doesn't stop the *terumah* from falling into it and becoming impure.

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The Gemara raises a difficulty with the above answer: **Rav Yirmeyah challenged it:** In our **Mishnah also** (i.e. the case of Rabbi Meir), **there is loss of wood** if one has to make a separated fire to burn the pure *terumah*.

The Gemara resolves the difficulty: **A certain old man said to him**, to Rav Yirmeyah: **They** the Sages **were concerned about a big loss**, i.e. the regular wine in the lower basin. But **they were not concerned about a small loss** of firewood to burn the pure *terumah* separately.

c c õ d d

So far, the Gemara has discussed the view that Rabbi Meir learnt his rule from Rabbi Yehoshua mentioned at the end of the Mishnah. Now the Gemara brings a conflicting view, that Rabbi Meir learns his rule from Rabbi Chanina the sgan of the Cohanim after all:

## Perek 1 – 15B

**Said Rabbi Asi said Rabbi Yochanan: The disagreement** between Rabbi Meir and Rabbi Yosi is **in the sixth** hour, when it is only forbidden to eat chametz Rabbinically.

**But in the seventh** hour, everyone agrees that one may burn pure and impure *terumah* of chametz together.

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The Gemara notes that Rabbi Asi speaks about Rabbi Meir allowing the burning of pure *terumah* with impure *terumah* only *during* the sixth hour, when it is already Rabbinically forbidden to eat it, but not before.

**Said Rabbi Zeira to Rabbi Asi: Should we say**, on the basis of what you said in the name of Rabbi Yochanan, **that Rabbi Yochanan holds** that **the case in the Mishnah** of Rabbi Chanina the sgan of Cohanim **concerns** burning meat that is impure **with a principle impurity of the Torah**, and i.e. together with, meat that is impure with **subsidiary Rabbinical impurity?**

**And what** is the meaning of: “**From their words** we learnt” that Rabbi Meir said?

**From the words of Rabbi Chanina the sgan of the Cohanim.**

And that is why Rabbi Yochanan only allows one to burn the pure *terumah* with impure *terumah* *during* the sixth hour, when it is then Rabbinically forbidden. Because before the sixth hour when there is not yet any Rabbinic restriction, Rabbi Chanina would agree that it is forbidden.

**He** Rabbi Asi **said to him: Yes!** Rabbi Yochanan means as you said.

## Perek 1 – 15B

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**It was also stated** as Rabbi Asi just said:

**Said Rabbi Yochanan: The Mishnah concerns burning meat that is impure with a principle impurity of the Torah, and** i.e. together with meat that is impure with **subsidiary Rabbinical impurity.**

**And the disagreement is in the sixth hour. But in the seventh hour, everyone agrees that one may burn** the pure *terumah* with impure *terumah*.

But before six hours, even Rabbi Meir agrees that one may not burn the two together.

(However, if Rabbi Meir's proof was from Rabbi Yehoshua, one could burn the *terumot* together even before the sixth hour—because Rabbi Eliezer allows one to render impurity to *terumah* that has no impurity whatsoever.)

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**Let us say that he** Rabbi Yochanan **is supported** by the previous Baraita, where Rabbi Yosi said to Rabbi Meir:

***Pigul, notar* and impure sacrificial meat—**

**Beit Shammai say: They are not burnt together,** because even though the Sages decreed that *pigul* and *notar* make one's hands impure, they will now get a higher level of impurity from the impure sacrificial meat.

**And Beit Hillel say: They are all burnt together.**

## Perek 1 – 15B

Assumedly, the reason of Beit Hillel is that the *Torah* forbids one to eat *pigul* and *notar*, and therefore they are like chametz in the *seventh* hour (when it forbidden by the Torah), where even Rabbi Yosi agrees to Rabbi Meir.

The Gemara rejects the support: **It is different there, because they *pigul* and *notar* already have Rabbinic impurity**, and that is why Beit Hillel allows one to make them more impure.

**Because it was taught in a Mishnah: *Pigul* and *notar* make the hands impure**, such that whatever one's hands subsequently touch becomes impure.<sup>10</sup>

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The Gemara attempts to find another support for Rabbi Yochanan:

**Let us say that he is supported** from this Baraita:

**Impure bread that rotted and became unfit to be eaten by man, but a dog can eat it, can still impart the impurity of food to other items, if it the bread is an egg volume.**

Because it is already impure, its impurity only leaves if it becomes unfit for even a dog to eat.

**And if this rotten bread is pure *terumah*, it is burnt with impure *terumah* on Pesach.**

This Baraita must be Rabbi Yosi, because Rabbi Meir permits burning even fully edible *terumah* with impure *terumah*. Thus this Baraita seems to say like Rabbi Yochanan: Just as Rabbi Yosi allows the burning of humanly inedible *terumah* with impure *terumah*, so

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<sup>10</sup> The Rabbis made this decree to discourage Cohanim from negligently leaving sacrificial meat uneaten beyond its permitted time.

## Perek 1 – 15B

will he permit the burning of *terumah* that is humanly inedible because it is forbidden by the Torah's prohibition on chametz, with impure *terumah*.

The Gemara refutes this support:

It is **different there, because it** the rotted bread **is** considered as **plain dust of the earth** and cannot be compared to chametz in the seventh hour, which is edible.

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The Gemara now tries to contradict Rabbi Yochanan's view, that Rabbi Meir's support was from Rabbi Chanina the sgan of the Cohanim:

**If so, why** does Rabbi Yosi reply in the Baraita: "Rabbi Eliezer and Rabbi Yehoshua **agree...**" Rabbi Meir's proof was not from them, but from Rabbi Chanina!

The Gemara answers: **This is what Rabbi Yosi was saying to Rabbi Meir:**

**Even according to Rabbi Yehoshua, who is lenient** and allows one to catch *terumah* wine in an impure utensil and thereby impart impurity to it directly, before it mixes with the wine in the lower basin—

Even he, **when he is lenient** in burning two *terumot* together, will only be lenient **with doubtfully** impure *terumah*. This is because we saw in his first disagreement with Rabbi Eliezer (on *daf* 15a) that he allows one to indirectly cause impurity to doubtfully impure *terumah*.

**But concerning** burning **pure *terumah* and impure *terumah*, no!** He is not lenient.

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## Perek 1 – 15B

The Gemara brings another objection to Rabbi Yochanan's way of learning Rabbi Meir:

**If so**, that the case of Rabbi Chanina in the Mishnah is that meat #1 had Rabbinical subsidiary impurity—**why** is it (the burning of pure and impure chametz of *terumah* in the sixth hour) “**not comparable**” to it?

**It is certainly comparable**, because just as one may add impurity to the meat of a sacrifice that is already Rabbinically impure, so may one add impurity to *terumah* that is Rabbinically forbidden in the sixth hour.

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The Gemara's following answer to the above question gives rise to a discussion about impure liquids that continues until *daf* 20:

**Said Rabbi Yirmeyah:** Here in the Mishnah, Rabbi Chanina is dealing **with meat that became impure from liquids that** touched a utensil<sup>11</sup> that **became impure from a *sheretz***<sup>12</sup>, which is principal impurity.

**And Rabbi Meir goes according to his rationale, and Rabbi Yosi according to his rationale.**

**Rabbi Meir according to his rationale, that he said: The impurity of liquids to render other things (food or drink) impure is Rabbinical.** Therefore he proves from Rabbi Chanina that just as one may burn meat #1, which is only Rabbinically impure,

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<sup>11</sup> Rashi explains that if the liquid became impure *directly* from a *sheretz*, the liquid would be 1st level and meat #1 would be 2<sup>nd</sup> level, and would become no more impure when it is burnt with meat #2 that is only 1<sup>st</sup> level.

<sup>12</sup> One of the six types of crawling creatures listed in the Torah that impart impurity.

## Perek 1 – 15B

together with meat #2—and thereby make meat #1 impure according to Torah law,<sup>13</sup> so may one take pure *terumah* in the sixth hour when it is Rabbinically forbidden, and make it impure according to Torah law by burning it with impure *terumah*.

**And Rabbi Yosi goes according to his rationale, that he said: Impurity of liquids to make other things impure is from the Torah.**

And therefore the case of Rabbi Chanina, where meat #1 is already impure by Torah law, cannot be compared to *terumah* of chametz in the sixth hour when it is only Rabbinically forbidden.

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<sup>13</sup> This will only work according to Rabbi Yirmeyah or Rav Ada bar Ahava who said above (*daf* 14a) that concerning *kodoshim*, food can impart impurity to other food. It will not work according to the view of Ravina in the name of Rava there.

# Chavruta

## Pesachim – Daf Tet Zayin

Translated by: *Chavruta staff of scholars*  
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The Gemara now further discusses the disagreement between Rabbi Meir and Rabbi Yosi concerning whether liquids can make other things impure according to Torah law.

**For it was taught in a Baraita:** When there are **doubtfully impure liquids**<sup>1</sup>, the law is as follows—

**Concerning its own impurity, it** a doubtfully impure liquid **is** considered **impure**, because liquids can become impure according to Torah<sup>2</sup> law.<sup>3</sup>

But **to render other things impure**,<sup>4</sup> **it** the doubtful liquid **is** considered **pure**, because liquid's ability to render other things impure is only Rabbinical, and in Rabbinic law we are lenient in doubtful cases.

This is **according to Rabbi Meir**.

**And so Rabbi Eliezer used to say like his words.**

**Rabbi Yehudah says: It** a liquid renders other things **impure in every** doubtful case, even if the doubt concerns rendering food or utensils<sup>5</sup> impure.<sup>6</sup>

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<sup>1</sup> For example, an impure person put his leg in a place where there is pure liquid and there is a doubt whether he touched it or not.

<sup>2</sup> Rabbi Meir learns that liquid can become impure by Torah law, from the verse, “And every liquid that is drunk in every utensil will be impure (*yitma*).”

<sup>3</sup> If the incident that gave rise to the doubt occurs in a private domain.

<sup>4</sup> For example, it there was impure liquid at the end of stick and one threw it among loaves of bread and one is unsure whether it touched the loaves or not.

<sup>5</sup> See footnote 2. Because the verse mentions the word “utensil,” Rabbi Yehudah understands that liquids make even utensils impure according to Torah law.

## Perek 1 – 16a

**Rabbi Yosi and Rabbi Shimon say: Concerning food**, liquid makes it impure in a situation of doubt. But **concerning utensils** it does not, because we hold that liquid makes utensils impure only Rabbinically.

In conclusion, this Baraita demonstrates that according to Rabbi Meir, liquid renders food impure only Rabbinically, while according to Rabbi Yehudah, it makes food impure according to Torah law.

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The Gemara now discusses the various views in the above Baraita:

**And does Rabbi Eliezer really hold that liquid has any Torah-ordained impurity whatsoever?**

**But it was taught in a Baraita: Rabbi Eliezer says:** According to Torah law, **there is no impurity for liquid at all!**

You can **know** that this is true, **because Yosi ben Yoezer of Tzereida testified, concerning** a species of locust called *eil kamtza*, that it is **pure** (i.e. kosher). **And** he also testified, **concerning the liquids** (blood and water) **of the slaughtering area** of the Temple Courtyard, that they are **pure** even from Rabbinic impurity, because the Rabbis waived Rabbinic impurity in the Temple Courtyard in order to save sacrificial meat from becoming impure.

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<sup>6</sup> See footnote 2. Rabbi Yehudah considers it as if the verse says *yetamei* – that the liquid will make other things impure.

## Perek 1 – 16a

We see that Rabbi Eliezer holds that liquid cannot become impure according to Torah law, so how can the previous Baraita say that he holds like Rabbi Meir?

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The Gemara now defines the previous question more narrowly, thus explaining that this question only arises according to certain views:

**It is all right according to Shmuel, who said** that Rabbi Eliezer meant that the liquids of the courtyard slaughtering area are **pure as regards rendering other things impure, but they do have Torah impurity themselves.**

**But according to Rav, who said: They are absolutely pure** even in themselves, **what can one say** to resolve the contradiction?

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The Gemara now resolves the contradiction between the various citations of Rabbi Eliezer's view:

**Said Rav Nachman bar Yitzchak:** When it says that Rabbi Eliezer said like Rabbi Meir's words, he was only referring **to one** thing that Rabbi Meir said: that in a case of doubt, liquid does not render *other* things impure.

But in a case of doubt whether the liquid *itself* became impure, Rabbi Eliezer disagrees with Rabbi Meir, and holds that the liquid is pure.

The Gemara disproves this answer: **But it** the Baraita **said**, “And so Rabbi Eliezer used to say **like his words**”, plural, and **that** implies that he agreed to **many** (i.e. at least two) things that Rabbi Meir said, and not only to one thing.

## Perek 1 – 16a

**And also**, another difficulty is that **the Baraita says**: “**And so** Rabbi Eliezer used to say,” which implies that he agreed to everything that Rabbi Meir said.

The Gemara concludes: This is indeed **a difficulty**, and no answer is provided by the Gemara.

c c õ d d

The Gemara now discusses the disagreement between Rav and Shmuel (concerning the statement of Yosi ben Yoezer), mentioned before:

Regarding the above-mentioned statement **itself**:

**Rav said**: Liquids of the slaughtering area are **absolutely pure** even in themselves.

**And Shmuel said**: They are **pure from rendering other things impure, but they do have Torah impurity themselves**.

The Gemara explains: **Rav said: Absolutely pure**, because **he holds** that (according to Rabbi Yosi ben Yoezer) **the impurity of liquids** is only **Rabbinical**.

**And when the Rabbis decreed** impurity, they did so **concerning liquids in general**. But **concerning the liquids of the slaughtering area, they did not decree**, in order that sacrificial meat should not become impure from these liquids.

**And Shmuel said**: They are **pure from rendering other things impure, but they do have Torah impurity themselves**. For **he holds** that (according to Rabbi Yosi ben

## Perek 1 – 16a

Yoezer) **impurity of liquids themselves is from the Torah**, and only **to render other things impure** is it **Rabbinic**.

**And** therefore, **when the Rabbis did not decree** impurity on liquid in the slaughtering area of the Temple Courtyard, that was regarding **to render other things impure**. **But the impurity of themselves, they do have**, in every place. This is because it is a Torah law.

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The Gemara now points out that Shmuel's view (of Rabbi Yosi ben Yoezer) seems to contradict certain verses:

**Said Rav Huna bar Chinena to his son: When you go up before Rav Pappa, pose to him the following contradiction: How could Shmuel say that the liquids in the Temple Courtyard are pure from rendering other things impure, but they do have Torah impurity themselves?**

Even if it is true that impure liquid does not render regular, unconsecrated food impure, nevertheless it should make *kodoshim*<sup>7</sup>, such as sacrificial meat, impure. This is because we should **read here**, i.e. apply here, the verse: **“And the meat [of *kodoshim*] that touches *any* impurity, do not eat.”** This implies that even if the meat touches impure liquid, it becomes impure and may not be eaten.

The Gemara answers: **Said Rav Sheisha:** This above verse is not all-inclusive. Because it impure liquid **may be compared to the 4<sup>th</sup> level impurity of *kodoshim***. This low level of impurity cannot impart 5<sup>th</sup> level impurity to something else, although it is impure in and of itself. If the meat of *kodoshim* would touch it, the meat is still eaten, since it

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<sup>7</sup> Consecrated items

## Perek 1 – 16a

remains pure. This proves that the rule stated in the above verse has exceptions. Thus we may say that impure liquid, too, is an exception to the rule.

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**Rav Ashi challenged** Rav Sheisha's answer: This approach is incorrect, for something impure will always render *kodoshim* impure. And **4<sup>th</sup> level** impurity **of *kodoshim*** is different: **it is not called "impure"** in the full sense, for the very reason that it cannot impart impurity to other things. It is merely termed "invalid."<sup>8</sup>

But **this** impure liquid **is** indeed **called "impure"** in the verse: "And every liquid that is drunk in every utensil will be impure (*yitma*)."<sup>8</sup> And this is the source from which Shmuel learns that liquids can become impure according to the Torah.

The Gemara concludes: This is indeed **a difficulty**, and the Gemara provides no answer.

**c c õ d d**

The Gemara now brings a series of contradictions to Rav, who disagrees with Shmuel and holds that according to Rabbi Yosi ben Yoezer liquid itself never becomes impure according to Torah law, and therefore the Sages altogether waived its Rabbinical impurity in the Temple Courtyard.

## Perek 1 – 16a

Contradiction #1:

**Come and hear** a proof that liquid has impurity according to the Torah: It is written concerning an earthenware utensil that became impure from a *sheretz*<sup>9</sup>: “Everything inside will be impure, and you shall break it. Including all food that is eaten, that water came on it, shall be impure. **And every liquid that is drunk in every utensil shall be impure.**”

We see that liquid becomes impure, according to Torah law.

The Gemara answers: The whole verse is speaking about food. And **what** does it mean that “liquid... shall be impure?”

**It means that** when liquid wets food, **it makes it** (the food) **susceptible** to become impure. But food that never became wet cannot become impure. And the verse reads as follows: “Everything inside will be impure and you shall break it. Including all food that is eaten, that water came on it, shall be impure. And (all food that) every liquid that is drunk in every container (came on it), shall be impure.”

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The Gemara raises a difficulty: The law that liquid is required to **make** food **susceptible** to impurity, we already **heard it from the beginning of the verse**, which says:

**“From all food that is eaten**, that water came on it shall be impure.”

The Gemara answers: The verse is teaching us that two different kinds of liquids make food susceptible to impurity. The first half of the verse teaches about water that is

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<sup>8</sup> This point was discussed earlier (*daf* 14).

<sup>9</sup> One of the six types of crawling creatures mentioned by the Torah as having impurity.

## Perek 1 – 16a

detached from the ground and put in a utensil, and the second half of the verse teaches about water that is still connected to the ground.

And **one needs** to be taught both cases.

**Because if we were told** only about **detached water**, I would say that specifically this type of water makes food susceptible to impurity, **because one gave it significance** by putting it in a utensil.

**But liquids connected** to the ground, **I would say** that **no**, they do not make the food susceptible to impurity. This is because one did not do something to show that they have significance.

**And if we were only taught** about **connected** water, one would say that it makes food susceptible **because it is standing in its natural place**, and that gives it significance.

**But detached** water, **I would say** that **no**, it does not make the food susceptible to impurity.

Therefore **we need** both parts of the verse.

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Contradiction #2:

The Gemara cites another verse that seems to disprove Rav's view (as explaining Rabbi Yosi ben Yoezer), that liquids never become impure according to Torah law.

**Come and hear** a proof that liquid has impurity according to the Torah: **“But a spring, a well, a pool of water shall be pure”**. This is because water that is connected to the

## Perek 1 – 16a

ground cannot become impure. This implies, unlike Rav's view, that water that is not connected to the ground can become impure.

The Gemara answers: **What** does “**shall be pure**” mean? A person who immerses in it shall become pure **from his impurity**, but the verse is not talking about the impurity of the water at all.

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The Gemara goes back to the earlier discussion where, to answer a question on Rav, we said that the Torah has to tell us that both “detached” and “connected” water makes food susceptible to impurity.

The Gemara raises a difficulty: How could we say that the first half of the verse is telling us that “detached” liquid makes food susceptible to impurity?

**But does “detached” liquid make things susceptible** to become impure?

**But Rabbi Yosi ben Rabbi Chanina said**, regarding **liquids of the slaughtering area** in the Temple Courtyard: **not only are they pure, but they do not even make food *susceptible*** to become impure.

The Gemara assumes that this is because according to Torah law, detached liquids do not make food susceptible to impurity. And in the Courtyard, the Rabbinical law was waived.

The Gemara answers: We may **explain it**, that these liquids do not create susceptibility to impurity, as **referring to blood** of sacrifices. But other detached liquids will indeed make food susceptible to impurity.

And why is blood different?

## Perek 1 – 16B

**Because Rabbi Chiya bar Abba said** in the name of **Rabbi Yochanan: From where do we know that the blood of sacrifices does not make food susceptible** to become impure?

**Because it says** concerning regular animal blood, “**On the earth you shall pour it, like water.**”

This teaches: Regular **blood**, which is **poured** on the earth **like water**, **makes food susceptible** to impurity.

### **Ammud Bet**

But **blood** of sacrifices, **which is not poured** on the earth **like water**, **does not make food susceptible** to impurity.

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The Gemara questions the above answer:

**Rav Shmuel bar Ami challenges it: But** what about **oozing (*tamtzit*) blood**, i.e. the blood that flows out after the animal is already dead, **which is spilt like water** because it is not fit to be thrown on the Altar?<sup>10</sup>

**And nevertheless, it does not make food susceptible** to impurity!

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<sup>10</sup> Because only life-blood, that which comes out at the moment of slaughtering, is fit for the Altar, as it says: “*Ki hadam hu banefesh yechapeir*,” “Because the blood atones with the life (*nefesh*).”

## Perek 1 – 16B

When Rabbi Yosi bar Chanina said that the liquids (i.e. the blood) of the slaughtering area do not make food susceptible, this includes even oozing blood.

The Gemara answers: **Rabbi Zeira said to him: Leave oozing blood** aside. It does not pose a difficulty, **because even concerning *chulin*** (i.e. the blood of regular, non-consecrated animals) **also, it does not make food susceptible.** This is because it is not considered blood at all.<sup>11</sup>

The Gemara concludes: **Rav Shmuel bar Ami accepted** this answer **from him, because the Torah says: “Only be strong to not eat the blood, because the blood is the life.”** This implies that blood on which life is not dependent is not called blood.

Thus we derive the following law: **Blood that the animal’s life leaves with** at the moment of slaughtering, **it is called blood. Blood that the life does not leave with, it is not called blood.**

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Contradiction #3 to Rav, who holds (in expaining Rabbi Yosi ben Yoezer) that according to Torah law, blood cannot become impure, and therefore Rabbi Yosi ben Yoezer meant that the Rabbinic impurity of liquids in the courtyard is waived altogether.

**Come and hear** a proof that liquid has impurity according to the Torah: The Baraita says: Regarding **blood that became impure, and someone** i.e. a Cohen **threw it** on the Altar.

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<sup>11</sup> And if it is not called blood, it is not considered a liquid, because the source of blood being considered a liquid is the verse: “He will drink the *blood* of corpses”.

## Perek 1 – 16B

If he threw it **inadvertently**, it the sacrifice **is accepted** on High. Those who brought it attain the requisite atonement, and the Cohanim may eat the meat. This is because the *tzitz* (gold frontlet) worn by the Cohen Gadol renders impure sacrificial blood acceptable on High, when this blood is thrown on the Altar inadvertently.

But if the Cohen who threw it knew that the blood was impure, and threw it **intentionally**, the Sages imposed a penalty that the *tzitz* will not be effective. The sacrifice is not considered accepted on High, and the meat may not be eaten.<sup>12</sup>

We see that sacrificial blood indeed has impurity, and when Rabbi Yosi ben Yoezer said that blood in the Courtyard has no impurity, he must mean that it does not render *other* things impure. This contradicts Rav, who says that even the blood itself does not become impure.

The Gemara answers: The impurity spoken of in this Baraita is **Rabbinical**, and the Baraita is **not in accordance with** the view of **Rabbi Yosi ben Yoezer of Tzereida**,<sup>13</sup> who said on *ammud alef* that the Sages did not decree Rabbinical impurity on liquids in the Temple Courtyard.

\*

Contradiction #4 to Rav, who says (that Rabbi Yosi ben Yoezer's opinion is) that according to Torah law, liquids cannot become impure:

**Come and hear** a proof that liquid has impurity according to the Torah: **What** types of improper things **does the *tzitz* render acceptable** on High?

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<sup>12</sup> However, the person who brought the sacrifice attains the requisite atonement, and does not have to bring another sacrifice. For according to Torah law, the sacrifice is indeed accepted on High.

<sup>13</sup> *Tosafot* point out that if we are already saying that the Baraita is not like Rabbi Yosi ben Yoezer, we could have also said that the Baraita simply holds like the Tannaic view that blood *does* become impure according to Torah law.

## Perek 1 – 16B

**For blood** that became impure and was thrown on the Altar inadvertently,

**And for meat** that became impure before the blood was thrown.<sup>14</sup>

**And for *cheilev***, the fat meant to be burnt on the Altar, **that became impure**. And thanks to the *tzitz*, it may be burnt on the Altar.

And the *tzitz* makes them acceptable, **whether** they were rendered impure **inadvertently** (i.e. the Cohen did not know that it is forbidden to make them impure), **whether intentionally, whether by force and whether willingly, whether concerning a sacrifice of a private person, and whether concerning the sacrifice of the public.**

We see here that blood contracts impurity according to Torah law, and the Sages did not waive its impurity in the Temple Courtyard. This contradicts Rav.

The Gemara answers as before: The impurity of the blood here is only Rabbinic, **and it the Baraita is not in accordance with Rabbi Yosi ben Yoezer of Tzereida** who says that the Sages decreed no impurity on liquids in the Temple Courtyard.

\*

Contradiction #5 to Rav:

**Come and hear** a proof that liquid has impurity according to the Torah: The verse says concerning the *tzitz*: “It shall be on Aharon’s<sup>15</sup> forehead, **and Aharon shall bear the transgression of the *kodoshim*.**”

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<sup>14</sup> The rule (according to Rabbi Yehoshua) is that if the meat of the sacrifice became invalid or lost, one no longer throws its blood on the Altar. This results in the sacrifice being totally invalid. However, this is only if the meat went out of its regulation precincts or got lost. But if it became impure, the *tzitz* makes it acceptable (as far as atonement goes), and its blood can be thrown on the Altar, rendering the sacrifice acceptable on High.

<sup>15</sup> Aaron’s

## Perek 1 – 16B

**And what transgression does he bear**, i.e. neutralize, in order that the sacrifice will be acceptable on High?

If it is **the transgression of *pigul***, that while slaughtering, the Cohen had in mind to eat the meat outside its regulation time, this cannot be. For **it already says** about this, **“It shall not be accepted.”**

**And if it is the transgression of *notar***, that the meat was actually left over, beyond its regulation time, **it already says** about this, **“It shall not be considered.”**

**Rather**, we must say **that it only bears** i.e. neutralizes **the transgression of impurity**. There is good reason to apply the leniency created by the *tzitz* to the case of impurity, **because** we see that **it impurity is sometimes permitted**, in the case of a **public sacrifice**<sup>16</sup>.

The Gemara asks: **What** does the Baraita mean by **“transgression of impurity?”**

**Does it not mean impurity of blood?**

And this contradicts Rav, who says that liquid has no impurity according to Torah law, and that the Sages waived its Rabbinical impurity altogether in the Temple Courtyard.

The Gemara answers: **Said Rav Pappa: No**, it refers to **impurity of *kematzim*** – the handful of the flour-offering that is burnt on the Altar and thereby effects atonement for that type of offering.

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<sup>16</sup> That a public sacrifice is brought even if all *Cohanim* are impure.

## Perek 1 – 16B

Contradiction #6 to Rav:

**Come and hear** a proof that liquid has impurity according to the Torah: In the second year of the rule of Daryavesh,<sup>17</sup> when the Jews were building the Second Temple, the Prophet Chaggai tested the Cohanim's knowledge of the laws of impurity which they had partially forgotten during the exile, when they were not dealing with sacrifices. As it says: "So says Hashem of H-sts: 'Please ask the Cohanim the law, saying:

**"If a man carries the flesh of a *sheretz* in the corner of his garment, and [the *sheretz*] in the garment touches bread, and porridge, and wine, and oil, and any food, will it [the food] be impure?"**" All the foods listed are *kodoshim*.

This verse is to be interpreted as the *sheretz* touching the first food item, and then the first food item touching the second, and so forth. Thus we have *sheretz* (principle impurity) – bread (1<sup>st</sup> level) – porridge (2<sup>nd</sup> level) – wine (3<sup>rd</sup> level) – oil and any food (4<sup>th</sup> level). And Chaggai was asking them if impurity of *kodoshim* reaches the 4<sup>th</sup> level.

And the verse writes afterwards: **"And the Cohanim answered and said, 'No!'"**

They mistakenly said that 4<sup>th</sup> level in *kodoshim* does not become impure.

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<sup>17</sup> Darius

# Chavruta

## Pesachim – Daf Yud Zayin

Translated by: *Chavruta staff of scholars*  
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**And Rav said: The Cohanim erred.** Because there is 4<sup>th</sup> level impurity in *kodoshim*<sup>1</sup>.

However, according to Rav, liquids like wine and oil do not become impure at all. So why did he say that the Cohanim erred when they said that the oil was not impure?

The Gemara answers that the Prophet Chaggai was not asking the Cohanim about Torah impurity, but about Rabbinical impurity.

And **indeed, the reason** this posed a difficulty to Rav is **only according to** the statement of **Rav** that Yosi ben Yoezer said that liquids in the courtyard are “absolutely pure” and do not have impurity at all, even Rabbinically.

Therefore there is no contradiction, because **Rav learnt** that Yosi ben Yoezer said that in the Temple Courtyard, “**the liquids of the slaughtering place (*beit mitbachaya*)**” do not become impure. And that only includes water and blood.

But the Rabbis indeed decreed impurity on such liquids as wine and oil, which are brought to the place of the Altar (*beit midbachaya*).<sup>2</sup>

Therefore Rav was correct in saying that the Cohanim erred.

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<sup>1</sup> Consecrated items, such as sacrifices.

<sup>2</sup> If you ask, how can Rav say that the Cohanim erred? They were correct in saying that the oil had no *Torah* impurity! The answer is that it is obvious that Chaggai’s question was about Rabbinic impurity, because his list of food included bread making porridge impure, and wine making oil impure, and according to Torah law, food cannot make other food impure, and liquid cannot make other liquid impure.

## Perek 1 – 17a

The Gemara continues discussing Chaggai's test of the Cohanim.

Regarding the above-mentioned statement **itself: Rav said: The Cohanim erred.**

**And Shmuel said: The Cohanim did not err.**

The Gemara explains their disagreement:

**Rav says the Cohanim erred, because he asked them the law of 4<sup>th</sup> level impurity concerning *kodoshim* (as explained on the previous *daf*).**

**And they incorrectly said that it is pure.**

**And Shmuel said the Cohanim did not err, because he Chaggai asked them about 5<sup>th</sup> level impurity concerning *kodoshim*.**

**And they correctly told him that it is pure.**

The Gemara inquires: **It is all right for Rav - that is why four things are written** in the verse: **Bread, and porridge, and wine, and oil** or any food, because he asked them about 4<sup>th</sup> level impurity.

**But according to Shmuel** who says that he asked them about 5<sup>th</sup> level impurity, **from where does he have five things** in the verse?

The Gemara answers: Shmuel will say to you: **Is it written, “and his garment touches the bread?”** That would indeed suggest that the *sheretz*<sup>3</sup> in the garment touched the bread and made it 1<sup>st</sup> level.

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<sup>3</sup> One of the six crawling creatures mentioned in the Torah as having impurity.

## Perek 1 – 17a

However, it is written, “**And that in his garment** (*bichnafo*) **touches** the bread.”

This suggests that the *sheretz* in the garment first touched something else, and that item touched the bread. Thus the item is 1<sup>st</sup> level, the bread is 2<sup>nd</sup> level, the porridge 3<sup>rd</sup>, the wine 4<sup>th</sup>, and the oil or food 5<sup>th</sup>.

\*

The Gemara contradicts Rav, who says that the Cohanim did not make a mistake.

**Come and hear** a proof they did not err: The verse says afterwards: “**And Chaggai said: ‘If a person impure from a corpse** (*temei nefesh*) **touches all these, will it** (the last on the list) **be impure?’** **And the Cohanim answered and said: ‘It will be impure!’**”

The Gemara presumes that the order was the same as that with the *sheretz*. (The person who was impure from a corpse has principle impurity, since the corpse has prime principle impurity.) This person touched bread, the bread (1<sup>st</sup> level) touched porridge, the porridge (2<sup>nd</sup> level) touched wine, and the wine (3<sup>rd</sup> level) touched oil. Thus the oil of *kodoshim* is 4<sup>th</sup> level and will be impure.

**This is all right for Shmuel, because** just as **here** regarding a corpse, **they** the Cohanim **did not err**, having answered this time: “It will be impure”, **there** in the earlier question about a *sheretz*, **too, they did not err**. Since the questions are basically identical, there is no reason that they would err in one and answer correctly in the other.

**But according to Rav, why is it different here** concerning the *sheretz* **that they erred, and why is it different there** concerning a corpse **that they did not err?**

## Perek 1 – 17a

The Gemara answers: **Said Rav Nachman said Rabbah bar Avuha: They the Cohanim were knowledgeable about impurity of a corpse, but they were not knowledgeable about the impurity of a *sheretz*.** Therefore they made a mistake in the latter.

\*

**Ravina** gives a different answer to the difficulty posed to Rav, and **says: There** in the case of *sheretz*, the impurity of the oil (the last on the list) was **4<sup>th</sup> level**.

But **here** in the case of a corpse, the impurity of the oil was **3<sup>rd</sup> level**.

This is because Ravina understands *temei nefesh* in the verse differently. It does not mean “a person impure from a corpse” as we understood until now, rather “the impurity of a corpse” itself.

Therefore the bread that touches the corpse (which is *avi avot*) becomes an *av*, the porridge becomes 1<sup>st</sup> level, the wine 2<sup>nd</sup> and the oil 3<sup>rd</sup>.

And the Cohanim erred in the first question about *sheretz*, because they thought that there is only 3<sup>rd</sup> level impurity with *kodoshim*.

\*

The Gemara contradicts Shmuel who says that the Cohanim answered both questions correctly:

**Come and hear** a proof that the Cohanim erred in at least one of their answers : The verse says afterwards: **“And Chaggai announced and said: So is this nation and so is this people before me, says Hashem, and so are all the work of their hands and that which they sacrifice there. It is impure!”**

## Perek 1 – 17a

This is **all right according to Rav** who says that the Cohanim made a mistake concerning *sheretz*. **That is why it is written** that the work of their hands is **impure**.

**But according to Shmuel**, who said that the Cohanim made no mistake, **why** was the work of their hands **impure**?

The Gemara answers: **He Chaggai said it rhetorically**: Since they are expert, is it possible that the work of their hands is impure? No, it is impossible.

The Gemara rejects this answer: **But it is written**: “**And so is all the work of their hands,**” which is not a rhetorical phrase.

Therefore the Gemara gives another answer: **Said Mar Zutra, and if you want to say**, it was **Rav Ashi** who said it:

**Because they corrupted the work of their hands** later during the time of the Second Temple with other sins, **the verse considers it as if they sacrificed in impurity** as well.

\*

The Gemara continues to discuss Chaggai’s test to the Cohanim.

Regarding the above-mentioned statement **itself**: **Rav taught** that Rabbi Yosi ben Yoezer said that the **liquids** (water and blood) **of the slaughtering area** in the Temple courtyard are pure.

**And Levi taught** that Yosi ben Yoezer said that **liquids of the Altar area** (this includes water, blood, and also wine and oil) are pure.

**According to Levi, it is all right if he holds like Shmuel, who said**: “These liquids are **pure as regards making other things impure, but they have impurity of themselves.**”

According to this, the Cohanim gave the correct answer to Chaggai’s first question when

## Perek 1 – 17a

they said that the oil (last on the list) was pure, because the oil was touched by wine, and wine cannot impart impurity in the Temple.

And when he asked them the second question about the corpse, a way **can be found** to explain that they answered correctly. **For** unlike the first question where the foods touched one another in successive order, **in** this second question **they all** (the bread, porridge, wine and oil) **touched the first** thing on the list. They touched the person impure from a corpse, and that is why they all became impure. (Note: This is different than the way the Gemara explained this verse before).

**But if he Levi holds like Rav who said** that these liquids are “**absolutely pure**” and do not receive impurity at all, **how can** a way **be found** to explain that the wine and oil in the second question became impure? It would seem that the Cohanim made a mistake there by declaring the liquids impure, yet we saw earlier that all views agree that the Cohanim did not err in the second question!

The Gemara concludes: Indeed, **you are forced to say that he Levi holds like Shmuel.**

\*

The Gemara now questions whether Shmuel can hold like Levi.

**And according to Shmuel,** who says that the Cohanim did not err when they answered the first question—

It is **all right if he holds like Rav** in what **he taught** that **the liquids of the slaughtering area** are pure, **but liquids of the Altar area** (including oil and wine) **make even other things impure.** That is why the wine that was **4<sup>th</sup> level** **could not make** the oil **into 5<sup>th</sup> level,** because there is no such thing as 5<sup>th</sup> level impurity.

## Perek 1 – 17a

**But** theoretically, **3<sup>rd</sup> level** wine **would make** the oil to be **4<sup>th</sup> level**, because liquids of the Altar area can render other things impure.

**But if he Shmuel holds like Levi, who taught** that “**liquids of the Altar area** (including wine and oil) are pure,” then a difficulty arises: **Why** did Chaggai **deal** with a case that **4<sup>th</sup> level** wine **does not make** oil into **5<sup>th</sup> level**? **Even 2<sup>nd</sup> level** wine, **too, cannot make** wine into **3<sup>rd</sup> level**?

The Gemara concludes: Indeed, **you are forced** to say that **he Shmuel holds like Rav**, that only the liquids of the slaughtering area have no impurity.

\*

The Gemara now brings support from Baraitot for both Rav (who says that only slaughtering area liquids are pure) and for Levi (who says that even liquids of the Altar area are pure):

**It is taught** in a Baraita **in accordance with Rav**. **And it is taught** in a Baraita **in accordance with Levi**.

**It is taught** in a Baraita **in accordance with Levi**: Regarding **blood and wine and oil and water**, which are **liquids of the Altar<sup>4</sup>**, **that they came in contact with impurity** while **inside** the Temple Courtyard:

**If one took them outside** the area permitted to them, and they thereby became invalidated as *kodoshim*, they remain **pure**. This is because at the time they came into contact with impurity, they were inside the Temple Courtyard—where the Rabbinic decree about liquid’s impurity does not apply.

## Perek 1 – 17a

But **if they were made impure outside** the Courtyard, and **one brought them inside, they are impure**, because once they become impure outside, the impurity does not leave them.

\*

The Gemara contradicts the law stated in the Baraita:

**Is this so**, that the liquids will be pure even after leaving the Courtyard? **Rather** the law is to the contrary. For **Rabbi Yehoshua ben Levi said**: Regarding **the liquids of the Altar area, they** the Sages **only said** that they are **pure** while still **in their place** in the Courtyard.

**Is this not to exclude** liquids of the Altar **that came into contact with impurity inside, and one took them outside?**

The Gemara answers: **No**, it comes **to exclude** liquids of the Altar area **that became impure outside, and one brought them inside**. And the Baraita agrees that they are impure.

\*

The Gemara challenges this answer: **But it** the Baraita **said**: “They only said that liquids are pure while still **in their place**”. This clearly implies that they become impure when they are out of their place.

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<sup>4</sup> Blood is thrown on the Altar, wine and water come as libation offerings, and oil is burnt with the handful (*kometz*) taken from the flour offerings.

## Perek 1 – 17a

The Gemara responds: **This is what it the Baraita is saying: They only said** that the liquids are pure if they **contacted impurity in their place**, and then they remain pure even after going out the Courtyard.

In conclusion, we see that the Baraita states that the special exemption from impurity applies to “liquids of the Altar area”, like Levi says. (Unlike Rav who says that this exemption applies only to liquids of the slaughtering area).

\*

Now the Gemara brings support for Rav’s view.

**It is taught** in a Baraita **in accordance with Rav**, who says the exemption applies to “liquids of the slaughtering area:”

Regarding **blood and water**, which are **liquids of the slaughtering area**, **that came into contact with impurity**:

**Whether they were in utensils** or **whether they were in a depression in the ground**, they are **pure**.

### **Ammud Bet**

**Rabbi Shimon says: In utensils they are impure.** Only **in the ground** are they **pure**. This accords with his view earlier (16a) that liquids become impure according to Torah law, and there is no room for leniency. (The reason why liquids in the ground are pure will be explained later.)

## Perek 1 – 17B

In conclusion, the Baraita states that the special exemption from impurity applies to “liquids of the slaughtering area”, like Rav says. Whereas Levi says that this exemption applies even to liquids of the Altar area.

\*

The Gemara quotes an unusual view of Rav Papa concerning liquids, and then disproves it:

**Said Rav Papa: Even the one who says that impurity of liquids is Torah mandated,** nevertheless, **liquids of the slaughtering area** are pure. This is because **it is learnt as an orally transmitted halachah** from Sinai. This differs from what the Gemara until now, that liquids in the Courtyard can only be pure if the impurity of liquids is Rabbinic.

**Rav Huna the son Rav Natan said to Rav Papa: But** according to you, how shall we understand **that** statement **which Rabbi Elazar said** on *daf* 16a? For there he said: **Liquids have no impurity at all** according to the Torah. And we may **know** that this is so, **because Yosi ben Yoezer of Tzereida testified concerning the liquids of the slaughtering place** that they are **pure**. This shows that the impurity of liquids is Rabbinic, because otherwise the Sages could not waive Torah impurity.

**And if** it is as you say, that **it** (the purity of liquids in the Courtyard) **is learnt as a halachah** from Sinai, **how can we derive from it** (Rabbi Yosi ben Yoezer’s rule) that impurity of liquids is Rabbinic?

**Said Ravina to Rav Ashi:** One can raise yet another contradiction to Rav Papa.

**For note that Rabbi Shimon** is the one **who says that impurity of liquids is Torah mandated,** as it was taught in a Baraita (16a): **Rabbi Yosi and Rabbi Shimon say: If**

## Perek 1 – 17B

there is a doubt whether liquid imparted impurity **to utensils, they** the utensils **are pure**, because liquids only make utensils impure Rabbinically.

But if the doubt is whether liquid imparted impurity **to foods, they** the foods **are impure** because liquid makes food impure according to the Torah.

**And here, Rabbi Shimon said** that liquid in the Courtyard **that is in utensils** is **impure**, and **in the ground** it is **pure**.

**But if** Rav Papa was right in saying that there is an orally transmitted **halachah** from Sinai that liquids in the Courtyard are pure, **what difference** is it **to me** if the liquid is in **utensils, and what difference to me** if it is **in the ground?** It should always be pure!

The Gemara concludes: This is indeed **a difficulty** to Rav Papa, and the Gemara provides no answer.

\*

The Gemara now explains why Rabbi Shimon holds that liquid in the ground is pure in the Temple Courtyard.

**Said Rav Papa: That which you said**, that Rabbi Shimon says that liquid **in the ground** is **pure, we only teach** this **concerning water**. Because when it is connected to the ground, it is considered like a *mikveh*, a purifying pool, which cannot contract impurity.

**But** Rabbi Shimon was **not** talking about **blood**, which will indeed contract impurity in the Courtyard, even on the ground. This is because Rabbi Shimon holds that impurity of liquids is Torah mandated.

## Perek 1 – 17B

**And** even concerning **water, too, we only say** that water on the ground is pure **when it is a *revi'it***<sup>5</sup> (volume of an egg and a half). **For** then it is **fitting to immerse in it needles and forks.**<sup>6</sup> Such water becomes impure only Rabbinically, when it is outside the Temple, because according to Torah law it constitutes a type of *mikveh*. And in the Courtyard of the Temple, this Rabbinic impurity was waived.

**But if it is not a *revi'it*,**<sup>7</sup> even water is **impure.**

\*

The Gemara continues discussing the views in the Baraita brought on *daf* 16a, whether liquids have impurity or not.

One **master said** in that Baraita:

(Rabbi Meir holds the view: Doubtfully impure liquids in a private domain are considered impure, because liquids become impure according to Torah law. But in a situation of doubt, an impure liquid does not render other things impure, because liquids render other things impure only Rabbinically, and Rabbinic law is lenient in doubtful cases.)

But **Rabbi Yehudah says: It** a liquid renders other things **impure in every** doubtful case, even if the doubt concerns rendering food or utensils impure.

The Gemara objects: Does that mean **to say that Rabbi Yehudah holds that the impurity of liquids to make utensils impure is Torah mandated?**

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<sup>5</sup> A person needs 40 *se'ah* of water only because the Torah writes, “He shall wash his whole flesh,” and the Sages learn from there that the water must be enough to contain one’s whole body. This does not apply to utensils.

<sup>6</sup> Small forks used to spin gold.

<sup>7</sup> Rashi points out that even though a *revi'it* of liquid is required for the liquid to render something else impure, to become impure itself is possible with the tiniest amount of liquid.

## Perek 1 – 17B

**But it was taught otherwise in a Mishnah: Regarding all utensils that have an inside and an outside, both of which can be used, like pillows and covers and sacks and leather sacks. If the inside was made impure by touching something impure, the outside also becomes impure.**

**But if the outside became impure, the inside does not become impure.**

**And said Rabbi Yehudah: When do we say this, that the inside does not become impure?**

**When it the utensil in question became impure from liquids.**

**But if it became impure from a *sheretz*, then if the inside became impure, the outside is surely impure, and if the outside became impure, the inside also becomes impure.**

The assumption behind Rav Yehudah's ruling is that impurity imparted from liquid to utensils is only Rabbinic<sup>8</sup>, whereas that imparted by a *sheretz* is by Torah law. The Sages wanted to treat impurity imparted by liquid more leniently, to differentiate between the two.<sup>9</sup>

**But if you think that Rabbi Yehudah holds that “the impurity of liquids to make utensils impure is Torah mandated,” what is the difference to me if these utensils were made impure from liquids, what is the difference to me if they were made impure from a *sheretz*?**

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<sup>8</sup> The reason the Sages decreed impurity on liquids is because the discharge and urine (liquids) of a *zav* impart impurity according to the Torah.

<sup>9</sup> This is so that people don't burn *terumah* and *kodashim* that came into contact with impure liquids. For burning pure *terumah* is a Torah prohibition, and if the impurity it contracted is only Rabbinic, burning the *terumah* is forbidden.

## Perek 1 – 17B

The Gemara answers: **Said Rav Yehudah said Shmuel: Rabbi Yehudah retracted** from his view as cited in the Baraita of *daf* 16a. He no longer holds that impure liquids render utensils impure in a doubtful situation.

\*

Another answer:

**Ravina said: In truth, he** Rabbi Yehudah **did not retract. That** which he says in the second Baraita is dealing **with liquids whose impurity came from** touching an ordinary person's **hands**. This is because regarding hands, the Sages made a special decree, over and above the regular laws of impurity. They decreed that even a pure person's hands are considered impure, unless they were washed as prescribed by Halachah and subsequently guarded.

Furthermore, if someone's unwashed hands touch liquid, the Sages decreed that the hands impart to the liquid 1<sup>st</sup> level impurity. Yet they differentiated between the 1<sup>st</sup> level impurity coming from hands, and the 1<sup>st</sup> level impurity coming from a *sheretz*. The 1<sup>st</sup> level impurity coming from hands is treated more leniently. As the second Baraita rules regarding utensils: "if the outside became impure, the inside does not become impure".

**And that** which Rabbi Yehudah rules stringently in the earlier Baraita is dealing with **liquids whose impurity came from a sheretz**. This liquid renders utensils impure according to Torah law.

\*

The Gemara disproves Ravina's answer:

## Perek 1 – 17B

If so, a problem arises: **when he** Rabbi Yehudah **teaches** in the second Baraita: **“When do we say this,** that the inside remains impure? **When it** the utensil in question **became impure from liquids.** But if it became impure from a *sheretz*,” the utensil always becomes completely impure.

Instead of contrasting impure liquids to *sheretz*, **he** Rabbi Yehudah should rather **make a distinction** between the two types of impure liquids. **And** he should **teach** a case that shows the distinction **in it** liquid **itself.**

I.e. he should say as follows:

**When do we say this,** that the inside of the utensil remains pure? **With liquid whose impurity came from touching hands.**

**But** if the utensil became impure **from liquids whose impurity came from** touching a *sheretz*, then if **the inside becomes impure, the outside also becomes impure.** And if **the outside becomes impure, the inside also becomes impure.**

The fact that Rabbi Yehudah does not make this distinction proves that he was not speaking of liquid that touched ordinary hands. Rather, he holds that even liquid that is impure from a *sheretz* cannot make something impure according to the Torah.

Therefore the Gemara concludes: **Rather,** it is **correct as we answered in the beginning—that Rabbi Yehudah retracted** from his view in the first Baraita.

\*

The Gemara now inquires whether Rabbi Yehudah retracted completely, or only partially (concerning the ability of liquid to make things impure).

## Perek 1 – 17B

They the scholars of the study hall **posed an inquiry:**

**Did he** Rabbi Yehudah **retract** only **from** the ruling that liquids make **utensils** impure, **but concerning** impurity of **food he** still **holds like Rabbi Yosi and Rabbi Shimon** (16a), that liquid renders food impure by Torah law?

**Or perhaps, he retracted completely** and holds **like Rabbi Meir** that liquid does not even render food impure.

**Said Rav Nachman bar Yitzchak: Come and hear** a proof that Rabbi Yehudah retracted completely, from a Baraita: Regarding **a cow that drank the purifying water** i.e. water into which was mixed the ashes of the *Parah Adumah*, the Red Heifer. This water has the impurity of an *av hatum'ah* (principle impurity).

A live cow cannot become impure. But after the cow is slaughtered...

# Chavruta

## Pesachim – Daf Yud Chet

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

**Rabbi Yehudah says:** The water is nullified in its the cow's innards<sup>1</sup> and no longer renders anything impure.

**And if you think** that Rabbi Yehudah only **retracted from** his ruling that liquids render **utensils** impure, **but concerning** liquids rendering **food** impure he did not retract, thus **he holds like Rabbi Yosi and Rabbi Shimon**, that liquids render food impure according to Torah law—

**Why is it** the water **completely nullified in its** the cow's innards?

**Even though it** the water **will not make** things like people and utensils **impure** with **severe impurity** (i.e. the water will not act as an *av hatum'ah*), **nevertheless, it should make** things like food **impure** with **light impurity** (i.e. the water should act as 1<sup>st</sup> level impurity).

This is because the water is viewed as “touching itself”. I.e. it has contact with its previous status of primary impurity (*av hatum'ah*), and should receive 1<sup>st</sup> level impurity due to its contact with its former status. Yet, we see that it fails to impart impurity to food.

This proves that Rabbi Yehudah retracted completely, and now holds that liquids do not even make food impure according to Torah law.<sup>2</sup>

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<sup>1</sup> Since the water can no longer be used for sprinkling on people to purify them, it no longer renders anything impure.

## Perek 1 – 18A

The Gemara rejects the above proof that Rabbi Yehudah retracted completely:

One can argue that **what** does Rabbi Yehudah **indeed** mean when he says the water is “**nullified in its innards?**” That it is nullified **from severe impurity** and is no longer an *av hatum'ah*. **But it does make food impure with light impurity** because it has 1<sup>st</sup> level impurity.

The Gemara replies: **According to that, the first Tanna** who differs with Rabbi Yehudah must **hold** that **it** the water **makes** even people and utensils **impure with severe impurity**.

**But** that is impossible, because **he** the first Tanna **teaches** merely that the water renders “**its meat impure.**” Thus, he holds that the water has only 1<sup>st</sup> level impurity. And it is not plausible that Rabbi Yehudah, who differs with the first Tanna, is saying essentially the same thing as the first Tanna did.

Therefore we have proved that Rabbi Yehudah retracted completely.

\*

The Gemara now rejects the above proof that Rabbi Yehudah retracted completely, based on a different approach:

We could say that **the whole Mishnah is Rabbi Yehudah, and it is missing words, and this is how it teaches:**

**A cow that drank the purifying water** of the red heifer, **its flesh is impure.**

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<sup>2</sup> Even though everyone agrees that liquids do impart impurity Rabbinically, the case of a cow drinking the

## Perek 1 – 18A

**When do we say this? Concerning light impurity**, that the water makes the flesh impure.

**But** regarding **severe impurity**, to render people and utensils impure, the water does **not** do this. Because **Rabbi Yehudah says: It the water is nullified in its innards.**

Therefore, we have refuted the proof that Rabbi Yehudah retracted completely.

\*

The Gemara now suggests a totally different way to refute the proof that Rabbi Yehudah retracted completely:

**Rav Ashi said: In truth**, Rabbi Yehudah means that **it the water is completely nullified** in the cow's innards, and does not even render food impure.

And why does it not render food impure, if Rabbi Yehudah did not completely retract and he still holds that liquids can render food impure according to Torah?

**Because it is spoiled liquid** and therefore is not regarded as impure at all. But ordinary impure liquids indeed render other things impure (see footnote).<sup>3</sup>

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The Gemara now discusses which verse in the Torah teaches that impure liquids render food impure.

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water of the red heifer is unusual, and the Rabbis did not decree in such a rare case.

<sup>3</sup> Because it says in *Torat Cohanim* concerning impure liquids: “And every liquid that is drunk in every utensil,” this excludes spoiled liquid.

## Perek 1 – 18A

We learnt earlier (Baraita on *daf* 16a): **Rabbi Yosi and Rabbi Shimon say:** When there is a *doubt* if impure liquids touched something, **concerning** rendering **food** impure, we say that the foods **are impure**. But **concerning** rendering **utensils** impure, we say that the utensils **are pure**.

**Said Rabbah bar bar Channah said Reish Lakish: Rabbi Yosi said this according to the view of Rabbi Akiva his master, because he Rabbi Akiva expounded** a verse that says “**will be impure**” (*tamei*) as meaning “**will make something else impure**” (*yetamei*).

**For it was taught in a Mishnah: On that day** that they appointed Rabbi Elazar ben Azaria as head of the Sanhedrin, **Rabbi Akiva expounded:** It is written concerning *sheratzim*,<sup>4</sup> “**And every earthenware utensil that one of them [*sheratzim*] falls into it,** whatever is in it will be impure, and you shall break it, including all food that water came on it will be impure (*yitma*), and all liquid that is drunk in any utensil will be impure.”

**The verse does not say *tamei* (is impure) but *yitma* (will be impure).** Because of the added letter *yud* we read it as if says *yetamei*, that the food in the pot will render **other things** impure.

**This teaches concerning a loaf** in the utensil that is **2<sup>nd</sup> level impurity** (because the utensil itself became 1<sup>st</sup> level from the *sheretz*), **that it makes** something else **3<sup>rd</sup> level impurity regarding *chulin*** (regular, unconsecrated food).

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**And Rabbi Yosi, how does he expound,** i.e. in what way does he say the same as Rabbi Akiva concerning liquids?

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<sup>4</sup> One of the six types of crawling creatures mentioned by the Torah as having impurity.

## Perek 1 – 18A

Because the verse continues: “**And all liquid that is drunk in any utensil will be impure** (*yitma*).”

And Rabbi Yosi understands that here too, *yitma* is read as *yetamei* – **to make** food that was touched by impure liquid **impure with the impurity of food**.

And, continues Rabbi Yosi in his explication of the verse, if you would object to me, saying as follows:

**You** Rabbi Yosi **say** that it (*yitma*) means for liquid **to make** food **impure with the impurity of food**—

**Or** maybe it does not mean that, **rather** the verse comes **to make** other *liquids* (and not food) touched by impure liquid to be **impure with the impurity of liquid!**

To answer that objection, **you** should **say** as follows: **It was not like this** elsewhere (this phrase will be explained in next section). Therefore we must understand the verse as saying that liquids render *food* impure— not that liquids render other liquids impure.

\*

The Gemara inquires: **What** does Rabbi Yosi mean when he answers: **It was not like this** elsewhere?

**Said Rav Papa:** It means that elsewhere (later on *ammud bet*) too, **we do not find** that **an impure thing makes** something that is **the same as it** to be impure. Thus the liquid must be imparting impurity to something different, i.e. food.

## Perek 1 – 18A

**Ravina said: From the text of the verse, too, we see that you cannot say that *yitma* means for a liquid to make other liquid impure with the impurity of liquids.**

**Because if you think that *yitma* of the end of the verse means for a liquid to make other liquid impure with the impurity of liquids—**

That would not make sense, because *yitma* of the beginning of the verse (concerning impure food) is also saying the same. It is teaching that impure food makes liquid impure with impurity of liquids.<sup>5</sup> So it would emerge that the whole verse is speaking about making liquids impure.

If so, why does the verse split in two, and first speak about impure food and then about impure liquids?

**It should rather combine them and write them together as follows: “Any food that is eaten, that water came on, and every drink that is drunk in every utensil, will be impure (*yitma*).”**

**Why do I need to write the word “*yitma*” twice?**

**Rather, we are forced to say that the *yitma* of the beginning, regarding impure foods, is for food to make liquid impure with the impurity of liquids.**

And the *yitma* of the end is for liquid to make food impure with the impurity of foods.

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After explaining that Rabbi Yosi derives that liquids make food impure because the verse writes “*yitma*,” the Gemara raises a difficulty:

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<sup>5</sup> *Tosafot* objects that the reason Rashi gives to explain this point here is inadequate.

## Perek 1 – 18A

**And** why not **say** that *yitma* comes to say that liquids have the ability **to impart impurity** even to **utensils**? Yet, Rabbi Yosi says that a doubtfully impure liquid does not render utensils impure, implying that liquid renders utensils impure only Rabbinically.

The Gemara answers: **Is it not** learned from a *kal vachomer*<sup>6</sup>, that liquids do not render utensils impure according to Torah law?

The reasoning is as follows: **If an utensil, which makes liquid impure, cannot make another utensil impure**, as we will learn later—

**Liquids**, whose impurity **comes from a utensil** (this is the case in the verse under discussion), **is it not logical that they will not make utensils impure?**

This is because liquid cannot be more severe than the utensil that made it impure.

The Gemara tries to refute this *kal vachomer*: **And say** that when **they** liquids **do not make** utensils **impure**, that is if they are **liquids that came** to their impurity **because of touching a utensil**.

**But liquids that come** to impurity **because of** directly touching a *sheretz*, **here too, they should make utensils impure**. This is because there is no longer a *kal vachomer* to say otherwise. So why is Rabbi Yosi lenient in the case of every impure liquid touching utensils?

The Gemara answers: **Are liquids that come** to impurity **because of** touching a *sheretz* **written** in any verse?

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<sup>6</sup> *A fortiori* reasoning.

## Perek 1 – 18B

### **Ammud Bet**

**Do they not themselves come from a *kal vachomer*?** I.e. the source that such liquids become impure is the following *kal vachomer*: **If liquids, which come to impurity because of touching a utensil, make other items impure, liquids that come to impurity because of contact with a *sheretz*, how much more so.** The *kal vachomer* is that a *sheretz* is principle impurity, whereas the utensil spoken of in the verse is merely 1<sup>st</sup> level impurity.

And therefore we apply the principle of *dayo*<sup>7</sup>, “it is sufficient to say”: **It is sufficient to say that the matter that was derived from the *kal vachomer* should be like** and no stronger than **the subject** from which it was derived.

In this case, the matter of “liquid that became impure from a *sheretz*” was derived from the subject of “liquid that became impure from a utensil”. Just as the latter cannot render utensils impure, so the former cannot render utensils impure.

\*

The Gemara returns to examining the statement of Rabbi Akiva: that impure food renders other things impure, as derived from the word *yitma*:

**How does he** Rabbi Akiva **expound** the word *yitma* **at the beginning** of the verse? It says: “And every earthenware utensil that one of them [*sheratzim*] falls into it, whatever is in it will be impure, and you shall break it, **including all food that water came on it will be impure** (*yitma*), and all liquid that is drunk in any utensil will be impure.”

## Perek 1 – 18B

And Rabbi Akiva understands that *yitma* is read *yetamei*, to teach that **it food makes liquids impure.**

The reasoning is as follows: **You say** that it means **to make liquids impure—or** perhaps you will argue that it means otherwise: **it only imparts impurity to a utensil.**

To refute such an argument, **you can say** a *kal vachomer*. **If liquid, which makes food impure, but cannot make an utensil impure<sup>8</sup>, then it follows that food, which cannot even make food impure<sup>9</sup>, is it not logical to say that it will not make an utensil impure?**

Therefore, **what do I do with** the word *yitma* written about food? I use it **to make liquids impure** from contacting food. **Because they liquids are** always **susceptible to accepting impurity**, unlike food that can only become impure after it becomes wet.

\*

The Gemara questions the last sentence of the above discussion:

**Why say** to explain why liquid receives impurity from food: **“because they liquids are** always **susceptible to accepting impurity”?**

Even without saying that, we may **infer it**—the law that food renders liquids impure—simply **because there is nothing else** that we can say is rendered impure by food, other than liquid. This is because we have already said that food and utensils do not contract impurity from food.

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<sup>7</sup> Similar to the philosophical rule called “Occam’s razor”, this Talmudic principle requires that a conclusion from a *kal vachomer* not be applied in an unnecessarily broad way.

<sup>8</sup> As said on *ammud alef*

## Perek 1 – 18B

The Gemara answers: **This is what he** (Rabbi Akiva) **was saying:** We said earlier that food cannot render an utensil impure, because of the *kal vachomer* that liquids cannot make utensils impure.

**And if you say** that the *kal vachomer* is mistaken, because **food is more severe** than liquids **since it makes liquids impure**, whereas liquids cannot make liquids impure, and therefore **it food should indeed make a utensil impure—**

That argument is incorrect. Because **that** law that food renders liquids impure is not because *food* is more severe. Rather, it **is actually a severity of liquids**. It is **because they** liquids **are susceptible to accepting impurity**, more than food is.

**And what is their susceptibility? That they accept impurity without being rendered susceptible** by anything else. Whereas food first has to be rendered susceptible to impurity by becoming wet from a liquid.

\*

Ravina said earlier that we know that liquid does not make liquid impure, because the word *yitma* is written twice, to teach **that it** (impure food or liquid) **does not make its like** (other food or liquid) **impure**.

The Gemara raises a difficulty: **Do we learn that from here? We learn it from there**, from somewhere else. Because it is written a few verses later, “**And if water is put on seed** [i.e. food], **and their carcasses** [of *sheratzim*] **fall on it, it is impure.**”

And we learn from there: **It** (the food) **is impure. But it does not make something like itself** (other food) **impure**; it only makes liquid impure.

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<sup>9</sup> Because something cannot impart impurity to a like thing

## Perek 1 – 18B

The Gemara answers: **One** verse (the one just quoted) is to teach **about liquids**<sup>10</sup> **that come** to their state of impurity **from** contact with a *sheretz*, that they do not make other liquid impure. **And one** verse (the earlier one) teaches **about liquids that came** to their state of impurity **from** contact with a **utensil**, that they do not make other liquid impure.

**And one needs** both verses. **Because if we were only told about liquids that come to impurity from** contact with a **utensil**, we may have thought that they do not make other utensils impure **because they are not severe**. Such liquids only have 2<sup>nd</sup> level impurity.

**But liquids that come to impurity from** contact with a *sheretz* **that their impurity is severe** because they have 1<sup>st</sup> level impurity, **I would say that they make something like themselves (other liquids) impure**.

\*

The Gemara raises a difficulty with this answer:

**And** let the verse **tell us** concerning **liquids that come to impurity from** contact with a *sheretz*, that they do not make other liquids impure—**and how much more so** would we know that **liquids that come to impurity from** contact with a mere **utensil** do not make other liquids impure!

The Gemara answers: There are cases where **something that could be derived through a *kal vachomer*, the verse takes the trouble to write it** nevertheless, even though it is technically unnecessary to do so.

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<sup>10</sup> Rashi points out that even though the verse is talking about food, the same law is inferred for liquids.

## Perek 1 – 18B

The Gemara now returns to the very beginning of the discussion where the Gemara said that Rabbi Yosi derives the law that liquids make food impure from the verse's mention of the word *yitma* concerning liquids, just as Rabbi Akiva learns that food makes liquids impure from the verse's mention of the word *yitma* concerning foods. The Gemara objects that this is impossible.

**Said Ravina to Rav Ashi:** How could you say that Rabbi Yosi derives his law similarly to Rabbi Akiva's?

**But Rava said: Rabbi Yosi does not hold like Rabbi Akiva, and Rabbi Akiva does not hold like Rabbi Yosi!** (Proof of this will be brought later).

**Rav Ashi said to him Ravina:** He Rabbi Yosi said it this law according to the view of Rabbi Akiva his master, but he himself, i.e. Rabbi Yosi, does not hold of it this law.

\*

The Gemara now explains from where we know that Rabbi Yosi and Rabbi Akiva disagree.

**Said Rav Ashi to Rav Kahana:** It is all right, i.e. it is true, what Rava said—that **Rabbi Yosi does not hold like Rabbi Akiva. For it is taught** in a Baraita: **Said Rabbi Yosi: From where do we know that 4<sup>th</sup> level by *kodoshim* (consecrated items) is invalid?**

**It is a *kal vachomer*.**

## Perek 1 – 18B

Introduction:

The rule is that after someone becomes impure and 1) goes to mikveh, he is considered pure regarding *chulin* (regular food) but still invalidates *terumah*<sup>11</sup> by touching it. (During this time he is called a *tevil yom* – a person who immersed today). 2) At night he is considered pure enough to eat *terumah* but still invalidates *kodoshim* (consecrated things), until he brings a sacrifice the next day. This is assuming he had a type of severe impurity that requires a sacrifice. (During this time before he brings the sacrifice he is called a *mechusar kippurim* - a person who still lacks atonement). 3) After bringing a sacrifice the next day he is pure for *kodoshim* as well.

From this we make a *kal vachomer*. If a *tevil yom*, who is pure regarding *chulin*, still invalidates *terumah*—how much more so will 2<sup>nd</sup> level impurity, which is relevant even to *chulin*, make *terumah* invalid (by giving it 3<sup>rd</sup> level impurity). From here we learn that 3<sup>rd</sup> level exists in *terumah*.

\*

And from where do we know that there is 4<sup>th</sup> level impurity in *kodoshim*?

Because **if a *mechusar kippurim*, who is permitted regarding eating *terumah*, is still invalid regarding *kodoshim* (and invalidates it), we will say that 3<sup>rd</sup> level impurity, which is invalid even regarding *terumah*, is it not logical that it should invalidate *kodoshim* and make it 4<sup>th</sup> level?**

And if you argue that we should apply here the principle of *dayo* (“it is sufficient to say”), thus we cannot learn 4<sup>th</sup> level impurity in *kodoshim* from *terumah* that only has 3<sup>rd</sup> level impurity—

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<sup>11</sup> This is learnt from a woman who gives birth. After going to *mikveh*, until her days of purity end (which is regarded as one long day before sunset) she invalidates *terumah*, as it says, “Every holy thing she shall not touch.”

## Perek 1 – 18B

The answer is that **we already learnt 3<sup>rd</sup> level impurity regarding *kodoshim* explicitly from the Torah.** And there is a principle that if a *kal vachomer* will end up teaching us nothing that we did not know already, we do not apply the rule of *dayo*.

Therefore, we learn **4th level in *kodoshim*, from the *kal vachomer* from *terumah*.**

# Chavruta

## Pesachim – Daf Yud Tet

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

And where do we find a Torah verse expressly stating that *kodoshim* (consecrated items, such as sacrifices) reach at least 3<sup>rd</sup> level impurity?

**Because it is written: “The flesh that touches any impure [thing] shall not be eaten.”**

The verse states “*any* impure thing”. Thus the Gemara asks rhetorically: **Are we not dealing** also with a case **that it** the meat **touched 2<sup>nd</sup> level** impurity, and thereby became 3<sup>rd</sup> level?

It has already been established that 2<sup>nd</sup> level is called impure, because the verse says: “All that is in it [a utensil that received 1<sup>st</sup> level impurity from a *sheretz*<sup>1</sup>] will be impure” Thus, whatever food is in the utensil becomes 2<sup>nd</sup> level.

In conclusion, we have verses teaching us about 2<sup>nd</sup> and 3<sup>rd</sup> level impurity, and we learn **4<sup>th</sup> level** in *kodoshim* **from a *kal vachomer***<sup>2</sup>, **as we said on *daf* 18b.**

\*

The Gemara now brings out the point of the present discussion: a proof that Rabbi Yosi disagrees with Rabbi Akiva.

**And if you think that he** Rabbi Yosi **holds like Rabbi Akiva** who said “2<sup>nd</sup> level impurity makes 3<sup>rd</sup> level in *chulin*<sup>3</sup>,” <sup>4</sup> **he** Rabbi Yosi **should teach also 4<sup>th</sup> level**

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<sup>1</sup> One of the six types of crawling creatures mentioned by the Torah as having impurity.

<sup>2</sup> *A fortiori* reasoning

<sup>3</sup> Regular, non-consecrated food

<sup>4</sup> Because Rabbi Akiva learns from *yitma* that 2<sup>nd</sup> level regular food gives 3<sup>rd</sup> level impurity to liquids.

## Perek 1 – 19A

regarding *terumah*. I.e. he should teach that *terumah* reaches 4<sup>th</sup> level, and becomes invalidated. Rabbi Yosi should derive this through a *kal vachomer* from *tevul yom*<sup>5</sup>:

The reasoning is as follows: If a *tevul yom* who is pure regarding *chulin* invalidates *terumah*, how much more will 3<sup>rd</sup> level impurity that is impure regarding *chulin* invalidate *terumah* and make it 4<sup>th</sup> level.

And then we could derive that there is even 5<sup>th</sup> level regarding *kodoshim*.

Because if a *mechusar kippurim*<sup>6</sup> who is permitted to eat *terumah* invalidates *kodoshim*, how much more will 4<sup>th</sup> level which is invalid regarding *terumah* invalidate *kodoshim* and make it 5<sup>th</sup> level.

Yet, Rabbi Yosi does *not* say that there is 4<sup>th</sup> level in *terumah* or 5<sup>th</sup> level in *kodoshim*. This proves that he disagrees with Rabbi Akiva over the interpretation of the verse about a utensil rendered impure by a *sheretz*. More specifically, Rabbi Yosi does not agree that *yitma* means that the 2<sup>nd</sup> level food and liquid can render another item impure.<sup>7</sup>

\*

Having proved this key point, the Gemara now picks up the discussion on the end of the previous *daf*: “Said Ravina to Rav Ashi: How could you say that Rabbi Yosi derives his law similarly to Rabbi Akiva’s?”

“But Rava said: Rabbi Yosi does not hold like Rabbi Akiva, and Rabbi Akiva does not hold like Rabbi Yosi!”

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<sup>5</sup> An impure person who immersed himself in a *mikveh* and is not allowed to eat *terumah* until night.

<sup>6</sup> An impure person who immersed himself in a *mikveh* and waited until night, but has not yet brought an atoning sacrifice (this applies in those cases of severe impurity that require a sacrifice).

<sup>7</sup> According to this, it is unknown to us from where Rabbi Yosi will know that food can make anything impure. Also, according to Rabbi Yosi, there is no known Torah source for 4<sup>th</sup> level impurity of *kodoshim*.

## Perek 1 – 19A

“Rav Ashi said to Ravina: Rabbi Yosi said it this law according to the view of Rabbi Akiva his master, but he himself, i.e. Rabbi Yosi, does not hold of this law.”

Rav Ashi now continues by saying: We have just seen that Rabbi Yosi indeed disagrees with Rabbi Akiva. **But** the fact that **Rabbi Akiva does not hold of** this *kal vachomer* of **Rabbi Yosi** that we just mentioned, **from where** do we know it? Perhaps Rabbi Akiva agrees with it, and indeed holds that there is 4<sup>th</sup> level impurity in *terumah* and 5<sup>th</sup> level impurity in *kodoshim*?

**He Rav Cahana said to him Rav Ashi:** This is implausible, **because no Tanna mentions and teaches** such a thing as **4<sup>th</sup> level in *terumah* and 5<sup>th</sup> level in *kodoshim*.**<sup>8</sup> **And** if they did, **we would say: This is** the view of **Rabbi Akiva.**<sup>9</sup>

The Gemara is puzzled: **And should we go and rely on this** weak proof (that the law was not expressly mentioned until now) as if it were an established fact?

\*

Because of this objection, **Rav Ashi, and if you want to say,** it was **Rav Cahana, went and examined and found this** following proof. **For was taught** expressly **in the** following **Mishnah** that Rabbi Akiva does not hold of the *kal vachomer* of Rabbi Yosi, and does not rule that there is 4<sup>th</sup> level *terumah* and 5<sup>th</sup> level *kodoshim*:

The Mishnah says: **A utensil combines all that is in it, concerning *kodoshim*.**

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<sup>8</sup> In fact, Rabbi Akiva's view is that not only *terumah* but also *chulin* has 3<sup>rd</sup> level impurity, contrary to the more prevalent view expressed in the Gemara . See Rashi.

<sup>9</sup> Rabbi Akiva disagrees with Rabbi Yosi's *kal vachomers* because they have a disproof: A *tevul yom* is essentially an *av hatuma* (primary impurity) whose original level of impurity has been somewhat alleviated. Therefore it cannot be compared to true 2<sup>nd</sup> level impurity which is only subsidiary.

## Perek 1 – 19A

If an impure person touches *kodoshim* at one side of a utensil, we consider it as if he also touched the *kodoshim* on the other side of the utensil, even if the two *kodoshim* are not touching each other.

**But** a utensil does **not** combine all that is in it, **concerning *terumah***.

And another severity of *kodoshim* over *terumah* is that **the 4<sup>th</sup> level in *kodoshim* is invalid, and only the 3<sup>rd</sup> level for *terumah*** is invalid.

**And said Rabbi Chiya bar Abba said Rabbi Yochanan: This Mishnah was taught from the testimony of Rabbi Akiva**, because we see (from the following source) that it was he who taught the first law, of a utensil combining the *kodoshim* inside it.

**As it was taught in a Mishnah: Rabbi Akiva added** a further testimony, about **the fine flour** of flour offerings, **and the incense, and the frankincense (*levonah*)** of flour offerings and the golden Table, **and the Altar coals, that if** they are in one utensil—not even touching each other—**and a *tevul yom* (who invalidates *kodoshim*) touched part of them, he invalidated them all.**

Therefore we say that Rabbi Akiva's view was also expressed in the second part of the previous Mishnah. Thus we see that he holds that **4<sup>th</sup> level in *kodoshim*, yes**, there is such a level. But **5<sup>th</sup> level, no**, there is not. And **3<sup>rd</sup> level in *terumah*, yes**, there is such a level. But **4<sup>th</sup> level, no**, there is not.

\*

The Gemara now discusses the last Mishnah quoted above, where Rabbi Akiva said that a utensil combines coals, frankincense and suchlike.

## Perek 1 – 19A

We see from that Mishnah **that he Rabbi Akiva holds that** a utensil **combining** its contents is only a **Rabbinical** law. For included in that list are frankincense and coals, which are not food items, and whose impurity could only be only Rabbinical.<sup>10, 11</sup>

**And he Rabbi Akiva thus disagrees with Rabbi Chanina who said: Combining** of a utensil is **Torah mandated**. For it says, **“One spoon, ten [measures of] gold [in weight], full of incense.”** In this verse, **Scripture makes everything that is in the spoon considered as one!**

c c õ d d

Because the Gemara just quoted a Mishnah from Tractate *Eiduyot*, it now discusses another Mishnah from there, connected with the impurity of foods and liquids.

**It was taught in a Mishnah there:** Rabbi Chanina the *sgan Cohen Gadol*<sup>12</sup> testified concerning **a needle** that is suspected to be impure, **that was found in meat** of *kodoshim*. The Halachah in such case is **that the knife and hands** that touched the needle **are pure, and the meat is impure.**

And **if it** the needle **was found in dung** inside the animal, **it is all pure** because the needle did not touch the meat.

The Gemara raises a difficulty. The above Mishnah contradicts the following statement of Rabbi Akiva:

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<sup>10</sup> Due to fondness for *kodoshim*, these items are given extra significance as if they were food. But this is a Rabbinical law.

<sup>11</sup> This explanation, from Rashi, raises difficulties. See *Tosafot* for an alternative explanation.

<sup>12</sup> Deputy High Priest

## Perek 1 – 19A

**Said Rabbi Akiva: We merited** to establish the Halachah **that there is no Rabbinical impurity of hands in the Temple.**

Even though the Sages decreed that ordinary hands, even of a pure person, are regarded as having 2<sup>nd</sup> level impurity, and they invalidate *kodoshim*<sup>13</sup> and *terumah*<sup>14</sup> upon touch, this decree was not instituted in the Temple.

### **Ammud Bet**

Yet according to the above Mishnah which states that the knife that touched the needle is pure, Rabbi Akiva should have said: **“We merited that there is no impurity of hands or of utensils in the Temple”!** For the liquids on the meat should have become impure from the needle, and imparted impurity to the knife.

Thus we see that according to this Mishnah, the Rabbinical decree that utensils become impure if they touch impure liquids<sup>15</sup> does not apply in the Temple.

The Gemara answers: **Said Rav Yehudah said Rav, and** if you wish, **say** that it was said by **Rabbi Yosi bar Chanina:** The teaching of Rabbi Akiva, about **hands, was taught before the decree** was enacted by the Sages regarding **utensils**, that utensils become impure from liquids. That is why Rabbi Akiva didn't mention anything about the decree of utensils.

**Said Rava:** This is impossible, because **they decreed both decrees on the same day.**<sup>16</sup>

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<sup>13</sup> Unless they were washed according to the requirements of Halachah, and were subsequently guarded.

<sup>14</sup> Unless they were immersed in a *mikveh* or the equivalent, and were subsequently guarded.

<sup>15</sup> They made this decree because the liquids of a *zav* (his saliva and urine, for example) have principle impurity and make utensils impure by Torah law.

<sup>16</sup> When the 18 decrees were made in the upper story room of Chananyah ben Chizkiyah ben Garon.

## Perek 1 – 19B

**For it was taught in a Mishnah:** On that day they decreed on all **scrolls** of the *Tanach* that they have 2<sup>nd</sup> level impurity, and invalidate *terumah*<sup>17</sup>—

**And** they decreed that unwashed **hands** invalidate *terumah*—

And that a *tevul yom* invalidates *terumah*<sup>18</sup>—

**And on foods and utensils that they become impure from impure liquids.**

So we see that the decrees concerning hands and liquids were made on the same day. This disproves the above solution to the difficulty of why Rabbi Akiva did not mention the impurity of utensils that comes from impure liquids.

\*

The Gemara offers another answer: **Rather, said Rava: Leave impurity of a knife alone, for even regarding *chulin*<sup>19</sup> outside the Temple it would not become impure.** Thus Rabbi Akiva couldn't prove from the Mishnah that utensils do not become impure from liquid in the Temple.

**Because this knife that touched, what** did it touch to make it impure?

**If you say it touched the impure meat, this is not plausible, for food cannot make a utensil impure. Rather, you must say that it touched the impure needle. But a utensil cannot make another utensil impure.<sup>20</sup>** And we are now assuming that the meat was dry, thus the knife could not become impure from liquids.

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<sup>17</sup> Because Cohanim used to keep their *terumah* next to their holy books (both being holy), and mice came and damaged the books.

<sup>18</sup> The Gemara there removes this from the list, because *tevul yom* invalidates *terumah* according to Torah law.

<sup>19</sup> Ordinary, unconsecrated items.

<sup>20</sup> Because the Rabbis only decreed that liquids make utensils impure because of liquids of a *zav* (which have primary impurity, by Torah law) make utensils impure.

## Perek 1 – 19B

Therefore the difficulty to Rabbi Akiva is answered.

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The Gemara now discusses why the needle found in the meat is suspected of being impure in the first place:

The Gemara inquires: **This needle, what happened to it** to give rise to its uncertain status?

**If we say that** it is a **needle** of **doubtful** ownership and thus we do not know if it is pure or impure, and it is included in the Rabbinical decree of “the uncertainty of found utensils”, which are Rabbinically impure because of their doubtful status—

This cannot be the case here. **Because it was said** in an Amoraic statement: **Rabbi Eliezer and Rabbi Yosi bar Chanina:**

**One of them said: They** the Sages **did not decree on doubtful saliva** that was found on the ground in a public place **in Jerusalem.**

Even though the Rabbis decreed that saliva of unknown source, when found on the ground, is considered impure since it might have come from a *zav* or *nidah* (whose saliva has principle impurity), they did not make this decree in Jerusalem.

**And** the other **one of them said: They did not decree** impurity **on utensils of doubtful ownership that are found in Jerusalem,** even though they did decree impurity on such utensils elsewhere.

## Perek 1 – 19B

Therefore we cannot say that this needle in the sacrificial meat, which is in the Temple in Jerusalem, is impure because it is of doubtful ownership.

\*

The Gemara offers another reason why the needle is impure:

**Said Rav Yehudah said Rav:** Here we are dealing with a case **that he lost a needle** that had become **impure from a corpse, and he recognized it in the meat.** And it is a case of certain impurity.

Another answer:

**Rabbi Yosi bar Avin said:** We are talking about a needle of doubtful ownership, and even though no impurity was decreed on such utensils in Jerusalem, the case here is **that the cow was muzzled** for all the while since **it came from outside Jerusalem,** and therefore the decree applies, since the needle was not from Jerusalem.

c c õ d d

Regarding the above-mentioned statement **itself:**

**Rabbi Eliezer and Rabbi Yosi bar Chanina:**

**One of them said: They** the Sages **did not decree on doubtful saliva** that was found on the ground in a public place **in Jerusalem.**

## Perek 1 – 19B

**And the other one of them said: They did not decree impurity on utensils of doubtful ownership that are found in Jerusalem.**

The Gemara objects that this was already taught elsewhere in a Mishnah:

The halachah regarding **saliva has already been taught** in a Mishnah. And the halachah regarding **utensils has already been taught** in a Mishnah.

The Gemara first discusses the halachah regarding saliva:

The halachah regarding **saliva has already been taught, for it was taught** in a Mishnah: **All the salivas that are found in Jerusalem are pure, except of the upper market,** because that is where impure people gather so as not to make other people impure.

The Gemara answers: **We only need** to repeat it here, in order to teach that **even when a zav was known to have been** in a certain place in Jerusalem, since he walked through that place, we still consider the saliva found there as pure.

\*

Now the Gemara addresses the halachah of utensils, which was already taught elsewhere:

The halachah of **utensils is already taught, for it is taught** in a Mishnah: **All the utensils that are found in Jerusalem, on the path leading down to the immersing place, are impure.**

There was a special path leading down to the *mikveh*, and a special path leading up. Things found on the former are presumed to be impure, since their owners must have been on their way to immerse them in the *mikveh*, and the utensils fell before they were purified.

## Perek 1 – 19B

From this we can infer: **but in general**, utensils found in Jerusalem **are pure**.

The Gemara answers: **And according to your rationale, look at the end** of the Mishnah, which says: **In the path going up, they** the utensils found there **are pure**.

You can infer from there: **but** utensils **in general** in the rest of Jerusalem will be **impure**.

**Rather**, there is no proof from that Mishnah, due to the contradictory inferences that may be drawn from it. Therefore Rabbi Eliezer or Rabbi Chanina had to teach us **that** the first inference is correct, because **the first clause** of the Mishnah **is** stated in an **exact** way. Thus we may correctly infer that the utensils in the whole of Jerusalem are pure.

**And the latter clause** of the Mishnah **is not** stated in an **exact** way. Thus one may not draw an inference from it.

And why does the Mishnah have to state the latter clause at all? Its purpose is **to exclude**, by inference, **the small alleys** near the *mikveh*, which were sometimes used to go down to the *mikveh* and sometimes to return from the *mikveh*. Utensils found there are impure, because they might have fallen from people going to the *mikveh*.

\*

Earlier, when the Gemara discussed how the needle under suspicion might have become impure, Rav said that it became impure from a corpse. The Gemara finds this problematic.

**And according to Rav who said, “That he lost a needle impure from a corpse and recognized it in the meat” —**

## Perek 1 – 19B

This is problematic, **because the master said:** Regarding the verse that speaks of someone touching “**a corpse of the sword**”. This juxtaposition “corpse” and “sword” teaches that **a metal sword is like a corpse**, i.e. when it touches the corpse it acquires the same level of impurity that the corpse itself possesses. It acquires *avi avot* impurity, prime principal impurity.

Thus, regarding the metal needle that is impure from a corpse, we should say that **a person and utensils, too, should become impure** from it. Yet the Mishnah states that only the meat is impure, not the knife and hands.

The Gemara answers: **Said Rav Ashi:** The case is that we are unsure whether the needle actually touched hands or a knife, although it certainly touched the meat. And **this ruling tells us that the Temple Courtyard is regarded as a public domain, and it**—the case of the impure needle that might have touched hands or a knife—is judged as **a doubt of impurity** that took place **in the public domain. And every doubt of impurity in the public domain, its doubt is ruled as being pure.**<sup>21, 22</sup>

This is a general rule, independent of Rabbi Akiva’s teaching. Whereas Rabbi Akiva’s specific teaching, “there is no Rabbinical impurity of hands in the Temple”, tells us that the meat, although it surely became impure from the needle, does not impart impurity to hands that touched the meat. (*Rabbeinu Peretz*)

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<sup>21</sup> This rule is learnt from the *Sotah*, who is called “impure” by the Torah, after her seclusion with a suspected adulterer. The place that gave rise to this doubt is perforce a private domain, since she was in seclusion with him. From there we deduce that a doubtful case of impurity that took place in a private domain is judged as certainly impure, whereas in a public domain it is regarded as certainly pure.

<sup>22</sup> The Temple Courtyard is regarded public because in this matter of doubtful impurity, any place with more than two people is regarded as public.

## Perek 1 – 19B

The Gemara raises a difficulty with Rav Ashi's inference that this proves that the Temple Courtyard is a public domain:

**But** according to Rav Ashi, if it was **in a private domain**, then **its doubt** (i.e. the knife that might have touched the impure needle) **would be** regarded as **impure?**

But **indeed, this** knife which might have touched the needle **is something that has no intelligence to be asked** what happened to it. **And everything that has no intelligence to be asked, whether in the public domain and whether in the private domain, its doubt is pure!**<sup>23</sup>

\*

The Gemara answers that the case of the knife is in fact a situation where someone has intelligence to be asked.

**Because it is a case of doubtful impurity that came through a person**, since a person was holding the knife when it might have touched the needle.

**And Rabbi Yochanan said: Doubtful impurity that comes about through a person is considered as a case where there is intelligence to be asked about it.**<sup>24</sup>

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<sup>23</sup> Because it cannot be compared to the *Sotah*, who has intelligence to be asked what her status is.

<sup>24</sup> Rashi offers a second explanation, which he prefers: "Doubtful impurity that comes about through a person," "we," the *beis din* "are asked about it" because the involvement of the person makes the situation one where there is an intelligent person who can be asked.

# Chavruta Pesachim – Daf Chaf

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[**And Rabbi Yochanan said: Doubtful impurity that comes about through a person is considered as a case where there is intelligence to be asked about it.**<sup>1</sup>]

And this applies not just when the utensil that might have contracted impurity is held in a person's hands. Rather, **even concerning an utensil now lying on the ground**, and we have a doubt whether a person had touched it to a source of impurity, this too is considered **as an item that has intelligence to be asked**, because a person was originally involved.

\*

The previous *daf* quoted the Mishnah that says: Rabbi Chanina the *sgan Cohen Gadol*<sup>2</sup> testified concerning a needle that is suspected to be impure, that was found in meat of *kodoshim* (sacrifices). The Halachah in such case is that the knife and hands that touched the needle are pure, and **the meat is impure**.

Yet there is a rule that food is not susceptible to impurity unless it became wet. Therefore the Gemara asks:

**And this meat, what made it susceptible to impurity?**

Answer #1) **If you say that it was made susceptible with blood—**

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<sup>1</sup> Rashi offers a second explanation, which he prefers: “Doubtful impurity that comes about through a person,” “we,” the *beis din* “are asked about it” because the involvement of the person makes the situation one where there is an intelligent person who can be asked.

<sup>2</sup> Deputy High Priest

## Perek 1 – 20a

That is implausible. **For note that Rav Chiya bar Abba said** in the name of **Rabbi Yochanan: From where do we know concerning the blood of sacrifices that it does not make food susceptible** to impurity?

**Because it says** regarding blood: **“Do not eat it; spill it on the ground, like water.”** This teaches that **blood which is spilt like water makes food susceptible, and that which is not spilt like water is not counted as a liquid and does not make food susceptible.** This excludes the blood of sacrifices, which is caught in a vessel to be thrown on the Altar.

\*

Answer #2) **Rather,** we could say **that it** the meat **became susceptible from the water of the slaughtering area.**

That too is implausible.

**For said Rabbi Yosi bar Chanina: The liquids of the slaughtering area, not only are they pure, but they also do not make food susceptible** to impurity.<sup>3</sup>

\*

Answer #3) **Rather,** we could say **that it became susceptible through the fondness of consecrated items.** Consecrated items possess a special significance, and they are treated as no less than proper food. Thus they are automatically susceptible to impurity, as food normally is after its preparation. For this reason, consecrated items need not become wet.

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<sup>3</sup> Because he holds that only water that is connected to the ground makes food susceptible to impurity, and detached water makes it susceptible only Rabbinically. And in the Temple slaughtering area they waived this Rabbinic law.

## Perek 1 – 20a

(The Commentators discuss whether the principle of “the fondness of consecrated items” is Torah mandated or Rabbinical).

The Gemara rejects this answer because if it was correct, it would resolve a question that we find earlier Sages could not resolve:

That too cannot be the reason why the meat is susceptible to impurity. For **I will say to you that the fondness of consecrated items is effective to make it** (the sacrifice) **itself invalid.**

But to impart impurity to other items, i.e. **to count because of it 1<sup>st</sup> level and 2<sup>nd</sup> level impurity**, who says that “the fondness of consecrated items” is effective **also** regarding this? (The Mishnah under discussion states that the meat that touched the needle is “impure”, not merely that it is “invalid”. This implies that the meat is indeed capable of imparting impurity to other items.)

If “the fondness of consecrated items” is effective also in this regard, a difficulty arises. For there is an unresolved issue regarding this point. And if the suggested answer is true, then **you should have resolved the issue from it.** I.e. based on this Mishnah which says the meat is “impure”, you should have resolved **that inquiry which Reish Lakish posed:**

**Dry flour of flour offerings** that became susceptible to impurity only because of the fondness of consecrated items, and the flour touched a source of impurity. **Do we count 1<sup>st</sup> level and 2<sup>nd</sup> level concerning it**, if the flour touches something else?

**Or maybe not**, and only the flour itself is invalid.

## Perek 1 – 20a

Since Reish Lakish did not use this Mishnah to resolve his inquiry, we see that he did not interpret the Mishnah as suggested, that the meat is able to impart impurity to other items merely because of the fondness of consecrated items.

\*

Answer #4) **Said Rav Yehudah said Shmuel:** The meat mentioned in the Mishnah got wet from ordinary water, and for this reason is susceptible to impurity. **For the cow was a peace offering<sup>4</sup> (*shelamim*) sacrifice, and he the owner passed it through a river and then slaughtered it, and the water was still dripping on it** and this wet the meat.

\*

The same Mishnah discussed above says further: If **it** the needle **was found in the dung** inside the animal, instead of in its flesh, then **everything is pure**, including the meat.

The Gemara raises a difficulty: Since people commonly give an animal to drink before slaughtering, to facilitate skinning, the dung in the animal's innards should become impure, because it is soft and considered a liquid. **And then the dung should go and make the meat impure.**

The Gemara answers: **Said Rav Adda bar Ahava:** The Mishnah is speaking about **thick dung** that is not liquid.

**Rav Ashi said:** Even if you say that the Mishnah is talking about **soft, liquid dung**, it still will not become impure, **because it is spoiled liquid** which is not considered a liquid

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<sup>4</sup> With the peace offering, the skin of the animal as well as much of its meat belongs to the one who brought it. Thus it is reasonable to assume that he went to efforts to prepare the animal before its slaughter, so that the meat and skin will be in good shape. This fulfills the requirement that for the item to become susceptible to impurity, the liquid must come on it for its owner's benefit. (*Rashi, Ketot HaChoshen*)

## Perek 1 – 20a

as regards the laws of impurity. For the verse writes: “And all liquid *that is drunk* [will be impure].”

c c õ d d

The following section of Gemara initially contradicts many conclusions held by the Gemara until now. Afterwards the Gemara retracts from its initial contradicting statements.

A “**tanna**” i.e. a reciter of Tannaic sources **taught in front of Rav Sheshet: A *sheretz*<sup>5</sup> makes liquids impure**, based on the following *kal vachomer*. If an utensil made impure from a *sheretz* makes liquid impure, how much more so will the *sheretz* make the liquid impure directly!

**And those liquids** that became impure from a *sheretz*, and are 1<sup>st</sup> level, **make a utensil impure**.

At present, the Gemara assumes that this is like the view of Rabbi Yehudah as stated in the Baraita at the top of *daf* 16a, that liquids make utensils impure. (Rabbi Yehudah later retracted from that view, as mentioned on *daf* 17.)

**And that utensil** (which is 2<sup>nd</sup> level) **makes food impure**. For the verse writes, “Whatever is in it [a utensil] shall be impure,” referring to the food that is in the utensil. And the Gemara assumes that this will include even a utensil that became impure from liquid that became impure from a *sheretz*.

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<sup>5</sup> One of the six types of crawling creatures mentioned in the Torah as being impure.

## Perek 1 – 20a

**And the foods** which are 3<sup>rd</sup> level **make liquids impure** to become 4<sup>th</sup> level, because Rabbi Akiva (on *daf* 18a) learns from the word “*yitma*” that food makes liquid impure.<sup>6</sup>

So we have *sheretz* (principal impurity) → liquid (1<sup>st</sup>) → utensil (2<sup>nd</sup>) → food (3<sup>rd</sup>) → liquid (4<sup>th</sup>).

**Therefore we have learnt** that there are **three impurities concerning a *sheretz***, i.e. the impurity of a *sheretz* can reach until 3<sup>rd</sup> level impurity (counting the *sheretz*), and still invalidate something else that it touches.

The Gemara raises a difficulty: But **these** that were just mentioned come out **to be four** levels, since the final thing to become impure from the *sheretz* has 4<sup>th</sup> level impurity!

The Gemara answers: **Remove** the case of liquids **of the beginning**, and the list will now comprise:

*Sheretz* (principal impurity) → utensil (1<sup>nd</sup>) → food (2<sup>rd</sup>) → liquid (3<sup>th</sup>).

The Gemara objects: **On the contrary, remove the liquids of the end** and have this order:

*Sheretz* (principal impurity) → liquid (1<sup>st</sup>) → utensil (2<sup>nd</sup>) → food (3<sup>rd</sup>).

The Gemara replies: The first “liquid” in the list, which allegedly makes a utensil impure, is surely a mistake. For **no Tanna is found who said that liquids make a utensil impure, except for Rabbi Yehudah, and he retracted!** Thus there is no such view in Halachah.

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<sup>6</sup> Actually, Rabbi Akiva learns only that second level food can make liquids impure, not third level, as we saw on *daf* 18. The Gemara here refrains from raising a difficulty based on this fact, because there is an even bigger difficulty to be raised.

## Perek 1 – 20a

To remember the order of the list of the three levels after *sheretz*, **your** mnemonical **sign** is: *Nezaita* – beer producers. They first prepare a utensil (utensil), then they put in barley (food), and then they add water (liquid).

c c ã d d

The Gemara now discusses how a utensil makes items inside it impure, without touching them:

**It was taught in a Mishnah there: A *sheretz* that was found in an earthenware oven renders the oven impure. The bread in it is 2nd level, because the oven itself is 1<sup>st</sup> level.**

**Said Rav Adda bar Ahava to Rava:** If a *sheretz* is present in an earthenware utensil, such as an oven, everything inside becomes impure without touching either the *sheretz* or the utensil. This being the case, it seems as if we view the utensil as if it was full of impurity. Therefore:

**Let us view this oven as if it is full of impurity, and this bread should be 1<sup>st</sup> level.**

**He Rava said to him: Do not think that.**

**For it was taught in a Baraita: You may have thought that all utensils become impure from merely being in the air inside an earthenware utensil that contains a dead *sheretz*.**

**Ammud Bet**

## Perek 1 – 20B

So that you should not think that, **the verse says: “Whatever is in it [the earthenware utensil] will be impure,” and next to this** it writes, **“from all the food that is eaten.”**

From this juxtaposition we learn: **Food becomes impure from the air of an earthenware utensil.**

**But a utensil does not become impure from the air of an earthenware utensil.**

This verse is telling us that we do not consider the earthenware utensil as being filled with the source of impurity. For it was, it should be as if the *sheretz* (which has primary impurity) touched the utensil that is inside the earthenware utensil, and the utensil should become impure from the *sheretz*. Rather, the impurity is transferred through the medium of the earthenware utensil, and goes down one level. Thus it can only affect food, and not utensils.

c c õ d d

The Gemara now poses a series of contradictions resulting from the last few *daf*, and answers them:

Contradiction #1: **Rav Chisda poses a contradiction** between what Rabbi Yehoshua says in one place concerning **Pesach**, and what he said in another place concerning **Pesach, and he resolves it:**

## Perek 1 – 20B

**Does Rabbi Yehoshua indeed say** that one may burn doubtfully impure (*teluyah*) *terumah*, together with certainly impure *terumah*, as Rabbi Yosi quotes in his name in the Mishnah on *daf* 14a?

**And they posed a contradiction to this.** Because in a Baraita on *daf* 15a Rabbi Yosi says that according to Rabbi Yehoshua one may *not* burn doubtfully impure *terumah* with certainly impure *terumah*.

The Baraita there says: **Said Rabbi Yosi** to Rabbi Meir, who allows burning chametz of pure *terumah* with chametz of impure *terumah*:

**The subject** you are trying to prove **is not similar to the proof** you are citing.

**Because when our Rabbis** (Rabbi Chanina and Rabbi Akiva in the Mishnah of 14a) **testified, on what did they testify?**

**If concerning meat that became impure from subsidiary impurity, that one burns it with meat that became impure from principle impurity, this meat is already impure and that meat is impure.**

**If concerning the oil of *terumah* that became disqualified through a *tevil yom*,<sup>7</sup> that one burns it in a lamp that became impure with the impurity of a corpse, this oil is already disqualified and that lamp is impure.**

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<sup>7</sup> “A person who immersed this day.” Someone who immersed in a *mikveh* that day, to purify himself, is not fully pure until the evening. Thus he invalidates *terumah* if he touches it before nightfall.

# Chavruta

## Pesachim – Daf ???

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

Rabbi Yosi continues his objection: **We, too, agree concerning *terumah* that became impure from subsidiary impurity and received 3<sup>rd</sup> level impurity, that one may burn it with *terumah* that became impure from principle impurity, thereby raising it to 2<sup>nd</sup> level, because it is already impure.**

**But how can we burn doubtfully impure *terumah* with certainly impure *terumah*?**

**Perhaps Eliyahu<sup>8</sup> the prophet will come and rule that it the doubtful *terumah* is pure!**

And it goes without saying that we may not burn totally pure *terumah* with impure *terumah*!

This contradicts the Mishnah where Rabbi Yosi quotes Rabbi Yehoshua as permitting the burning of doubtfully impure *terumah* with impure *terumah*.

\*

**He Rav Chisda resolved** his contradiction:

**This** statement of Rabbi Yosi in the Mishnah (14a) **is** said by **Rabbi Shimon according to** his way of understanding **Rabbi Yehoshua**. (Later the Gemara asks how can Rabbi Yosi be quoting a view that he disagrees with.)

**And that** contradicting statement of Rabbi Yosi in the Baraita is said by **Rabbi Yosi** himself **according to** his way of understanding **Rabbi Yehoshua**.

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<sup>8</sup> Elijah

## Perek 1 – 20B

The Gemara brings a Baraita where we find these two views of Rabbi Shimon and Rabbi Yosi:

**For it was taught in a Baraita: The 14<sup>th</sup> of Nissan that fell on Shabbat, one burns everything** (all chametz) **before Shabbat, and one may burn together various *terumot* that are definitely impure, doubtfully impure, and pure – according to Rabbi Meir** (as we saw in the Mishnah 14a).

**Rabbi Yosi says: We burn pure *terumah* by itself, and doubtfully impure *terumah* by itself, and impure *terumah* by itself.** The doubtfully impure *terumah* cannot be burned with pure *terumah* because it may make it impure.

**Rabbi Shimon said: Rabbi Eliezer and Rabbi Shimon do not differ about pure and impure *terumah*. For one may not burn them together.**

And similarly, they do not differ about **doubtfully impure *terumah* and pure *terumah*. For one may burn them together.**<sup>9</sup>

**About what do they differ?**

**About doubtfully impure and impure *terumah*.**

**That Rabbi Eliezer says: Let this be burnt by itself and that by itself.**

**And Rabbi Yehoshua says: Burn both of them together.**

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<sup>9</sup> Because the doubtful *terumah* is not certainly impure, it does not look as if one is causing impurity to *terumah*.

## Perek 1 – 20B

Thus we see from this Baraita that, as we said, Rabbi Yosi and Rabbi Shimon disagree whether Rabbi Yehoshua allows burning doubtfully impure and definitely impure *terumah* together.

\*

The Gemara objects that it is implausible that Rabbi Yosi in the Mishnah on *daf* 14a is explaining Rabbi Yehoshua according to the view of Rabbi Shimon, whom he disagrees with.

**But the Mishnah (14a) is Rabbi Yosi himself speaking!**

The Gemara answers by interpreting Rabbi Yosi's statement in a certain light: **This is what Rabbi Yosi was saying to Rabbi Meir on *daf* 14a.**

**Even Rabbi Shimon according to his interpretation of Rabbi Yehoshua's view, who is more lenient than I am according to my interpretation of Rabbi Yehoshua's view, would say that it is forbidden to burn pure and impure *terumah* together.**

Because **when he** Rabbi Yehoshua (even according to Rabbi Shimon's lenient interpretation) **is lenient**, he is only lenient **in** a case of burning **doubtfully impure and impure *terumah*** together. But **not in** burning **pure and impure *terumah*** together!

c c õ d d

Contradiction #2:

## Perek 1 – 20B

**Rabbi Yosi bar Chanina poses a contradiction between** what Rabbi Yehoshua says about *terumah* in general **and** what Rabbi Yehoshua says about *terumah* on Erev<sup>10</sup> Pesach, **and he resolves it.**

**Did Rabbi Yehoshua really say** that one may burn doubtful and impure *terumah* **together as one**, on Erev Pesach, as Rabbi Yosi says in his name (in the Mishnah of *daf* 14a)?

**They posed a contradiction to this**, from the Baraita on *daf* 15a:

**If a doubt** of impurity **arises concerning a barrel of *terumah***, for example, if an impure person entered the room where the barrel was kept and there is a doubt whether he touched the barrel or not—

**Rabbi Eliezer says: If it the barrel was lying in an exposed place, one should lay it in a protected place, and if it was exposed one should cover it.** In other words, even though the possibly impure *terumah* may not be eaten, and may only be used for lighting purposes (if it is flammable), one is still commanded to guard it from contacting certain impurity.<sup>11</sup>

But **Rabbi Yehoshua says:** Not only is there no mitzvah to positively protect this *terumah*, but on the contrary: **even if it was lying in a protected place, one may put it in an exposed place, and if it was covered one may uncover it.**<sup>12</sup>

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<sup>10</sup> The Eve of

<sup>11</sup> Rabbi Eliezer's rationale is that the Torah writes that one must guard "*mishmeret terumati*," which is single tense, but the words are read "*mishemeret terumotai*," which is plural and includes that one must guard even *terumah* that is impure and only suitable for lighting. Rabbi Eliezer holds the principle of "*Yesh eim lamikra*," that the way one *reads* the verse is most important. Therefore the Torah is telling us to guard *terumah* in two situations, when it is pure and when it is impure.

<sup>12</sup> See previous footnote. Rabbi Yehoshua holds the principle of "*Yesh eim lamessoret*," and the way the verse is *written* is most important. Therefore the Torah is telling us to make only *one* guarding of *terumah*, when it is pure and may be eaten.

## Perek 1 – 20B

We see that even according to Rabbi Yehoshua, **to cause** impurity **indirectly** to *terumah*, **yes**, it is permitted. But to **directly** make it impure, **no**, it is forbidden.

\*

As before, the Gemara answers that this too is subject to a disagreement between Tannaim:

**That** which Rabbi Yosi says in Rabbi Yehoshua's name in the Mishnah of *daf* 14a is not his own view, but what **Rabbi Shimon** says **according to Rabbi Yehoshua**.

**And that** of the Baraita of *daf* 15a is what **Rabbi Yosi** himself says **according to Rabbi Yehoshua**.

And the source for this disagreement, found in a Baraita, was quoted in the previous section.

c c õ d d

Contradiction #3:

**Rabbi Elazar poses a contradiction** between *terumah* and *terumah*, and resolves it.

**Did Rabbi Yehoshua really say**, in the Baraita just quoted above: “**To cause** impurity **indirectly** to *terumah*, **yes**, it is permitted—but to **directly** make it impure, **no**, it is forbidden”?

## Perek 1 – 20B

**And they posed a contradiction to this**, from another Baraita (also quoted on *daf* 15a) that says:

**A barrel of pure *terumah* that broke in the upper basin** of a winepress, **and in the lower basin** towards where the *terumah* is flowing, there is wine of **impure *chulin***<sup>13</sup>. If the *terumah* wine falls into the lower basin, the *chulin* wine there will make the *terumah* impure, and furthermore, the *chulin* wine will become forbidden, due to the mixture of the two.

**Rabbi Eliezer and Rabbi Yehoshua agree that if one can save a *revi'it*** (1 ½ egg volume) **of *terumah* wine in purity**, i.e. catch it in a pure utensil before it flows down to the bottom basin, **one must save it**, even if this prevents him from quickly pulling out the *chulin* wine before it becomes impure.

**And if not**, if he cannot save even a *revi'it* of *terumah* wine because he has no readily available pure utensil, but only an impure utensil—

**Rabbi Eliezer says: The *terumah* should go down by itself and become impure, and one should not make it impure directly** by collecting it in an impure utensil in order to protect the *chulin* wine.

**And Rabbi Yehoshua says: One may even make it impure directly.** This does not transgress the mitzvah to guard *terumah* in purity (*mishmeret terumati*), because the *terumah* is anyway going to become impure when it reaches the bottom basin, and then it will have to be destroyed in any case. Therefore there is no mitzvah to guard its purity.

\*

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<sup>13</sup> Regular, non-consecrated

## Perek 1 – 20B

This ruling of Rabbi Yehoshua about *terumah* wine may be compared to the case of doubtfully impure *terumah*, which also cannot be used and has to be destroyed. So why is it forbidden to make it impure directly?

Rabbi Elazar resolves the contradiction: It is **different there**, in the case of pure *terumah* wine, where Rabbi Yehoshua allows collecting the pure *terumah* in an impure utensil. For this is specifically in order to prevent it from flowing down into the impure *chulin* wine, **because there is the loss of the *chulin*** wine if one doesn't protect it from mixing with the *terumah* wine. But in the first Baraita, where Rabbi Yehoshua was stringent, there was no potential loss involved.

\*

The Gemara raises a difficulty with the above answer: **Rava challenged it:** In our **Mishnah** (of *daf* 14a, i.e. the case of Rabbi Meir, concerning which Rabbi Yehoshua rules stringently), there too **there is a loss of wood** if one has to make a separate fire to burn the pure *terumah*.

The Gemara resolves the difficulty: **Abaye said to him**, to Rava: **They** the Sages **were concerned about a large loss**, i.e. the *chulin* wine in the lower basin. But **they were not concerned about a small loss** of firewood to burn the pure *terumah* separately.

\*

The Gemara now proves that there is indeed a difference between a large loss and a small loss:

**And from where do you say that they were concerned about a large loss and not concerned about a small loss?**

## Perek 1 – 20B

**Because it was taught** in a Baraita: **A barrel of *terumah* oil that broke in the upper basin, and in the lower basin is regular impure oil, Rabbi Eliezer agrees to Rabbi Yehoshua that if he can save from it a *revi'it* (volume of egg and a half) in purity he should save.**

**And** no matter what, **one may not make it** the *terumah* oil **impure directly**, because it is only a small loss.

This is unlike the case involving wine, where Rabbi Yehoshua allows one to make the *terumah* wine impure directly, to prevent a large loss.

The Gemara inquires: **Why is oil different**, that letting it become impure is considered only a small loss?

Because **it** impure *terumah* oil **is fitting to light** with.

The Gemara objects: But impure **wine, too, is fitting to sprinkle** around in order to produce a pleasant odor. So it too is only a small loss.

**And if you say**, in reply, that **sprinkling is** a relatively **insignificant** use—

**But** we see otherwise, because **Shmuel said in the name of Rabbi Chiya: One should drink** cheap wine sold for one *log* for a *sela*, and **one should sprinkle** with expensive wine sold for one *log* for two *selas*.

So we see that sprinkling wine is regarded as an important use.

The Gemara answers: The Mishnah is talking **about new**, unfermented wine that cannot be used for sprinkling.

## Perek 1 – 20B

The Gemara replies: **But it is fitting to age it.** So why is there a large loss if the wine becomes impure?

The Gemara answers: Because this is a case of *terumah* wine mixed with regular impure wine, we are concerned that if he keeps it to age it, **he may come to drink it by accident.**

The Gemara asks: If so, with **oil, too,** that one keeps for lighting, **perhaps one will come to eat it by accident!**

The Gemara answers: **One puts it the oil in a disgusting utensil,** thus one won't eat it. This is because oil designated for lighting purposes would be kept in a simple clay container that lends an unpleasant taste to the oil.

The Gemara counters: If so, **wine too, he would put it in a disgusting utensil** while it is aging, since he has no intention to eat it.

The Gemara answers: **If one wants it for sprinkling,** and is interested in its pleasant fragrance, **does one put it in a disgusting utensil?**

In conclusion, the Gemara has proved that there is a difference between a large loss (impure wine) and a small loss (impure oil).

c c õ d d

The Gemara now says that whether we are concerned that a person might eat *terumah* by **accident is the subject of a disagreement between the Tannaim.**

## Perek 1 – 20B

**Because it was taught** in a Baraita: Concerning a barrel of wine of *terumah* that became impure:

**Beit Shammai say: Let it all be spilt** as one bundle and do not use it for sprinkling.

**And Beit Hillel say: Do sprinkling** with it, and we are not concerned that a person will accidentally eat it in the mean time.

**Said Rabbi Yishmael son of Rabbi Yosi**, who lived in a later generation than Beit Hillel and Beit Shammai: **I will settle** between these two views.

If the wine becomes impure **in a field**, let it be spilt as one bundle because one may accidentally drink it while bringing it home to sprinkle it.

If it became impure **in a house**, one may **make sprinkling with it**.

**Some say** that Rabbi Yishmael's settlement is as follows: **With new** wine, spill it because one may drink it while it is aging until it is fit for sprinkling.

**With old** wine that is fit for sprinkling immediately, one may **do sprinkling** even if it takes a short time to bring it from the field.

# Chavruta Pesachim – Daf Chaf Alef

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When Rabbi Yishmael son of Rabbi Yosi stated his ruling that settled between the views of Beit Hillel and Beit Shammai, **they** his colleagues **said to him: A third view**, i.e. a new view that stands on its own, **does not settle** a disagreement between Tannaim.

The distinction made by Rabbi Yishmael, to determine whether someone is likely to accidentally use the impure *terumah* or not, is not mentioned by Beit Shammai and Beit Hillel. It is an independent view. Therefore it does not settle between the two earlier views.

In conclusion, this Baraita demonstrates that there is a disagreement between Rabbi Yishmael and the Sages whether we are concerned that one might come to eat *terumah*.

**c c ã d d**

On the previous *daf* there was a disagreement in a Baraita concerning a barrel of pure *terumah* wine that breaks and the wine begins flowing towards impure *chulin* (regular) wine below. Rabbi Yehoshua permits collecting the *terumah* wine in an impure container in order to save the regular wine below, although this will render the *terumah* impure, and Rabbi Eliezer does not permit this.

**Said Rabbi Yosi bar Chanina: The disagreement is when it a single *se'ah* of *terumah* will fall into less than 100 *se'ah* of impure *chulin*.**

## Perek 1 – 21A

**But if it will fall into 100 *se'ah* of *chulin*, everyone** (even Rabbi Yehoshua) **agrees that it should be allowed to go down** into the lower basin and mix with the impure *chulin* wine below. **And one should not make it impure directly.** This is because the *terumah* will be nullified in the *chulin* wine, and the resulting mixture will be permitted. Thus, no loss is involved.

**It was also taught like this** in a Baraita: **A barrel that broke in the upper basin, and underneath it is 100 *se'ah* of impure *chullin*, Rabbi Eliezer agrees to Rabbi Yehoshua that if one can save a *revi'it* of the *terumah* wine in purity**, i.e. with a pure container, **one should save it. And if not, it should be allowed to go down and become impure** in the *chulin* below, **and one should not make it impure directly.** For there is no loss, as explained before.

The Gemara objects that the names are reversed. The Baraita should say that Rabbi Yehoshua, who is generally lenient and allows one to make the *terumah* impure in order to save the *chullin* wine, is stringent here—because there is no loss.

**Said Rava:** You are correct. **Switch around** the names.

\*

Another answer to the transposition of the names:

**Rav Huna the son of Rav Yehoshua said: In truth, do not switch around** the names, because Rabbi Eliezer is not referring to the end of the Baraita, but to the beginning, where it says: “if one can save a *revi'it* in purity, one should save.”

## Perek 1 – 21A

**Here, what kind of container are we dealing with to save the *terumah*? With a container that its inside is pure and its outside is impure.<sup>1</sup>**

**You may have said: We should decree not to save *terumah* in this container because maybe its outside will touch the *terumah* and make it impure.**

**So it, the Baraita, tells us that we do not make such a decree.**

## **Hadran Alach Ohr Le'Arba'ah Asar**

### **We Will Return to You**

### **Perek Ohr Le'Arba'ah Asar**

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<sup>1</sup> Even though normally, a container is made impure both inside and out, the case here is that it was made impure by liquids that only make utensils impure Rabbinically. Therefore, to show that this impurity is only Rabbinic so that people don't burn *terumah* and *kodoshim* (sacrifices) that touched such utensils, the Sages differentiated and said that if the outside of a container is made impure by liquids, the inside will remain pure.

## Perek 2 – 21A

### Perek Kol Sha'ah

#### Mishnah

**Whenever it is permitted** for a man **to eat** chametz on Erev<sup>2</sup> Pesach, **he may feed it to a domesticated animal, a wild animal, and to birds.** However, once it is forbidden for him to eat it himself, he is also forbidden to feed it to his animals. For if he did, he would be deriving an economic benefit from it, and it has already become forbidden to derive any benefit from the chametz.

**And** he may also **sell** the chametz **to a gentile** during the time that he may eat it himself. But afterwards, he may not, since selling it would also involve deriving economic benefit from it.

He is also **permitted to benefit from it.** The Gemara will discuss what this line adds.

However, when **the time** that it is permitted to eat chametz **has passed**, from the sixth hour of the day, he is **forbidden to derive benefit from it.**

**And he may not** even **burn it** as fuel in his **stove** or in his **oven.**

**Rabbi Yehudah says: Chametz may only be eradicated through burning.**

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<sup>2</sup> The Eve of

## Perek 2 – 21A

**And the Sages say:** A man may fulfill the obligation of eradicating chametz **even** by **crumbling it up and casting it to the wind or by dropping it into the sea.**

### **Gemara**

It was stated in the Mishnah: **Whenever it is permitted to eat** chametz, it is also permitted to **feed** it to animals...

The Gemara deduces: **Whenever it is not permitted to eat** chametz, he also **may not feed** it to animals.

The Gemara analyzes the Mishnah: **Let us say that our Mishnah does not** follow the view of **Rabbi Yehudah. For if** it did follow the view of **Rabbi Yehudah, there is the fifth** hour of the day, **when he may not eat** chametz, but he may still **feed** it to animals.

**For it was taught** in a Mishnah: **Rabbi Meir says:** People may **eat** chametz on Erev Pesach throughout the **entire** first **five** hours of the day, **and they must burn it at the beginning of the sixth** hour. Although by Torah law chametz does not become forbidden till the end of the sixth hour, which is the beginning of the seventh hour, Rabbi Meir holds that it is Rabbinically forbidden to eat it from the beginning of the sixth hour, and that one must eradicate it then.

But **Rabbi Yehudah says:** People may **eat** chametz throughout the **entire** first **four** hours of the day, **and they suspend** the status of the chametz throughout the **entire fifth** hour of the day, neither eating it nor burning it, **and they must burn it at the beginning of the sixth** hour of the day.

## Perek 2 – 21A

It appears that our Mishnah is not according to Rabbi Yehudah, who holds that during the fifth hour of the day it is forbidden to eat chametz, but it is permitted to keep it, and one may still feed it to his animals.

\*

The Gemara is puzzled: **And rather, what do you wish to say?** That our Mishnah follows the view of **Rabbi Meir**? If the Mishnah follows his view, what is the meaning of **this** phrase: **“Whenever it is permitted to eat chametz, he feeds it to animals?”** **It should** instead say: **“Whenever he eats chametz, he feeds it to animals.”** The language as it stands seems to imply that during the time that one man may eat chametz, there is a second man who may feed it to animals. If the Mishnah follows the view of Rabbi Meir, it should say that the same man who is eating may also feed his chametz to animals.

**Said Rabbah the son of Ula: Our Mishnah follows the view of Rabban Gamliel.**

**For it was taught** in a Mishnah: **Rabban Gamliel says:** Chametz that is *chulin*, i.e. ordinary and non-consecrated, **may be eaten** through the **entire** first **four** hours of the day. But after the end of the fourth hour, it may not be eaten. Chametz that is *terumah*<sup>3</sup> may be eaten through the **entire** first **five** hours of the day. One may have economic benefit from both types of chametz till the end of the fifth hour, **and we must burn** both types **at the beginning of the sixth** hour.

Our Mishnah follows Rabban Gamliel. **And this is what our Mishnah is saying: So long as a cohen may eat *terumah*, a non-cohen may feed *chulin* chametz to a domesticated animal, a wild animal, or to a bird.**

c c õ d d

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<sup>3</sup> A small portion separated from agricultural produce in the land of Israel and given to Cohanim to be consumed by them in purity. It is considered sacred.

## Perek 2 – 21A

It was stated in the Mishnah: He may feed chametz to a domesticated animal, a wild animal, or a bird.

The Gemara analyzes the Mishnah: **Why must it teach** that he may feed chametz to a **domesticated animal, and** also that he may feed it to a **wild animal?**

The Gemara answers: Both are **needed**.

**For if it had** only taught that he may feed it to a **domesticated animal**, I would think that a domesticated animal may be fed **because if it leaves over** some of the chametz, it will not hide it, and the owner will **see it** and be able to dispose of it. **But a wild animal, if it leaves over** some of the chametz, **it hides it**. As a result, the owner might not successfully dispose of all of his chametz. Therefore, **I would say** that it is **not** permitted to feed chametz to a wild animal so close to Pesach.

**And if it had taught** only that he may feed the chametz to a **wild animal**, I would think that a wild animal may be fed **because if it leaves over** some of the chametz, **it will hide it, at least**, and the owner will include it when he nullifies all the chametz that he did not find. (*Rabbeinu David*)

**But** I would think that one may not feed chametz to a **domesticated animal**, because **sometimes it leaves over** some of the chametz, and **it will not occur** to the owner that his animal may have left some over. As a result, he will **violate** the prohibitions of **“it shall not be seen”** and **“it shall not be found”**. Therefore, **I would say** that he may **not** feed chametz to his domesticated animal.

## Perek 2 – 21A

Therefore, the Mishnah teaches us that until the time that chametz becomes generally prohibited, he may feed it to either a domesticated or a wild animal.

c c õ d d

It was stated in the Mishnah: **And he may sell it to a gentile.**

The Gemara is puzzled: That is **obvious**. Why did the Mishnah need to mention that before the chametz becomes prohibited, its owner may sell it to a non-Jew?

The Gemara answers: It needed to mention this, in order **to exclude** the view of **this Tanna** mentioned in the following Baraita, who indeed forbade selling chametz to a non-Jew at this time.

**For it was taught** in a Baraita: **Beit Shammai say: A man may not sell his chametz to a gentile** before Pesach, even while he is still permitted to benefit from the chametz, **unless he** the Jew **knows about him**, the gentile, **that he will destroy** the chametz, by consuming it or otherwise, **before Pesach**. Beit Shammai hold that since the Jew has an obligation to destroy the chametz, it is not sufficient to merely transfer it to non-Jewish ownership, unless it will actually be destroyed.

**And Beit Hillel says: So long as it is permitted to eat** the chametz, it is **permitted to sell** it to a gentile, and there is no need to know whether or not he will destroy it before Pesach.

## Perek 2 – 21B

### **Ammud Bet**

**Rabbi Yehudah the son of Beteira says: *Kutach*<sup>4</sup> and all types of *kutach* are forbidden to sell within thirty days before Pesach.** Rabbi Yehudah rules like Beit Shammai does. Therefore, since one must make sure that his chametz be destroyed before Pesach, one should not sell *kutach* to a gentile within the thirty days before Pesach. This is because it takes a long time to use up, since it is eaten as a dip. However, the obligation to be concerned that chametz be destroyed begins only from thirty days prior to Pesach, with the beginning of the obligation to study the laws of Pesach.

**c c o d d**

It was stated in the Mishnah that whenever he may feed it to animals or sell it to a gentile, he also is **permitted to benefit** from it.

The Gemara is puzzled: That is **obvious**. Since the Mishnah has already taught us that he may feed it to his animals or sell it to a non-Jew, what is added by informing us that he may benefit from it?

The Gemara answers: **No**, it is not obvious. Rather, the Mishnah **needed** to teach this, in order to hint to an additional permitted benefit: that of benefiting from the chametz during Pesach itself, provided that he **charred it before the time** of the prohibition. This is **in accordance with that** which **Rabbah** said.

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<sup>4</sup> A dip made of bread crumbs, fermented milk and salt.

## Perek 2 – 21B

**For Rabbah said:** If he charred it before the time of the prohibition, so that the chametz lost its taste and its appearance, it is **permitted to benefit** from it **even after the time** of the prohibition. Once it has been well charred, it is no longer considered to be chametz, and the prohibition against benefiting from chametz does not apply to it.

c c õ d d

It was stated in the Mishnah: **If its time passed, it is forbidden to benefit from it.**

The Gemara is puzzled: This is **obvious**. Why did the Tanna need to mention it?

The Gemara answers: The Mishnah is teaching us that it is forbidden to benefit from chametz even during **the time** that eating it is only prohibited by Rabbinic decree. **For Rav Gidel said a Halachah in the name of Rav Chiya the son of Yosef in the name of Rabbi Yochanan,** which demonstrates this point:

**One who betroths<sup>5</sup>** a woman on Erev Pesach **after the beginning of the sixth hour** of the day—a time when Torah law does not yet forbid benefit from chametz—**even** if he betrothed her **through** a gift of **hard wheat<sup>6</sup>** (which does not turn into fully fermented chametz) **we are not even concerned about the betrothal,** for it has no Halachic validity at all.

For in this hour it is forbidden to derive economic benefit from chametz, by Rabbinic decree. Thus the chametz wheat is not considered to be in his ownership, since ownership is a function of one's ability to derive benefit from the said object. For this reason the betrothal is surely invalid, since he did not give her something that belongs to him.

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<sup>5</sup> Makes *kiddushin* to

<sup>6</sup> *Kiddushin* is effected by the man giving an item of worth to the woman.

## Perek 2 – 21B

c c õ d d

It was stated in the Mishnah: Once it is forbidden to benefit from the chametz, **he may not even burn it** as fuel in his **stove or** in his **oven**.

The Gemara is puzzled: This is **obvious**. Since it is forbidden to benefit from the chametz in any way, of course it is also forbidden to use it as fuel. Why does the Mishnah need to mention this?

The Gemara answers: **No**, it is not obvious. The Mishnah **needed** to mention it to clarify the view of **Rabbi Yehudah, who said that the only valid way to destroy chametz is by burning**.

If not for the Mishnah, **I would think** that **while he is burning the chametz**, he may **benefit from it**. Since the benefit is derived from the heat emitted by the already charred sections of the fuel, I might have argued that one may use the chametz for fuel. For it is permitted to derive benefit from the ashes of something that it is a mitzvah to burn it, such as chametz according to Rabbi Yehudah.

The Mishnah **informs us** that this is forbidden even to his view. For the chametz emits heat before it becomes ashes.<sup>7</sup>

c c õ d d

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<sup>7</sup> According to the Sages who disagree with Rabbi Yehudah and permit one to bury the chametz, it is obvious that one may not use the chametz for fuel, since the ashes of something that may be destroyed by burial may not be benefited from. (*Tosafot*)

## Perek 2 – 21B

**Said Chizkiyah: From where in the Torah do we see that it is forbidden to benefit from chametz during Pesach?**

**For the verse says: “Chametz shall not be eaten,”** which is interpreted to mean: **“there shall be no permission** to derive benefit in a way that facilitates one **to eat chametz.”** If it were permitted to sell chametz, which is a normal way to benefit from chametz, the seller would be likely to use the money to buy some other food. This verse tells us that he may not benefit in such a way.

\*

The Gemara analyzes this statement: The **reason** that it is forbidden to benefit from chametz is **that the Torah wrote “shall not be eaten.”** That implies that if **it had not written “shall not be eaten,”** but instead “you shall not eat”, **I would say** that only a **prohibition against eating** chametz is **implied,** but a **prohibition against benefiting** from it is **not implied.** And if so, then Chizkiyah must **disagree** with **that** statement of **Rabbi Abahu.**

**For Rabbi Abahu said: Wherever a verse says: “Shall not be eaten”, “You singular shall not eat”, or “You plural shall not eat”, both a prohibition against eating and a prohibition against benefit are implied.** This is true **unless Scripture specifies** that it is permitted to benefit, **in the way it specified** that it is permitted to benefit **regarding a carcass (*neveilah*)<sup>8</sup>.**

As we shall soon see, in discussing carcasses, the Torah said “you shall not eat,” and then specifically permitted deriving other benefit from a carcass, such as feeding it to dogs. Since the Torah saw it necessary to specifically permit other benefits, we see that “you shall not eat” by itself would forbid having other benefit.

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<sup>8</sup> I.e. an animal of a kosher species that died through a means other than kosher slaughter.

## Perek 2 – 21B

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**For it was taught** in a Baraita: The verse says “**You plural shall not eat any carcass, you may give it to the stranger in your gates and he may eat it, or sell it to a foreigner...**” The stranger referred to is a non-Jewish resident of the land of Israel who has accepted the Seven Noachide Commandments but has not converted to Judaism. He is permitted to eat non-kosher meat.

**I have only** a source that a carcass may be **given to a stranger or sold to a foreigner. From where** can I derive that it may be **sold to a stranger?**

Perhaps, since there is a mitzvah to sustain such a stranger in his time of need, the Torah requires us to give him such a carcass as a gift.

So that we will not think this, **the Torah teaches:** “**...you may give it to the stranger in your gates...or sell it...**” The juxtaposition of “or sell it” enables us to interpret it as referring also to the stranger mentioned earlier in the verse, permitting us to sell it to him as well.

**From where** can I derive that it is permitted to **give** the carcass **to a foreigner?**

Perhaps we may only sell it to them for money, since the Torah says about pagans: “Do not show them favor.”

So that we will not think this, **the Torah teaches:** “**...you may give it and he may eat it, or you may sell it to a foreigner.**” The juxtaposition of “you may give it” enables us to interpret it as referring also to the foreigner mentioned at the end of the verse, permitting us to give it to him as well.

## Perek 2 – 21B

**You must say** that in reference to **both a stranger and foreigner**, it is permitted **to give or sell** the carcass—the words of **Rabbi Meir**.

\*

**Rabbi Yehudah says:** The words are meant to be interpreted **as they are written**, without resort to juxtaposition. To a **stranger**, it is permitted only to **give** the carcass. To a **foreigner**, it is permitted only to **sell** the carcass.

\*

The Gemara analyzes the Baraita: **What is Rabbi Yehudah’s reason?**

The Gemara answers: **If you would think** that the law is **in accordance with that** interpretation of **Rabbi Meir, the Torah should have written** instead: **“To the stranger that is in your gates you may give it and he may eat it and selling** it to a foreigner.” Had the verse been written in this way, we could well read both “giving” and “selling” the carcass as referring to both the stranger and the foreigner.

If so, **why** did the Torah write **“or?”**

We **hear from this** a proof to Rabbi Yehudah’s interpretation, that **“the words are as they are written.**

\*

**And according to Rabbi Meir, why** did the Torah write **“or?”**

## Perek 2 – 21B

The Gemara answers: **To give precedence to giving the carcass to a stranger, over selling it to a foreigner.** If one has the option of giving it as a gift to a stranger, one should do so, rather than selling it to a foreigner for money.

\*

**And** how does **Rabbi Yehudah** derive that we are to prefer a gift to a stranger? He would respond that **for this law, no verse is needed** to derive it. **Since you are commanded to sustain the stranger** in his time of need, **and you are not commanded to sustain the foreigner, no verse is needed** to tell us this preference. Rather, it may be understood on the basis of **reasoning.**

\*

The Gemara raises a difficulty: **It is all right according to Rabbi Meir, who said** that to **both a stranger and foreigner**, it is permitted to **give or sell** the carcass. For according to Rabbi Meir, no problem arises from Rabbi Abahu's rule that wherever the Torah says "you shall not eat," it also means to forbid other benefit.

**Since the verse needed to permit having benefit from a carcass**, we understand **that all other prohibitions in the Torah**, unless similar permission is stated, **are forbidden both to eat and to have benefit from.**

If we do not apply Rabbi Abahu's rule, the permission stated by the Torah would be superfluous, as benefit would anyway be permitted.

**But according to Rabbi Yehudah, who says** that the verse **comes** to teach us only "**the words are as they are written**", **from where** does Rabbi Abahu derive that **all other prohibitions in the Torah are forbidden** even to **benefit from?**

## Perek 2 – 21B

According to Rabbi Yehudah's understanding of the verse, the verse needs to be written to teach that it is forbidden to sell it to a stranger or give it to a foreigner—and this teaching is needed whether or not benefit is permitted. That being so, what is the source for Rabbi Abahu's rule? For there is no otherwise superfluous verse.

\*

The Gemara answers: According to Rabbi Yehudah, Rabbi Abahu assumedly **derives it from** the verse that says: “**To a dog you may throw it.**” This is explicated as follows:

[**You may throw it**, a carcass, to the dogs. But **you may not throw other** things which the Torah forbids the eating of **to the dogs**. Whatever object the Torah said “you may not eat” in reference to, it is also forbidden to use it for other forms of benefit, exemplified by feeding it to animals.]

# Chavruta

## Pesachim – Daf Chaf Bet

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[The Gemara answers: According to Rabbi Yehudah, Rabbi Abahu assumedly **derives it from** the verse that says: **“To a dog you may throw *it*.”** This is explicated as follows:]

**You may throw *it*, meat of *treifah*<sup>1</sup>, to the dogs.** But **you may not throw to the dogs all other things that the Torah forbids** the eating of. Whatever the Torah says “you may not eat” in reference to, you are forbidden to use it for other forms of benefit. (Feeding it to animals is the example given by the Torah of forbidden benefit.)

This is learned from the extra word “it,” and not from the simple fact that the Torah spoke of giving *treifah* meat to dogs. Because this fact teaches us that Hashem does not deny any creature, even a dog, its due reward. The dogs are rewarded with this food for not barking at the Jews during the Exodus from Egypt.

**And according to Rabbi Meir,** who learns from the verse mentioned on the previous *daf* that whatever the Torah forbids us to eat, it also forbids us to benefit from, what does the word “it” in this verse teach us?

The Gemara answers: It teaches us that **you may throw “it”—a *treifah*—to the dogs, but you may not throw *chulin* i.e. ordinary, non-consecrated meat that was slaughtered in the Temple Courtyard to the dogs.**<sup>2</sup>

\*

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<sup>1</sup> An animal that, upon being slaughtered, is discovered to have suffered from a disease or injury that renders it non-kosher.

<sup>2</sup> There is a general prohibition against slaughtering any animal in the Temple Courtyard unless it is a sacrifice. The meat of an animal so slaughtered is forbidden.

## Perek 2 – 22a

**And the other one**, i.e. Rabbi Yehudah, where does he derive this halachah from? Since he uses the word “it” to teach us the prohibition of deriving benefit from what is forbidden to eat, what is his source for the prohibition against giving *chulin* meat slaughtered in the Temple Courtyard to a dog?

The Gemara answers: Rabbi Yehudah holds that ***chulin* meat slaughtered in the Temple Courtyard is not** prohibited to be eaten **by Torah law**. The prohibition is only Rabbinic. Therefore, the Torah in fact does not forbid us to use it for dog food.

**Rav Yitzchak Nafcha contradicted** Rabbi Abahu, who earlier stated the principle that whatever the Torah forbids to eat, it also forbids to derive benefit from. The contradiction is from a verse and a Mishnah: **Note that in** the passage of *gid hanasheh*<sup>3</sup>, **the Merciful One** i.e. the Torah **said: “Therefore, the Children of Israel do not eat the *gid hanasheh*.”** **And yet, it was taught** in a Mishnah: **A man may send the hind leg of an animal to a gentile, and he may even include the *gid hanasheh* within it, and we are not concerned that another Jew may see him give it to the gentile and then eat it, including the *gid hanasheh*, thinking that everything is kosher. It is permitted to send it because its place within the leg is recognizable.**

From here we see that even something that the Torah forbids us to eat, we may nevertheless benefit from, by sending it as a gift.

The Gemara answers: Rabbi Abahu **held the view** that **just as** the Torah **permitted** us to benefit from a carcass of *neveilah*<sup>4</sup>, by selling it or giving it to a gentile, the Torah permitted also the benefit from **it, its fats, and its sinews**. This includes the *gid hanasheh* of kosher meat as well. Therefore, the Torah specifically permitted us to benefit from *gid hanasheh*, and it poses no contradiction to the general rule.

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<sup>3</sup> The sciatic nerve. A sinew in the hind legs of kosher animals that the Torah forbids us to eat, and which therefore must be carefully removed if a Jew is to eat meat from the hind quarters of the animal.

<sup>4</sup> An animal of a kosher species that died by some means other than kosher slaughter.

## Perek 2 – 22a

\*

**That is all right according to the one who says that sinews give a flavor.** Therefore they are considered as part of the meat of the *neveilah*, and it is included in the Torah's permission to have benefit from a carcass of *neveilah*. (There is a disagreement among the Sages whether these sinews have flavor, which has repercussions if the *gid hanasheh* is cooked with kosher meat.)

**But according to the one that says that sinews do not give a flavor, what is there to be said,** to explain why we may derive benefit from them? For they are like dry bones, and are not included in the Torah's statement regarding the meat of *neveilah*.

The Gemara answers: **Who have you heard to say that sinews do not give a flavor? Rabbi Shimon, as it was taught in a Baraita: Someone who eats from the *gid hanasheh* of a non-kosher species of animal, Rabbi Yehudah holds him liable to undergo two sets of lashes—one for eating meat of a non-kosher species, and one for eating *gid hanasheh*. And Rabbi Shimon exempts him completely.**

Rabbi Shimon exempts him for eating *gid hanasheh* because he rules that the Torah's prohibition against eating *gid hanasheh* only applies to a kosher species. And he exempts him for eating meat of a non-kosher species because he holds that sinews do not give a flavor, and are not considered food at all. Eating them is like chewing dry bones, not like eating meat.

**Rabbi Shimon also forbids us to benefit** from the *gid hanasheh*, thus we do not need to find a source to permit its benefit, according to his view.

**For it was taught in a Baraita: The *gid hanasheh* is permitted to benefit** from, these are the words of **Rabbi Yehudah**. **And Rabbi Shimon forbids us to benefit** from the *gid hanasheh*. According to Rabbi Yehudah, who holds that the *gid hanasheh* is

## Perek 2 – 22a

considered to be meat, it is included in the general permission to derive benefit from a carcass. Whereas according to Rabbi Shimon, who holds that it is not considered meat, it is in fact forbidden to benefit from it.

c c õ d d

The Gemara raises a difficulty: **But note that blood** may be benefited from, although it is forbidden to eat it. This contradicts Rabbi Abbahu's principle. **For the Merciful One** i.e. the Torah **said: "Each one of you shall not eat blood,"** and it was taught in a Mishnah: **These and those** i.e. the leftover bloods of sin-offerings whose blood is sprinkled in the Holy of Holies or outside of it are poured out on the southern side of the foundation of the Altar.

The bloods descend from there to the ground through two small pipes, **and they mix in the water canal** that passes through the Temple Courtyard, **and they exit to the Kidron stream.** **They are sold to gardeners for fertilizer,** with the money accruing to the Temple treasury. **And** if someone unintentionally used them without paying for them, **he has transgressed the prohibition of *me'ilah*<sup>5</sup>.**

The Mishnah has taught us that it is permitted to benefit from blood, by using it for fertilizer, despite the fact that it is forbidden to eat it.

The Gemara answers: **Blood is different, because it is compared to water. For it is written** in a verse: **"You shall spill it out on the ground like water."** **Just as water is permitted** to derive benefit from, **blood is also permitted** to derive benefit from.

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<sup>5</sup> *Me'ilah* is the prohibition of using, for personal purposes, something belonging to the Temple.

## Perek 2 – 22a

The Gemara raises a difficulty: **I will say** that the comparison between blood and water teaches only that blood is **like the water that is poured out upon the Altar**, which one may *not* benefit from, as it became holy by being contained in the Temple utensils. If so, why may we benefit from blood?

**Said Rabbi Abahu:** The verse says “**like water,**” meaning to compare it **to most water**. It is more reasonable to understand the verse as giving blood the laws that govern most water, rather than the laws that govern the minority that is brought upon the Altar.

\*

The Gemara challenges the above answer: **Is “most water” written?** The fact that most water is not brought upon the Altar is not a proof that the verse is speaking of this type of water.

**Rather, said Rav Ashi** a different answer: Since the verse says, “You shall spill it out on the ground like water,” it means **like water that is spilled out, and not like water that is poured** upon the Altar.

\*

The Gemara challenges the above answer: **I will say** that blood is **like the water that is spilled out before an idol**, as part of idolatrous rites. This water may not be benefited from.

The Gemara answers: **There**, with the water used for idolatrous worship, **it is also called “pouring,”** not “spilling”. Only ordinary water is “spilt” out. **For it is written, “They drink the wine of their pouring,”** referring to idolatry. Therefore, blood is compared to

## Perek 2 – 22B

ordinary water. That is why its benefit is permitted, and it does not pose a difficulty to Rabbi Abahu's principle.

c c ã d d

### **Ammud Bet**

The Gemara raises a difficulty: **And according to Chizkiyah**, that holds that wherever the Torah says “You shall not eat,” it only means to forbid eating, but not to forbid deriving benefit, **for what halachah is blood compared to water?** According to his approach, the comparison is not needed to teach us that it is permitted to benefit from blood.

The Gemara answers: Blood is compared to water **to** teach us **that** halachah that **Rabbi Chiya the son of Abba** said. (As discussed by the Gemara on the last Mishnah of the previous chapter, food can only become impure if it was first wetted, and thereby made susceptible to receive impurity. It must become wet from one of the seven liquids<sup>6</sup>.)

**Rabbi Chiya the son of Abba said in the name of Rabbi Yochanan:** From where in the Torah do we learn that the **blood of sacrifices does not prepare** food to become impure? **For it says** about blood, “**Do not eat it, you shall spill it on the ground like water.**” The Sages expounded that only **blood that may be spilled like water prepares** foods to become impure. Whereas the blood of sacrifices, which **may not be spilled like water** since it must be caught in a vessel and thrown on the Altar, **does not prepare** food to become impure. This we learn from the comparison of blood to water.

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<sup>6</sup> Water, dew, blood, milk, oil, wine, and honey.

## Perek 2 – 22B

c c o d d

The Gemara raises another difficulty: **But note that a limb severed from a living animal (*eiver min hachai*) may be benefited from, although it is forbidden to eat it.** This contradicts Rabbi Abahu's principle. **For it is written, “Do not eat the life with the meat,”** i.e. do not eat from a limb that was cut from an animal that is alive.

Nevertheless, it is permitted to benefit from it, **as it was taught in a Baraita: Rabbi Natan says: From where in the Torah do we learn that one may not extend a cup of wine to a Nazirite<sup>7</sup>, and that one may not extend a limb severed from a living animal to a descendant of Noah, i.e. to a gentile<sup>8</sup>? The Torah teaches: “Do not place a stumbling-block before the blind.”**

The Baraita implies that the only reason one may not give a gentile such meat is the prohibition of causing someone to sin. **This implies that it is permitted to give it to dogs, and thereby benefit from it<sup>9</sup>.**

This appears to contradict Rabbi Abahu's principle.

The Gemara answers: **A limb severed from a living animal is different, because it is compared to blood. For it is written, “Only be strong not to eat the blood, for the blood is the life.”** The Gemara understands the “life” mentioned here to refer to a limb severed from a live animal, since the earlier verse also used the word “life” in discussing it. Thus, the comparison between the two teaches that it is permitted to benefit from a limb severed from a living animal, just as it is permitted to benefit from blood.

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<sup>7</sup> Who is forbidden by the Torah to drink wine.

<sup>8</sup> Who, as a descendant of Noah, is obligated to observe the seven Noahide Laws, which includes this prohibition.

<sup>9</sup> Though there is no actual financial benefit in giving the meat to a non-Jew, *Tosafot* explains that the non-Jew's gratitude is also considered to be a benefit.

## Perek 2 – 22B

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The Gemara raises a difficulty: **And according to Chizkiyah, for what halachah is a limb severed from a living animal compared to blood?** According to his approach, we had no reason to think that it is forbidden to benefit from such a limb.

The Gemara answers: Chizkiyah would **say to you** that in fact it is the other way around: **blood is compared to a limb severed from a living animal. Just as a limb severed from a living animal is forbidden, so too is blood taken from a living animal forbidden**, and punishable by *karet*<sup>10</sup>.

If not for the comparison, I would think that only blood that spurts out at the moment of the animal's slaughter is forbidden and punishable by *karet*, since the previous verse says: "And you shall slaughter some of your cattle and your small livestock." The comparison of blood to a limb severed from a living animal teaches us that even blood removed from a live animal is forbidden and punishable by *karet*.

\*

The Gemara asks: **And which** type of blood from a living animal is in fact forbidden on pain of *karet*?

The Gemara answers: **This is blood of a wound that potentially takes away the animal's life.** The blood that spurts out, if it is not stopped, is fatal. That blood is forbidden to be eaten and punishable by *karet*, even when it comes from a living animal (i.e. the wound was quickly bandaged before the animal lost too much blood). The blood that comes before and after the spurting is also forbidden, but is punishable merely as an ordinary prohibition, without the severity of *karet*.

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<sup>10</sup> Spiritual excision.

## Perek 2 – 22B

c c õ d d

The Gemara raises a difficulty: **But note that** a contradiction to Rabbi Abahu's principle emerges from what is written about **a bull that is to be stoned** for goring a man. **For the Merciful One** i.e. the Torah said about it: **"Its flesh shall not be eaten,"** and it was taught in a Baraita: **From the implication of the verse that is said, "He shall stone the bull," do I not know that it is a carcass (*neveilah*), and it is forbidden to eat a carcass? What did the Torah seek to teach us by saying "Its flesh shall not be eaten?"**

**The verse is telling you that even if it was slaughtered** in a kosher way immediately **after being condemned** to stoning, it is nevertheless **forbidden** to eat the meat.

**I only** know from this verse that it is forbidden **for eating**. **From where** in the Torah do we learn that it is forbidden **to benefit** from it? **The Torah teaches us, "And the owner of the bull shall be clean."**

**What is the meaning** of this verse? **Shimon ben Zoma says:** "Clean" here means to say that he may not have any benefit from the bull. The expression is **comparable to a man who says to his friend, "So-and-so went clean of his property,** i.e. he lost everything, **and he has no benefit from them whatsoever."**

The Gemara brings out the point: This Baraita implies **that if** we learn only **from** the verse that says **"shall not be eaten,"** then only a **prohibition of eating is meant,** but a **prohibition of** any other **benefit is not meant.** This appears to contradict both Chizkiyah's principle (that only a phrasing of "shall not be eaten" implies a prohibition on benefit) and Rabbi Abahu's principle (that a phrasing of "shall not be eaten", of "You [singular] shall not eat" or of "You [plural] shall not eat") implies such a prohibition.

## Perek 2 – 22B

The Gemara answers: **In truth, “shall not be eaten” does imply both a prohibition of eating and a prohibition of benefit.** In the case of the goring bull, the verse of **“And the owner of the bull shall be clean”** comes to teach us that it is forbidden even to have **benefit** from the **skin**. Whereas benefit from its meat was already included in the verse of “shall not be eaten”.

The verse **needed** to specifically forbid benefit from the skin, because **you would think** that since **“Its flesh shall not be eaten”** is what is **written**, then **the flesh, yes**, it is forbidden to benefit from. But the **skin, no**, it is not.

The verse **informs us** that there is a prohibition on benefiting even from the skin.

\*

The Gemara raises a difficulty: **And according to those Tannaim that use this verse to teach a different law**, namely, **to exempt the owner from paying half-atonement (*chatzi-kofer*<sup>11</sup>)**. This is in the case of a bull that is not a known gorer, and unexpectedly killed someone. Or, the verse is interpreted **to exempt the owner from the payment of causing the loss of offspring**, in the case that such a bull lightly gored a pregnant woman, resulting only in miscarriage. **From where** in the Torah **do they**, those Tannaim, learn that it is forbidden to **benefit** from the **skin** of a bull sentenced to stoning for goring someone?

Since “Its flesh shall not be eaten” speaks only about the meat of the animal, this is not a source for the prohibition on benefiting from its skin.

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<sup>11</sup>When a bull that is a known gorer kills someone, the owner must pay a sum of money known as *kofer*, to the heirs of the victim. Those Tannaim learn from this verse that if the animal is not a known gorer, the owner is exempt from paying any of the amount, despite the fact that generally he would have to pay half of any damages it causes.

## Perek 2 – 22B

The Gemara answers: **They learn** the prohibition of benefiting from its skin **from** the words “*et besaro*” (*et* its flesh). The word *et*, which is superfluous, refers to something aside from the meat. “*Et*” refers to that which is **secondary to its flesh**, namely, the skin.

**And the other** Tanna, who learns the prohibition on benefiting from the skin from “The owner of the bull shall be clean,” how does he interpret the word *et*? The Gemara answers: He **does not interpret** an instance of “*et*” in the Torah as implying a new Halachah, since this word bears enough of a grammatical significance to justify its inclusion in the verse.

\*

**For it was taught** in a Baraita: **Shimon the Amsoni—and some say it was Nechemiyah the Amsoni—used to interpret every “*et*” in the Torah.** Wherever the Torah uses the word “*et*,” he would explain what it meant to include.

**When he arrived at “*Et Hashem your G-d, you shall fear,*” he forsook** his system of interpretation. This is because the Torah could not mean for us to fear something else together with Hashem. Therefore, he regarded this verse as proof that “*et*” is not to be interpreted as an inclusion of an additional factor.

**His disciples said to him: Master, what will be with all the “*etim*” that you interpreted?**

**He said to them: Just as I received reward for the interpretation, so too shall I receive reward for the forsaking** of my former interpretations. Since my intention all along was to come to the truth of the Torah, I received reward for my former interpretations. Since I now realize that it was a mistake, I shall also receive reward for regarding them all as refuted.

## Perek 2 – 22B

Thus the interpretation of *et* was forsaken **until Rabbi Akiva came and interpreted: “Et Hashem your G-d, you shall fear”** comes to **include Torah scholars**. One must fear Torah scholars as one fears Heaven, as taught in *Pirkei Avot*.

In conclusion, this Tanna who does not interpret the word “*et*” to include the skin, holds as did Nechemyah or Shimon the Amsoni when he forsake interpreting *et*.

c c õ d d

The Gemara raises a difficulty: **But note that** a contradiction to Rabbi Abahu’s principle emerges from what is written about *orlah*<sup>12</sup>. **For the Merciful One** i.e. the Torah **said: “Orlah shall not be eaten”**. **And it is taught** in a Baraita: **“Orlah shall not be eaten”**— **I only have a source for the prohibition to eat it**.

**From where** do we learn **that one may not benefit from it, and one may not paint with it** by manufacturing dyes from it, **and one may not light a lamp with it** i.e. with its oil? **The Torah teaches: “And you shall treat as orlah its orlah, three years it shall be orlah for you, it shall not be eaten.”** Why does this verse use the word “*orlah*” three times? **To include all of them** i.e. to teach each of these three prohibitions.

Although manufacturing dyes or fuel-oil is a type of benefit, the Torah needed to specifically forbid this. Because otherwise one would have assumed that these specific benefits should be permitted. In using the fruit to dye something, a mere coloration is being added, which might be thought to be an unsubstantial benefit. In burning the oil, the fruits are being burnt as the Torah requires to be done with something forbidden to benefit from. Thus one could assume that gaining light incidentally is not considered a forbidden benefit.

## Perek 2 – 22B

The Gemara brings out the point: The only **reason** that it is forbidden to benefit from *orlah* is **that the Torah wrote “treat as *orlah*,” “its *orlah*,” and “*orlah*”**, all in one verse.

**That** implies that if it **were not so, I would have said** that only a **prohibition of eating is meant** in the verse, but a **prohibition of benefiting is not meant**. Again, this appears to contradict the principles of both Chizkiyah and Rabbi Abbahu mentioned earlier.

The Gemara answers: **In truth**, wherever the Torah says **“It shall not be eaten,” it implies both a prohibition of eating and of benefiting. But it is different there**, in the case of *orlah*, **because it is written** about it **“for you.”** And for that reason it was **necessary** to write the word “*orlah*” three times in one verse. For **I would have said** that **since** the Torah **wrote “for you,”** it means to teach us that the *orlah* **shall be yours** to benefit from. The verse therefore **informs us** otherwise, by saying “*orlah*” three times in succession.

\*

The Gemara raises a difficulty: **But if so**, once **those three words of Scripture are written, why do I need** for the Torah to write **“for you?”** I.e. what do we learn from this phrase? Since in fact it is forbidden to benefit from *orlah*, “for you” seems to be meaningless.

The Gemara answers: The phrase is **to teach us like that which was taught** in a Baraita: **“For you” means to include a tree planted for the [public.]**

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<sup>12</sup> The fruit of a tree within the first three years of its planting. It is forbidden to eat such fruit.

# Chavruta Pesachim – Daf Chaf Gimel

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[The phrase is **to teach us like that which was taught** in a Baraita: **“For you”** means **to include** a tree **planted for the] public**, such as fruit trees planted in the middle of the street for the benefit of passerby. I would have assumed that such trees are exempt from the laws of *orlah*. The word “for you,” plural, teaches us otherwise.

**Rabbi Yehudah says the opposite:** The words “For you” are intended **to exclude** a tree **planted for the public**. The Gemara will soon explain the disagreement between the first Tanna and Rabbi Yehudah.

**What is the reason of the first Tanna?** Since **it is written** earlier in the verse: **“And you shall plant** every type of fruit-bearing tree, this verse **means** to apply to the **individual**, but it does not **mean** to apply to the **public**. A public does not usually plant trees; individuals plant trees. **And** since the **Torah wrote “For you”** plural, it must be **to include** trees **planted for the public** in the prohibition of *orlah*.

**And Rabbi Yehudah?** He holds that the phrase **“you shall plant”** means to apply to both **the public and to individuals**. And **“for you”** also **means** to be applied to both **the public and individuals**. **And** consequently, **that is** regarded as **an inclusion following an inclusion**. **And an inclusion following an inclusion** is interpreted as meaning **to exclude** something. Therefore, Rabbi Yehudah excludes trees planted for the public from the prohibition on *orlah*.

c c õ d d

## Perek 2 – 23a

The Gemara raises a difficulty: **But note that** a contradiction to Rabbi Abahu’s principle emerges from what is written about *terumah*<sup>1</sup>. **For the Merciful One** i.e. the Torah **said, “And any non-Cohen shall not eat of the sacred,”** i.e. the *terumah*. **And it was taught** in a Mishnah: **“One may make an *eiruv techumin*<sup>2</sup> for a Nazirite with wine, and for an Israelite** i.e. a non-Cohen **with *terumah*.** Though a Nazirite is not presently permitted to drink wine, theoretically he could ask a Sage to annul his Nazirite vow, in which case he would be permitted to drink it.

Likewise, though a non-Cohen may not eat *terumah*, theoretically he could ask a Sage to annul his designation of this particular portion as *terumah*, and then designate other portion in its stead, in which case he would be allowed to eat the first portion. This possibility is sufficient to validate the *eiruv*.

In any event, we see from this Mishnah that it is permitted for a non-Cohen to benefit from *terumah*, even though it is forbidden for him to eat it. This contradicts Rabbi Abahu’s principle.

**Said Rav Papa: It is different there,** in the case of *terumah*, **because the verse said: “Your *terumah*.”** This implies that **it shall be yours** to benefit from.

\*

**And the other one,** i.e. Chizkiyah? Why, according to him, did the Torah need to say “your” *terumah*? Since the verse did not say “It shall not be eaten,” there is no reason to think that the *terumah* is forbidden to benefit from.

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<sup>1</sup> A small portion given to Cohanim from agricultural produce in the land of Israel, to be eaten by them in a state of purity.

<sup>2</sup> A quantity of food placed at a certain location in order to establish one’s Shabbat residence there.

## Perek 2 – 23a

The Gemara answers: **It** the verse **is** simply **saying**: “**your** [plural] *terumah*,” meaning the *terumah* **of all Israel**. This is in line with the way of Biblical Hebrew, and does not call for a special interpretation.

c c ð d d

The Gemara raises a difficulty: **But note that** a contradiction to Rabbi Abahu’s principle emerges from what is written about **a Nazirite**. **For the Merciful One** i.e. the Torah **said**, “**He shall not eat of the seeds or the skin** [of grapes]”, and he certainly may not drink wine. **And it was taught** in a Mishnah: **One may make an *eiruv* for a Nazirite with wine**. Thus, although he may not drink the wine, he may benefit from it. This contradicts Rabbi Abahu’s principle.

**Said Mar Zutra**: **It is different there**, in the case of the Nazirite, **because the verse said**: “All the days of *his Nazirite vow*.” This implies that **it shall be his** to benefit from.

**Rav Ashi said**: The source for a Nazirite's permission to benefit from wine is in a different verse: “**He shall be holy, he shall grow the growth of hair of his head**.” This is interpreted to mean: **His growth** i.e. his hair **is holy**, and it is forbidden to benefit from it, for example, by using it to stuff a pillow. However, the verse implies that **there is nothing else holy** and prohibited to benefit from, as far as the laws of a Nazirite are concerned.

The Gemara is puzzled: How can Rav Ashi explain the verse in that way? **Is “nothing else is holy” written?** There is little grounds for drawing this implication.

The Gemara concludes: **Rather, the correct explanation is like Mar Zutra said**.

## Perek 2 – 23a

c c ð d d

The Gemara raises a difficulty: **But note that** a contradiction to Rabbi Abahu’s principle emerges from what is written about **new grain**, prior to the bringing of the *Omer* offering?<sup>3</sup> **For the Merciful One** i.e. the Torah **said: “You shall not eat bread or roasted kernels or plump kernels until this very day,”** i.e. the day of the bringing of the *Omer* offering. Nevertheless, we see that it is permitted to benefit from the new grains even before the *Omer* is brought.

**For it was taught** in a Mishnah: Although it is forbidden to harvest the crop prior to the harvesting of the *Omer*, one may **harvest immature** grains, or pluck mature grains, and **feed** them to an **animal**. The immature grains are not considered “grains,” but rather “grasses,” and one may therefore harvest them. As for the mature grains, they may be plucked by hand, but not harvested properly. Both may be done in order to use them for animal fodder.

Thus we see that it is permitted to benefit (as animal fodder) even from mature grains, before the bringing of the *Omer* offering. This contradicts Rabbi Abahu’s principle.

**Said Rav Shmayah: It is different there,** in the case of the grains being used for animal fodder, **because the verse said: “your harvest”—it shall be yours** to benefit from.

The Gemara raises a difficulty: **And the other one,** Chizkiyah, what does he learn from the verse of “your harvest?” According to his approach, there was no reason to think that the new grain is forbidden to benefit from, thus there is no need for the verse to permit it.

The Gemara answers: **“Your harvest”** simply **means** that it belongs to **all Israel**. It does not mean to teach us a new law, but is simply the way of Biblical Hebrew.

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<sup>3</sup> It is forbidden to eat from the new crop of grain until the bringing of a special offering called the *Omer*, which is brought once a year on the second day of Pesach.

## Perek 2 – 23a

c c õ d d

The Gemara raises a difficulty: **But note that** a contradiction to Rabbi Abahu’s principle emerges from what is written about *sheratzim*<sup>4</sup>. **For the Merciful One** i.e. the Torah **said** about them: **“It is loathsome, it shall not be eaten”**. **And it was taught** in a Mishnah: Although one may not deliberately trap non-kosher animals in order to sell them, nevertheless, **trappers of wild animals, birds, or fish, that had non-kosher types of animals happen to get caught in their nets are permitted to sell them to gentiles.**

Thus, although it is forbidden to eat a *sheretz*, it is permitted to benefit from it. This contradicts both Rabbi Abahu and Chizkiyah, since it is phrased as “shall not be eaten”.

The Gemara answers: It is **different there**, in the case of the *sheratzim*, **because the verse also said** “they shall be detestable to you,” meaning, **it shall be yours** to benefit from.

The Gemara raises a difficulty: **If so**, it should **even** be permitted to catch them **in the first place**. Why is it not permitted to trap them deliberately, in order to sell them to non-Jews?

The Gemara answers: **It is different here**, in the matter of catching them deliberately, **because the verse said** “they shall be detestable.” This implies that **they shall be as they are**, i.e., one must not intentionally set out to trap them.

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The Gemara raises a difficulty: **And according to Chizkiyah**, who holds that whenever the Torah says “It shall not be eaten,” it means to forbid benefiting from the item in

## Perek 2 – 23a

question, **why** did the Torah need to write “**It shall not be eaten**” and then bring i.e. write “**to you**”, to permit benefiting from them?

**Let the Merciful One** i.e. the Torah **not write “It shall not be eaten,”** and then it **would not require** the verse, “**to you.**”

This does not constitute a difficulty to Rabbi Abahu, since he holds that any way of expressing a prohibition on eating automatically includes a prohibition against benefiting, until the Torah specifies otherwise. Whereas according to Chizkiyah, only the phrasing of “shall not be eaten” includes a prohibition on benefiting.

The Gemara answers: **Chizkiyah would say to you, “My reason, too, is from here.”** I.e. it is from this very verse that he derives his principle that the phrase “it shall not be eaten” automatically implies a prohibition on benefiting. Since the Torah could have chosen a different phrase but chose to use this one, and then expressly permitted deriving benefit from *sheratzim*, this teaches us the principle. Thus, it was needed for the sake of revealing this principle.

c c õ d d

The Gemara raises a difficulty: **But note that** a contradiction to Rabbi Abahu’s principle emerges from what is written about **chametz. For the Merciful One** i.e. the Torah **said, “chametz shall not be eaten.”** And it was taught in a Baraita: **Rabbi Yosi Hagelili says: This is puzzling! How could chametz be forbidden to benefit from all seven days of Pesach?** I.e. Rabbi Yosi Haglili holds that even during Pesach, it is permitted to benefit from chametz. It is only forbidden to eat it.

This contradicts both Rabbi Abahu and Chizkiyah, since both agree that “It shall not be eaten” includes a prohibition on benefiting.

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<sup>4</sup> The six types of crawling creatures mentioned by the Torah as having impurity.

## Perek 2 – 23a

The Gemara answers: It is **different there**, in the case of chametz, **because the verse said about it, “sourdough shall not be seen in *your* possession.”** This implies that it **shall be yours** to benefit from.

**And the Rabbis**, who differ with Rabbi Yosi, explain as follows: sourdough that is **in *your* possession, you shall not see. But you may see chametz that belongs to others**, i.e., gentiles, **or that belongs to Hashem**, i.e., chametz that belongs to the Temple treasury.

\*

The Gemara asks: **And the other one**, Rabbi Yosi Hagelili, from where does he learn that it is only forbidden to have chametz that belongs to you, but not that which belongs to gentiles or to the Temple?

The Gemara answers: **“In your possession” is written twice.** One teaches that it is permitted to benefit from chametz, and the other teaches that it is forbidden only to have chametz that is in your own possession.

\*

**And the other ones**, i.e. the Rabbis who differ with Rabbi Yosi Hagelili? How do they explain the fact that “in your possession” is written twice?

The Gemara answers: **One refers to a gentile that you have subjugated**, i.e. that accepts Jewish rule, **and one refers to a gentile that you have not subjugated.**

If it had been written only once, I would think that you are allowed only have the chametz of a gentile who does not accept Jewish rule, since his property is completely

## Perek 2 – 23a

separate from yours. But otherwise I would assume that it is forbidden to have his chametz during Pesach, since his property is like yours. Therefore, it needs to be written twice, to teach that in all cases, it is permitted to have gentile chametz during Pesach.

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**And the other one**, Rabbi Yosi Hagelili? How does he learn that it is permitted to have chametz that belongs even to a subjugated gentile?

The Gemara answers: **“In your possession” is written three times.**

\*

**And the other ones**, the Rabbis? How do they explain the third time the Torah says “In your possession?”

**One refers to sourdough and one refers to chametz. And both are necessary.** Had only gentile sourdough been permitted, we could say that this is because sourdough is not fit for human consumption as is. (Its primary purpose is to be used as a leavening agent in bread dough.) Thus there is no need for concern that one might accidentally eat it.

On the other hand, had only gentile chametz been permitted, we could say that this is because sourdough, which is strong enough to cause other things to become chametz, remains forbidden. The third instance of “in your possession” thus imparts this teaching.

c c õ d d

## Perek 2 – 23a

The Gemara suggests: **Let us say** that the disagreement between Rabbi Abahu and Chizkiyah as to whether the phrase “You shall not eat” forbids benefit or not is **like a Tannaic** dispute.

For it was taught in a Baraita: The verse says, “The forbidden fat of a carcass (*neveilah*) and the forbidden fat of a torn animal (*treifah*) **may be used for all work**, but you must not eat it.” **What does the Torah mean to say by “For all work?”** Had the Torah not permitted *all* work, one **could have** interpreted it as meaning that it only **permitted** forbidden fat **for work of the Most High**. I.e. these fats may be used for work in the Temple, such as greasing skins. But **it would be forbidden for the work of an ordinary person**, such as using it to fuel a lamp.

This interpretation (which is negated by the word “all”) is based on the premise that “you must not eat it” implies a prohibition on benefit.

Thus **the Torah says: “For all work,”** to teach otherwise—the **words of Rabbi Yosi Hagelili**.

**Rabbi Akiva says:** The verse does not need to permit benefit from forbidden fat, since there is no reason we should think it to be forbidden. Rather, it means to exempt forbidden fat from the impurity of *neveilah*, which applies to the meat of an animal that died through means other than kosher slaughtering. **For one could have thought that only for the work of ordinary people is the forbidden fat considered pure**, and skins greased with will not impart impurity.

But regarding **the work of the Most High**, i.e. the Temple service, I would say that it is regarded as **impure**, because the laws of impurity applying to sacrifices are stricter. Thus it will impart impurity to consecrated items of the Temple.

## Perek 2 – 23B

This interpretation (which is negated by the word “all”) is based on the premise that “you must not eat it” does *not* imply a prohibition on benefit.

**The Torah** therefore says “**For all work,**” meaning that it is pure even in regards to Temple work.

\*

The Gemara brings out the point: According to **Rabbi Yosi Hagelili**, the verse **did not need** to mention the status of forbidden fat in regards to the laws of **impurity and purity**. It is obvious that it is not impure, because it is different from the rest of the meat. **What did the verse need** to tell us about it? Its status as regards **forbidden or permitted**. I.e. to tell us that although it may not be eaten, it may be used for work.

**And Rabbi Akiva** held that **the verse did not need** to mention the status of forbidden fat as regards **forbidden or permitted**. There is no question whether it is permitted to benefit from it by using it for work. **What did the verse need** to tell us about it? Its status in regards to the laws of **impurity and purity**.

### **Ammud Bet**

**Why not say that this is the underlying point that they are differing about:**

**Rabbi Yosi Hagelili holds** that when the Torah states “**You must not eat it**” in reference to forbidden fat, it **means both a prohibition against eating it and a prohibition against benefiting from it**, like Rabbi Abahu. Therefore, **when the verse of “all work” comes, it comes to permit it in the matter of benefiting** from it.

## Perek 2 – 23B

**And Rabbi Akiva holds** that “You must not eat it” means only a **prohibition against eating it**, but it does not mean a **prohibition against benefiting from it**, like Chizkiyah. Therefore, **when the verse comes**, it comes to teach us its status in matters of **impurity and purity**.

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The Gemara rejects this: **No**, this is not the point of disagreement between Rabbi Yosi Hagelili and Rabbi Akiva.

Rather, **everyone** (Rabbi Yosi Hagelili and Rabbi Akiva) **agrees** that “**You shall not eat**” means **both a prohibition against eating and a prohibition against benefiting**, like Rabbi Abahu. However, regarding a carcass (*neveilah*), the Torah has already permitted us to benefit from it, as it says: “To the stranger that is in your gates you may give it and he shall eat it, or sell it to the foreigner.”

**Here, they are differing about this point:**

**Rabbi Yosi Hagelili holds** that **when carcasses were permitted, only it** i.e. the meat of the carcass **was permitted**. **But its forbidden fat and its *gid hanasheh*<sup>5</sup> were not permitted** together with the meat. Since they are not part of the edible meat, they were not included in the permission to give or sell the carcass (i.e. the permission to benefit from it). For the same reason, not being food, the Torah did not need to tell us that impurity applying to the meat does not apply to them. Therefore, **when the verse was needed, it came** to say that **it is permitted to benefit** from the forbidden fat of a carcass.

**And Rabbi Akiva holds** that the verse did not need to tell us that it is permitted to benefit from such forbidden fat. For **when the carcass was permitted** to benefit from, **its forbidden fat and sinews were also permitted**. **When the verse was needed, it was**

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<sup>5</sup> The sciatic nerve, part of the hind quarters of the animal, which the Torah forbids us to eat.

## Perek 2 – 23B

to teach us **about impurity and purity**. Since Rabbi Akiva considers the forbidden fat to be a full-fledged part of the carcass, even though it is not ordinary food, it would be impure if the Torah did not specifically inform us otherwise.

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The Gemara analyzes the Baraita: **According to Rabbi Yosi Hagelili**, who holds that forbidden fat and sinews were *not* included in the Torah's permission to benefit from the carcass, **we have found** in the verse of "all work" **that the Torah permitted its benefit**. **But perhaps we should say that the *gid hanasheh* remains forbidden** to benefit from?

The Gemara answers: **If you wish, I could say that it is true**. It is actually forbidden to derive benefit from the *gid hanasheh*.

**If you wish, I could say** as an alternative answer that even according to Rabbi Yosi Haglili it is permitted to benefit from the *gid hanasheh*. And **he brings** proof to its permissibility **from** the reasoning of a *kal vachomer*<sup>6</sup>:

**What** is true about **forbidden fat**? **That** whoever eats it is **punished with *karet***<sup>7</sup>, but it is nevertheless **permitted to benefit** from it. If so, then ***gid hanasheh***, **that** someone who eats it is **not punished with *karet***, **how much more so** should it be permitted to benefit from it!

**And Rabbi Shimon, who forbade** benefiting from the *gid hanasheh*, does not agree with this *kal vachomer*. For **it is possible to refute it**: **What** is true about **forbidden fat**? **That it is permitted altogether, in wild animals**. There is no prohibition on eating any fat of wild animals such as deer. If so, forbidden fat has a leniency not shared by *gid hanasheh*, and perhaps that leniency is connected to the other leniency, of permission to

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<sup>6</sup> A fortiori reasoning

<sup>7</sup> Spiritual excision

## Perek 2 – 23B

benefit from the forbidden fat. Thus, how can **you say** that *gid hanasheh*, **which is not permitted altogether in wild animals**, is surely permitted to benefit from?

**And the other one**, Rabbi Yosi Hagelili? How does he answer Rabbi Shimon's refutation? He would answer that the leniency mentioned by Rabbi Shimon is unrelated to the issue at hand. For **we are speaking about domesticated animals**, and **in domesticated animals, at any rate, forbidden fat is not permitted**.

c c õ d d

The Gemara approaches the topic from a different perspective: **Since we have** already **contradicted** Rabbi Abahu from **all these verses**, and **we have** already **resolved** these contradictions, explaining how Rabbi Abahu can hold his position despite them, **about what case are Chizkiyah and Rabbi Abahu differing**, in practical Halachah? It seems that Rabbi Abahu's principle has no practical application, since there is always another verse that permits benefit.

We only find them to differ **about chametz during Pesach**, according to the view of the **Rabbis** who hold that it is forbidden to benefit from (against Rabbi Yosi Hagelili's view). Also, they differ about **a goring bull that was sentenced to stoning**, according to **everyone** i.e. according to all the Tannaim (for here, there is no view that permits benefit).

For **Chizkiyah learns it**, the prohibition to benefit from these items, **from "It shall not be eaten"**. And **Rabbi Abahu learns it from** what the Torah said about a **carcass (neveilah)**. I.e. since the Torah specifically permitted benefit from a carcass, this implies that in other cases, what is forbidden to eat is also forbidden to benefit from.

## Perek 2 – 23B

The Gemara brings out the point: **Since, according to both views, these items are forbidden to benefit from—what, then, is the practical difference between them, between Chizkiyah and Rabbi Abahu?**

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The Gemara answers: ***Chulin* i.e. ordinary, non-consecrated meat that was slaughtered in the Temple Courtyard is the case of practical disagreement between them.**

**Chizkiyah, who holds that “It shall not be eaten” excludes** i.e. forbids benefit in **these** cases (chametz and the goring bull), he therefore derives from the word “**it**” of the verse “You shall throw it [*treifah*<sup>8</sup> meat] to a dog” to **exclude *chulin* meat that was slaughtered in the Temple Courtyard.** I.e. from “it” in this verse, he derives that meat so slaughtered is forbidden to benefit from, according to Torah law. (This verse and its various interpretations was discussed at the beginning of the previous *daf.*)

But **Rabbi Abahu, who holds** that the word “**it**” of the above-mentioned verse is the source **to exclude** i.e. forbid benefit in **these** cases (chametz and the goring bull), he therefore concludes that ***chulin* meat that was slaughtered in the Temple Courtyard is not** forbidden to benefit from **by Torah law.**

c c õ d d

**A certain scholar sat down before Rabbi Shmuel the son of Nachmani. He sat and said in the name of Rabbi Yehoshua ben Levi: From where do we learn that anything that the Torah forbids us to eat, just as they are forbidden to eat of it, so too they are forbidden to benefit from it?**

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<sup>8</sup> An animal that, upon being slaughtered, is discovered to have suffered from a disease or injury that renders it non-kosher.

## Perek 2 – 23B

The Gemara asks: **What are they?** What prohibited items was Rabbi Yehoshua ben Levi referring to? It must be that he meant **chametz during Pesach and a goring bull that was sentenced to stoning**. He could not have meant anything else, for, as we saw above, everything else that the Torah forbids us to eat, it specifically permits us to benefit from.

If so, what was Rabbi Yehoshua's question? **Let him derive it** the general prohibition on benefit **from “It shall not be eaten”!**

The Gemara answers: Rabbi Yehoshua differed with Chizkiyah. **To him** Rabbi Yehoshua, **“It shall not be eaten”** means only a **prohibition against eating, but it does not mean a prohibition against benefiting**.

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The Gemara further asks: **Let him derive it** the general prohibition on benefit **from** the law of a **carcass (*neveilah*)**. Since in that case, the Torah specifically permitted us to benefit from it, we see that in other cases, if something is forbidden to eat, it is also forbidden to benefit from it.

The Gemara answers: **He** Rabbi Yehoshua **holds like Rabbi Yehudah, who said** that **the words are** meant to be understood simply, **as they are written**. Thus, the verse that says “To the stranger in your gates ...” teaches us that the carcass may be given as a gift to a stranger, or sold to a foreigner, but not the other way around. We therefore learn no general rule from there.

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## Perek 2 – 23B

The Gemara asks: **If Rabbi Yehoshua holds like Rabbi Yehudah, let him** Rabbi Yehoshua **derive it** the general prohibition on benefit **from** the source from which Rabbi Abahu **derived it, according to Rabbi Yehudah.** Namely, **from** the verse that says **“You may throw it to the dogs.”** “It” you may throw to the dogs, but other things that the Torah forbade you to eat, you may not throw to the dogs.

The Gemara answers: **He held** that *chulin* **meat slaughtered in the Temple Courtyard** is forbidden to benefit from **by Torah law.** And he uses the word “it” in the above verse to derive specifically this law,<sup>9</sup> not a general principle.

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The Gemara returns to Rabbi Yehoshua ben Levi's question: **From where** do we learn the general rule that whatever the Torah forbids us to eat, it also forbids us to benefit from it?

He answered: We learn it **from** the verse that **is written, “Any sin-offering, of which some of its blood is brought** into the Tent of Testimony (*Ohel Mo'ed*) to atone in the holy place, shall not be eaten. You shall burn it in fire.” The verse states that the blood of ordinary sin-offerings, which must be placed specifically upon the outer Altar, disqualifies the offering if it is placed upon the inner Altar.

Yet, this law was already stated in the Torah passage dealing with the eighth day of the dedication of the *Ohel Mo'ed*: “The blood was *not* brought inside, to the Holy place; you should have eaten it in the holy place, as I commanded.” We see from this verse that if the blood had been brought to the inner Altar, the sacrifice would indeed have been disqualified, and the meat would not have to be eaten.

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<sup>9</sup> He interprets the verse of “you may throw *it* to the dogs” as follows: if a pregnant animal is being slaughtered, and, while it is being slaughtered, the fetus sticks a foot outside the mother, then although it is forbidden to eat the meat of that foot, it is nevertheless permitted to benefit from it. However, a *chulin* animal slaughtered in the Temple Courtyard, which is also prohibited because of its location when it was slaughtered, may not even be benefited from.

## Perek 2 – 23B

If so, the first verse appears to be redundant, and must mean to teach us some other law.

**If it does not teach us about itself**, i.e. about the topic it apparently discusses, **for it is** already **written** in reference to the sin-offering of the second verse: “**And behold, it was burnt**”, thus teaching us the law of its disqualification. Then **you must give it** a place to teach about, i.e. regarding **all the prohibitions of the Torah**.

This method of explication is one of the principles of Torah explication that were revealed to Moshe at Mt. Sinai.

# Chavruta Pesachim – Daf Chaf Daled

Translated by: *Chavruta staff of scholars*

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**And if** this verse — “Any sin-offering, of which some of its blood is brought into the Tent of Testimony (*Ohel Mo’ed*) to atone in the holy place, shall not be eaten” — **does not teach us about eating**, i.e. about food prohibitions in the Torah generally, which we have already learned from other verses, **you must give it a place to teach about**, i.e. **the prohibition on benefiting** from that which you may not eat.

The Gemara raises a difficulty: **If** this verse indeed teaches that whatever is forbidden to eat is also forbidden to benefit from, then **just as here**, in the case of the sin-offering, it must be **burnt, so too in all the prohibitions of the Torah**, whatever may not be eaten must be **burnt**. Yet there are many items that their benefit is prohibited, while there is no obligation to burn them. They may be disposed of in other ways.

The Gemara answers: **For the verse said, “In the holy place... it shall be burnt with fire.”** Only prohibited items of the **holy place** must be **burnt**, but **all the prohibitions of the Torah do not need to be burnt**.

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Rabbi Shmuel ben Nachmani questioned the scholar who told him of Rabbi Yehoshua's source for the general prohibition on benefit: **And did this** verse of **“In the holy place... it shall be burnt with fire” come for this**, to teach us that whatever you may not eat, you must not benefit from?

But **this** verse **is needed** to teach us about the sin-offering itself, to inform us that it must be burnt in the Temple Courtyard, **as Rabbi Shimon** said.

## Perek 2 – 24a

**For it was taught** in a Baraita: **Rabbi Shimon says:** The verse of “**In the holy place... it shall be burnt with fire**” **has taught that a regular sin-offering** which had its blood improperly placed on the inner Altar, instead of the outer Altar, **must be burnt in the holy place**, i.e. the Temple Courtyard. **I only have a source for this alone**, i.e. an invalidated sin-offering. When it comes to **other highly consecrated items (*kodshei kodoshim*) that became invalidated, and the innards<sup>1</sup> of lightly consecrated items (*kodoshim kalim*) that became invalidated, from where do we learn that they also are to be burnt in the Temple Courtyard?**

**The Torah teaches us: “In the holy place... it shall be burnt with fire.”**

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The scholar **said to him: Your master, Rabbi Yonatan, said it** the general prohibition on benefit **from this other verse: “And if some of the meat of the dedication-offerings shall be left over, or some of the bread, till morning, you should burn the leftovers in fire. It shall not be eaten, for it is holy.”** It was not necessary to write “It shall not be eaten,” for the verse has already told us that it must be burnt. Therefore, it appears redundant.

**If it does not teach us about itself, for it is already written, “And you shall burn the leftovers in fire,” give it a place to teach about, i.e. all the prohibitions in the Torah.**

**And if it does not teach us about the prohibition on eating, give it another place to teach about, i.e. the prohibition against benefiting from them.**

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<sup>1</sup> I.e. what is burnt upon the Altar, rather than eaten.

## Perek 2 – 24a

The Gemara raises a difficulty: **If** this verse indeed teaches that whatever is forbidden to eat is also forbidden to benefit from, then **just as here**, in the case of leftover portions of the sacrifices, they must be **burnt, so too all the prohibitions of the Torah** must be **burnt**. Yet there are many items that their benefit is prohibited, while there is no obligation to burn them. They may be disposed of in other ways.

The Gemara answers: **The verse has said, “And you shall burn the leftovers”**—which means only **leftover** portions of the sacrifices need to be **burnt**, but **all the prohibitions of the Torah do not** need to be **burnt**.

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The Gemara raises a difficulty: **And** does **this** verse of **“It shall not be eaten”** come to teach us **this**? **This** verse is **needed** for **that** teaching of **Rabbi Elazar**.

**For Rabbi Elazar said:** The verse that says **“It shall not be eaten, for it is holy”** teaches the following: **Any consecrated item that is invalidated, the verse comes to place a prohibition on eating it**. For if this verse had not been written, and we only knew the verse of **“You shall burn it,”** we would not know that there is a negative Torah prohibition on eating it, punishable by lashes.

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**Said Abaye** to answer the above difficulty: **In truth**, the general prohibition on benefiting is learned **from the first verse**, the one presented at the beginning of this *daf* as Rabbi Yehoshua’s source: **“Any sin-offering that some of its blood is brought within the *Ohel Mo’ed* to atone in the holy place, *shall not be eaten...*”** Until now we thought that Rabbi Yehoshua derived it from the end of the verse: **“...it shall be burnt in fire”**. But to answer the difficulty raised earlier, we shall now **reverse** the order of the explication, as follows:

## Perek 2 – 24a

Let the Torah write “it shall be burnt in fire,” and it would not need to write “it shall not be eaten”.

What does the Torah teach by saying “it shall not be eaten?”

If it does not teach about itself, for the prohibition on eating it is derived from the source of **Rabbi Elazar** quoted above<sup>2</sup>, give it another place to teach, i.e. regarding all the prohibitions in the Torah.

And if it does not teach about the prohibition against eating them, for that is learned from their various verses, give it another place to teach, i.e. about the prohibition on benefiting from them.

If you would argue that just as here, that the invalidated sin-offering must be burnt, so too all the prohibitions of the Torah must be burnt<sup>3</sup>, about this the verse said: “You shall burn the leftovers”, which is the verse earlier utilized Rabbi Yonatan. This verse teaches that the leftovers of the sacrifices must be burnt, but all the prohibitions of the Torah do not need to be burnt.

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Said Rav Papa to Abaye: I will say that the phrase of “Shall not be eaten”, from which you are attempting to derive the general prohibition on benefit, is not redundant at all. It comes to designate a specific prohibition for itself.

For if not so, and we would instead derive the prohibition on eating the invalid sin-offering from the source of **Rabbi Elazar**, it would merely be part of a generalized prohibition including all kinds of invalidated consecrated items. And there are no lashes

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<sup>2</sup> For Rabbi Elazar said: The verse that says “It shall not be eaten, for it is holy” teaches the following: Any consecrated item that is invalidated, the verse comes to place a prohibition on eating it.

<sup>3</sup> And this premise is untrue, as explained previously.

## Perek 2 – 24a

for violating a **general prohibition**. Therefore, the Torah wished to give this sin-offering a specific prohibition, so that someone who eats it will indeed be liable for lashes.

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**Rather, said Rav Papa** an alternative answer: **From here** we can learn the general prohibition on benefit: The verse says, **“And the meat that touches anything impure shall not be eaten; it shall be burnt in fire.”**

**The Torah did not need to say “It shall not be eaten,”** for, as we shall soon see, that would be learned from *ma'aser sheni*<sup>4</sup>.

**What** did the **Torah** mean to say by **teaching** that **“It shall not be eaten?”**

**If it does not teach about itself**, that impure sacrificial meat may not be eaten, **for that could be learned from a *kal vachomer***<sup>5</sup> **from *ma'aser sheni* which is more lenient**. The reasoning is as follows: **Just as with *ma'aser*, which is lenient, the Torah said** that a Jew should declare: **“I have not eaten it in impurity,”** implying that it is forbidden to eat *ma'aser sheni* while in a state of impurity. **How much more so** should this be true regarding **sacrificial meat, which is more severe** in its laws than is *ma'aser sheni*.

Thus we already have a *kal vachomer* forbidding us to eat sacrificial meat in impurity, and the verse telling us not to eat such meat may be interpreted as a source for the general prohibition on benefit.

**And if you would say that the Torah does not prohibit something based upon the logic** of a *kal vachomer* alone, therefore the verse is not superfluous as I claimed, I would answer that the law I derived from the *kal vachomer* may also be derived from a *hekeish*,

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<sup>4</sup> An agricultural tithing which must be brought to Jerusalem, and there eaten in a state of ritual purity, either by the owner or by whomever he gives the tithing to.

<sup>5</sup> A fortiori reasoning

## Perek 2 – 24a

a comparison of similar wording in Scriptural verses. Thus it is not based on *kal vachomer* alone. **For it is written, “You cannot eat *ma'aser* of your wheat, wine, or oil, or the firstborn of your cattle, in your towns.”** Since the Torah has compared the *ma'aser sheni* of wheat to firstborn cattle, which is the sacrifice of *bechor*, we derive as follows: just as it is forbidden to eat impure *ma'aser sheni*, so is it forbidden to eat impure sacrifices.

If so, **what does the Torah teach** us by saying **“It shall not be eaten”** in reference to impure sacrificial meat?

**If it does not teach about itself, give it** another place to teach, i.e. **regarding all the prohibitions of the Torah.**

**And if it does not teach you** about the prohibition against **eating** them, **give it** another place to teach, i.e. **regarding** the prohibition on **benefiting** from them.

**If you would argue** that if so, then **just as here**, in the case of impure sacrifices, they must be **burnt, so too there**, in all the prohibitions of the Torah, they must be **burnt**—regarding this, the **verse said “the leftovers”**, meaning that the **leftovers** must be **burnt, but all the prohibitions of the Torah do not** need to be **burnt.**

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**Said Ravina to Rav Ashi: I will say** that the reason the Torah wrote “shall not be eaten”, in the verse presented by Rav Papa above, was not to teach us the general prohibition on benefit, rather it was to cause one who eats impure sacrificial meat **to violate two prohibitions.**

## Perek 2 – 24a

As a result, he shall be liable for two sets of lashes. For **did not Abaye say: “One who eats a *potita*<sup>6</sup> is lashed four times”**, i.e. is liable for four sets of lashes? Since the Torah twice forbids to eat water *sheratzim*, once in *Vayikra*<sup>7</sup>, and once in *Devarim*<sup>8</sup>, and also gives two general prohibitions in *Vayikra*, “Do not make your souls disgusting with any sort of *sheretz*,” and “Do not make yourselves impure with them,” he has violated four separate prohibitions, and is liable for four sets of lashes.

The Gemara continues quoting Abaye’s statement: And if he ate an **ant**, which is a *sheretz* of the ground, he is **lashed five** times. For in addition to the two general prohibitions mentioned above, there are three prohibitions specific to eating ground *sheratzim*. They are “And any *sheretz* upon the ground is abominable, it shall not be eaten, “ “You shall not eat any *sheretz* that creeps upon the ground, for they are disgusting,” and “Do not make yourselves impure with any *sheretz* that creeps upon the ground.”

### **Ammud Bet**

And if he ate a forbidden species of **locust**, which is an air *sheretz*, he is **lashed six** times, for there is one specific prohibition regarding air *sheratzim*, in addition to the two general ones and the three applicable to ground *sheratzim*. Since no *sheretz* spends all the time in the air, but rather, they must rest on the ground, air *sheratzim* are included in the

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<sup>6</sup> A *sheretz* that lives in the water.

<sup>7</sup> Leviticus

<sup>8</sup> Deuteronomy

## Perek 2 – 24B

prohibitions against ground *sheratzim*. The new prohibition is “And any flying *sheretz* is impure for you; do not eat it.”

Similar to what we see in Abaye’s statement, Ravina here says regarding our subject that perhaps the Torah's intention is to make the person who eats impure sacrificial meat liable for two prohibitions, and two sets of lashes.

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Rav Ashi **said to him: Wherever it is possible to interpret** a prohibition as referring to something else, **we interpret** it in that fashion, **and we do not set it up** as merely referring **to extra prohibitions** on the same action.

Thus, Rav Papa’s answer is plausible.

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The Gemara raises a difficulty: In reference to the verse “**And the meat that touches any impure thing shall not be eaten,**” granted that “shall not be eaten” was already interpreted, but **why do I need** the Torah to have written the words “and the meat” at the **beginning of the verse?** Since the whole passage is speaking of sacrificial meat, it was unnecessary for the Torah to have restated the subject.

The Gemara answers: It is meant **to include wood and frankincense**, used for the sacrificial service, amongst the category of things that can become impure. Although these items are not food, they contract impurity like food does, as derived from this phrase.

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## Perek 2 – 24B

The Gemara raises a further difficulty: **Why do I need** the phrase “**and the [pure] meat, any pure person may eat [the] meat,**” **that** appears at the **end of the verse?**<sup>9</sup> Note that the word “meat” appears twice. The Gemara is asking about the first time that the verse says “meat.” What is that word teaching us?

The Gemara answers: We learn from that word **to include** the **innards** that became impure. This part of the sacrifice is burnt on the Altar. If the blood of a given sacrifice was properly sprinkled, and then the innards that were meant to be burnt upon the Altar became impure, I might think that if someone ate them, he would not be liable for eating sacrificial meat while it is impure—for even when they were pure, it was never permitted for anyone to eat them.

This first instance of “meat” teaches us that he would be liable for the prohibition of eating sacrificial meat while it is impure, in addition to the more general prohibition against Cohanim eating portions that are meant to go upon the Altar.

\*

The Gemara raises a difficulty: Is the prohibition against eating impure **innards** learned from this verse? It is **derived from there**, i.e., from a different verse.

**For it was taught** in a Baraita: The verse said, “**And the soul that eats meat from the peace-offering (*zevach shelamim*) that is Hashem's, and his impurity is upon him, that soul shall be cut off from its people.**” The words “that is Hashem's,” are interpreted **to include the innards** in the prohibition against eating sacrificial meat while impure.

The Gemara answers: **There**, the Torah teaches us that it is forbidden to eat the meat of *pure* innards, while **the person himself is impure**, and that one who does so is **liable for**

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<sup>9</sup> The Gemara is not asking about the statement that any pure person may eat the meat, for that teaches us that one is liable only if, himself being impure, he eats pure sacrificial meat. However, he is not liable if he

## Perek 2 – 24B

*karet*<sup>10</sup>. The earlier verse, on the other hand, teaches us that it is forbidden to eat it when the **meat** i.e. the innards **is impure**, and the person is pure. Someone who does so has merely transgressed a **prohibition**, without becoming liable for *karet*.

c c õ d d

**Said Rabbi Abbahu in the name of Rabbi Yochanan:** With **all prohibitions in the Torah, one is only liable for lashes** for eating them if he ate them **in the normal fashion**.

The Gemara asks: **What** is this meant **to exclude**?

**Said Rav Simi bar Ashi:** It is meant **to exclude** the following: **if someone ate raw forbidden fat, he is exempt** from *karet*. Since people normally cook fats before eating them, someone who eats them raw is exempt from punishment.

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**Some say: Rabbi Abahu said in the name of Rabbi Yochanan:** With **all prohibitions in the Torah, one is only liable for lashes** for benefiting from them if his benefit is derived **in the normal fashion**.

The Gemara asks: **What** is this meant **to exclude**?

**Said Rav Simi bar Ashi:** It is meant **to exclude** the following; **if someone put, upon a wound, forbidden fat of a goring bull sentenced to stoning**, as a sort of compress, **he is**

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is eating impure meat that became impure before its blood was sprinkled on the Altar, and was never any permitted to any person.

<sup>10</sup> spiritual excision

## Perek 2 – 24B

**exempt** from punishment. Since the fat is normally used for fuel or to grease tools, when he uses it for medicinal purposes, he is exempt from punishment.

**And how much more so** is it true that if he **eats raw forbidden fat**, that **he is exempt** from punishment.

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**It was also said** in a statement of Amoraim: **Said Rav Acha the son of Rav Iyyah in the name of Rav Asi in the name of Rabbi Yochanan:** If someone **put, upon his wound, forbidden fat of a goring bull that was sentenced to stoning**, as a compress, he is **exempt** from punishment. This is **because with all of the prohibitions in the Torah, one is only liable for lashes** for benefiting from them if his benefit is derived **in the normal fashion**.

**Said Rabbi Zeira:** **We, too, learned** this in a Baraita: Regarding fruit juice, **one only receives forty lashes because** of the prohibition on *orlah*<sup>11</sup> if he consumed the juices **that come out of olives and grapes**.

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The Gemara analyzes the Baraita: **Whereas** juices that come out of **strawberries, figs, or pomegranates**, he does **not** receive forty lashes. **Why? Is it not because he did not eat them in the normal fashion?** Since these fruits are not normally turned into juice, someone who does make them into juice, and then consumes it, is not be liable for forty lashes.

**Abaye said to him:** That is not a valid proof. **It is all right** i.e. the proof would be valid **if we heard about the fruit itself** that he does not receive lashes if **he did not eat them**

## Perek 2 – 24B

**in the normal fashion**—then the proof would be **fine**. **But here**, in the case of juices, we can explain the exemption from lashes differently: **because the juice is merely exuded liquid**. Aside from olive oil and grape juice, fruit juices are not considered to be the primary products of the fruit. Thus, he is not judged as having consumed the forbidden fruits.

c c õ d d

**Said Abaye:** Everyone agrees that regarding wheat that grew **mixed in a vineyard** (*kil'ei hakerem*)<sup>12</sup>, we lash someone who benefits from **them**, even if he benefited from them **not in the normal fashion**. **Why? Because** the word “**eating**” is **not written regarding them**, i.e. in the passages that discuss them. We learn the prohibition on benefiting from them otherwise. Since the Torah does not specify “**eating**,” they do not have the rule of “**in the normal fashion**.”

**They contradicted him**, from a Baraita: **Isi the son of Yehudah says:** The Torah does not expressly tell us that it is prohibited to eat mixtures of meat and milk, but only that we may not cook them together. **From where** do we learn **about meat and milk that it is forbidden** to eat them, if they were cooked together? **It says here**, in one verse, “**For you are a holy nation** to Hashem your G-d, do not cook a kid in its mother's milk.” **And it says there**, in another verse, “**You shall be holy men for me**, and meat torn (*treifah*) in the field you shall not eat.”

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<sup>11</sup> The Torah forbids us to eat the fruits of a tree within the first three years of its planting, when such fruits are called *orlah*.

<sup>12</sup> The Torah forbids one to plant wheat and grapes too close together, and if they were grown in that way, they may not be eaten.

## Perek 2 – 24B

The Gemara is pointing out that there is a *gezeirah shavah*<sup>13</sup>, formed by the word “holy” appearing in both verses.

**Just as there**, in the passage dealing with *treifah*, it is **forbidden** to eat, **so too here**, in the passage dealing with a mixture of meat with milk, it is **forbidden** to eat.

But **I only have** a source that such a mixture is forbidden **to eat**. From where do we learn that it is forbidden to benefit from it?

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**You may say** it is learned through a *kal vachomer* from *orlah*.

**Just as orlah**, that no sin was done through its planting<sup>14</sup>, yet it is **forbidden to benefit** from—it follows that a mixture of **meat with milk**, that a sin was done through its cooking, **is it not logical that it should be forbidden to benefit** from?

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<sup>13</sup> I.e. when different verses have a similar wording, they are often connected. This is *gezeirah shavah*, one of the means by which Scriptural verses are interpreted. There are many verses with similar wording, and a *gezeirah shavah* interpretation is only made when there is a tradition of the Oral Torah (as handed down from Mt. Sinai) that these two verses are indeed linked.

<sup>14</sup> Every tree is *orlah* for the first three years of its growth

# Chavruta

## Pesachim – Daf Chaf Heh

Translated by: *Chavruta staff of scholars*  
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The Baraita questions the *kal vachomer*<sup>1</sup>: How can you compare the two? **What** is true about *orlah*<sup>2</sup>? **That it never had a time of permissibility.** From the very moment the *orlah* fruit come into existence, it was forbidden to benefit from. If so, then **shall you say** that we should apply the prohibition on its benefit to a mixture of **meat and milk, which did have a time of permissibility?** Before being mixed together, it was perfectly permitted to eat the meat and drink the milk.

It could be that the prohibition on benefit from *orlah* is connected to *orlah's* other stringency.

The Baraita responds: **Chametz during Pesach proves it, for it had a time of permissibility,** before Pesach, and nevertheless it is **forbidden to benefit** from it.

Thus, we see that the prohibition on benefit is unconnected to the unique stringency of *orlah*.

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The Baraita challenges the above answer: **What** is true about **chametz during Pesach?** **That it is punishable by karet**<sup>3</sup>, i.e. eating chametz during Pesach is punishable by *karet*. If so, **shall you say** that we should apply the prohibition on its benefit to a mixture of **meat and milk, which is not punishable by karet?**

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<sup>1</sup> *A fortiori* reasoning

<sup>2</sup> Fruit from a tree during the first three years since it was planted. This fruit is forbidden by Torah law.

<sup>3</sup> Spiritual excision

## Perek 2 – 25a

It could be that the prohibition on benefit from chametz is connected to chametz's other stringency.

The Baraita responds: Grain grown in a **mixture** in a **vineyard** (*kil'ei hakerem*) **proves it, for it is not punishable by karet, and** nevertheless it is **forbidden to benefit** from.

Thus, we see that the prohibition on benefit is unconnected to the unique stringency of *kil'ei hakerem*.

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The Gemara brings out the point: **And if it is true** that someone who benefits in an unusual fashion from grain of *kil'ei hakerem* is liable for lashes, as Abaye stated at the end of the last *daf*, **they should have refuted** the *kal vachomer* of the Baraita in the following way: **What** is true about grains grown in a **mixture** in a **vineyard**? **That** the Court administers **lashes for** benefiting from **them, even** if the benefit was derived **in an unusual fashion**.

If so, shall you say that we should apply the prohibition on its benefit to a mixture of meat and milk, where the Court does not administer lashes except to someone who eats it in the usual fashion?

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The Gemara answers: **And Abaye**, that **you wish to say** a refutation to his statement, how shall you refute him? **If you say** that a mixture of **meat and milk is different, because** the Court does not administer **lashes** for eating it in an **unusual fashion**, this is not a refutation. **Is the word “eating” written** in reference to a mixture of **meat and milk**? Since the word “eating” is not written, even if someone were to eat the mixture in

## Perek 2 – 25a

an unusual fashion, he would indeed be liable for lashes. Therefore, we can learn from *kil'ei hakerem* that it is forbidden to benefit from a mixture of meat and milk.

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**And the other one**, the scholar who objected to Abaye's statement? Why did he think that someone who eats a mixture of meat and milk in an unusual fashion would not be liable for lashes?

The Gemara answers: **He learned this from** the passage of *treifah* (**torn meat**), by means of the *gezeirah shavah* of the word “holy” appearing in both passages. **What** is true about *treifah*? That someone who eats it is only liable for lashes if he does it in the **normal fashion**. **So too**, with a mixture of **meat and milk**, someone who eats it is only liable for lashes if he does so in the **normal fashion**.

**And Abaye** held that **this is why “eating” was not written** in the passage of a mixture of meat and milk **itself**. It is **to say that** the Court administers **lashes** to someone for eating it **even in an unusual fashion**. Therefore, we should not understand the *gezeirah shavah* to be teaching us otherwise.

c c õ d d

It was taught in the Baraita mentioned above: Grain of *kil'ei hakerem* proves it, for it is not punishable by *karet*, and nevertheless it is forbidden to benefit from.

The Gemara raises a difficulty: **Let them refute** the *kal vachomer* as follows: **What** is true about grain grown in a **mixture** in a **vineyard**? **That it never had a moment of permissibility**. As soon as the grain came into existence, it was forbidden.

## Perek 2 – 25a

If so, how can we apply the prohibition on its benefit to a mixture of meat and milk, where the meat and milk were permitted for consumption until they were mixed?

At this point, the Gemara is assuming that only the shoots of *kil'ei hakerem* are forbidden for consumption, but the kernels of wheat from which the shoots sprouted remain permitted, just as they were permitted before their being planted adjacent to grapevines.

**Said Rav Ada bar Ahavah:** This Baraita is telling us that with grains grown in a mixture in a vineyard, even their roots, i.e. the kernels originally planted, become forbidden. Now we may say that *kil'ei hakerem* is indeed comparable to a mixture of meat and milk. Since the wheat kernels were once permitted, then become forbidden to benefit from when they are planted adjacent to a grapevine, we can derive that meat and milk, which also was once permitted, become forbidden when they are mixed together.

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**Rav Shemayah contradicted him** Rav Ada bar Ahavah, from a Mishnah: If someone takes a flowerpot, planted with shoots of grains, which has holes in its bottom,<sup>4</sup> and he carries it slowly through a vineyard: if the shoots continue to grow, and add 1/200 to their previous size while they are passing through the vineyard, then they become grain of *kil'ei hakerem* and are forbidden. For the grain is regarded as having taken root immediately, and since it grew so much that the new growth is not nullified in the original size, it becomes forbidden. (Unlike most prohibitions, which are nullified in 60 times their size, *kil'ei hakerem* requires 200 times its size to be nullified.)

And because it is impossible to isolate the forbidden growth from the rest of the plant, we regard it all as forbidden.

## Perek 2 – 25a

The Gemara brings out the point: This implies that if they **add** 1/200 of the total size, then **yes**, they become forbidden, but if they **do not add** that 1/200, then **no**, they do not become forbidden. From this we can see that only the portions of the plant that actually grow in proximity to the vineyard are forbidden, but not the original kernels, although they are regarded as having taken root in the vineyard.

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The Gemara answers: **Said Rava, two Scriptural statements are written** about forbidden mixtures. One says: “Do not plant your vineyard [as a] mixture, lest the growth of the **seed** that you plant become forbidden, [along with] the produce of the vineyard.” The word “seed” implies that the seeds that are planted become forbidden themselves. **And** the other one that is **written** says “**the growth,**” implying that only that which grows in a mixture is forbidden, but not the seeds that were planted.

**How is this** to be reconciled? The answer is that the seed that is **planted from the beginning** in the vineyard becomes forbidden when it **takes root**. But a seed that was **already planted** before being brought into the vineyard, if the plant **adds** 1/200 of its total size while it is within the vineyard, then **yes**, it becomes forbidden, but if **it does not add** so much, then **no**, it does not become forbidden.

This answers Rav Shemayah’s contradiction to Rav Ada bar Ahavah.

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<sup>4</sup> Thus it is considered connected to the ground, because the moisture rising from the ground promotes the plants’ growth.

## Perek 2 – 25a

**Said Rabbi Yaakov in the name of Rabbi Yochanan:** With every item that is generally forbidden to benefit from, we may use it to **heal** ourselves. Medicinal usage is not forbidden as benefit. The **exception is *asheirah* trees**<sup>5</sup>.

The Gemara asks: **How is this?** I.e., to what case are Rabbi Yaakov and Rabbi Yochanan referring? **If we shall say** that they are referring to a case where **there is danger** to the life of the patient, then it should **even** be permitted to use ***asheirah* trees** for medicinal purposes. **And if** they are referring to a case where **there is no danger** to the life of the patient, then it should **even** be forbidden to make medicinal use of **any items that the Torah prohibits** us to benefit from.

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The Gemara answers: **In truth**, they are referring to a case where **there is danger** to the life of the patient. **And nevertheless**, we **may not** use ***asheirah* trees** for medicinal purposes. Idolatry itself, and even benefiting from objects of its worship, is forbidden even to save a Jewish life.

**As it was taught** in an Amoraic statement on the following Baraita: **Rabbi Eliezer says:** The verse says “You shall love Hashem your G-d with all your heart, with all your soul, and with all your might.” “Your soul” refers to your life, and means that one must be prepared to sacrifice his life for Hashem's sake. “Your might” refers to your wealth, and means that one must be prepared to sacrifice his entire fortune for Hashem's sake. **If it said “with all your soul,” why did it need to say “with all your might?”** If we are already obliged to give up even our lives for Hashem's sake, surely we must give up our wealth for Hashem's sake.

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<sup>5</sup> Trees that were planted to be worshipped as idols.

## Perek 2 – 25B

**Rather, it is to tell you that if there is a man whose life is more precious to him than his wealth, he must be prepared to give up even his life for Hashem. Therefore, it says, “with all your soul.” And if there is a man whose wealth is more precious to him than his life, he must be prepared to give up even his wealth for Hashem. Therefore, it says, “with all your might.”**

**When Ravin came, he said in the name of Rabbi Yochanan: With use of everything that the Torah prohibits, we may heal a sick person—except for idolatry, illicit relations...**

### **Ammud Bet**

**...and murder.** It is not permitted to transgress these three commandments even to save one’s life. For example, if gentiles told him: “Kill that Jew or we shall kill you,” he is not permitted to murder a Jew in order to save his own life.

What is the reason that one may not commit **idolatry** in order to save his life, nor use objects of its worship to save his life? For **that** reason **that we said**, because of the verse of “with all your soul.”

What is the reason that **illicit relations and murder** are in this category?

Because **it was taught** in a Baraita: **Rabbi** i.e. Rabbi Yehudah HaNasi **says**, regarding the verse speaking of one who seeks to rape a betrothed<sup>6</sup> young woman: **“For like a man that attacks his friend to murder him, so is this matter.”** **What is the connection**

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<sup>6</sup> Betrothal, called *eirusin* or *kiddushin*, is tantamount to a full marriage bond and thus entails the prohibition of adultery.

## Perek 2 – 25B

**between murder and** forbidden relations with a **betrothed young woman**, that the verse intends to teach us?

It cannot be simply to exempt her from punishment, for it is already written, “And to the young woman you shall not do anything.” Rather, **this**—the laws of a murderer—ostensibly **comes to teach** us about the laws of illicit relations, **yet we find that** in truth, **it learns** from the laws of illicit relations. I.e we learn a law from illicit relations, and apply it to murderers. **What** is true regarding a **betrothed young woman**? **It is permitted to save her** from the would-be rapist **through** taking **his life**, i.e. one may kill him to save her. **So too**, in the case of a **murderer**, **it is permitted to save** the victim **through** taking **the life** of the would-be murderer.

**And** now we may learn a law of the **betrothed young woman from the murderer**. **What** is true with a **murderer**? If gentiles should tell someone, “Kill this Jew or we shall kill you,” **he must** allow himself to **be killed, and not transgress** the prohibition on murder. **So too** in the matter of the **betrothed young woman**. If gentiles should tell a married woman to transgress the prohibition of adultery, at the pain of death, **she must** allow herself to **be killed, and not transgress**.

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The Gemara asks: And **from where** do we know that the prohibition on **murder is itself** not waived, even at pain of death?

The Gemara answers: **It stands to reason**. **For a certain man came before Rava, and said to him: The ruler of my city said to me, “Go kill so-and-so, and if not, I shall kill you.”** What should I do?

Rava **said to him: Let him** the ruler **kill you, and do not kill** your fellow Jew. **How do you know that your blood is redder** than that of your fellow Jew? **Perhaps his blood**

## Perek 2 – 25B

**is redder.** Since there is no way to determine whose life is more precious to Hashem, you may not kill him in order to save your own life.

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**Mar bar Rav Ashi once found Ravina anointing his daughter,** for medical purposes, **with olive oil squeezed from unripe *orlah*<sup>7</sup> fruits.**

**He Mar bar Rav Ashi said to him: I would say** that the permission **which the Rabbis said,** concerning medical purposes, is only **at a time of danger,** i.e. when the patient might otherwise die. But **not during a time of danger,** when the patient is not so ill, **did they say it?**

**Ravina said to him: This fever** that my daughter is suffering from **is also like a time of danger.**

**Some say that Ravina said to him: Am I using it in the normal fashion?** Normally, people anoint with oil from ripe olives, that were squeezed in an olive press—not with oil from unripe olives, that were hand pressed.

c c õ d d

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<sup>7</sup> Within the first three years of the planting of a fruit tree, its fruits are called *arlah*. It is forbidden to use them for any purpose.

## Perek 2 – 25B

**It was said** in a statement of Amoraim: When a person is in a situation where he will benefit unintentionally from some forbidden thing—for example, he is standing in a place where he can smell the aroma of idolatrous incense—this is called a **benefit that comes to a man against his will**. Is it permitted or forbidden?

**Abaye said:** It is **permitted**, and he does not need to leave.

**And Rava said:** It is **forbidden**, and he needs to leave.

The Gemara explains: If it is **possible** for him to avoid having the benefit, but he **intends** to have the benefit anyway, then **everyone agrees that it is forbidden**.

And if it is **impossible** for him to avoid having the benefit, yet he **intends** to have it, then, too, **everyone agrees that it is forbidden**.

And if it is **impossible** for him to avoid having the benefit, **and he does not intend** to have the benefit, **everyone agrees that it is permitted**.

**When do they disagree?** When it is **possible** for him to avoid the benefit, but **he does not intend** to have it.

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There is a general disagreement between Rabbi Yehudah and Rabbi Shimon, which is related to this issue. If a man does an action, as a result of which, something forbidden will likely occur, but he did not intend that result, is he permitted to do the original action? This principle is called *davar she'eino mitkavein*, something which is unintended. For example, on Shabbat he drags a bench. This is likely to make a furrow in the ground, which is the form of work called Ploughing.

## Perek 2 – 25B

**And according to the view of Rabbi Yehudah, who says that something which is unintended is forbidden, everyone agrees that benefit that comes to a man against his will is forbidden.**

**When do they disagree? Only according to the view of Rabbi Shimon, who said that something which is unintended is permitted.**

**Abaye said:** When he could move away from the area, but he does not intend to benefit, it is permitted, **like Rabbi Shimon** said.

**And Rava said: Rabbi Shimon did not say his view in this case. Rather,** he only held his view **where it is impossible** to do otherwise, for instance where the bench that must be carried on Shabbat is too heavy to pick up. In this case it may be dragged at the risk of making a furrow. But if it is a light object, it must be picked up.

**But where it is possible** to avoid the forbidden result, for instance the bench is light and may be carried on one's shoulder, he does **not** hold that it is permitted.

Consequently, even Rabbi Shimon would forbid the case of benefit that comes to a man against his will.

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**Some say** that the disagreement between Abaye and Rava is different: If it is **possible** to avoid the forbidden benefit, **and he does not intend** to benefit, **everyone agrees that** it is dependent on **the disagreement between Rabbi Yehudah and Rabbi Shimon.**

Where it is **impossible** to avoid the benefit **and he does not intend** to benefit, **everyone agrees that** both Rabbi Yehudah and Rabbi Shimon hold that it is **permitted.**

## Perek 2 – 25B

**When do they disagree?** Where it is **impossible** to avoid the benefit, and **he does intend** to benefit.

**And according to Rabbi Shimon, who follows intention** i.e. he holds that the crucial factor is the person's intention, **everyone agrees** that benefit that comes to a man against his will is **forbidden**. Since he intends to benefit from the prohibited thing, it is forbidden.

**When do they Abaye and Rava disagree?** Only **according to Rabbi Yehudah, who says that it makes no difference whether he intended** the forbidden result **or did not intend** it, if it is **possible** to avoid it, it is **forbidden**.

**Abaye held that just as Rabbi Yehudah** holds that the crucial factor is whether it is possible to avoid the prohibited effect, so too he holds regarding “benefit that comes to a man against his will” that the man's intention is not the crucial factor. Since it is impossible to avoid the benefit, it is permitted, even if he intends to benefit from it.

# Chavruta

## Pesachim – Daf Chaf Vav

Translated by: *Rabbi Avraham Rosenthal*  
Edited by: *R. Shmuel Globus*

**And Rava would say to you: This far, Rabbi Yehudah did not say** his view. **For** Rabbi Yehudah only meant to say that someone who does **not intend** the forbidden outcome of his actions is considered **like someone who does intend** it, and is thus responsible for the forbidden outcome, **as regards a stringency**. Thus, in the example given on the previous *ammud*, Rabbi Yehudah would rule that one may not drag a heavy bench on Shabbat where it is likely to make a furrow in the ground. But to treat a person's intention as inconsequential **as regards a leniency, he did not say** his view. Therefore, in the case of "benefit that comes to a man against his will", even Rabbi Yehudah would rule that it is forbidden.

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**Said Abaye: From where do I have a source to say this** ruling, that when it is unavoidable but he intends to benefit, it is permissible? From that **which is taught** in a Baraita: **They said about Rabban Yochanan ben Zakai that he sat in the shadow of the Sanctuary and expounded the entire day**. He would lecture to the masses, and no study hall could hold everyone, therefore, having no other alternative, he lectured in the open area before the Temple Mount, and the Sanctuary, which wtogether hundred *ammot*<sup>1</sup> tall, protected them from the sun.

**And note** that the Sanctuary is forbidden to benefit from because of its sanctity, and nevertheless, Rabban Yochanan ben Zakai benefited from its shade, and he even intended to do so. Rather, it must be that Rabban Yochanan did this **here** because it was

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<sup>1</sup> 1 ammah: 18.7 in., 48 cm

## Perek 2 – 26a

impossible for him not to benefit when he was studying there. Thus, whenever it is **unavoidable and he has intention**, it is permitted, and he does not have to leave.

**And Rava says:** There is no proof from there, because **the Sanctuary is different, since it is made for its inside**. The use of the Sanctuary is only on the inside and benefiting from its shade is not the normal method of benefiting and is therefore not forbidden.

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**Said Rava:** From where do I have a source to say **this**, that when the benefit is unavoidable yet he has intention to benefit, it is forbidden? From that **which was taught** in a Mishnah: **There were access holes opened to the upper level of the Holy of Holies**, and when they needed to fix the wall of the Holy of Holies, **through them they would lower craftsman in boxes in order** that they would not look here and there **and their eyes feast on the chamber of the Holy of Holies**, and thereby have pleasure from the beauty of the appearance of the Holy of Holies, of which it is forbidden to have benefit from.

**And note that here, that it is unavoidable and he has intention**, since it is unavoidable to fix the Temple unless they are inside, and nevertheless they did not go in without boxes because we are concerned they would intend to benefit. Thus, we see if one has intention it is **forbidden** even where it is unavoidable.

The Gemara dismisses this: **And do you think** that to be true? **Did not Rabbi Shimon ben Pazi say in the name of Rabbi Yehoshua ben Levi in the name of Bar Kavra: The sound** of the musical instruments in the Temple, **and the appearance** of the Temple, **and the fragrance** of the *ketoret* (incense), **they are not subject** to the Torah prohibition of *me'ilah*,<sup>2</sup> if one benefits from them, since they are intangible.

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<sup>2</sup> *Me'ilah* is the misuse of sanctified items. One who does so brings a *asham me'ilot* sacrifice as atonement.

## Perek 2 – 26a

Since these types of benefit are only forbidden according to Rabbinic Law, it stands to reason that the Sages did not forbid them when the Temple required repairs. The reason why they entered while in the boxes is not because it was forbidden to benefit, **rather** they did this because **they established a special standard** of respect **for the Holy of Holies**, that they will not feast their eyes on it. Therefore it cannot be proved from here that an unavoidable situation where he has intention is forbidden.

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**There are those that say: Said Rava: From where do I say it**, that where it is unavoidable and he has intention, it is forbidden?

From that **what was taught** in a Baraita: **Said Rabbi Shimon ben Pazi in the name of Rabbi Yehoshua ben Levi in the name of Bar Kafra: The sound, the appearance, and the fragrance are not subject** to the prohibition of *me'ilah*. This indicates that **there is no *me'ilah*** specifically with these items. **Note** however that **there is a prohibition** with these items.

**Is it not** that they are forbidden even **for those people who are standing inside** the Temple courtyard? Even though it is unavoidable for them not to benefit from the sound of the musical instruments and the appearance of the Temple and the fragrance of the incense, it is forbidden for them to have intention to benefit from them. We see that any situation that is unavoidable and he has intention is forbidden.

The Gemara dismisses this: This is **not** a proof. Rather, **for those people who are standing outside** the Temple courtyard it is forbidden. They are not forced to benefit from these items, and it is a situation where it is indeed avoidable and he has intention, and it is forbidden according to everyone.

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## Perek 2 – 26a

Regarding the above-mentioned statement **itself: Said Rabbi Shimon ben Pazi in the name of Rabbi Yehoshua ben Levi in the name of Bar Kafra: The sound, the appearance, and the fragrance are not subject to the prohibition of *me'ilah*.**

The Gemara asks: **And fragrance is not subject to *me'ilah*? But note that it was taught** in a Baraita: Anyone **who compounds the incense in order to learn** how it is done, **or in order to transfer it to the public, he is exempt.** One who compounds it **in order to smell it, is liable.** As it is written, “A person who makes like it to smell it, he will be cut off (*kareit*<sup>3</sup>) from his nation.”

**And one who smells it,** the incense of the public, is exempt from *kareit*, since the Torah only made liable the one who compounded it, and not the one who smells it. **But,** anyone who smells it, **commits *me'ilah*.** Since he benefited from what was sanctified, he is liable an *asham me'ilot*. We see that smelling is subject to *me'ilah* and it is not considered something intangible.

**Rather, said Rav Pappa: Sound and appearance in truth are not subject to *me'ilah* because they have nothing tangible.**

**Fragrance** however, **after** it has been burnt, **and its smoke rises, it is not subject to *me'ilah*, since its mitzvah has already been completed.** Anything whose mitzvah has been completed is no longer subject to *me'ilah*. Since Heaven has no more use from it, it is no longer in the category of “Hashem’s holies” (*Vayikra*<sup>4</sup> 5:15), and only such items are subject to *me'ilah*.

But before the incense is burnt and its smoke rises, its fragrance is subject to *me'ilah*, because the ingredients of the incense are tangible.

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<sup>3</sup> Spiritual excision.

## Perek 2 – 26a

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The Gemara asks: Does this mean **to say that wherever its mitzvah has been completed it is no longer subject to *me'ilah*?** But note that the *terumat hadeshen*<sup>5</sup>, whose its mitzvah was already completed, and nevertheless it is forbidden to benefit from **and it is subject to *me'ilah*, as it is written** regarding it (*Vayikra*<sup>6</sup> 6), “**And place it near the Altar.**” We explicate “and place it” as meaning that **he should not scatter it**, but place it in a pile. We also explicate “**and place it,**” that **he should not benefit** from it.

The Gemara answers: Although *terumat hadeshen* is subject to *me'ilah*, we cannot learn from it to other topics. This is **because** we find that even the priestly garments are subject to *me'ilah* even after their mitzvah has been completed. Therefore, *terumat hadeshen* **and the priestly garments are two verses that come together** and tell us the same thing, **and any two verses that come together** in such a way – **they do not teach** a general law, to apply their law in other places. For if this was a *binyan av*, a prototype, for the entire Torah, it would have been sufficient to write this law in one place. Rather, the reason why the Torah repeated the law in two places is to inform us that this is the law in these two places alone, and no where else.

The Gemara explains: *Terumat hadeshen* is subject to *me'ilah* although its mitzvah has been completed, **like that which we said.**

The **priestly garments** are subject to *me'ilah* even after they are worn out and their mitzvah is already completed, as we find with the *cohen gadol*.<sup>7</sup> After he entered the Holy of Holies on Yom Kippur while wearing the white linen garments that were special

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<sup>4</sup> Leviticus

<sup>5</sup> The taking of the ashes. Every morning in the Temple, the first service of the day was to remove a small quantity of ashes from the previous day's burnt sacrifices.

<sup>6</sup> Leviticus

<sup>7</sup> High priest

## Perek 2 – 26a

for that purpose, they were forbidden to be used again, as it is written (ibid. 16), “**and he placed them there.**” We explicate, **this teaches that they require putting away.**

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The Gemara asks: **This is well according to the Rabbis that** explicate like this regarding the priestly garments **and they say “this teaches that they require putting away.”** But Rabbi Dosa disagrees with them and holds they are not to be used by the *cohen gadol* the next Yom Kippur, **but they are befitting an ordinary cohen**, i.e. these white garments can be worn by an ordinary cohen the rest of the year. (They are not like the *cohen gadol*'s usual set of garments, which are different from those worn by other cohanim.)

**And what is the meaning of “and he placed them there”?** That the *cohen gadol* **should not use them on a different Yom Kippur** for himself. **What can be said** according to Rabbi Dosa, since according to him there is no verse that forbids benefiting from the white garments of the *cohen gadol*, yet their mitzvah has been completed? There is only the one verse about the *terumat hadeshen* that teaches that benefit is forbidden after their mitzvah is completed. We should derive the law from this to everywhere else, that even something whose mitzvah has been completed is subject to *me'ilah*.

The Gemara answers: One can still not learn from *terumat hadeshen*, **because** we find that it is also forbidden to benefit from *eglah arufah*<sup>8</sup> even after its mitzvah has been completed, as it is written, “and they will break the neck of the calf there,” and we explicate “there” to mean that its burial should be “there”, where it was killed. Thus, ***terumat hadeshen* and *eglah arufah* are two verses that come together, and any two verses that come together, do not teach** a general rule.

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## Perek 2 – 26a

The Gemara again asks: **This is well according to the one that said:** “Two verses that come together **do not teach** a general rule.” **But, according to the one that said<sup>9</sup>** that “two verses that come together **teach,**” **what is there to say?**

The Gemara answers: **Two limitations are written** by *terumat hadeshen* and *eglah arufah*. By *terumat hadeshen* **it is written, “and place *it* next to the Altar.”** The verse of “and place *it*” is a limitation, telling us that specifically *terumat hadeshen* is forbidden to benefit from, and not anything else whose mitzvah has been completed. **And** by *eglah arufah* **it is written, “the calf whose neck was broken.”** This is a limitation. Specifically the calf whose neck was broken is forbidden to benefit from and not anything else whose mitzvah has been completed.

c c õ d d

**Come and hear** a proof for Rava’s view, that when benefit is unavoidable but one has intention to benefit, it is forbidden: A calf that was used for work is no longer valid as an *eglah arufah*. If one **tied** the calf **to a team** of cows who were threshing grain, **and it threshed** with them, **it is valid**, and its threshing is not considered work, since he had no intention for its participation in the work.

If he tied it to the team **in order that it should nurse** from its mother **and** also that it **should thresh, it is invalid.**

The Gemara brings out the point: **And note that there, where it is unavoidable** for it to avoid threshing when it is tied to the team in order to nurse, and nevertheless because **he intended** that it should thresh, **it was taught that it is invalid.** We see that even where it

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<sup>8</sup> This was the cow whose neck was broken as an atonement when a person’s dead body is found in between two towns.

## Perek 2 – 26a

is unavoidable, but he intends to benefit, it is considered forbidden. This is a difficulty for Abaye who permitted to do so with items that are forbidden to benefit from.

The Gemara answers: **There it is different** with *eglah arufah*, **as it is written** regarding it that it must be a calf “**with which work was not done.**” This indicates **in any situation**, work must not be done with it. Even though in all other cases, what is unavoidable it is not considered a forbidden act, with *eglah arufah*, the Torah invalidated it specially.

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The Gemara again asks: **If so**, that any work invalidates the *eglah arufah*, **even in the first clause** where he did not have intention that it should thresh, it should **also** be invalid. For it is written “with which work was not done,” in the passive form, which indicates that even if it does work by itself and the owner had no intention for it, it is invalid.

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<sup>9</sup> Rabbi Yehudah in Tractate *Sanhedrin*

## Perek 2 – 26B

### **AMMUD BET**

The Gemara answers: **Note that** the first clause **is comparable to that** which was taught in a Mishnah regarding the *parah adumah*:<sup>10</sup> **If a bird alighted on it, it is valid. If a bull mounted it, it is invalid.** The reason for this is as follows: If a yoke or other burden is placed on a cow, it becomes invalidated as *parah adumah*, as it is written, “upon which a yoke did not come up on.” This indicates even if a burden came on the cow by itself, the cow is invalidated. Nevertheless, the cow does not become invalidated when the bird alights on it, since the owners are not interested in it carrying this burden. It becomes invalidated with the mounting of a bull, though, because they want the cow to propagate.

The same applies to the *eglah arufah*. It becomes invalidated only through work that the owner is interested in. For example, if he tied it to the team in order that it nurse and thresh. But if he is not interested in its threshing, it does not become invalidated.

The Gemara asks: **What is the reason?** I.e. how is this deduced from the Scriptural verses?

**Said Rav Pappa:** **If it would write, “With which he did not work,” and it would also be pronounced “avad,”** and therefore the written form matches the pronunciation, I

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<sup>10</sup> Red Heifer

## Perek 2 – 26B

would have thought that it does not become invalid **until he actually does work with it**. **If it would write, “Work was done,” and it would also be pronounced, “*uvad*,”** and here also the written form matches the pronunciation, I would have thought that it becomes invalid **even** by work that happens **by itself**, and even if the owner is not interested.

However, **now that it is written, “he did not work” but it is pronounced, “*uvad*,”** in the passive form, so the written form does not match the pronunciation, we explicate that it only becomes invalid with a type of “*uvad*” that **is similar to “*avad*.” Just like “*avad*,”** where he does work with it and **he is pleased** with this, even “*uvad*” means the same type of case. It will only be invalid with work **he is pleased with it**.

Even though “which work was not done with it” is written about *eglah arufah, parah adumah* is learned from it through a *gezeirah shavah*<sup>11</sup> of “*al*” “*al*.”

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**Come and hear** a proof from a Baraita against Rava’s view: One who finds a lost item of his friend and he becomes obligated to watch it and return it to its owner, **he may not spread it out on a bed or on a peg, for his own needs.**

**But** he is permitted to **spread it out for its needs**, i.e. when needed to take care of the found object itself, **on a bed and on a peg**. For example, to air it out and thus protect it from moths.

And if **guests arrive** in his house, **he may not spread it out on a bed or on a peg, whether for its need and whether for his need**. Even if he is doing it for the need of the found object itself, but since he also intends to decorate his home and make himself

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<sup>11</sup> I.e. when different verses have a similar wording, they are often connected. This is *gezeirah shavah*, one of the means by which Scriptural verses are interpreted. There are many verses with similar wording, and a

## Perek 2 – 26B

appear honorable in the eyes of his guests, he is benefiting from it, and it is forbidden as a form of theft (he is making personal use of someone else's property). This is true even if it is impossible to attend to the needs of the found object without also benefiting from it. We see that where it is unavoidable but he has intention to benefit, it is forbidden. This is a difficulty to Rava.

The Gemara answers: **There is different**, because he **“damages”**<sup>12</sup> **it**, the found object, by spreading it out in front of the guests. The damage is **either because** since he who sees it will give it **the evil eye**, or it is **because of** attracting the attention of **thieves**. Perhaps one of the guests is a thief, and he will steal it.

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**Come and hear** a proof from a Baraita: Clothes merchants who wish to sell garments commonly display them by wearing them. Even **merchants** of *sha'atnez*<sup>13</sup> **clothes** (the clothes are to be sold to non-Jews), **may sell in their normal fashion** i.e. they may wear them. This is **provided** that **he does not intend in the summer** that the garment should protect him **from the sun**, and he does not intend **in the winter** that it should protect him **from the rain**. As long as he does not intend to have the benefit of wearing it, there is no prohibition of wearing *sha'atnez*.

**And the pious ones**, people who distance themselves from anything that it is improper, **hang** the *sha'atnez* garments **behind them on a stick**. They do not wear them on their bodies.

The Gemara brings out the point: **But note** that **here, where it is possible** for all the merchants **to do like the pious ones** and thereby avoid wearing *sha'atnez* by hanging the clothes behind them on a stick, nevertheless, **when he does not have intention, it is**

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*gezeirah shavah* interpretation is only made when there is a tradition of the Oral Torah (as handed down from Mt. Sinai) that these two verses are indeed linked.

<sup>12</sup> Lit. burns

## Perek 2 – 26B

**permissible** according to Halachah to wear them. This is **a contradiction to the one that taught in the first version** of the disagreement (presented on the previous *daf*) that according to **Rava**, wherever it is avoidable and he does not have intention, it is forbidden according to all Tannaic views.

The Gemara concludes: This is indeed **a refutation**.

c c õ d d

It was stated in the Mishnah, on *daf* 21a:

“However, when the time that it is permitted to eat chametz has passed, from the sixth hour of the day, he is forbidden to derive benefit from it, the chametz. And **he may not even burn it** as fuel in his **stove or in his oven.**”

**The Rabbis taught** in a Baraita: The peels of *orlah*<sup>14</sup> fruit are forbidden to benefit from just like the fruit itself, since it protects the fruit and is thus included in the prohibition on the fruit. Whereas with regards to *kil'ayim* of a vineyard, i.e. grain planted in a vineyard, even the stalks of the grain are forbidden, since the word “fruit” is not written in connection to it.

Therefore, **an oven that was fired with *orlah* peels or with straw of *kil'ayim* of the vineyard**, if the oven is **new, it should be smashed**, since it becomes forbidden to benefit from. This is because the oven becomes solidified with this firing, and its construction is thereby completed.

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<sup>13</sup> Material that has a mixture of wool and linen. It is forbidden to wear clothes made of this material.

## Perek 2 – 26B

But if the oven is **old**, and the firing does not strengthen or complete it, it does not become forbidden to benefit from. Therefore there is no need to smash it, rather **it is cooled down**. I.e. he should not bake in the oven until it cools from the firing that was done with the *orlah* or *kil'ayim*, in order that he does not benefit from them.

And if **he baked in it bread** while it was still hot from the forbidden firing, **Rabbi** i.e. Rabbi Yehudah HaNasi **says: The bread is forbidden**. This is because the forbidden fuel causes the baking of the bread, which improves the bread.

**And the Sages say: The bread is permitted**, because the flame that bakes the bread does not come from the forbidden fuel in its proper state, rather from the fuel that is already burnt. Once *orlah* and *kil'ayim* of the vineyard are burnt, the prohibition departs, because anything that it is a mitzvah to burn, its ashes are permitted.

If the forbidden fuel has already been consumed by the fire and turned into coals, **and one cooked** the bread **on top of those coals, according to everyone** the bread **is permissible**. This is because the coals of *orlah* and *kil'ayim* are permissible to benefit from, like anything that was burnt and whose ashes are permitted. Therefore, the bread was baked by something permissible.

c c o d d

It was stated earlier: A new oven is smashed, an old oven is cooled.

The Gemara raises a difficulty: **But note that it was taught** in another Baraita: An oven that was fired with *orlah* peels or straw of *kil'ayim*, **whether new and whether old, it is**

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<sup>14</sup> The fruit grown on a tree in the first three years after its planting. The fruit is forbidden to eat and to have benefit from.

## Perek 2 – 26B

**cooled.** Even with a new oven, the oven itself does not become forbidden even though it was completed by something forbidden.

The Gemara answers: This is **not a difficulty. This** Baraita is **Rabbi's** view, **and that** Baraita is the **Sages'**. Just as Rabbi and the Sages differed earlier regarding bread that was baked in the oven, whether we say that the improvement of the bread is from the fuel in its proper state, so too they differ regarding the oven itself. According to Rabbi, even the oven becomes forbidden because the improvement of the oven is from the fuel in its proper state. While according to the Sages, the improvement of the oven is from the fuel that has already been burnt. Therefore, whether it is new or old, it is merely cooled, and he does not need to smash it.

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The Gemara dismisses the above answer: **I will say that you heard Rabbi** to say that bread baked with forbidden fuel is prohibited, **because the improvement of the bread is from the wood** i.e. from the fuel in its proper state. However, why should the oven be smashed according to this? The oven itself is not eaten, rather used for baking. If one will later bake bread in the oven, using permissible fuel, we should not forbid the bread. This is because the new baking will come about through two factors: the prohibited fuel that completed the oven, and the present firing of the permissible wood. And any situation in which **this** prohibited element **and that** permitted element together **effect** a result, **did you hear** that Rabbi forbade it? Perhaps he only forbade something that came about through a prohibited element alone, and not something that came about through prohibited and permitted elements.

The Gemara answers: **Rather**, the contradiction between the two Baraitot is **not a difficulty. That** which was taught “a new oven is smashed”, is **Rabbi Eliezer's** view. **And that** which was taught “it is cooled” is the **Sages'**.

## Perek 2 – 26B

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The Gemara asks: **Which** statement of **Rabbi Eliezer** is being referred to?

**If you say: Rabbi Eliezer of the case regarding sourdough, as it was taught in the Mishnah: Prohibited sourdough that fell into permissible dough and leavened it, the dough becomes prohibited, because anything that is caused by a prohibited element is likewise prohibited.**

The same law applies if sourdough of *trumah*<sup>15</sup> falls into dough of *chulin*.<sup>16</sup> The dough becomes forbidden to non-cohanim, as if it was all *trumah*, because of the same reason.

**Sourdough of *chulin* and sourdough of *trumah* that both fell into dough of *chulin*, and this one by itself is insufficient to leaven the dough, and that one by itself is insufficient to leaven the dough, and they join together and leaven it, Rabbi Eliezer says: I follow the last one.** If the sourdough of *chulin* fell in last, the dough is permitted, and if the *trumah* fell in last, the dough is forbidden. This will be explained further, later on.

And the Sages say: Whether the forbidden sourdough fell in first, or whether the forbidden sourdough fell in last, in truth, the *trumah* sourdough does not forbid the dough, **[unless it has enough on its own to leaven it.]**

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<sup>15</sup> A small portion separated from agricultural produce in the Land of Israel, and given to cohanim for their personal consumption. It may be eaten only in purity.

<sup>16</sup> Ordinary or non-consecrated food.

# Chavruta

## Pesachim – Daf Chaf Zayin

Translated by: *Rabbi Avraham Rosenthal*  
Edited by: *R. Shmuel Globus*

[And the Sages say: Whether the forbidden sourdough fell in first, or whether the forbidden sourdough fell in last, in truth, the *trumah*<sup>1</sup> sourdough does not forbid the dough,] **unless it has enough** on its own **to leaven**.

**And said Abaye:** That which Rabbi Eliezer said, “I follow the last one,” meaning that if the last item that fell in was a permitted one, the mixture is permissible: **This was only taught when he hastened and removed the forbidden** sourdough which fell in first, and only afterwards the sourdough of *chulin*<sup>2</sup> fell in. Since he removed it before the dough leavened, the leavening is not attributed to it at all, and it was the permitted sourdough that leavened it alone.

Even though without the initial effect of the forbidden sourdough, the permitted sourdough which came later would not have been able to finish the leavening, nevertheless, since at the time of leavening, the forbidden element was no longer present, it does not “reawaken”. I.e. the forbidden element is considered to be gone, for all intents and purposes.

**But if he did not hasten and remove the forbidden** sourdough from the dough before the permitted sourdough fell in, and the leavening is completed by both together, the dough is **forbidden** like *trumah*.

Even though the dough did not become leaven due to the effect of the forbidden sourdough by itself, rather, both the permitted and the forbidden sourdoughs caused the

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<sup>1</sup> A small portion separated from agricultural produce in the Land of Israel, and given to cohanim for their personal consumption. It may be eaten only in purity.

<sup>2</sup> Ordinary or non-consecrated food.

## Perek 2 – 27a

leavening, it is forbidden. **We see that Rabbi Eliezer holds that any case where “this prohibited element and that permitted element together effect a result, it is forbidden.**

Whereas the Sages hold that where “this prohibited element and that permitted element together effect a result,” is permitted.

So too they hold regarding a new oven fired with *orlah*<sup>3</sup> peels. And that which is taught regarding such an oven, “it should be smashed,” is in accordance with Rabbi Eliezer, since according to him, any bread baked in it becomes forbidden, even if they fire it anew with permitted fuel. This is because the forbidden firing that completed the oven is causing the bread to bake, and he holds that “this prohibited element and that permitted element together effect a result, it is forbidden”.

**And that which was taught regarding such an oven, “it should be cooled down,” follows the view of the Rabbis, and since it is not the forbidden firing by itself that causes the bread to bake, rather, together with the current firing of the permitted wood, it is permitted. Because they hold that “this prohibited element and that permitted element together effect a result, it is permissible”. Therefore the oven is not smashed.**

The Gemara is puzzled: **And from what inference do you say that the reason of Rabbi Eliezer is in accordance with Abaye’s explanation, that specifically where he hastened and removed the prohibited substance, Rabbi Eliezer permitted the dough? Perhaps the reason of Rabbi Eliezer is exactly as he said: because “I follow the last one.”** And in fact he holds that where “this prohibited element and that permitted element together effect a result, it is permitted”, and if the forbidden substance fell in first the dough is actually permitted.

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<sup>3</sup> The fruit grown on a tree in the first three years after its planting. The fruit is forbidden to eat and to have benefit from.

## Perek 2 – 27a

I.e. there is **no difference** whether **he hastened and removed the forbidden substance; no difference** whether **he did not hasten and remove the forbidden substance**. Rabbi Eliezer only forbids when the forbidden substance falls in last because he follows the concluding action, and since a forbidden substance completed the leavening, the dough is prohibited. **But if they fell in at the same time, it is indeed permitted.**

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The Gemara answers: **Rather**, from **Rabbi Eliezer's** statement **regarding *asheirah***<sup>4</sup> **wood** we may learn that he holds that when “this prohibited element and that permitted element together effect a result”, it is forbidden.

**As it was taught** in a Mishnah: If **he took wood from it**, the *asheirah* tree, **it is forbidden to benefit from** the wood. This is because objects of idolatrous worship are forbidden to benefit from, as it is written (*Devarim* 13:18), “Nothing from the banned property shall adhere to your hand.”

And if **he fired the oven with it**, the *asheirah* wood, it depends: if the oven is **new**, **it should be smashed**, and if the oven is **old**, i.e., it has already been fired and completed, **it should be cooled** down. He should not bake bread in it until it cools from the firing of forbidden fuel.

**If he baked bread in it, it is forbidden to benefit from.**

And if that bread **was mixed with other** breads, they are all forbidden.

**And** if a bread of those **other** breads, which became forbidden due to the mixture, got mixed **with other** breads, **they are all forbidden** to benefit from. This is because objects

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<sup>4</sup> A tree worshiped as an idol, and planted for that purpose.

## Perek 2 – 27a

of idolatrous worship can never be nullified even in a thousand, and it forbids its mixture and the mixture of its mixture.

**Rabbi Eliezer says: He should take** just **the** value of the **benefit** derived from the *asheirah* wood **to the Dead Sea**, and dump it there. He has to destroy what he gained from firing the oven with the *asheirah*, and he throws money of that value into the Dead Sea, in order not to benefit from the object of idolatrous worship. However, the bread itself does not become forbidden, because it is not an actual item of idol worship, rather the improvement of the bread is from the wood.

The Sages **said to him: There is no** way to perform **redemption for** objects of **idolatrous worship**. It is insufficient to destroy the value of the benefit, rather, it always remains forbidden and it even forbids its mixture.

Nevertheless, we learn from the words of Rabbi Eliezer that until one takes the value of the benefit to the Dead Sea, a new oven fired with *asheirah* wood is forbidden, and so is the bread baked from its heat. We see that he holds that where “this prohibited element and that permitted element together effect a result”, it is forbidden, and the Baraita speaking of *orlah* peels which taught that “a new oven should be smashed”, cited on the previous *daf*, follows his view.

In truth, the Sages who differ with Rabbi Eliezer in this Mishnah would also agree to the ruling in the Baraita speaking of *orlah* peels. But since these Tannaim’s names are not known, the Baraita is described as following the view of Rabbi Eliezer.

The Gemara again dismisses this: **I will say that what you heard about Rabbi Eliezer**, that he holds that “this prohibited element and that permitted element together effect a result” is forbidden, this is only **regarding** objects of **idolatrous worship**. This is because the **prohibition** on idol worship **is strict**. But **with other prohibitions in the Torah, did you hear** that Rabbi Eliezer said so?

## Perek 2 – 27a

The Gemara answers: We must say that Rabbi Eliezer said this even regarding other Torah prohibitions. **But** if you say that he only holds this regarding idol worship, **if so**, according **to whom will you set up** the Baraita speaking of *orlah* peels? This is because no one aside from the views expressed in this Mishnah holds that where “this prohibited element and that permitted element together effect a result”, it is forbidden, as the Baraita ruled regarding *asheirah*. Thus we are forced to explain it according to his view, and say that he did not make distinctions between idol worship and other prohibitions.

**And** the Gemara answers **further: Note that it was taught expressly** in a Baraita: **And similarly did Rabbi Eliezer forbid**, where “this prohibited element and that permitted element together effect a result”, **regarding all the prohibitions in the Torah.**

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**Said Abaye: If you will say** that Rabbi, who forbade the bread baked with *orlah* peels in the latter clause of the Baraita, also holds that “**this prohibited element and that permitted element together effect** a result”, it **is forbidden**, and he is the one that taught in the first clause that “a new oven should be smashed,” then **Rabbi is the same as Rabbi Eliezer.**

**And if you will say** that Rabbi holds that “**this prohibited element and that permitted element together effect** a result”, it **is permitted**, and he does not hold that a new oven should be smashed—**and** he only forbade **here** the bread baked after the forbidden firing **because the improvement of the bread is from the wood** i.e. the forbidden fuel. And this is case where there is only one element that causes the prohibition.

However, **these bowls, cups and plates** made of pottery, that were baked in a fire of forbidden wood, they **are prohibited** even according to Rabbi. Because **where do** Rabbi and Rabbi Eliezer **differ?** They differ **regarding an oven and a pot.** According **to the**

## Perek 2 – 27a

**one** (Rabbi Eliezer) **who said** that “**this** prohibited element **and that** permitted element together **effect** a result”, it **is forbidden**, these are also **forbidden**. Even though they themselves are not eaten, nevertheless, they may not be used to produce food in.

Whereas according **to the one** (Rabbi) **who said** that “**this** prohibited element **and that** permitted element together **effect** a result”, it **is permitted**, it emerges that **it is permissible** to bake and cook in these utensils. This is because he is not benefiting directly from the oven or pot. They are not used in the act of eating. Rather, the benefit comes from the bread or food that are cooked in them. And this is permitted, because there is a permitted element that is contributing to the baking and cooking, namely, the permitted wood now being used to fire the oven.

But bowls, cups and plates that were formed through a prohibited firing, and they were improved by the forbidden fuel, they are forbidden to use. This is because he is benefiting from them directly when he uses them to eat with, and they themselves have only an forbidden element, without another element that is permitted.

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**There are those that say: Even** according **to the one that says** “**this** prohibited element **and that** permitted element together **effect** a result”, it **is permitted**, it is specifically the oven that is permitted, because he only benefits from it by a firing with permissible wood. Thus the benefit comes through two elements together. However, **a pot** that was formed by forbidden fuel **is prohibited**. This is because he is benefiting from it without the second element of a permissible firing, **because it received** food for the sake of **cooking before permitted wood was placed** under it. The very fact that it holds the food is considered benefit, thus he is benefiting from the forbidden element by itself.

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## Perek 2 – 27a

**Said Rav Yosef in the name of Rav Yehudah in the name of Shmuel:** You should teach this version of the earlier Baraita: **An oven that was fired with *orlah* peels or straw of *kilayim*<sup>5</sup> of the vineyard, if it is new, it should be smashed. If it is old, it should be cooled.**

**If he baked bread in it - Rabbi says the bread is permitted.**

**And the Sages say: The bread is forbidden.** Shmuel switched the views of Rabbi and the Sages.

The Gemara raises a difficulty: **But note that it was taught** in a Baraita **the opposite**, that Rabbi is the one who forbids, and the Sages permit.

The Gemara answers: **Shmuel taught it**, the Baraita, in the **opposite** manner.

**And if you want, I will say:** Shmuel also taught the Baraita as it was presented earlier. However, he purposely switched the views because **in general, Shmuel holds that “the Halachah is in accordance with Rabbi** when he differs with **his colleague,”** but **not** when he differs with **his colleagues**, i.e. when the majority disagree with him, the Halachah is not like him.

**And Shmuel holds in this** specific disagreement that, in exception to the general rule, the Halachah is like Rabbi **even** though he differs with **his colleagues**. Shmuel prohibits the bread because the improvement of the bread is from the forbidden fuel. **And he holds** that it is proper to **teach** this Baraita in the **opposite** manner, **in order that we establish** the view of **the Rabbis to be** that the bread is forbidden **forbidden**.

This is so people will come to the right Halachic conclusion, which is preferable to citing the views accurately yet thereby leading people astray.

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<sup>5</sup> It is prohibited according to Torah Law to plant different types of seeds together. It is also forbidden to

## Perek 2 – 27a

c c õ d d

It was stated earlier: If **he cooked** the bread **on coals** of *orlah* and of *kilayim* of the vineyard, **according to everyone the bread is permitted.**

**Rav Yehudah said in the name of Shmuel** one explanation of this law, **and Rabbi Chiya bar Ashi said in the name of Rabbi Yochanan** a different explanation.

**One said: They only taught** that the bread is permitted when it was cooked on **extinguished coals**, because there, even Rabbi concurs that the prohibition is gone from the fuel. This is because they are considered like the ashes of items that it is a mitzvah to burn, which are permitted.

**But burning coals are forbidden**, since they are not ashes and their prohibition has not yet gone. Therefore according to Rabbi, bread that was baked with them is forbidden.

**And the other one said: Even burning coals are also permitted**, since according to everyone they are like ashes and their prohibition is gone.

The Gemara raises a difficulty: **It is well according to the one who said, “burning coals are forbidden”**. Rabbi was correct to forbid the bread baked on them, **because the improvement of the bread is from the wood** i.e. the forbidden fuel, and it is still wood and not ashes.

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grow other species in a vineyard.

## Perek 2 – 27B

But according to the one who said, “even burning coals are permitted,” a difficulty arises: The **bread that he Rabbi forbade** in the first clause because of “**the improvement of the bread is from the wood,**” according to **Rabbi, how is it this case found?** What is the case in which the bread is forbidden? For the burning coals are considered mere ashes.

**Said Rav Pappa:** The forbidden case is **when** the burning wood is still whole and has not yet turned into coals, and the **flame** comes out from the wood directly **across from it**, the bread, and bakes it.

### **AMMUD BET**

The Gemara is puzzled: **This implies that the Rabbis who differ with him, Rabbi, permit it even when the flame is directly across from it.** This is because they hold that the flame does not come from the part of the wood that is still whole, rather from the small amount that has already been burnt and whose prohibition has gone.

**But** if this is so, then a difficulty arises: **Wood that is prohibited** to benefit from, according to **the Rabbis, how is it this case found?** For the burning wood is always considered consumed and therefore permitted. Yet we know that there is a case of forbidden *asheirah* wood.

**Said Rav Ami bar Chama:** It is found **with a stool.** If one builds a stool or chair from wood that is prohibited to benefit from, he may not sit on that stool, as he is benefiting from the wood while it still exists.

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## Perek 2 – 27B

**Rami bar Chama posed an inquiry to Rav Chisda: An oven that was fired with *hekdesh*<sup>6</sup> wood, and he baked bread in it, what is the law?**

According to Rabbi, the bread is certainly forbidden because the improvement of the bread is from the *hekdesh* wood. But according **to the Rabbis who permitted the previous** case, of bread baked **with** *orlah* peels, because they do not hold that “the improvement of the bread is from the wood” (since the heat comes from the already consumed portion of the fuel), **what** is the law regarding *hekdesh* wood? Would they permit this case, too?

Rav Chisda **said to him:** Even according to the Rabbis **the bread is forbidden**, and the law of *hekdesh* items is stricter than other items that are forbidden to benefit from.

Rami bar Chama is puzzled by this: **And what** is the difference **between this** bread that was baked with *hekdesh* wood, **and between** bread that was baked with *orlah* fuel?

**Said Rava** in reply: **Now**, do you really think **like this**, that there is no difference between the two? *Hekdesh* items are certainly more stringent, because *orlah* **is nullified** in a mixture of **two hundred** times its amount. But *hekdesh*, **even in a 1000** parts of *chulin* **is not nullified**.

**Rather, said Rava: If there is a difficulty for him** Rami bar Chama to raise, regarding the words of Rav Chisda who forbade the bread, **this is the difficulty:**

**Did not the one who lit the fire** with the *hekdesh* wood **commit *me'ilah***<sup>7</sup>, since he made improper use of consecrated property? **And wherever the one who lit the fire committed *me'ilah***, the wood immediately **goes back to** its original state of *chulin*. Thus, the bread should be permitted!

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<sup>6</sup> Consecrated to the Temple

## Perek 2 – 27B

As it was taught in a Mishnah: One cannot commit *me'ilah* after *me'ilah*, except with a sacrificial animal and with a vessel used for Divine service. This is because animals and vessels of these types are consecrated in and of themselves, and therefore do not revert to being *chulin* through misuse. But with any other *hekdesh* item, it is the value of the item that is consecrated. Thus, the first one to commit *me'ilah* causes it to go back to *chulin* and then *me'ilah* is no longer applicable to it.

And since the wood went back to *chulin* as soon as the one who lit the fire committed *me'ilah*, how can it forbid bread that was baked with it afterwards?

**Said Rav Pappa: Here we are dealing with wood of *shelamim*.**<sup>8</sup> He consecrated the wood for its value, intending to use its value to buy a *shelamim* sacrifice. Since *shelamim* are *kodoshim kalim*<sup>9</sup> and we do not apply the verse of “Hashem’s holies” (*Vayikra*<sup>10</sup> 5:15), *me'ilah* does not apply to them. However, it is certainly forbidden to benefit from them. Similarly with wood whose value was consecrated for *shelamim*, one may not benefit from them, but *me'ilah* does not apply.

It is evident to Rav Chisda that the wood does not lose its sanctity through the act of the one who lit the fire, because he did not commit *me'ilah*. **And this is according to Rabbi Yehudah who said: *Hekdesh*, through unintentional *me'ilah*, loses its sanctity. But with intentional *me'ilah* it does not lose its sanctity.**

**With intentional *me'ilah*, what is the reason that it does not lose its sanctity? Since it is not subject to *me'ilah*,** since one does not bring a *me'ilah* sacrifice for intentional *me'ilah*, only for unintentional *me'ilah*, therefore **it does not go back to being *chulin* through an intentional *me'ilah*.**

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<sup>7</sup> The misuse of consecrated items. One who does so brings a *asham me'ilot* sacrifice as atonement.

<sup>8</sup> Peace offering

<sup>9</sup> Sacrifices with lighter sanctity

<sup>10</sup> Leviticus

## Perek 2 – 27B

According to this, one who commits *me'ilah* with an item that has *shelamim* sanctity, **also here, since it is not subject to *me'ilah***—as we do not apply the verse “Hashem’s holies”—**it does not go back to be *chulin*** when one commits *me'ilah* with it.

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The Gemara raises a difficulty: **And wherever the one who lit the fire committed a true act of *me'ilah*, the wood goes back to be *chulin*?**

**But note that it was taught** in a Baraita: **All items forbidden to benefit from, that are a mitzvah to be burnt, their ashes are permitted to benefit from—aside from *asheirah* wood.** This is learned from the verse regarding idol worship (*Devarim*<sup>11</sup> 13:18), “Nothing from the banned property shall adhere to your hand.”

**And the ashes of *hekdesh* are always forbidden.**

Specifically with *hekdesh* it is always forbidden, but *asheirah* wood, if a gentile burns it, it is permissible. This is because a gentile can neutralize objects of idolatrous worship, by treating them in a disrespectful manner. This treatment removes their designation as objects of idolatrous worship, and the objects thereby become permitted to benefit from. Thus, it is understandable that the ashes are permitted in a certain case. The gentile disgraced the *asheirah* by burning it.

But if it is true that *me'ilah* causes *hekdesh* wood to go back to be *chulin*, note that the wood lost its sanctity when he took it in order to burn it. If so, why are its ashes forbidden?

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<sup>11</sup> Deuteronomy

## Perek 2 – 27B

**Said Rami bar Chama:** With what are we dealing with? **For example**, where he did not commit *me'ilah* with them, rather **a fire broke out by itself in the *hekdesh* wood, where there is no person to commit *me'ilah*** with them.

**Rav Shmayah said:** With what are we dealing? **With those ashes that require putting away.** This is referring to the ashes of the *terumat hadeshen*,<sup>12</sup> which were a case of *me'ilah* when one burnt the items that produced the ashes. Rather, it is the ashes of sacrifices and wood that were burnt on the Altar as part of the service of the Temple.

It is forbidden to benefit from such ashes, as **it was taught** in a Baraita: It is written regarding the *terumat hadeshen* (*Vayikra* 6:3), “and he places it near the Altar.”

This is interpreted as follows: “**And he places it,**” meaning he must place it down in a **gentle way**. This is also interpreted to mean: “**And he places it,**” meaning he must place **all of it**. This is also interpreted to mean: “**And he places it,**” meaning **he should not spread** it out, but leave it piled. This is also interpreted to mean: “And he places it,” meaning he should not benefit from it.

This last interpretation is the source for the prohibition on benefit from the ashes of *terumat hadeshen*.

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<sup>12</sup> The ashes of the burnt sacrifices

## Perek 2 – 27B

c c õ d d

It was stated in the Mishnah on *daf* 21a: **Rabbi Yehudah says: Chametz may only be eradicated** through burning.

**It was taught** in a Baraita: **Said Rabbi Yehudah: Chametz may only be eradicated** through **burning. And logic indicates** this to be so, because it may be proven with a *kal vachomer*<sup>13</sup> from *notar*<sup>14</sup> of consecrated meat.

**Just like *notar*, which is not** subject to the special chametz prohibitions of “**not being seen**” and “**not being found,**” and nevertheless **it requires burning,** as it is written (*Vayikra* 7:17), “And the leftover from the meat of a sacrifice, on the third day it will be burnt in fire.” **Chametz, which is** subject to “**not being seen**” and “**not being found,**” **certainly requires burning.**

The Sages **said to him: Any logical proof** of *kal vachomer* **that you bring proof at the outset** based on a certain **stringency,** and demonstrate that we should add another stringency to something that is already strict, **and at its conclusion** of the logical proof it teaches **to be lenient, it is not a valid logical proof.** In other words, when your stringency leads to a leniency, it is not a true stringency.

In this case, if you require eradication only by burning, in the end it will come to a leniency.

Because note that **if he does not find wood** to burn it, **he will sit and do nothing,** and not eradicate the chametz at all.

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<sup>13</sup> A fortiori reasoning

<sup>14</sup> Lit. leftover. There was a time-limitation as to when one was permitted to eat sacrifices. After the time passed, the leftover meat could not be eaten, and it required burning.

## Perek 2 – 27B

Whereas without the *kal vachomer*, the mitzvah of its eradication would still be fulfilled. Because **the Torah said** (*Shemot*<sup>15</sup> 12:15), “**Eliminate sourdough from your homes.**” This means: Eradicate it **with anything that you can eliminate it** with. If he does not have wood, he should eradicate it by crumbling it and throwing it to the wind, or anything similar.

Even though we said earlier (12B) that even according to Rabbi Yehudah, at the time of its eradication, its elimination may be accomplished with any means, it can produce a leniency. For example: Someone who wishes to leave on a trip within thirty days of Pesach, and he already has the obligation of eradication. If he does not have wood, according to the Rabbis, he eliminates his chametz with any means, while according to Rabbi Yehudah, he sits and does nothing, and he does not eradicate it.

Because of this objection, **Rabbi Yehudah retracted** and did not derive this proof from a *kal vachomer*. Rather, **he derived it with another** type of **logical proof**, i.e. a *binyan av*.<sup>16</sup> Since it is not a *kal vachomer*, we are not concerned if it will make a leniency, because a *binyan av* is a form of Scriptural explication that applies whether for leniencies or stringencies.

And so he reasoned: Note that ***notar* is forbidden to eat, and also chametz is forbidden to eat. Just as *notar* is by burning, even chametz is by burning.**

The Sages **said to him: A carcass (*neveilah*) will prove** that being forbidden to eat is irrelevant, because even though **it a carcass is forbidden to eat, it does not require burning.** Therefore, chametz also does not require burning.

**Said to them** Rabbi Yehudah: There is a **difference** between a carcass on the one hand and *notar* and chametz on the other hand.

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<sup>15</sup> Exodus

## Perek 2 – 27B

For *notar* is forbidden to eat and also to benefit from, and similarly, chametz is forbidden to eat and also to benefit from. Therefore, it is proper to learn chametz from *notar*. **Just as *notar* is by burning, even chametz is by burning.**

This is not true with a carcass, which is only forbidden to eat, but one may benefit from it.

**Said to him** the Sages: **The ox stoned** for goring a person **will prove** false the connection you claim between “forbidden to eat” and “requirement to burn”. For even though **it the ox is forbidden to eat and to benefit from, it does not require burning.** We should say the same regarding chametz.

**He said to them:** There is a **difference** between chametz and *notar* on the one hand, and the stoned ox on the other hand.

*Notar* is forbidden to benefit from and to eat, and if one eats it, **the punishment is *kareit*<sup>17</sup>.** And also **chametz is forbidden to eat and to benefit from, and its punishment is *kareit*** for eating it. Therefore we learn one from the other: **What is true regarding *notar*? That it is eliminated by burning.** Thus, **even chametz is eliminated by burning.**

This is not relevant to the stoned ox, as there is no *kareit* for eating it.

**Said to him** the Sages: **The forbidden fat (*cheilev*) of the stoned ox will prove** false the connection you claim between “forbidden to eat” and “requirement to burn”. **Because it is forbidden to eat and to benefit from,** since it is part of a stoned ox. **And** for eating it, **the punishment is *kareit*,** because it is forbidden fat. **But it does not require burning.** Thus, the same can be said about chametz, that it does not require burning.

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<sup>16</sup> The establishment of prototype.

<sup>17</sup> A spiritual excision.

# Chavruta

## Pesachim – Daf Chaf Chet

Translated by: *Rabbi Dov Grant*  
Edited by: *R. Shmuel Globus*

[Said to him the Sages: **The forbidden fat (*cheilev*) of the stoned ox will prove false** the connection you claim between “forbidden to eat” and “requirement to burn”. **Because it is forbidden to eat and to benefit from**, since it is part of a stoned ox. **And** for eating it, the **punishment is *kareit***, because it is forbidden fat. **But it does not require burning**. Thus, the same can be said about chametz, that it does not require burning.]

**Rabbi Yehudah** therefore **retracted** the comparison of chametz to *notar*<sup>1</sup> based on the previous three similarities. **And** rather he **derived it**, the requirement to burn chametz, **from a different logical proof:**

*Notar* is characterized by the fact that **there is** a prohibition of **“Do not leave over”**. For the Torah states (*Vayikra*<sup>2</sup> 7:15): “Do not leave over (any) of it until the morning”.

**And** even **chametz** is bound by the prohibition of **“Do not leave over”**, since it states “it shall not be seen” and “it shall not be found”.

Since *notar* and chametz share the same characteristic, we may apply the rule of interpreting the Torah known as *mah matzinu*<sup>3</sup>. Thus, **just as** we find regarding *notar* that it is eradicated **by burning**, **so it is** regarding **chametz** that it is eradicated **by burning**.

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<sup>1</sup> The remains of an offering after its proscribed time for eating it.

<sup>2</sup> Leviticus

<sup>3</sup> The application of a Halachah in one case to a similar case.

## Perek 2 – 28a

### *Introduction:*

The Sages now challenge the premise of Rabbi Yehudah that *notar* must be burnt. For we find at the end of Tractate *Temurot* that Rabbi Yehudah himself states two instances of offerings that are *not* burnt, even if they are *notar*.

The first case in *Temurot* (*daf* 34a) deals with an *asham talui*, or “conditional guilt offering”. One who is in uncertainty whether he committed a transgression bring this offering. And specifically regarding a transgression that, if done willfully, carries a penalty of *karet*<sup>4</sup>. (For example, where two food items were set before someone, one of which contained permitted fats and one of which contained forbidden fats. And then he ate one of them, but he does not remember from which one of them he ate).

According to Rabbi Yehudah, if the offering became blemished or it became *notar*, it must be buried rather than burnt. He derives the fact that an *asham talui* may not be burnt from the verse “and you shall burn the *notar* in fire, since it is holy”. “It” is understood as a limitation. “It”, *notar*, must be burnt, but *asham talui* may not be burnt.

The second case in *Temurot* deals with a bird brought as an uncertain sin offering. (For example, if a woman miscarries and is in uncertainty whether the fetus comes under the category of “a child”. If it would be classified as a child, then she must bring a sin offering, just like a woman that has had a normal birth. Since she does not know whether it was a “child”, she brings an uncertain sin offering).

A normal bird brought as a sin offering may be eaten, even though it is not slaughtered with a knife as required by the laws of kosher slaughter. Since it is slaughtered as required for such an offering, it may be eaten nevertheless.

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<sup>4</sup> Spiritual excision

## Perek 2 – 28a

An uncertain bird brought as a sin offering, however, may not be eaten. For if the woman had not miscarried “a child”, then she was really not obligated to bring an offering. Therefore the offering would in reality be non-sacred meat. And non-sacred meat may only be eaten after it has been slaughtered with a knife in the standard way of kosher slaughter. Thus it is forbidden to eat the offering and it must be disposed of.

According to Rabbi Yehudah, this offering must also be buried rather than burnt, and he derives it from the same limitation of the same verse above that excluded the *asham talui*.

In both cases, the Sages hold that the offerings should be burnt.

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The Sages said to Rabbi Yehudah: ***Asham talui* and the bird sin offering that comes for cases of uncertainty, according to your words**, may not be burnt. They **will prove** that chametz also does not have to be burnt. **For even they** are bound by the prohibition of **“do not leave over to the morning”** just like any other offering. And nevertheless, they do not require burning if they are left over. **For only we say** that they are disposed of **by burning**. But **you say** that they are disposed of **by burial!**

**Rabbi Yehudah was quiet.**

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**Rav Yosef said: This may be likened to that which people say: “With the spoon that the craftsman engraved, there his tongue will be burnt with mustard!”** This saying applies here as follows: From the words of Rabbi Yehudah himself regarding *asham talui*, his own ruling regarding chametz is contradicted.

## Perek 2 – 28a

**Abaye said:** The matter may be likened to **a carpenter who** had made wooden stocks for clamping the feet of prisoners. When he is caught stealing, they incarcerate him and then he **sits in** his own **stocks**. Thus, **from the raising of his hand** and his very own work **he pays** his penalty.

**Rava said:** The matter can be likened to **an arrow-maker** that, in the end, **is killed by** his own **arrows**. **From the raising of his hand** to his craft **he pays** a penalty.

c c õ d d

We learnt in the Mishnah on *daf* 21a: **And the Sages say:** A man may fulfill the obligation of eradicating chametz **even by crumbling it up and casting** it to the wind or by dropping it into the sea.

**They** the scholars of the study hall **posed an inquiry: How is it** to be understood, this statement **stating** the Halachah? Did the Sages mean to say that in either case he must crumble it, and it is a valid disposal, whether **he crumbles** the chametz **and scatters it to the wind,** or whether **he crumbles it and throws it into the sea?**

**Or perhaps** this is what the Sages intended: It is a valid disposal if **he crumbles and scatters** the chametz **to the wind**. **However,** if **he throws** the chametz **into the sea,** then he may throw it **as it is,** without the need to crumble it. Thus the Sages only required crumbling of chametz when scattering to the wind. For someone might find and subsequently eat the chametz if it is thrown to the wind in one piece. When chametz is thrown into the sea, however, it dissolves and so there is no such concern that someone might find it.

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## Perek 2 – 28a

**And** similarly, **in that manner, it was also taught** in a Mishnah **regarding objects of idolatrous** worship. There too it was not clear how the Torah required a person to eradicate them.

For it was taught: **Rabbi Yosi says:** How must he dispose of the idol? **He grinds it and scatters** the dust **to the wind or he throws it into the sea.**

**And they** the scholars of the study hall **posed an inquiry: How is it** to be understood, this statement **stating** the Halachah? Did Rabbi Yosi mean to say: It is a valid disposal whether **he grinds it and scatters it to the wind, or whether he grinds it and throws it into the sea?** Thus Rabbi Yosi always requires an idol to be pulverized, even if it is thrown into the sea.

**Or perhaps** this is what Rabbi Yosi intended: It is a valid disposal if **he grinds it and scatters it to the wind,** thus ensuring it is no longer whole. **However,** if **he throws** the idol **into the sea,** then he may throw it **as it is,** without the need to grind it.

\*

**Rabbah said: It stands to reason** that regarding **objects of idolatrous** worship, it is sufficient to throw the whole object into the sea. **Since it,** the idol, **goes to the Dead Sea,** where no boat passes, **it does not require grinding.**

But **chametz, which goes to other rivers,** does **require crumbling** first, since there is concern that the boats that pass there will take the chametz.

**Rav Yosef said to him: On the contrary! It stands to reason** to learn it **the other way around.** An **object of idolatrous** worship, **which does not dissolve** in the water,

## Perek 2 – 28a

**requires grinding** first. Without this, it is not regarded as ‘eradicated from the world’. Whereas **chametz, which does dissolve** in water, **does not require crumbling**.

\*

**It was taught** in a Baraita **in accordance with** the explanation **of Rabbah**, that chametz must be crumbled even if it is thrown into the sea. **And it was taught** in another Baraita **in accordance with** the explanation **of Rav Yosef**, that an idol requires grinding even if it is thrown into the sea.

**It was taught** in a Baraita **in accordance with** the explanation **of Rabbah**, that chametz requires crumbling even if thrown in the sea, as follows: **One who is traveling in the desert** with chametz in his possession, on the day before Pesach, must **crumble it and scatter it to the wind**. And if **he was traveling on a ship**, he must **crumble it** the chametz **and throw it into the sea**.

And **it was taught** in a Baraita **in accordance with** the explanation **of Rav Yosef**, that idols require grinding even if thrown in the sea, as follows: **One who is traveling in the desert** with an object of idolatry in his possession, he must **grind it and scatter it to the wind**. And if **he was traveling on a ship**, he must **grind it and throw it into the sea**.

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The Gemara poses a difficulty.

The Baraita that deals with idols states that **grinding** is required even when the object is thrown into the sea. This poses **a difficulty for Rabbah**, since he said that in such a case idolatrous objects do not require grinding.

## Perek 2 – 28a

And the Baraita that deals with chametz states that **crumbling** is required even when it is thrown into the sea. This poses **a difficulty for Rav Yosef**, since he said that in such a case chametz does not require crumbling.

The Gemara answers the difficulty: The Baraita that requires **grinding** of an idolatrous object **is not a difficulty for Rabbah**. For **that** which had Rabbah said, that an idolatrous object does not require grinding, specifically applies to throwing the idol **into the Dead Sea**. Whereas **that** requirement of grinding in the Baraita applies only when throwing the object **into other rivers**, which boats traverse.

And similarly, the Baraita that requires **crumbling** of chametz **is not a difficulty for Rav Yosef**. **That Baraita is dealing with** moistened **wheat kernels** that have become chametz. They require crumbling since they will not dissolve in the water. Whereas **that** statement of Rav Yosef **is dealing with bread**, which does dissolve in water, and thus does not require crumbling.

## Mishnah

**Chametz of a gentile, which was kept over Pesach, is permitted for benefit** after Pesach.

**But chametz of a Jew, which was kept over Pesach, is always forbidden for benefit, since it states** (*Shmot*<sup>5</sup> 13:7): **“Sourdough shall not be seen to you”**. And the Gemara explains that if a Jew transgresses this prohibition, the Sages penalize him by permanently forbidding him to have any benefit from this chametz.

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<sup>5</sup> Exodus

## Perek 2 – 28a

### Gemara

**Whose view is expressed in our Mishnah? It is not according to Rabbi Yehudah, and not according to Rabbi Shimon, and not according to Rabbi Yosi Haglili!**

The Gemara returns to this question at the end of *ammud bet*.

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In the meantime, the Gemara clarifies the various views of the Tannaim on this subject: And **what is it**, their disagreement, about?

The disagreement is **that** which **was taught** in a Baraita: There are three time periods regarding the prohibition of **chametz**.

- A) From the beginning of the seventh hour on Erev<sup>6</sup> Pesach, until nightfall.  
This is the “before” referred to in the expression “before its time”.
- B) During Pesach itself. This is called “during its time”.
- C) After Pesach. This is called “after its time”.

**Whether** the chametz is “**before its time**” or **whether** it is “**after its time**”, **one transgresses a negative mitzvah on account of it**. However the punishment for eating chametz then is only lashes, rather than *karet*.

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<sup>6</sup> The eve of

## Perek 2 – 28B

If the chametz is “**during its time**”, one transgresses a negative mitzvah on account of it. And *karet* is the punishment for eating it. These are the **words of Rabbi Yehudah**.

### **Ammud Bet**

**Rabbi Shimon says:** Whether chametz is eaten **before its time** or whether it is eaten **after its time**, one does not transgress anything on account of it.

But if one eats chametz **during its time**, one transgresses a prohibition that is punishable with *karet* and (with) a negative mitzvah.

**And from the time that it**, the chametz, **is prohibited as regards eating**, it is even **prohibited as regards deriving any benefit**.

\*

The Gemara interrupts the Baraita to explain that this last statement **was taught according to the first Tanna**, Rabbi Yehudah. It is a continuation of Rabbi Yehudah, not Rabbi Shimon. Thus, from the seventh hour and onwards, when eating chametz is subject to a negative mitzvah, it is also prohibited to derive any benefit, according to Rabbi Yehudah.

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The Baraita resumes: **Rabbi Yosi Haglili says: This is puzzling! How is chametz prohibited, in respect to deriving benefit, all seven days?** For Rabbi Yosi holds that one is never prohibited to derive benefit from chametz, even during Pesach itself. Only eating it is forbidden.

## Perek 2 – 28B

The Baraita explains the different views: **And from where is it derived that for one who eats chametz from the end of six hours and on, that he transgresses a negative commandment?**

The Baraita answers: **Because it says** regarding the Pesach offering (*Devarim*<sup>7</sup> 16:3): **“Do not eat chametz ‘over’ it”**. The verse means that one should not eat chametz in the time-period for the Pesach offering to be slaughtered, i.e. the afternoon of Erev Pesach. And the afternoon starts from the end of the sixth hour. These are **the words of Rabbi Yehudah**.

**Rabbi Shimon said to him: But is it possible to say that ‘over’ in the verse refers to the time of slaughtering the Pesach offering? But surely it already says in that verse “do not eat chametz ‘over’ it; seven days eat matzot ‘over’ it”!** And the “over it” of eating matzot is referring to the time of eating, not of slaughtering, the Pesach offering. This is on Seder night, the fifteenth of Nissan. (Thus the verse means that the seven days of eating matzot begin at the time that the Pesach offering is eaten). According to this, we are forced to say that the first instance of “over it” in the verse, regarding the prohibition of chametz, refers to the time of eating, not slaughtering, the Pesach offering. (*Tosafot*)

**If so, what does it the verse come to teach when it states “do not eat chametz over it”?** Since we already know that we may not eat chametz on Pesach night, we must say that the verse teaches us to make a *hekesh*, a comparison, between the prohibition of chametz and the eating of matzot. I.e. **at the time when there is a mitzvah to fulfil “eat matzah”** (on the night of the Fifteenth), **there is a prohibition of “do not eat chametz”**. **And at a time when there is no mitzvah to fulfil “eat matzah”, there is no prohibition of “do not eat chametz”**. Therefore, according to Rabbi Shimon, there is no Torah prohibition of eating chametz until Pesach commences.

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<sup>7</sup> Deuteronomy

## Perek 2 – 28B

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The Gemara discusses the above: **And what is the reason of Rabbi Yehudah**, that he prohibits chametz from the beginning of the seventh hour? Was he not aware of the above exposition of the verse “do not eat chametz over it”?

The Gemara answers: **Three verses are written** regarding eating chametz. **“Chametz shall not be eaten”**; **“Do not eat anything leavened”**; **“Do not eat chametz over it”**. Rabbi Yehudah learns that **one** verse comes to prohibit chametz **before its time**. **And one** verse comes to prohibit **after its time**. **And one** verse comes **for during its time**.

**But Rabbi Shimon** holds that **one** verse, “do not eat chametz over it”, refers to the prohibition of eating chametz **during its time**. **And** he explains the verse **“Do not eat anything leavened”** differently. **He needs it for that which was taught** in the following Baraita:

“Do not eat **chametz** over it”. **I only have** the prohibition of food **that has become chametz by itself**. But what about food that became chametz **as a result of something else**? For instance, by way of wine sediment or any other leavening agent that is not itself chametz. **From where** is it derived that this chametz is also prohibited to eat? **A teaching** from a verse **says: “Do not eat anything leavened”**, implying even something that has become chametz through another type of leavening agent.

And he also explains the verse **“chametz shall not be eaten”** differently. **He needs it for that which was taught** in the following Baraita:

**Rabbi Yosi Haglili says: From where** is it known that **for the Pesach** that was observed **in Egypt**, on the eve of the Israelite’s departure, there was a special Halachah? What verse indicates **that its prohibition of chametz only applied** for **one day**, rather than seven days as we observe it now? **A teaching** from a verse **says: “Chametz shall not be**

## Perek 2 – 28B

eaten”. **And next to it** in the next verse it states “**Today you are going out**, in the month of Aviv”. He reads the verses as running together: “Chametz shall not be eaten *today*”. *Today* chametz may not be eaten, but it may be eaten the other days of the festival.

So Rabbi Shimon needs all three verses for the above Halachot, and does not interpret any of them to prohibit chametz before or after Pesach.

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The Gemara now asks: **And** what of **Rabbi Yehudah**, who interprets the above verses to prohibit chametz before and after Pesach? **From where** does he derive the prohibition of food that has become chametz **as a result of something else**, i.e. a non-chametz leavening agent?

The Gemara answers: He derives it from the unusual word in the verse, rather than from the repetition of the verse. **Since the Torah refers** to chametz **using the term “leavened”** (*machmetzet*).

The Gemara asks further about the view of Rabbi Yehudah, in light of the teaching of **Rabbi Yosi Haglili**. **From where** does Rabbi Yehudah derive that the prohibition of chametz was observed in Egypt for only one day? For he interprets the verse of “chametz shall not be eaten” to prohibit chametz after Pesach.

The Gemara answers: **If you wish, I could say** the following explanation: **From** the fact **that** the Torah **placed** the verse “chametz shall not be eaten” **next to it**, next to the verse of “**Today** you are going out”. Thus it is read “chametz shall not be eaten today” as explained above. Even though according to Rabbi Yehudah the preceding verse is not redundant, since it teaches the prohibition of chametz after Pesach, he holds that one can still derive Halachah from the juxtaposition alone.

## Perek 2 – 28B

**Or if you wish, I could say** an alternative answer: that Rabbi Yehudah does not hold like Rabbi Yosi Haglili at all. For **he** Rabbi Yehudah **does not interpret juxtapositions** of verses. In fact, Rabbi Yehudah holds that the prohibition of chametz in Egypt was for all seven days of Pesach.

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**The master said** in the previously quoted Baraita: **And from where** is it derived **for one who eats chametz from** the end of **six hours and on, that he transgresses a negative mitzvah? For it says: “You shall not eat chametz over it”**. These are the **words of Rabbi Yehudah**.

**Rabbi Shimon said to him: And is it possible to say that? But surely it was already stated** that **“you shall not eat chametz over it, seven days you shall eat matzot over it”**! This implies that the prohibition of eating chametz only applies at the time that there is an obligation to eat matzah. And that is after nightfall, not on the day before.

The Gemara discusses the Baraita: **And** how will **Rabbi Yehudah** reply to Rabbi Shimon? Surely **Rabbi Shimon had said a good refutation to him!**

The Gemara answers: **And Rabbi Yehudah** holds that the verse does not compare chametz and matzah as regards the time that the prohibition is in effect. Rather, **that** comparison in the verse is **to establish it**, the mitzvah of eating matzah, as **an obligation even nowadays**. This **is** the reason **that it** the comparison **comes**: just as the prohibition of chametz applies nowadays, so too does the mitzvah of eating matzah.

If we would not have the comparison, we might have argued that the requirement to eat matzah is only when there is a Pesach offering. For the verse states (*Shmot* 12:8): “And they shall eat the flesh on this night, roasted in fire. And matzot with bitter herbs they shall eat it”. Thus the comparison informs us otherwise: although we have no Pesach

## Perek 2 – 28B

offering nowadays, we nevertheless are obligated to eat matzah on the first night of the Pesach festival.

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In the light of this, the Gemara asks: **And** what about **Rabbi Shimon**, who learns that the comparison permits chametz up until nightfall of Pesach? **From where is his source to establish it**, the eating of matzah nowadays, as **an obligation**?

The Gemara answers: **He derives it from** the seeming redundancy of the verse (*Shmot* 12:18): **“In the evening, eat matzot”**. Since the Torah already stated (*ibid.* v.8): “And matzot with bitter herbs they shall eat it”, Rabbi Shimon holds that latter verse can be interpreted for establishing the obligation even nowadays.

**And Rabbi Yehudah requires it**, the latter verse, for applying the obligation to eat matzah **to an impure person to for one who was on a distant journey** on the fourteenth of Nissan. When the Temple was in existence, the Pesach offering for such a person was postponed to the following month. Thus, **you might have thought that since he does not eat the Pesach offering on the fourteenth of Nissan, therefore he does not eat “matzah and bitter herbs” as well**. Therefore, the verse comes **to teach us** that he is in fact obligated to eat matzah on the night of the fifteenth of Nissan.

**But Rabbi Shimon** holds that to obligate **an impure person or one who was on a distant journey** to eat matzah, **no verse is required. For he is no less than one who is uncircumcised<sup>8</sup>, or who is an “alien” i.e. an apostate<sup>9</sup>**. They also may not eat from the Pesach offering, but nevertheless are obligated to eat matzah.

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<sup>8</sup> For reason of danger it is forbidden to circumcise someone whose two brothers had previously died after circumcision. Although Halachah does not require him to be circumcised, nevertheless he may not eat of the Pesach offering.

<sup>9</sup> “One whose deeds are alien to his Father in Heaven.” This is the meaning of “stranger”, in the verse prohibiting such a person from eating from the Pesach offering.

## Perek 2 – 28B

**For it is written** (*Shmot* 12:48): “**And anyone** who is **uncircumcised may not eat it**”. This is expounded to mean as follows: Only “**it**”, the Pesach offering, **he does not eat, but he does eat matzah and bitter herbs.**

**And Rabbi Yehudah** also holds that the Halachah of the impure person and the traveler could be learnt from the Halachah of the uncircumcised and alien. Nevertheless, **it** a verse **is written** in the Torah **regarding this**, the uncircumcised and the alien, **and** in addition, **it** a separate verse **is written** in the Torah **regarding that**, the impure person and the traveler.

Thus, according to Rabbi Yehudah, the comparison of “do not eat chametz over it” is still needed to establish the obligation of eating matzah nowadays.

(And even though there are other verses regarding matzah, such as “eat matzot for seven days”, nevertheless one cannot learn any obligation from them. Rather, they just indicate that if he wants to eat, he should eat matzah rather than chametz).

**c c õ d d**

After having analyzed the Baraita, the Gemara now returns to the question it posed at the end of *ammud alef*.

**Whose view is expressed in our Mishnah?** Our Mishnah had stated that “chametz of a gentile, which was kept over Pesach, is permitted to benefit from. But (chametz) of a Jew is forbidden to benefit from”. This does not seem to accord with any Tanna we have seen.

For **if** the Mishnah is in accord with **Rabbi Yehudah**, this is problematic. For he holds that there is a Torah prohibition of eating or benefiting from chametz after Pesach. And

## Perek 2 – 28B

**he said** the word “**chametz**”, **without specifying** what type of chametz may not be benefited from. Therefore, he assumedly meant that **even** the chametz **of a gentile** is forbidden by the Torah after Pesach.

**And if** the Mishnah is in accord with **Rabbi Shimon**, [this is also problematic. For he holds that **also** chametz **of a Jew is permitted** after Pesach, since the Torah only prohibited chametz during Pesach].

# Chavruta

## Pesachim – Daf Chaf Tet

Translated by: *Chavruta staff of scholars*  
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[**And if** the Mishnah is in accord with **Rabbi Shimon,**] this is also problematic. For he holds that **also chametz of a Jew is permitted** after Pesach, since the Torah only prohibited chametz during Pesach.

**And if** it were according to **Rabbi Yosi HaGalili, he surely also permits** one to derive **benefit** from chametz **during its time**, even on Pesach itself, holding that it is only forbidden for one to eat it.

**Rav Acha bar Yaakov said: In truth,** our Mishnah is according to the view of **Rabbi Yehudah.** However, he only forbids the chametz of a Jew. This is because **he learns a *gezeirah shavah*<sup>1</sup>** concerning the **“sourdough” that** one is forbidden to **eat, from “sourdough” that** one is forbidden to **see. Just as** regarding the **sourdough that** one is forbidden to **see**, the prohibition only applies to the sourdough of a Jew. For the Sages interpret it: **“Yours** i.e. Jewish-owned sourdough **you shall not see, but you may see** the sourdough **of others** i.e. gentile-owned chametz, **and of the Most High** (i.e. owned by the Temple)”.

**So too** regarding the **sourdough that** is forbidden to **eat**, the prohibition only applies to the sourdough of a Jew. Therefore, it is specifically **“Yours”** that **you shall not eat** after Pesach, **but you may eat** the sourdough **of others and of the Most High**, after Pesach.

**And properly speaking, he** the Tanna of our Mishnah **should have taught that** one is **also permitted to eat** the chametz of a gentile after Pesach, not just that one is permitted to derive benefit from it. However, **since he taught** the law **that** one is even **forbidden**

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<sup>1</sup> I.e. when different verses have a similar wording, they are often connected. This is *gezeirah shavah*, one of the means by which Scriptural verses are interpreted. There are many verses with similar wording, and a

## Perek 2 – 29a

**to derive benefit** from the chametz of a **Jew**, **he also taught** the parallel case, namely **that one is permitted to derive benefit** from the chametz of a **gentile**.

**And properly speaking, he should have taught that even during its time**, on Pesach itself, one is **permitted to derive benefit** from the chametz of a gentile. However, **since he taught** the law **that** the chametz of a **Jew** is forbidden even **after its time** (i.e. after Pesach), **he also taught** the parallel case, **that** the chametz of a **gentile** is permitted *after its time*.

**Rava said: In truth**, our Mishnah is the view of **Rabbi Shimon**. And in Torah law, even the chametz of a Jew would be permitted after Pesach. However, **Rabbi Shimon imposed a penalty** upon the chametz of a Jew that was in his possession over Pesach, **since he transgressed** the prohibitions of “**shall not be seen**” and “**shall not be found**” **through it**, i.e. by keeping it.

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The Gemara poses a difficulty: **It is all right for Rava, that which was taught** in our Mishnah: It is **forbidden** to derive benefit from the chametz **of a Jew, because it was said** in the Torah: “Sourdough shall **not be seen in your** possession”. I.e. the Mishnah is giving the reason for the penalty.

**However for Rav Ada bar Yaakov**, who said that the Mishnah follows the view of Rabbi Yehudah, surely the Torah prohibits the chametz of a Jew after Pesach. And **it should** have said that the reason of the prohibition is **because it was said** in the Torah: “**chametz shall not be eaten**”, which is the verse from which is derived the Torah prohibition on benefit from chametz after Pesach, according to Rabbi Yehudah.

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*gezeirah shavah* interpretation is only made when there is a tradition of the Oral Torah (as handed down from Mt. Sinai) that these two verses are indeed linked.

## Perek 2 – 29a

The Gemara replies: **Do you think** that the verse “Sourdough shall not be seen in your possession” was quoted by the Mishnah in order to give a reason for the prohibition on Jewish-owned chametz, and is **referring to the latter clause** of the Mishnah?

In truth, it **refers to the first clause** of the Mishnah. **And this is what it was saying:** If **the chametz of a gentile** was in one’s possession **over Pesach**, it is **permitted** for one to **derive benefit** from it. **Because it was said** in the Torah, “Sourdough shall **not be seen in your possession**”. And we interpret the verse as follows: **You shall not see your chametz, but you may see the chametz of others and of the Most High.** **And then we derive** the law of the **sourdough that** one may not **eat, from** the law of the **sourdough that** one may not **see**. This is how we know that one may both eat and derive benefit from the chametz of a gentile.

**And Rav Acha bar Yaakov goes according to his reasoning** elsewhere.

**For it was said** in a statement of Amoraim: Concerning **one who**, after Pesach, **eats the sourdough of a gentile that** was in his possession **over Pesach**. **According to the words of Rabbi Yehudah** who said that the Torah prohibits chametz even after Pesach—

**Rava said:** We administer **lashes** to the person who consumes the chametz. And there is no difference in this matter between the chametz of a Jew and the chametz of a gentile.

**And Rav Acha bar Yaakov said:** We do not administer **lashes** because of this.

And they both go according to their own reasoning. **Rava said** that we administer **lashes** because according to him, Rabbi Yehudah **does not derive** the law of the **sourdough that** one may not **eat, from** the law of the **sourdough that** one may not **see**. Although the prohibition of “shall not be seen” does not apply the sourdough of a gentile, one may not eat the chametz of a gentile after Pesach.

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**And Rav Acha bar Yaakov said** that **we do not** administer **lashes**, because according to him, Rabbi Yehudah **derives** the law of the **sourdough that** one may not **eat, from** the law of the **sourdough that** one may not **see**. Therefore, just as the prohibition of seeing does not apply to the chametz of a gentile, so too the prohibition of eating does not apply to his chametz.

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**And Rav Acha bar Yaakov retracted from this** approach. He later conceded that to Rabbi Yehudah, one is prohibited to eat the chametz of a gentile after Pesach, as is seen from his explanation of the following Baraita:

**For it was taught** in a Baraita: If **one ate consecrated chametz on the festival** of Pesach, **he has committed *me'ilah***<sup>2</sup>. This view accords with that of Rabbi Shimon, who said that in Torah law, one is permitted to derive benefit from chametz *after* Pesach, and the prohibition then is due to a penalty applied by the Rabbis. Yet in the case of consecrated chametz, where no one had transgressed the prohibition of “shall not be seen” during Pesach, the Rabbis did not apply this penalty.

Therefore, the Temple treasurer could have sold the chametz after Pesach, had it not been eaten. It thus it has monetary value and one is guilty of *me'ilah* for eating it on Pesach, becoming obliged to pay back its worth plus one fifth.

**And there are those who say:** If one ate consecrated chametz, **he has not committed *me'ilah***, and would not be obliged to make any restitution.

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<sup>2</sup> Improper use of consecrated items.

## Perek 2 – 29a

The Gemara now discusses the above Baraita, and later returns to pick up the thread of the argument: **Whose** view is expressed by “**there are those who say**”?

**Rabbi Yochanan said:** It is the view of **Rabbi Nechuniah ben Hakaneh**.

**For it was taught** in a Baraita: **Rabbi Nechuniah ben Hakaneh would treat Yom Kippur like Shabbat, in the matter of payment.**

*Introduction:*

If someone performs an act which carries both the death penalty and a monetary payment, he is liable for the death penalty but not for the monetary payment. This is because of a principle known as “*Kim lei b’deraba minei*”<sup>3</sup>, which dictates that one is only liable for the greater of two simultaneous punishments. Thus, if one were to burn his fellow’s property on Shabbat, he would be liable for the death penalty due to his transgression of the laws of Shabbat, but he would be exempt from paying monetary restitution to his fellow.

Rabbi Nechuniah ben Hakaneh holds that the same applies if one burns his fellow’s property on Yom Kippur. Although one who desecrates Yom Kippur is liable for *karet*, spiritual excision, and not the death penalty of the Rabbinical Court, the principle of “*Kim lei b’deraba minei*” applies nevertheless.

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**Just** as if one were to burn his fellow’s property on **Shabbat**, because he was **liable** to lose **his life** through the death penalty, he would be **exempt from payment**. **So too** one who burned it on **Yom Kippur**, because he was **liable** to lose **his life** through *karet*, he would be **exempt from payment**.

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<sup>3</sup> Lit. Establish him with the greater of them (the two punishments).

## Perek 2 – 29a

This is also the view of “there are those who say”, in the above Baraita. They hold that if one ate consecrated chametz on Pesach, one would be exempt from *me'ilah*, given that one would be liable for *karet* for its consumption.

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**Rav Yosef said:** In truth, the view of “there are those who say” is in accordance with the Sages, who apply the principle of “*Kim lei b'deraba minei*” only in a case of a Court-imposed death penalty, not for *karet*.

In addition, all hold like Rabbi Yosi who said that one is permitted to derive benefit from chametz on Pesach.<sup>4</sup>

**And they disagree as to whether one may redeem consecrated items in order to feed them to the dogs.** “Redeeming” means that the sanctity of the item is transferred onto money, and the item itself reverts to an ordinary, non-consecrated status.

**The one who said** that he has **committed *me'ilah* holds** that **one may redeem consecrated items in order to feed them to the dogs.** Therefore consecrated chametz has a monetary value on Pesach, because one could redeem it and then sell it to a Jew in order for him to feed it to his animals.

**And the one who said** that he has **not committed *me'ilah* holds** that **one may not redeem** consecrated items in order to feed them to the dogs. Regarding consecrated items

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<sup>4</sup> If they like Rabbi Shimon, who said that one may not derive benefit from chametz on Pesach, it surely would not be a case of *me'ilah*. For at the time he ate the chametz it had no monetary value.

## Perek 2 – 29B

that became invalid for use in the Temple, and were redeemed, the Torah states: “Slaughter the meat and you shall eat”. From here we derive that you may “slaughter” the animal but not shear it, and that you may eat the “meat” of it but not milk it, and that “you shall eat” but you may not feed it to the dogs.

It thus emerges that according to this view, the Temple treasury may not sell consecrated chametz on Pesach. This is because one may not eat it oneself and one may not feed it to one’s animals. One may not even sell it to a gentile because this would also be included in the prohibition of “redeeming in order to feed to the dogs”<sup>5</sup>. Therefore, consecrated chametz has no monetary worth on Pesach and one would not be guilty of *me’ilah* if one ate it.

### **Ammud Bet**

**Rav Acha bar Rava taught this teaching, which we learned above in the name of Rav Yosef, with this wording: That every one, both the first Tanna and the view of “There are those who say”, hold that one may not redeem consecrated items in order to feed them to the dogs.** It would thus emerge that they have no monetary value during Pesach. **And here it is in this matter that they disagree: as to whether “A matter that causes one to gain money is considered like that money itself”<sup>6</sup>, or not.**

All agree to Rabbi Shimon who said that one is forbidden to derive benefit from chametz on Pesach itself, but that after Pesach it is permitted by Torah law. The disagreement is whether the indirect monetary loss caused to the Temple treasury by eating temporarily valueless chametz is considered a monetary loss.

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<sup>5</sup> “Feeding to the dogs” is not to be understood literally, rather it means that only a Jew may eat consecrated items that were subsequently redeemed.

<sup>6</sup> *Davar hagorem l’mamon k’mamon dami*

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**The one who said** that someone who ate consecrated chametz on Pesach has **committed *me'ilah*** holds that **a matter that causes** one to gain **money** is considered **like** that **money** itself. Therefore, even though during Pesach it is valueless, nonetheless it is considered as being an asset of the Temple treasury, because after Pesach it will have worth. Therefore, even on Pesach itself, chametz may be viewed as being a cause for monetary gain. Taking that away from the Temple treasury is thus an act of *me'ilah*.

**And the one who said** that he has **not committed *me'ilah*** holds that **a matter that causes** one to gain **money** is **not** considered **like** that **money** itself. Therefore, since the chametz is valueless at present, one would not be guilty of *me'ilah* if one ate it.

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**Rav Acha bar Yaakov said that all** views hold that **a matter that causes** one to gain **money** is considered **like** that **money** itself. **And here they disagree along** the same lines as **the disagreement between Rabbi Yehudah and Rabbi Shimon**.

**The one who said** that he who ate consecrated chametz has **not committed *me'ilah*** holds **like Rabbi Yehudah**, who said that the Torah prohibits one to derive benefit from chametz that was in one's possession over Pesach. In this matter there is no difference between normal or consecrated chametz. Rabbi Yehudah holds that both would be prohibited. Therefore, even after Pesach the chametz would be worthless, and could never be considered as "a matter that causes one to gain money". Consequently, one who ate it would not be considered guilty of *me'ilah*.

**And the one who said** that he has **committed *me'ilah*** holds **like Rabbi Shimon** who said that one is permitted to derive benefit from consecrated chametz after Pesach. Given that the Temple treasurer would be able to sell the chametz after Pesach, it is considered "a matter that causes one to gain money" and one would be guilty of *me'ilah* if he ate it.

## Perek 2 – 29B

The Gemara raises a difficulty: **And surely Rav Acha bar Yaakov is the one who said**, on *ammud alef*, **that** even **Rabbi Yehudah** holds that one may derive benefit from the chametz of a gentile. Because **he learns** the prohibition concerning the **sourdough that** one is forbidden to **eat, from the sourdough that** one is forbidden to **see**. And just as one is permitted to see the chametz of a gentile, so too one is permitted to see consecrated chametz, as we interpreted the verse to mean: “Yours, you shall not see, but you may see the sourdough of others and of the Most High”.

If so, how could Rav Acha have said that the one who holds that he who ate consecrated chametz on Pesach has not committed *me'ilah*, is following the view of Rabbi Yehudah? Surely according to Rabbi Yehudah, one is permitted to derive benefit from such chametz after Pesach, and it would thus have monetary value even on Pesach.

The Gemara now picks up the thread of the argument it diverged from on *ammud alef*: **Rather, Rav Acha bar Yaakov** certainly **retracted from that** which he originally taught. He now holds that even though one may see (i.e. keep) the chametz of a gentile and of the Temple, one is nonetheless forbidden to eat it after Pesach.

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**Rav Ashi said**, in explanation of the disagreement between the first Tanna and “There are those who say”: **That everyone** holds that **one may not redeem consecrated items** in order **to feed them to the dogs**. In addition, all hold that **a matter that causes** one to gain **money** is **not** considered **like** that **money** itself. **And here they disagree along** the same lines as **the disagreement between Rabbi Yosi HaGalili and the Rabbis**.

**The one who said** that he who ate consecrated chametz has **committed *me'ilah*** holds **like Rabbi Yosi**, that one may derive benefit from chametz even during Pesach. Therefore the Temple treasurer could sell it on Pesach, even to a Jew, for use as fuel for a fire.

## Perek 2 – 29B

**And the one who said** that he has **not committed *me'ilah*** holds **like the Rabbis**, who say that one may not derive benefit from chametz on Pesach, thus the Temple treasurer would be unable to sell it to a Jew. He would also be unable to sell it to a gentile due to the prohibition of redeeming consecrated items in order to feed them to the dogs. As a result, the chametz would have no worth on Pesach, and even the loss of the ability to sell it after Pesach would be of no consequence, given that a matter that causes one to gain money is not considered like that money itself.

**c c o d d**

### *Introduction:*

When prohibited and permitted foods mix, if the permitted food forms a majority of the mixture then the prohibited portion is considered nullified. The prohibition is thereby removed.

In this matter, however, there is a difference between mixtures of solid and of liquid.

Regarding a mixture of solids, under Torah law, it would be sufficient to have a simple majority. Thus, one piece of prohibited food would be considered nullified when mixed with two other pieces of permitted food.

But if two liquids were mixed, then a simple majority would not be sufficient, because the forbidden food would impart its taste to the permitted food within the mixture. Thus we go after the taste rather than the proportions, and the mixture would be forbidden so long as the taste of the forbidden constituent was still discernable. For this reason, if two

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liquids were mixed<sup>7</sup> we need there to be sixty times as much of the permitted food as of the forbidden. For only then can we assume that the taste of the forbidden food becomes nullified.<sup>8</sup>

That which a forbidden food is considered nullified in a mixture would only apply when the two foods are different. If the two foods are of the same type, Rabbi Yehudah and the Sages disagree as to whether nullification in a majority of permitted food is effective. Rabbi Yehudah learns from a verse that if the two foods are alike, then the forbidden food can never be considered as nullified in the majority.

The Rabbis, however, hold that it is effective, in fact they hold that in certain circumstances it is even more lenient. If two similar liquids, one permitted and one forbidden, were mixed, the Sages hold that in Torah law, a simple majority would be sufficient, and sixty times the permitted amount is required only by Rabbinic decree. This is because the two tastes are the same, and the rule that we go after taste in a mixture of liquids is not applicable.

In the case of two similar solids, the Rabbis hold that a forbidden food is nullified by a simple majority, just as with a mixture of two dissimilar foods.

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**Rav said:** Concerning **chametz during its time**, i.e. on Pesach, **whether** it were mixed **with** permitted food that is of **its type**, for instance flat bread with thick matzah<sup>9</sup>—or **whether** it were mixed **with** a permitted food **that is not of its type**—in both cases the mixture is **prohibited**. And even if the chametz were in the minority, it would not be nullified in a majority of permitted food.

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<sup>7</sup> Or even if a solid were cooked in a liquid.

<sup>8</sup> See Tractate *Chulin* 92b where Rashi and Tosafot disagree whether the ruling that we follow taste has its origin in Torah or Rabbinic law.

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And if it were **not during its time** i.e. after Pesach, and the chametz was mixed **with** a majority of permitted food that was of **its type**, then the mixture would be **prohibited**. The chametz would not be nullified in the majority and the entire mixture would be prohibited because of its presence there. However if the chametz were mixed with a majority of a permitted food **that is not of its type** then it would be nullified in the majority and the mixture would be **permitted**.

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The Gemara deliberates: **With what case are we dealing? If you will say** that we are dealing **with** a circumstance where the chametz **imparts taste** to the permitted food, why, then, if it were **not during its time** would chametz that was mixed with food that was **not of its type** be **permitted? Surely** it would **give a taste** to the permitted food. Since Rav prohibited chametz that was mixed with its own type even after Pesach, it is clear that he holds that the Torah prohibits chametz even after Pesach. For we have established that any foods that are prohibited in Torah law prohibit a mixture so long as they impart taste to it.

The Gemara thus concludes: **Rather**, here we are dealing **with** a case where **a small amount** of chametz became mixed with a permitted food. This tiny amount would not be sufficient to impart taste to the mixture as a whole, for instance the permitted food was more than sixty times the amount of the chametz.

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The Gemara explains: When Rav said: “Chametz **during its time, whether** it were mixed **with its type**, or **whether** it were mixed **with** food **that is not of its type**, in both cases the mixture is **prohibited**”, this applies even to a tiny amount of chametz that mixed with a permitted food. For **Rav** goes **according to his reasoning** elsewhere.

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<sup>9</sup> According to Talmudic law, matzot may be baked up to the thickness of a handbreadth.

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**For Rav and Shmuel both say:** Concerning **any prohibited** foods **that are** forbidden **by Torah** law and became mixed **with** permitted food that is of **their type**, the mixture is forbidden even if there were only **a small amount** of the forbidden food there. This follows Rabbi Yehudah who rules that a prohibited food can never be considered nullified in a mixture with a permitted food of the same type.

But if the forbidden food were mixed with a majority of permitted food **that is not of its type**, then the mixture would only be forbidden if the prohibited food **imparted taste** to the mixture. If it did not impart taste, such as a case where it comprised less than one sixtieth of the mixture, it is nullified.

This ruling applies to every forbidden food in the Torah except for chametz on Pesach. Because of the severity of eating chametz, which carries a penalty of *karet*, **Rav decreed** upon **chametz in its time**, i.e. during Pesach, that it should not be considered nullified even when mixed in a tiny amount with a food **that was not of its type**, where there was not enough chametz to impart taste. This decree was **lest** one should consume a mixture of chametz and a permitted food of **its type**, where in Torah law the chametz is *not* nullified in the mixture, even if the chametz was a minute amount.

Rav only made this decree in the case of chametz, given that it is completely permitted throughout the rest of the year, yet carries a severe punishment on Pesach.

If **not during its time**, i.e. after Pesach, the law is as follows: for chametz mixed **with** food that was of **its kind**, the mixture is **prohibited**, even if there were only a small amount of chametz. Because Rav holds **like Rabbi Yehudah**, who rules that the Torah prohibits the consumption of chametz after Pesach. Therefore it would have the same status as other foods that are prohibited in Torah law, and not be considered nullified if mixed with its own kind. Again, this would be true even if there were only a small portion of the forbidden food in the mixture.

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However if a small amount of it were mixed with a food that was **not of its kind**, and it did not impart taste to the mixture, then it would be considered nullified in the majority, and the mixture would be **permitted**. For chametz **that is not during its time** is forbidden by a negative prohibition but is not punishable with *karet*. **And** given that in Torah law, a forbidden food that is mixed with another that is **not of its kind** may be considered nullified by a majority, the Rabbis **did not make a decree** in a case such as **this**. They did not see fit to prohibit the mixture in this case, lest one should come to permit chametz that was mixed with its own type.

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**Shmuel said** different rulings in the laws of mixtures: Concerning **chametz during its time**, if a small amount were mixed **with** a permitted food that was of **its kind** then the mixture is **prohibited**, and in this circumstance it may not be considered nullified in the majority.

However, if a small amount of it were mixed with a food that was **not of its kind**, and it did not impart taste to the mixture, then it would indeed be considered nullified in the majority, and the mixture would be **permitted**.

If chametz were mixed **not during its time**, i.e. after Pesach, the law is as follows: **whether** it was mixed **with** permitted food that was of **its type**, or **whether** it was mixed **with** food that was **not of its type**, in either case the mixture would be **permitted**.

The Gemara explains: When Shmuel ruled that “**chametz during its time**, mixed **with** food of **its type**, is **prohibited**”, this was because **Shmuel** goes **according to his reasoning** elsewhere.

## Perek 2 – 29B

**For Rav and Shmuel both said:** Concerning **all prohibited** foods **that are** forbidden in **Torah** law, if they were mixed **with** permitted foods that were of **their type**, then the mixture is **prohibited** even **in** a case of only a **small amount** of the forbidden food. However if they became mixed with food that was **not** of **their type**, then the mixture would only be forbidden **in** a case where the forbidden food **imparted taste** to it.

Therefore we see that according to Shmuel, if chametz were mixed with permitted food that was not of its type, even during Pesach, so long as it did not impart taste to the mixture, it would be considered nullified in the majority of permitted food. In this matter he disagrees with Rav, because Shmuel holds that **we the Rabbis do not make a decree** prohibiting a mixture that are **not** of **their type**, **lest** one should come to eat a mixture of **their type**.

And when Shmuel ruled that “chametz **not during its time, whether** mixed **with** food of **its type** or **whether** mixed **with** food **not** of **its type, is permitted**”, this is because he rules **according to** the view of **Rabbi Shimon**. For Rabbi Shimon holds that in Torah law, chametz that was in one’s possession over Pesach is permitted afterwards. The Gemara will later challenge Shmuel’s, pointing out that the chametz is nonetheless forbidden by Rabbinic decree.

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**And Rabbi Yochanan said: Chametz in its time, whether** mixed **with** permitted food of **its type, or whether** mixed with food **not** of **its type**, the mixture is **prohibited** if the chametz **imparts taste** to it. However, if it comprised less than one sixtieth of the mixture and thus did not impart taste, it would be considered nullified in the majority of permitted food, and the mixture would be permitted.

And if chametz were mixed with permitted food **not during its time, whether with its type** or **whether not with its type**, the mixture is **permitted**.

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The Gemara explains: When Rabbi Yochanan ruled that “**Chametz in its time, whether mixed with its type or whether not mixed with its type**, the mixture is **prohibited** if the forbidden food **imparts taste** to it”, this is because **Rabbi Yochanan** rules **according to his reasoning** elsewhere.

**For Rabbi Yochanan and Reish Lakish both say:** Concerning **all prohibited** foods **that are forbidden in Torah** law, **whether** they were mixed **with** permitted food of **their type** or **whether** they were mixed **with** food that was **not** of **their type**, the mixture would be prohibited so long as the forbidden food **imparts taste** to it. If it not impart taste then the mixture is permitted even if the two foods are of the same type. This accords with the Sages who disagreed with Rabbi Yehudah, as explained above.

And when Rabbi Yochanan ruled that “**Chametz not during its time, whether mixed with its type or whether mixed with** food that was **not** of **its type**, the mixture is **permitted**”, this is because he rules **according to** the view of **Rabbi Shimon**, who said that after Pesach, chametz is permitted by Torah law.

# Chavruta

## Pesachim – Daf Lamed

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**Rava said:** The final **Halachah** is as follows: **chametz in its time**, i.e. during Pesach, when mixed with a permitted food—**whether of its type or whether not of its type**—the mixture is **prohibited**. This would be true even if the chametz were only **a small amount** of the total mixture and therefore did not impart taste to it. Thus, the final Halachah is **in accordance with** the view of **Rav** who said that regarding foods prohibited by the Torah, a forbidden food may never be considered nullified, when in a mixture with a food that is of the same type.

However, if **not during its time**, i.e. after Pesach, chametz were mixed—**whether with** permitted food of **its type** or **whether with** permitted food that was **not of its type**—in both cases the mixture is **permitted**. This would be true even if there were a sufficient amount of chametz in order to impart taste to the mixture, because the Halachah is **in accordance with** the view of **Rabbi Shimon** who said that chametz which was in one's possession over Pesach is permitted afterwards.

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The Gemara is puzzled: **And did Rava really say this? Surely Rava said:** Even though **Rabbi Shimon** holds that after Pesach, the Torah permits one to consume chametz that was in his possession over Pesach, nonetheless he still holds that one would be prohibited from eating it by Rabbinic law. For the Sages **surely penalized** the person in such a case, **given that he had transgressed** the prohibition of “you shall **not see**” **through it**, i.e. through keeping chametz in his possession.

The Gemara replies: **These words**, that the one would be forbidden to eat the chametz due to a penalty, apply to chametz that is **whole**. **But** in the case of chametz that is **in a mixture**, and thus not readily visible, they did **not** apply this penalty. This would be true

## Perek 2 – 30a

even if the chametz was whole during Pesach and only afterwards became mixed with the permitted food.

**And Rava goes according to his reasoning** elsewhere, where he ruled that the Halachah follows Rabbi Shimon in this matter.

**For Rava said: When we were at the house of Rav Nachman, when the seven days of Pesach went out, he said to us: Go out and buy the chametz of the gentile soldiers.** For according to Rabbi Shimon, Torah law permits chametz after Pesach, and the Sages only penalized the chametz of a Jew, given that he had transgressed the prohibition of “you shall not see”. But according to Rabbi Yehudah, who ruled that even after Pesach, chametz kept during Pesach is forbidden by Torah law, this prohibition would also apply to the chametz of a gentile.

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Rav said: If one owns earthenware **pots** that had been used to cook chametz, **when Pesach** arrives **he** must **break them**. Rav follows Rabbi Yehudah’s view that after Pesach, chametz is prohibited by Torah law. Therefore, he holds that even if a small amount of chametz became mixed with permitted food of the same type, one would be forbidden to eat the mixture. In the case of the pot, if one were to cook in it after Pesach, the taste of chametz that was absorbed within its walls would enter the food, and as a result, would prohibit the food.

This would be true even though the taste of chametz that absorbed in the walls of the pot had become unpleasant (*ta’am lifgam*), due to the passage of over twenty-four hours. For Rav holds that even an unpleasant taste is sufficient to forbid one to eat the mixture.

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The Gemara poses a difficulty: **And why** should one break the pots? **Leave them** until after Pesach **and make** food **in them that is not** of **their type**. Rav only said that a small amount of chametz is prohibited after Pesach when it is mixed with a food of the same type.

The Gemara replies: It would be forbidden for one to keep the pots in order to cook a food of a different type, because of **a decree lest one should come to make** a food that was of **its** chametz's **type in them**.

Although, according to Rav, no decree was made for after Pesach on chametz mixed with food of a different type, this is because such a case is uncommon. However, one would commonly use one's chametz pots with other foods, therefore a decree was made requiring one to break all pots, lest one cook food similar to chametz in them.<sup>1</sup>

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**And Shmuel said: One need not break them** before Pesach. **Rather, one should leave them until after its time**, i.e. after Pesach, **and make** food **in them**. **Whether** this be food of **its type** or **whether** it be food that is **not** of **its type**. Shmuel holds like Rabbi Shimon, who said that if chametz was in one's possession over Pesach, Torah law does not prohibit eating it after Pesach. And the Sages penalized only regarding chametz that is whole but not when it was mixed with a permitted food.

**And Shmuel goes according to his reasoning** elsewhere. **For** after Pesach, **Shmuel said to the pot sellers: Keep the price of the pots stable**, i.e. do not hike the price because everyone is seeking new pots after Pesach. **And if you do not, I will lecture** to the public **on account of you** that the Halachah is **in accordance with** the view of **Rabbi Shimon**, that chametz is permitted after Pesach by Torah law. People would then inevitably

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<sup>1</sup> *Tosafot*

## Perek 2 – 30a

understand that one is permitted to use an old chametz pot, and no one will buy new pots from you!

Thus we see that according to Rabbi Shimon, a mixture containing chametz would be permitted after Pesach, even by Rabbinic law.

The Gemara is puzzled: Why did Shmuel merely threaten to publicize that the Halachah follows Rabbi Shimon? **Let him lecture to them** that this is the final Halachah. **For Shmuel holds like Rabbi Shimon**, as we said above, and he thus holds that the old chametz pots are entirely permitted after Pesach.

The Gemara replies: That district **was Rav's place**, and given that Rav holds that the pots must be broken before Pesach, following the view of Rabbi Yehudah, as explained above, there Shmuel was unable to rule there that the Halachah follows Rabbi Shimon.

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There was **a certain oven**, that people would **smear** its floor **with fat**. And **Rava bar Ahilai prohibited one to eat the bread** that was baked there. Given that the meaty fat was absorbed in the oven's earthenware floor, it would impart taste to the bread baked there. For it was their way to place the dough directly on the floor of the oven. Having absorbed a meaty taste, one would be forbidden to eat the bread with milk, due to the prohibition of eating milk and meat together.

Since bread is a staple, regularly eaten with all foods, the Sages ruled that one may not bake meaty or milky bread, lest one inadvertently eat it with the opposite type.

## Perek 2 – 30B

And he **even** forbade one from **ever** eating the bread so baked, even if he would eat it alone, **with** just salt<sup>2</sup>, **lest one should come to eat it with *cutach***, a certain salty dip that contained milk.

**They contradicted him**, from a Baraita: **One may not knead dough with milk. And if one did knead** it with milk, **all of the bread** would be **forbidden**, because it would **accustom one** to make a **transgression**. One could easily come to eat the loaf with meat, thereby transgressing the prohibition of eating milk and meat together.

**Similarly...**

### **Ammud Bet**

**...one may not smear the oven with fat** from the **tail** of an animal, **and if one did smear** it, **all of the bread** that was baked there would be **forbidden**. The taste of the fat absorb into the bread, and one might come to eat it with milk.

If one did smear the oven with fat, one would not be permitted to bake bread there **until he had heated up the oven**. By heating up the oven, one would be able to burn out the taste of the fat that was absorbed there.

The Gemara brings out the point: We see that if one heated up the oven, then one would be permitted to bake bread there. **And** this constitutes **a contradiction to Rava bar Ahilai**, who prohibited one from ever eating the bread that was baked in an oven that had been smeared with fat. The all-inclusive way he stated his ruling implies that he prohibited one from eating the bread even if the oven had been heated up first.

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<sup>2</sup> It would similarly be forbidden for one to eat the bread without salt, and the Gemara merely mentions salt

## Perek 2 – 30B

The Gemara concludes: It is indeed **a contradiction**.

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**Ravina said to Rav Ashi: And since Rava bar Ahilai's** view has been **contradicted**, and heating the inside of the oven would be effective in burning out a taste that had been absorbed there, **why did Rav say** that earthenware **pots** should be **broken** before **Pesach**? Surely it would be possible for one to heat them up with burning coals, thereby removing the taste of chametz that had been absorbed within them.

Rav Ashi **said to him: There** in the Baraita, where heating up the oven is effective, it referred to an **oven** made **of metal**. However **here**, Rav was referring to **pots** made **of earthenware**. And the Torah itself testifies that taste absorbed in earthenware utensils can never be removed, as will be explained further on.

**And if you wish, I could say** an alternative answer: **This case and that case** are both referring to articles made **of earthenware**. However, the law of an oven differs from that of a pot because in **this** case of an oven, the **heating up** of the oven is done **from within**. Only then will the taste of the fat that had been smeared there be burnt away. However, in **that** case of the pot, where the **heating up** is done **from the outside**, since the coals are not placed within the pot, the inside of the pot would not reach the temperature required to burn away the taste of the chametz.

The Gemara explains further: **And if you will say** that it is also possible to remove the taste of chametz from a pot, because you will argue: **let one heat up** the pot **from inside**, this would not be possible. Because if we were to allow people to render their pots kosher by heating them up from the inside, they would say to themselves that even heating them up from the outside is good enough. This is because a person would be **concerned about them, lest they break** if he fills them with glowing coals.

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because this was the general manner in which bread was eaten.

## Perek 2 – 30B

The Gemara concludes: The Halachah follows the second answer. Heating up earthenware is indeed effective in burning out the taste, so long as the coals are on the inside. **Therefore**, concerning a *bochia* (a certain utensil made from thin plates of earthenware that was used to bake and fry bread), given that one normally **heats it up** by placing coals **on the outside** of the utensil—if a forbidden taste were absorbed in it, then use of the *bochia* would be **prohibited**.

However **if one filled it with coals** on the inside, this **would be fine**. Here, unlike with regular pots, there is no concern lest he place the coals only on the outside. Because a person is not so concerned about a *bochia*, and would not care if it broke.

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**Ravina said to Rav Ashi:** The knives that were used with chametz, if one wishes to use them **on Pesach, what should one do to them** to remove the taste that they have absorbed?

Rav Ashi **said to him:** **For me, I use new** knives. Ravina understood from his answer that on Pesach, Rav Ashi never used knives that had been used with chametz.

Thus Ravina **said to him:** This is **fine** for the **Master, as it is possible for him** to buy new knives, given that he is wealthy. But for one that **it is not possible for him, what** should he do?

Rav Ashi **said to him:** Even **I** do not buy new knives, rather **I was saying** that I make my chametz knives **like new**. For I cover **the** wooden **handles** of the knives **with clay**, in order that they not be burned, **and** then I place **their blades in the fire**. **And** afterwards I remove the clay and **go back and place the handles in boiling water**, in order to render them kosher.

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According to the basic requirements of Halachah, it would have been possible to render the entire knife kosher by immersion in boiling water. But Rav Ashi was strict upon himself, choosing to render his utensils kosher through the superior means of heating them in fire, as far as this was possible.

The Gemara concludes: **And the Halachah** is that for both **this and that**, the blade and the handle, immersion in **boiling water** is sufficient.

However, one would need to immerse them in boiling water that is **in a primary vessel** (*keli rishon*), i.e. a vessel that had been heated itself on the fire. But if one were to merely pour water into a secondary vessel and then immerse the knife there, even if the water was still very hot this would not be effective in removing the absorbed taste.

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**Rav Huna son of Rav Yehoshua said:** Concerning a **wooden spoon** used to stir the chametz food cooking in a **pot**. **One** must **immerse it in boiling water**, and that water must be **in a primary vessel**. Because Rav Huna **held** that just **as a taste is absorbed, so too is it discharged**. One requires the same type of heat to remove the forbidden taste from the spoon, as caused it to be absorbed initially. Thus, just as the spoon absorbed the forbidden taste by being used with hot food in a primary vessel, the same conditions are required to remove the taste.

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**They posed an inquiry to Marimar:** Concerning **the** earthenware **utensils** that are glazed **with molten lead**, if they had been used with chametz, **what** is the law regarding **using them on Pesach**? Are they considered earthenware vessels, meaning that immersion in boiling water would not be effective in rendering them kosher? Or, given

## Perek 2 – 30B

that the lead would prevent any taste being absorbed by the earthenware, perhaps they be immersed in boiling water, like any other metal utensil.

The Gemara answers: If the utensils were covered with **green** lead, that was mined from land that also contained a metal called “*tzarif*”, **you need not inquire at all. Because it would certainly be prohibited** to use such utensils by merely immersing them in hot water, given that the *tzarif* that was mixed in with the lead would never discharge the taste that it had absorbed.<sup>3</sup>

**What you should inquire** about is a utensil covered with red lead or white lead. In such a case, **what** is the law regarding koshering such a utensil?

**And where there are cracks in them**, in these pots, **you** also need **not inquire at all**, because the pots would **certainly** absorb the forbidden taste through the cracks, **and** one would be **prohibited** from using them. **What you should inquire** about is a utensil that is **smooth**. In such a case, **what** is the Halachah?

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Marimar **said to them**: Surely **one sees that these** utensils **exude** the liquids that are contained within them, through their outer walls. **Therefore** it is obvious that they **absorb** much of the liquid within their walls **and** one would be **prohibited** from using them on Pesach, just like any other earthenware utensil.

**And what is the reason** that immersion in boiling water is not effective in removing the taste absorbed by an earthenware utensil? Because **the Torah testified about earthenware utensils that their** forbidden **absorbed tastes never leave** them. Regarding utensils made of wood or metal that absorbed forbidden tastes, the Torah states: “you shall cleanse them”. But in the case of earthenware utensils the Torah states:

## Perek 2 – 30B

“you shall break them”, clearly indicating that there is no means by which to remove the absorbed taste.

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The Gemara poses a difficulty: **And what is the difference between** this case and **the matter of a gentile’s wine**<sup>4</sup>, regarding which Marimar lectured, saying: Utensils glazed **with lead** that were used with a gentile’s wine, **whether** the utensils were plated with **red** lead or **whether** with **white** lead or **whether** with **green** lead, one is **permitted** to use the utensils. Thus we see that these utensils do not have the same status as those made of earthenware alone, which may never be koshered. If so, why did he forbid one to use any of these utensils on Pesach?

**And if you will say** that a **gentile’s wine** is different, because the prohibition here is merely **Rabbinic** in origin, thus the Rabbis were lenient in the case of these utensils, Whereas **chametz** on Pesach is forbidden by **Torah** law. This is not a plausible explanation, because **every statute of the Rabbis was made like the** corresponding **Torah** law. Therefore, just as utensils are forbidden if used with foods prohibited by Torah law, so too when the Rabbis forbade the wine of a gentile, they would have applied the same rules to it.

Marimar **said to him**: In **this** case of chametz, the utensils are **used with hot** food, however in **that** case of the wine, the utensils are **used with cold** wine. And a utensil only absorbs taste when used with hot food or drink.

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<sup>3</sup> See Rashi, also *Ketubot* 107b where it is explained that lead that was mixed with *tzarif* would not prevent the taste from being absorbed by the earthenware underneath.

<sup>4</sup> Lit. Wine of a libation.

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**Rava bar Abba said** in the name of **Rav Chiya bar Ashi** who **said** in the name of **Shmuel: Any utensils that were used with cold chametz** may **be used** on Pesach for **matzah, except for a barley container**, a utensil used to soak barley. Even though the barley was cold, its taste would still penetrate the walls of the container **since the** products of **fermenting** barley have a **sharp** flavor.

**Rav Ashi said: And a charoset<sup>5</sup> container**, a container in which one placed flour and vinegar, in order that the flour would ferment, **is like a barley container**. Given the sharp flavor of its contents, the taste of the flour would be absorbed within its walls.

**Rava said: The bowls from Machoza, since they normally knead chametz in them, and they leave chametz in them, they are like a barley container**, the product of **whose fermenting is sharp** in flavor. Thus they may not be used on Pesach, even though they were only used with cold chametz.

The Gemara raises a difficulty: This is **obvious!** What is the difference between this and a barley container?

The Gemara replies: **What would you have said?** That it is specifically in the case of the barley container that the products of fermentation are sharp in flavor, because it was filled with barley and there was no room for air to circulate. But in the case of the kneading bowls, **since they are wide and the air gets to them, they do not absorb** the taste of the chametz. Thus Rava **informed us** that even in these circumstances the taste is absorbed.

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<sup>5</sup> This is not the *charoset* eaten on Seder night

## Perek 2 – 30B

### **Mishnah**

**A gentile who lent money to a Jew** before Pesach, and the loan was guaranteed **on** the Jew's **chametz**, i.e. if the Jew does not repay the loan, then the chametz becomes the property of the gentile in its stead. **After Pesach** one is **permitted to derive benefit** from the chametz. Because if the Jew were to have defaulted on the loan, it would emerge retroactively that the gentile had acquired the chametz before Pesach, and that over Pesach it was in his ownership.

If this were so, then this chametz would not be under the penalty applied to the chametz of a Jew kept over Pesach (according to the view of Rabbi Shimon above), given that one had not transgressed the prohibition of “shall not be seen”.

**And a Jew who lent money to a gentile** before Pesach **on his** the gentile's **chametz**, i.e. the chametz would become the property of the Jew if the gentile defaulted. **After Pesach** one is **prohibited to derive benefit** from the chametz. Because if the gentile were to default, the chametz would retroactively have become the property of the Jew from the time of the loan, before Pesach, and the Rabbis penalized the chametz of a Jew that was in his possession over Pesach, forbidding one to derive benefit from it.

### **Gemara**

**It was said** in a statement of Amoraim: Concerning **a lender**<sup>6</sup> who lent his fellow Jew money, guaranteed by a security, with the understanding that the security would become the property of the lender if the borrower defaulted. **Abaye said: Retroactively he**

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<sup>6</sup> Lit. The owner of a debt

## Perek 2 – 30B

**collects**, i.e. we view it as if the security that he is collecting was really his from the time of the loan.

**And Rava said: From now on he collects**, i.e. we view it that he is the owner of the security only when he actually collects it.

The Gemara explains the practical difference between the two views:

**Where the borrower had consecrated** the piece of land serving as security, or **the borrower had sold** the said land, before the time arrived to pay back the loan, **everyone agrees that the lender** may **come and seize** the land from the buyer, in order to cover the debt. This would hold true to Rava, who said that the land was until now in the ownership of the borrower. Although the land was ‘his’ (*shelo*), since he held title to it, it was not in his full ‘control’ (*reshuto*). I.e. he did not have the power to consecrate it, given that it was bound to the lender as security for the loan.

Although the consecration of an article can break the bond to a lender, this is only with items that are intrinsically sanctified (*kedushat haguf*), such as articles consecrated as offerings to be placed on the Altar. However with articles consecrated merely for their monetary value (*kedushat damim*), this would not be so. Such items go to the Temple treasury, to be sold. The revenue then goes to the Temple.

# CHAVRUTA

## PESACHIM – DAF LAMED ALEF

Translated by: *Rabbi Dov Zemmel*  
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[Where the borrower had consecrated the piece of land serving as security, or the borrower had sold the said land, before the time arrived to pay back the loan, everyone agrees that the lender may come and seize the land from the buyer, in order to cover the debt.]

And furthermore, the lender can come and redeem the piece of land from the Temple treasury, with just a small payment to the Temple treasury.

Really, the lender should be able to take the property without any payment to the Temple treasury at all. However, in order that people should not say that the property of the Temple treasury was simply released without redemption, leading to a lack of regard for properly consecrated items, he is required to pay a small amount.

For it was taught in a Mishnah: If a borrower consecrated the property which had been mortgaged to the loan, the lender adds another *dinar*<sup>1</sup> to the loan. I.e. he gives a little more money to the borrower, in order that the borrower can ‘redeem’ all of this property. The lender then collects this ‘redeemed’ property from the borrower. From this we can derive that a token amount is given to the Temple treasury, so that it should not seem that the Temple treasury released it without a redemption.

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When do they (Abaye and Rava) disagree? In a case when the lender is the one who sells or consecrates the property, before he collects it as his collateral. And then, after he has collected it, he changes his mind and wants to keep the collateral for himself.

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<sup>1</sup> A silver coin.

## **PEREK 2 – 31A**

According to **Abaye** who **said** the lender **collects retroactively**, we say that the sale or the consecration already took effect, and he cannot retract from it. **Because** once **the time** of payment has **arrived, and he** (the borrower) **has not** yet **paid, it retroactively becomes clear that** from the time of the loan, the property **was** really **in the domain of the lender. And** therefore, **he properly made it** consecrated to **the Temple treasury, or sold it.** These transactions take effect since the property was already in the domain of the lender.

**But** according to **Rava** who **said** the lender **collects from now onwards**, the sale or the consecration does not take effect. **Because if** the borrower **would have had money** at the time of repayment, **he could have removed** the lien of the lender by simply repaying him **with the money.** So **it comes out that** only **now**, at the time the repayment should have taken place, does the lender **acquire** the property, but not before. Thus, the lender has not sold or consecrated the property. And if he wants to keep it for himself, he may do so.

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The Gemara poses a difficulty: **But did Rava** really **say this? But note** what **Rami bar Chama said:** If **Reuven sold a field to Shimon, with a guarantee** that if the field should be taken away from Shimon by creditors of Reuven, then Reuven will compensate Shimon. And Shimon did not have money available to give to Reuven for the purchase, so **they set it up as a loan.** I.e. Shimon acquired the property on credit.

**And** subsequently **Reuven died, and** then **a creditor of Reuven came and took away** the property **from Shimon. Then Shimon came and appeased** the creditor **with money.** Shimon convinced the creditor to give him back the property in return for money.

**The Halachah is that the sons of Reuven can come** and claim the money that Shimon owes them for the original purchase of the property. And Shimon cannot claim that

## **PEREK 2 – 31A**

Reuven had given a guarantee that he would compensate Shimon, in the event that the property would be taken from him. Also, he cannot claim that he already gave to the creditor the money he owed Reuven for purchasing the property.

Because **they** the sons of Reuven **can say to Shimon: Our father**, when he passed away, **left over movables with you**, for **us** to collect. I.e. you owed him not actual property, but money for the property you had bought. And we inherited the right to collect this debt.

In addition, the inheritors can say that they do not have to honor the guarantee made by their father, because this is like a mortgage on movables. And the Halachah states that **movables** which are inherited by **orphans are not mortgaged to a creditor**. I.e. the late father's creditor has no claim to the movables, even if the late father reneged on some financial obligation.

**And Rav said** that all of the above is true if Shimon was to pay the inheriting orphans with movables. However **if Shimon is clever**, he will say to the orphans that he does not have any money to pay the debt. And **they will collect** the debt **from Shimon's landed property**. **And** then Shimon **will go back and collect** this property **from them**, as a repayment for the property that was taken from him by Reuven's creditors.

For **Rav Nachman said**: Regarding inheriting **orphans who** went and **collected landed property** from a borrower, as a payment **for the debt** he owes to **their father**. And their father owes money to a third party. That **creditor** (the third party) can **go back and collect it** the property **from them**.

So too, here, Shimon can collect the property from the orphans which they had taken from him.

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## **PEREK 2 – 31A**

The Gemara now brings out the point: **It is all right if you say** that Rava holds that a lender **collects** the debt **retroactively**. **For this reason**, Rava said that Shimon can **go back and collect it** (the landed property that the orphans collected from him) **from them** the orphans. **Because it is considered as if it had already been collected** by their father **in the lifetime of their father**. Therefore Shimon, the purchaser, can go and collect it from the inheriting orphans, like any other landed property of the seller which has been mortgaged to the purchaser.

**But if you say** that Rava holds that a lender **collects** his debt **from now onwards**, **why** is Shimon allowed to **go back and collect it from them**? The property was never owned by the father, and therefore it was never mortgaged to Shimon.

Rather, **it is like** property which **the orphans purchased** themselves, and not property they received as an inheritance. **And if the orphans purchase** property themselves, **is it mortgaged to** their father's **creditor?! It is obvious** that only property which the father owned in his lifetime is mortgaged to his creditor.

It emerges that Rava holds that a lender collects his debt retroactively. Yet above he was quoted as saying that the lender collects only from now onwards!

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The Gemara resolves the contradiction: **It is different over there**, where the purchaser goes back and collects the property from the orphans. It is not because we say that a lender collects his debt retroactively. Rather, it is **because** the purchaser **can say to them** (the inheriting orphans): **Just like I am obligated to repay your father, I am also obligated to pay the creditor of your father** (i.e. me!), **due to** the Halachah stated by **Rabbi Natan**.

## **PEREK 2 – 31A**

**For it was taught** in a Baraita: **Rabbi Natan says: From where** is it derived that **one** (Reuven) **who lends to his friend** (Shimon) a hundred *zuz*, **and his friend** (Shimon) **lends to his friend** (Levi), **that we take money away from this one** (Levi) **and give it to that one** (Reuven)? **For it is said** (*Bamidbar*<sup>2</sup> 5:7), **“And he should give it to the one to whom he is indebted”**.

Since it does not say, ‘to the one who lent to him’, but rather, ‘to the one to whom he is *asham* (indebted)’, this implies that he (the debtor) pays to the one who owned the money originally. For the term *asham* refers to the original money. And he should pay the original creditor, since he (Levi) is obligated to pay his creditor (Shimon), and this creditor (Shimon) is obligated to pay his creditor (Reuven). Therefore the landed property of this one (Levi) has a lien on it straight to that one (Reuven).

Similarly in the case above, the purchaser can collect the property from the orphans. For he can say that just as my property was mortgaged to your father to pay off my debt to him, it was also mortgaged to me. Because your father’s property was mortgaged to me to fulfill the guarantee he made to me!

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The Gemara poses a difficulty to Rava: **It was taught** in our Mishnah: **A gentile who lent** money to **a Jew, on** condition that if the Jew does not pay back at the designated time, **his** (the Jew’s) **chametz** will belong to gentile. **After Pesach**, this chametz is **permissible** for the Jew **to derive benefit** from<sup>3</sup>.

The Gemara is assuming at this point that the chametz did not actually leave the domain of the Jew. Rather, it had been designated for the gentile, in the event that the Jew does not pay back the loan.

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<sup>2</sup> Numbers

<sup>3</sup> This is true although is a Rabbinical prohibition to derive benefit from chametz which was in the possession (ownership) of a Jew during Pesach.

## **PEREK 2 – 31A**

**It is all right if you say** that a lender **collects** his debt **retroactively**, then we can say that the chametz is considered to have belonged to the gentile during Pesach. For since the Jew did not pay back the loan, it comes out that the chametz was owned by the gentile from the time of the loan. **Therefore it is permissible** for a Jew **to derive benefit** from the chametz after Pesach – because it was not owned by a Jew during Pesach.

**But if you say** that a lender **collects** his debt only **from now onwards**, **why** is it **permissible to derive benefit** from the chametz? Since it was only acquired by the gentile at the end, when the time for payment passed, it means that during Pesach **it was in the domain of the Jew**. So it should be prohibited to derive benefit from it after Pesach!

The Gemara resolves the difficulty: **Here** in the Mishnah, **with what case are we dealing? That** the Jew **deposited** the chametz **with him** (the gentile), as a pledge. I.e. the chametz was already in the house of the gentile from the time of the loan. And since it was given as a pledge, it is considered as the property of the gentile. Therefore if it is returned to the Jew after Pesach, it is not forbidden to derive benefit from it.

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The Gemara suggests: **Let us say** that the disagreement between Abaye and Rava **is like** the disagreement between the **Tannaim** in the following Baraita.

For it was taught in a Baraita: **A Jew that lends** money **to a gentile on** condition that if the gentile does not pay back at the designated time, **his chametz** (the gentile's) will belong to the Jew. If the Jew benefits from this chametz **after Pesach**, **he has not transgressed** the Rabbinical prohibition on benefiting from chametz which belonged to a Jew during Pesach.

## **PEREK 2 – 31A**

**In the name of Rabbi Meir, it was said:** If he benefits from it, **he has transgressed** this prohibition.

**Is it not** that this Baraita is speaking in the following case? That the gentile did *not* deposit the chametz in the house of the Jew. And the chametz remained in the house of the gentile during Pesach. And **they are disagreeing about this** matter.

**The second master** (Rabbi Meir) **holds** that a lender **collects** his debt **retroactively**. And when the gentile does not pay the loan, the chametz is retroactively acquired by the Jew, and it comes out that it belonged to the Jew during Pesach. Therefore Rabbi Meir holds that benefit from it after Pesach is forbidden.

**And the first master** (the first Tanna in the Baraita) **holds** that a lender **collects** his debt **only from now onwards**. And since it becomes owned by the Jew only after Pesach, there is no prohibition to benefit from this chametz after Pesach.

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The Gemara rejects this approach: **And do you really think** that these Tannaim disagreed over the same point that Abaye and Rava did?

**Because I will say to you** otherwise, based on what it says in **the latter clause** of the Baraita: **But a gentile that lends money to a Jew on** condition that if the Jew does not pay back at the designated time, **his** (the Jew's) **chametz** will belong to the gentile. If the Jew benefits from this chametz **after Pesach**, according to **everyone's words he will have transgressed** the Rabbinical prohibition not to benefit from chametz which belonged to a Jew during Pesach.

## **PEREK 2 – 31A**

Now, if they are disagreeing in the Baraita as to whether the lender collects his debt retroactively or not, then **the opposite should have been** said here, in the latter part of the Baraita, as the Gemara will now explain.

**According to the one who said there** in the first clause of the Baraita, which is speaking of a Jew who lent money to a gentile, **that** if the Jew benefits from the chametz **he does not transgress** the prohibition. For he held that a lender collects his debt from now onwards, and therefore the chametz belonged to the gentile during Pesach—

So **here** in the latter clause of the Baraita, in the case of the gentile who lent money to a Jew, he should hold that if the Jew benefits from this chametz **he does transgress** the prohibition. Because during Pesach it did not yet belong to the gentile.

And **according to one who said there** in the first clause of the Baraita that **he does transgress** the prohibition. For he holds that a lender collects his debt retroactively, and the chametz already belonged to the Jew during Pesach. So **here**, in the latter clause of the Baraita, he should hold that **he does not transgress** the prohibition. Because in this case the chametz was already owned by the gentile during Pesach.

And yet the latter clause does not say like this. Rather it says that everyone agrees in this case that the Jew transgressed if he benefits from this chametz!

### **Ammud Bet**

The Gemara concludes: **Rather**, everyone in this Baraita agrees that a lender collects his debt from now onwards. And **here** in the Baraita **with what case are we dealing? For example that he** the borrower **deposited** his chametz **with him**, i.e. he placed it in the house of the lender. **And they are disagreeing about** the ruling **of Rabbi Yitzchak**.

## **PEREK 2 – 31B**

**For Rabbi Yitzchak said: From where do we derive that a creditor acquires the deposit** placed with him as collateral? **For it is said** (*Devarim*<sup>4</sup> 24:13) concerning a lender who took from the borrower night garments as security, “You should return the security to him when the sun sets, and he will sleep in his garment and bless you, **and for you it will be *tzedakah*** (an act of charity) before Hashem, your G-d”.

Now, **if the lender does not acquire the security, where is there any charity** in the lender’s returning of the security? Rather, **from here** it is a clear proof **that the creditor acquires the security**. And it is considered an act of charity when he lends ‘his’ garment to the borrower for the night.

**The first Tanna** in the Baraita **held that these words** (that a creditor acquires the security) apply to **a Jew who borrows from a fellow Jew**. In this case **it is called** by the verse ‘**and for you it will be *tzedakah***’.

**However**, the verse is not speaking of **a Jew who took a security from a gentile**. In such a case, the Jew **does not acquire** the security from the gentile. Therefore this Tanna holds that the security (i.e. the chametz) belonged to the gentile during Pesach, and is permitted to the Jew after Pesach.

**And Rabbi Meir held** that even if the security was taken from a gentile, the Jewish lender acquires it, for it is a *kal vachomer*<sup>5</sup>. **If a Jew from a Jew acquires** the security, then **a Jew from a gentile, all the more so** he should acquire it! Therefore the chametz belonged to the Jew during Pesach, and became forbidden for him to benefit from it after Pesach.

**But** in the latter clause of the Baraita, which dealt with **a gentile who lent to a Jew on condition that his chametz would be a security for the loan**. In that case, **according to**

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<sup>4</sup> Deuteronomy

## **PEREK 2 – 31B**

**the words of everyone** the chametz is considered to belong to the Jew during Pesach. And if the Jew benefits from it after Pesach **he transgresses** the Rabbinical prohibition. Because over **there, it is certain** that **a gentile does not acquire** the security **from the Jew**.

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The Gemara poses a difficulty: **It was taught** in the Mishnah that if **a gentile lends** money **to a Jew on** condition that **the Jew's chametz** will be collateral, and the gentile took the collateral to his house at the time of the loan, then the Jew **can derive benefit** from this chametz **after Pesach**, for it is considered to have been owned by the gentile.

However we have learnt in the Baraita above, that **granted** that the chametz has **even been placed as a security with him** in the house of the gentile. **But you said** that a **gentile** who takes a security **from a Jew**, according to all views he **does not acquire** the security.

So how can the Mishnah teach that the gentile did acquire this chametz of the Jew?

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The Gemara resolves the difficulty: **It is not a difficulty. This** which the Mishnah taught that the gentile acquired the chametz is speaking of a case that the Jew **said to him** the following: “If I do not pay the loan by a certain time, the security should belong to you **from now!** I.e. it was a special arrangement made in this case that the Jew agreed that the gentile will acquire his chametz.

And **that** which was taught in the Baraita that the gentile does not acquire the chametz, is speaking of a case **that the Jew did not say to him** that he will acquire it **from now**, if

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<sup>5</sup> A fortiori reasoning

## **PEREK 2 – 31B**

the Jew does not pay by a certain time. Rather, the Jew merely obligated himself that if he would not pay back the loan, the gentile could collect the chametz from the time the loan was due.

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The Gemara raises a difficulty: **And from where** do you have a source for **what you said**, that even when the security is placed in the domain of the gentile, that **there is a difference between where he says ‘from now’, and where he does not say ‘from now’?** For you say that only when the Jew stipulates that the gentile will acquire it from the time of the loan, will the Jew be able to benefit from the chametz after Pesach.

The Gemara answers: It is derived from **that which is taught** in a Baraita: **A gentile who gave as a security a large loaf of bread, to a Jew** who lent him money. The loaf remained with the Jew during Pesach. The Jew **does not transgress** the prohibition of “chametz should not be seen in your domain”. This follows the view of the first Tanna in the above Baraita, that a Jewish creditor does not acquire a security of a gentile.

**But if the gentile said to him’ ‘It has come to you”** – i.e. If I do not pay you at the end, then this security will become yours from now. In this case, the Jew **transgresses** the prohibition to possess chametz, if the gentile does not pay the loan back by the time of payment.

Now, **what is the difference** between **the first clause** of the Baraita, when he does not transgress, and **the latter clause** where he does transgress?

**Rather, is it not** as we said, **that we hear from it** a proof that **there is a difference between where he said to him ‘from now’, and where he did not say to him ‘from now’?**

## **PEREK 2 – 31B**

The Gemara concludes: **Hear from it** a proof that there is a difference between if he says ‘from now’ or he does not say it.



**The Rabbis taught** in a Baraita: Concerning **a shop of a Jew, and the shop’s stock** (bread and wine) **belongs to the Jew. And there are gentile workers that come into there. It is forbidden to benefit from the chametz that is found there after Pesach. And it need not be said that it is forbidden to eat** this chametz.

It cannot be assumed that the chametz that is found there belonged to the gentile workers. Rather, it is assumed that it is from the stock in the shop that belongs to a Jew. Therefore it is forbidden to benefit from this chametz, and certainly it is forbidden to eat it.

But concerning **a shop of a gentile, and also the stock belongs to the gentile, and** there are **Jewish workers** that **go in and out from there**. The **chametz that is found there after Pesach is permitted to be eaten. And it need not be said** that it is permissible to **benefit from it**.

We assume that the chametz found was from the stock of the shop. And because it was chametz owned by a gentile during Pesach, therefore it is permitted to benefit from it, and even eat this chametz after Pesach.

## PEREK 2 – 31B

### Mishnah

If a **ruin fell down on** top of some **chametz**, the owner of the chametz does not transgress the prohibition of having chametz in his possession over Pesach. This is because after the ruin has fallen on it, the chametz **is considered like it has been eradicated.**

**Rabban Shimon ben Gamliel says:** When is the chametz considered like it has been eradicated? In **any** case that a **dog cannot** burrow underneath the ruin and **search for it** and find it.

### Gemara

It was taught in the Mishnah: If a ruin fell down on top of some chametz, it is considered like the chametz has been eradicated.

**Said Rav Chisda:** Even though he does not transgress the prohibition of ‘chametz should not be seen in your domain’, **he still needs to nullify it mentally.** For we are concerned that the ruin might be cleared away during Pesach, and the owner will then transgress this prohibition.



## **PEREK 2 – 31B**

It was taught in the Mishnah: Rabban Shimon ben Gamliel says: Any case that a dog is not able to search after it.

**It was taught** in a Baraita: Until **what** depth is it possible for a **dog to search after** something? Until **three tefachim**<sup>6</sup>.

\*

**Said Rav Acha the son of Rav Yosef to Rav Ashi:** Regarding **that** halachah **which Shmuel said**, “**Money** which has been deposited with a person, **is only** considered properly **guarded** by that person if it is buried **in the ground**”. I.e. the guardian will be liable if he does not bury it and it subsequently gets stolen or lost.

Regarding this halachah, too, **do we require** the money to be buried **three tefachim** in the ground, **or not?**

**He Rav Ashi said to him:** It is not necessary to bury the money three *tefachim* deep, for it is not like the case of the chametz. For **here**, concerning chametz, **we require three tefachim because of the smell**. I.e. until this depth, a dog can still smell the chametz and will search after it.

However **there**, concerning the money, the purpose of burying is **in order that it should be hidden from eyesight** of people. Therefore **it is not necessary** to bury it a depth of **three tefachim**.

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<sup>6</sup> 1 tefach: 3.1in, 8cm.

## **PEREK 2 – 31B**

The Gemara poses an inquiry: And **how much?** I.e. what depth does one need to bury the money?

**Said Rafram bar Papa from Sikra:** A depth of **one tefach**.

### **Mishnah**

*Introduction:*

A non-cohen who eats trumah<sup>7</sup> by mistake, must pay back the cohen the amount of what he ate, and an additional one-fifth. He needs to pay back in the form of something fitting to be trumah – e.g. produce. This replacement produce then acquires the status of trumah.

A non-cohen who eats trumah intentionally does not pay the additional one-fifth, only the equivalent of what he stole, like a regular thief.

\*

A non-cohen who, **on Pesach, eats trumah that is chametz**, if he ate it **by mistake, he pays a cohen the principal** i.e. the amount of what he ate, **and its fifth**.

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<sup>7</sup> A small portion separated from agricultural produce in the Land of Israel, and given to cohanim for their personal consumption. It may only be eaten in purity.

## **PEREK 2 – 31B**

Although it is forbidden to derive benefit from this chametz, thus it is considered as having no monetary value, still he has to make this payment. This is because the requirement to pay for eating trumah is judged not by the value of the object, but by the measurement of produce that was consumed.

However one who on Pesach eats trumah of chametz **intentionally, he is exempt from paying for it.** Since the obligation to pay is similar to a thief's obligation to pay, and this chametz has no monetary value, he is exempt because he did not cause any financial loss.

**And** the one who ate the trumah intentionally is also exempt **from paying the value of the wood** i.e. the value of the produce if it would be used as fuel. It is different from impure trumah, which if a non-cohen eats it intentionally, he needs to pay its value as fuel. Here, since one cannot benefit from this chametz, even as fuel, he is completely exempt.

### **Gemara**

**It was taught** in a Mishnah over **there** (*Trumot* 6:1): **One who eats trumah by mistake needs to pay the principal and its fifth,** to a cohen.

**Whether he eats** the trumah, or **whether he drinks** the trumah, [**or whether he anoints** himself with it.]

# CHAVRUTA

## PESACHIM – DAF LAMED BET

Translated by: *Rabbi Reuven Bloom*

Edited by: *R. Shmuel Globus*

[Whether one eats the trumah, or whether one drinks the trumah,] or whether one anoints himself with it—

Whether **one** eats **impure trumah**, or whether **one** eats **pure trumah**—

He **pays** the principal (i.e. the original amount) and **one fifth**.

And if he eats the one fifth after he made it into a payment for trumah, he pays **one fifth** of that **one fifth**. This is because the payment becomes trumah, and one who eats it, it is if he ate the trumah itself.

\*

**They** the scholars of the study hall **posed an inquiry**: One who eats trumah unintentionally, **when he pays**, is it **according to** the **amount** that he ate that **he pays**, or **according to the value** of what he ate that **he pays**?

Since the Torah requires that he pay with produce that is fitting to become trumah, and not with money, it differs from paying back money that was stolen.

The Gemara clarifies the inquiry: **Wherever** the case is that **from the beginning**, when it was eaten, the trumah **was worth four zuz**, and **in the end**, at the time of payment, **it** the amount of trumah eaten **was worth a zuz**, **there is no** need to pose an **inquiry**. **For certainly**, **according to how it was from the beginning**, **he pays**. I.e. **according** to the **value** of the produce when it was eaten. **Because he is treated no less stringently than a thief**.

## **PEREK 2 – 32A**

**And** regarding a thief **it is taught in a Mishnah** (*Bava Kama* 93B), **“All the thieves pay according to the time of the theft”**. As it is written in the Torah: “And he will return the theft which he stole”, and this is interpreted to mean, “like the object he stole”. If the stolen object no longer exists, and he must return its value, he pays according to what it was worth at the time of the theft, even if the value has gone down since then.

**There is** need for **an inquiry** when the case is that **from the beginning**, at the time he eats, the trumah **is worth a zuz**. **And in the end**, at the time he pays, **it is worth four**. **What is the halachah?** Does **he pay according to the amount** he ate, because we say to him: **A griva** (a specific amount) **you ate, a griva you pay!** Even though this amount is now worth more than the value of the trumah he ate.

**Or perhaps, he pays according to the value**. Since produce **for a zuz he ate**, produce **for a zuz he pays**, even though now it is a smaller amount than he ate. And even though he must pay with produce, how much he pays goes according to the value of what was eaten.

\*

**Said Rav Yosef: Come and hear** a proof that it goes according to the amount: If **he unintentionally ate dried figs** that were trumah, **and he paid him** the cohen fresh **dates, he should be blessed!** Because fresh dates are better than dried figs, and are worth more. Thus he paid more than he owed.

**It is all right if you say: he pays according to the amount. Because of this, “he should be blessed”,** since he ate a *griva* of dried figs that are worth a *zuz*, and which he is obligated to pay. **And he gave a griva of dates that are worth four!**

**But if you say “according to the value he pays”, why should he be blessed?** He assumedly paid back a smaller amount of dates than the dried figs that he ate. And if

## **PEREK 2 – 32A**

dried figs **for a zuz he ate**, dates **for a zuz he pays!** In the end he does not pay any more than he owes, in terms of value. And in terms of amount, he actually paid less.

**Said Abaye**, to refute the proof: **In truth, he pays according to value. And why should he be blessed? Because he ate** dried figs, which are **something that buyers do not jump on** when it is put for sale. **And he pays** fresh dates, which are **something that buyers jump on** to buy. Although they have the same value, he paid something of higher quality. Thus he is worthy of blessing.

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The Gemara brings another proof that repayment for eaten trumah goes according to the amount: **It is taught in our Mishnah: One who eats trumah which is chametz, on Pesach, unintentionally, he pays the principal and a fifth.**

**It is all right if you say: according to the amount he pays. It is well** understood why he must pay for eating trumah which is forbidden to benefit from (and therefore has no monetary value). **However if you say he pays according to value**, what is he obligated to pay? Does **chametz on Pesach have a value?**

The Gemara refutes this proof: **Yes**, it indeed has a monetary value. **And this Mishnah, whose view is it? It is Rabbi Yossi Hagelili. For he said: Chametz on Pesach is permitted to benefit from it.** For it may be burned as fuel in the stove.

And trumah, during the rest of the year, is given to the cohen to be used also for this purpose, not only for eating purposes. As it is written, “Behold I gave you the protecting of my trumot”, in the plural. This implies that there are two types of trumah which are given to the cohen: trumah which is pure and which is impure. And impure trumah is burned as fuel.

## **PEREK 2 – 32A**

(Pure trumah, however, is forbidden to be used for this purpose. Nevertheless, chametz on Pesach—which has no other normal use other than as fuel—is comparable to impure trumah.) Therefore, if he ate trumah which is chametz, he pays according to its value as fuel.

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The Gemara raises a difficulty: **If so, I will say to you the latter clause** of our Mishnah: If on Pesach he **intentionally** ate trumah that was chametz, **he is exempt from paying, and even from paying the value of wood** i.e. its value if used for lighting a stove.

However, **if the Mishnah is according to Rabbi Yosi HaGelili, why** if he ate the trumah intentionally he is **exempt from the payment** of trumah **and even from the value of it as firewood?**

The Gemara replies: The Tanna of our Mishnah **holds like Rabbi Nechunya ben HaKaneh**. He holds that when a person commits an act that carries a severe punishment such as *karet*<sup>1</sup> or death at the hands of Heaven, as well as carrying an obligation to pay money, he is exempt from paying. For he receives only the more severe punishment.

**For it was taught** in a Mishnah: **Rabbi Nechunya ben HaKaneh would make Yom Kippur the same as Shabbat, as regards payment**. I.e. not just working on Shabbat, which carries capital punishment, exempts one from an obligation to pay money. (For instance, one tore his friend's garment, simultaneously desecrating Shabbat and damaging property.) Even working on Yom Kippur, which carries the lesser punishment of death at the hands of Heaven, exempts one from an obligation to pay.

And this is the view of the Tanna of our Mishnah. Therefore, if on Pesach someone intentionally<sup>2</sup> eats trumah which is chametz (and punishable by *karet*), he is exempt from

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<sup>1</sup> Spiritual excision

<sup>2</sup> Even if the trumah were not chametz, he would be exempt from payment, according to this view. For intentionally eating trumah is punishable by death at the hands of Heaven. (*Rashi*)

## **PEREK 2 – 32A**

paying—in spite of the fact that it has monetary value, as per the view Rabbi Yosi HaGelili.

\*

The Gemara concludes that the above inquiry, about whether one pays back trumah according to amount or according to value, is **like** the two sides in a known disagreement between **Tannaim**.

For it is taught in a Baraita: **One who eats trumah which is chametz on Pesach** (whether intentionally or unintentionally), **is exempt from paying**, and even **from the value of firewood** – these are the **words of Rabbi Akiva**.

**And Rabbi Yochanan Ben Nuri obligates** him to pay.

**Rabbi Akiva said to Rabbi Yochanan Ben Nuri: What benefit does he** the cohen **have from it**, from trumah which is chametz on Pesach? Since it has no use, it is valueless. Since he is obligated to pay according to the value, he has no obligation.

**Rabbi Yochanan Ben Nuri said to Rabbi Akiva: And what benefit does he** the cohen **have** from impure trumah? Nevertheless, we find **regarding** a non-cohen who **ate impure trumah** during **the rest of the year, that he pays** other produce in place of what he ate. This shows that there is a payment for trumah even when the trumah has no monetary value.

For he pays according to the amount of trumah he ate, and not according to its value.

**He** Rabbi Akiva **said to him: No**, you cannot prove anything from impure trumah. Because **if you say in a case of eating impure trumah during the rest of the year, that** he pays for impure trumah **even though** the cohen **has no permission for eating** it, this is because the **he** the Cohen **has permission for burning** it as fuel. Therefore, he pays according to the value of the produce as fuel for burning. But **will you say** that he pays

## **PEREK 2 – 32A**

**for this** trumah which is chametz, **that** is completely forbidden to benefit from, **and he** the cohen **does not have permission for eating it, nor permission for burning as fuel?** It has no monetary value at all.

**Behold, to what may this** trumah which is chametz **be compared? To trumah of strawberries and grapes that became impure,** that there is no benefit gained from them at all. Because **with it he has no permission for eating, and no permission for burning as fuel.** Since they are very moist, they are impossible to burn. Thus since they have no value, and one who eats them is exempt from paying.

And Rabbi Yochanan Ben Nuri, who obligates even for eating trumah which is chametz, holds that “he pays according to the amount.”

Thus we see that the Tannaim differ with each other over the issue of the above inquiry.

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And the Baraita concludes: **To what circumstances does this ruling apply,** that on Pesach there is such a thing as trumah which is chametz? **In a case of separating trumah** from the grain, and afterwards the trumah portion **became chametz.** (Alternatively, the grain was already chametz, but he separated the trumah before Pesach). **However,** one who **separates trumah** on Pesach after it already became **chametz, according to everyone it has no holiness,** i.e. it does not become trumah at all.

Even according to Rabbi Yosi HaGalili who holds “chametz on Pesach is permissible to benefit from”, the holiness of trumah cannot be imparted to something that is unfit to eat. The reason for this will be explained later on.

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**It is taught in another Baraita:** It is written in the Torah regarding a non-cohen who ate trumah, **“and he will give to the Cohen the holy [item that he ate]”.** This implies:

## **PEREK 2 – 32A**

**Something that is fitting to be holy**, to become trumah, for that he is obligated to pay, if he ate it. **Excluding one who eats trumah which is chametz on Pesach, that he is exempt from the payment.**

He is obligated only when he can give produce similar to the produce which he ate, and that produce can then become trumah. However, if the trumah that he ate was chametz on Pesach, he cannot give produce which is chametz, because on Pesach it cannot become trumah—as was explained above.

**And even from paying the value of firewood**, he is exempt. This is because the chametz has no value. These are the **words of Rabbi Eliezer Ben Yaakov.**

**And Rabbi Elazar Chasma obligates** one to pay for eating on Pesach trumah which is chametz.

**Rabbi Eliezer ben Yaakov said to Rabbi Elazar Chasma:** Even if you do not agree with my interpretation of the verse, yet there is another reason to exempt him from paying. **For what benefit does he the cohen have from it**, from trumah which is chametz? Since it is unsuitable for anything, it has no value, and he has nothing to pay.

**Rabbi Elazar Chasma said to Rabbi Eliezer ben Yaakov: And what benefit does he the cohen have to eat impure trumah the rest of the year?** He cannot eat it, yet he still pays for the trumah. So too, with one who eats trumah which is chametz on Pesach.

**He Rabbi Eliezer ben Yaakov said to him** Rabbi Elazar ben Chasma: **No**, that is not a proof. Because **if you say in a case of eating impure trumah in the rest of the year, that even though he the cohen has no permission for eating** it and he still pays for it, this is only because he has permission to burn it as fuel. But can **you say** the same **even for this** trumah which is chametz, **which he has for it neither permission for eating nor permission for burning as fuel?** And since it has no value, he pays nothing.

## **PEREK 2 – 32B**

**He** Rabbi Elazar ben Chasma **said to him** Rabbi Eliezer Ben Yaakov: **Even with this** trumah which is chametz, **he** the cohen **has for it permission for burning it as fuel.** Because it is permitted to benefit from chametz on Pesach, as ruled Rabbi Yosi HaGalili. Even though he is obligated to eradicate it, he may benefit from it during the process of its eradication. **For if the Cohen wants,** he can eradicate by **throwing it before his dog.** **Or, he burns it under his pot.**

### **Ammud Bet**

**Abaye said: Rabbi Eliezer ben Yaakov and Rabbi Akiva and Rabbi Yochanan Ben Nuri, they all have the same view: It is forbidden to benefit from chametz on Pesach.** Rabbi Eliezer ben Yaakov and Rabbi Akiva hold that someone who eats trumah which is chametz is exempt from payment. He need not pay even for its value as firewood, because it has no monetary value, which shows that it is forbidden to benefit from it.

And even Rabbi Yochanan ben Nuri, who obligates him to pay, agrees that it is forbidden to benefit from it. However **they are differing over this** point. **That Rabbi Akiva holds that** someone who unintentionally eats trumah **pays according to the value.** And if the trumah has no value, there is no obligation to pay.

**And Rabbi Yochanan ben Nuri holds that he pays according to the amount.** And even if the trumah has no value, one must pay for it. Because the payment atones for eating the trumah.

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## PEREK 2 – 32B

The Gemara is puzzled by Abaye's statement: It is **obvious** that this is the view of these Tannaim. So, what is Abaye coming to tell us?

The Gemara answers: **What would you have said? That Rabbi Yochanan ben Nuri also holds like Rabbi Akiva who said "he pays according to the value". And there,** regarding trumah which is chametz, **this is the reason that he obligates** payment: because **he holds like Rabbi Yosi HaGelili, who said "it is permitted to benefit from chametz on Pesach",** and chametz has a value. **He** Abaye comes to inform us that Rabbi Yochanan ben Nuri obligates him to pay only because he holds that "he pays according to the amount".

The Gemara raises a difficulty: **But let us say** that it is **really so,** that Rabbi Yochanan ben Nuri agrees with Rabbi Yossi HaGalili. How does Abaye know that he holds that "he pays according to the amount"?

The Gemara answers: This is not plausible. Because **if so, Rabbi Yochanan ben Nuri should have answered back** as follows **to Rabbi Akiva,** who asked him: "What benefit does he have from it?" He should have answered: "Benefiting from chametz on Pesach is permissible." This would be **just as Rabbi Elazar Chasma answered back to Rabbi Eliezer ben Yaakov.** Since he did not answer this way it shows he obligates payment for a different reason.



## **PEREK 2 – 32B**

**The Rabbis taught** in a Baraita: A non-cohen **who** unintentionally **eats a *kazayit*<sup>3</sup> of trumah**, during the year, **pays the principal and one fifth**. A *kazayit* is the minimum amount for which he must pay.

**Abba Shaul says: He is not obligated until it** the trumah **has the value of a *prutah*<sup>4</sup>**.

The Gemara asks: **What is the reasoning of the first Tanna? Because the verse said**, about eating trumah: **“And a person who will *eat* something holy, unintentionally”**. **And** the minimum amount needed to be considered **eating is a *kazayit***.

**And Abba Shaul, what is the reason** he obligates only when he ate the value of a *prutah*? **Because the verse said: “and he shall *give* to the cohen the [item which is to become] holy”**. **And it is not called “giving”** when it is **less than the value of a *prutah***.

The Gemara answers: **And for the other one** (Abba Shaul), **note that also it is written “he will eat”**, and he should also learn from it that the amount for eating is a *kazayit*!

The Gemara answers: **This** phrase of “he will eat” does not come to teach a measurement. Rather, **it comes to exclude one who damages** trumah in a way other than eating it. The obligation to pay an additional fifth is only for eating trumah. For damaging trumah, one pays only the principal, as if he damaged regular food.

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The Gemara asks further: **And for the first Tanna, note that it is written: “and he shall give”**, and he should learn from here that the amount for giving is the value of a *prutah*.

The Gemara answers: He holds **that this** phrase of “and he will give” is not coming to teach how much must be given. Rather, **he needs it** as a source for the following

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<sup>3</sup> *Kazayit* – 0.9 fluid oz. or 28 cu. cm.

## PEREK 2 – 32B

halachah: Only one who eats **something suitable to be holy** is obligated to repay. But something that cannot become trumah, such as chametz on Pesach, need not be repaid if eaten.



**The Rabbis taught** in a Baraita: **One who eats trumah of less than a *kazayit*** is not obligated under the halachah of eating trumah, but under the halachah of stealing. Thus **he pays the principal and does not pay the fifth.**

The Gemara is puzzled: **What is the case? If there is less than the value of a *prutah*, he also does not pay the principal!** For the minimum amount to be considered theft is a *prutah*.

And **if it** the trumah **has the value of a *prutah***, then even if it is smaller than a *kazayit* (for instance during a famine, when produce is very expensive), there is **also a fifth to pay**, like any payment for eating trumah.

The Gemara answers: **In truth**, the Baraita is discussing **when it has a value of a *prutah*. And even so, since it does not have a volume of *kazayit***, it is not considered “eating” to obligate paying for trumah. Rather it is considered as if he stole it. Therefore **he pays the principal, and does not pay the fifth.**

**The scholars said before Rav Papa: This Baraita is not in accordance with Abba Shaul. For if it was in accordance with Abba Shaul**, the obligation to repay trumah

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<sup>4</sup> The smallest coin, comparable to a penny.

## **PEREK 2 – 32B**

would depend on having the value of a *prutah*. **And since it** the trumah **has the value of a *prutah***, he pays the principal and a fifth for what he ate, **even though it does not have a *kazayit***.

**Rav Papa said to them:** Even if you will say the Baraita is in accordance with **Abba Shaul**, it is not difficult. **Abba Shaul requires both!** He requires a *kazayit*, because it is written “he will eat”. And he requires a *prutah*, because it is written: “he will give”.

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The Gemara raises a difficulty: **And does Abba Shaul really require both**, a *kazayit* and a *prutah*? **But note that it is taught** in a Mishnah: **Abba Shaul says:** One who eats trumah **that is worth the value of a *prutah*, is obligated for a payment**. And one who eats **what is not worth the value of a *prutah*, is not obligated for a payment**.

**They** the Sages **said to him:** **They** the earlier Sages **only spoke of the value of a *prutah* regarding *me'ilah*<sup>5</sup> alone**. If the benefit derived was worth less than a *prutah*, it is not considered *me'ilah*. But this is because it was not written “eating” concerning this law. **However**, regarding the payment of **trumah, he is not obligated until it has a volume of *kazayit***.

Since the Sages answered Abba Shaul that a *kazayit* is required, this implies that Abba Shaul does not have this requirement. For **if it is true** that Abba Shaul requires both a *prutah* and a *kazayit*, the Sages should have answered differently: **“Since it has a *kazayit*, that is sufficient”** is what **they should have** answered him.

And we conclude: This is a **refutation** to Rav Papa!

**And even Rav Papa retracted**, and agreed that Abba Shaul does not require a *kazayit*, but only a *prutah*.

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<sup>5</sup> Improper use of consecrated items.

## PEREK 2 – 32B

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**For it is taught** in a Baraita about *me'ilah*: It is written, “Anyone, if he commits a transgression **and sins unintentionally** in the [consecrated items] of Hashem”. This **excludes** someone who transgresses **intentionally**. He does not bring a sacrifice to atone for his unlawful use of consecrated items.

Why does the Torah have to exclude this case? **Note that** from a *kal vachomer*<sup>6</sup>, we may derive that he is exempt from a sacrifice.

The reasoning is as follows: **Since** regarding the **rest of the mitzvot** of the Torah, one **is liable karet for them** if he transgressed intentionally. Yet the Torah **exempts one** who transgresses **intentionally** from bringing a sacrifice, **regarding them**. If so, regarding *me'ilah*, **which has no** obligation of *karet* if done intentionally, **is it not logical that** the Torah **exempts** from a sacrifice **the one who transgresses intentionally?**

The Baraita goes on to refute the reasoning: **No**, it is not a logical proof. For **if you say** that this is so **with the other mitzvot**, that they do not obligate a sacrifice when transgressed intentionally, I could argue that this is because they are not as severe, **since one is not liable, for transgressing them**, the punishment of **death** at the hands of Heaven. But **will you say** that this is true even **for me'ilah** done intentionally, **that one is liable for it death** at the hands of Heaven, which is more severe a punishment than is *karet*?<sup>7</sup> Perhaps this severe punishment carries with it a sacrifice obligation, even for intentional transgression.

Therefore, **Scripture says** regarding *me'ilah*: **“unintentionally”**, **excluding** a case of **intentionally** from bringing a sacrifice. The verse is indeed needed, since the *kal vachomer* is refuted.

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<sup>6</sup> A fortiori reasoning.

<sup>7</sup> This is the ostensible meaning of the Baraita, although the Gemara will later argue that *karet* is more severe.

## PEREK 2 – 32B

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**And Rav Nachman bar Yitzchak said to Rav Chiya bar Avin:** This Baraita is puzzling, **for originally** the Tanna made a *kal vachomer* from the other mitzvot to *me'ilah*, showing that he holds that *karet* (the punishment for the other mitzvot) **is a stronger** punishment, **to his** view, than is death at the hands of Heaven (the punishment for *me'ilah*). **And in the end**, he said that *me'ilah* is more severe, showing that **death** at the hand of Heaven **is a stronger** punishment, **to his** view, than is *karet*.

**And he** Rav Chiya bar Avin **said to him:** Actually, *karet* is more severe than is death at the hands of Heaven. And when he refutes the *kal vachomer* and says *me'ilah* is more severe than the other mitzvot, **this is what he was saying:** **No**, it is not a logical proof.

For **if you say** that this is so **with the other mitzvot**, that they do not obligate a sacrifice when transgressed intentionally, I could argue that this is because **they** are more lenient. For one **is not liable**, for transgressing **them**, even the lighter punishment of **death** at the hands of Heaven, **for** a case of eating **less than a kazayit** from them. But can **you say** the same thing **regarding me'ilah**, which is more severe? **For** one is **liable**, for transgressing **for it, death** at the hands of Heaven, even **for eating less than a kazayit!**

**And he** Rav Nachman Bar Yitzchak **said to him:** **You should have peace of mind, since you gave me peace of mind!**

**And he** Rav Chiya bar Avin **said to him:** **What peace of mind** do you have from what I said? My explanation is not so convincing. **For Rabbah and Rav Sheishet threw an axe into it** i.e. they refuted it.

# Chavruta

## Pesachim – Daf Lamed Gimel

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[**And he Rav Chiya bar Avin said to him: What peace of mind** do you have from what I said? My explanation is not so convincing. **For Rabbah and Rav Sheishet threw an axe into it** i.e. they refuted it.]

And they argued as follows, to refute the explanation presented at the end of the last *daf*: We see that the Tanna of this Baraita holds that intentional transgression of *me'ilah*<sup>1</sup> is liable for the punishment of death at the hands of Heaven. And **who** is the Tanna **that you have heard to say** that one who **intentionally violated** the prohibition of *me'ilah* is punished **with death**? Surely **it is Rabbi** (Rabbi Yehudah HaNasi).

**And it is as was taught** in a Baraita: **One who intentionally violated** the prohibition of *me'ilah* **is punished with death.**

**And the Sages say:** He has only violated a standard Torah **prohibition**, which carries the punishment of lashes.

And **what is the reasoning of Rabbi**, that he is liable for death?

**Said Rabbi Abahu: He learned** the law regarding *me'ilah* through a *gezeirah shavah*<sup>2</sup> of “*cheit*” to “*cheit*”, deriving **from** the word *cheit* that appears in connection with a non-cohen eating **trumah**. As it is written (*Vayikra*<sup>3</sup> 22:9), “they will not bear a sin (*chet*) on account of it”. And concerning *me'ilah* it is written (*Vayikra* 5:15), “a soul that will

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<sup>1</sup> Benefiting from a consecrated item.

<sup>2</sup> I.e. when different verses have a similar wording, they are often connected. This is *gezeirah shavah*, one of the means by which Scriptural verses are interpreted. There are many verses with similar wording, and a *gezeirah shavah* interpretation is only made when there is a tradition of the Oral Torah (as handed down from Mt. Sinai) that these two verses are indeed linked.

<sup>3</sup> *Vayikra*

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commit *me'ilah*, and will sin (*chat'ah*<sup>4</sup>) unintentionally". **Just as** there, concerning a non-cohen who intentionally ate **trumah**, he is punished **with death** at the hands of Heaven<sup>5</sup>, **so** one who intentionally violates the prohibition of *me'ilah* by benefiting from *hekdesh*<sup>6</sup>, **is with** the punishment of **death**.

Now, Rabbah and Rav Sheshet bring out the point:

**And** we also learned **from it** that there is no death penalty for intentional *me'ilah* of less than the size of an olive (*kazayit*). This is because the source of the death penalty for *me'ilah* is **trumah**. Therefore, **just as** one is liable for the death penalty for eating **trumah** only **for** eating *kazayit*, **so** too concerning *me'ilah*, the death penalty only applies to *me'ilah* of *kazayit*.

If so, one cannot explain the Baraita as saying that *me'ilah* is more stringent than other mitzvot in that the punishment of death applies to even less than *kazayit*. This refutes Rav Chiya bar Avin's explanation.

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**And Rav Pappa challenged** Rabbah and Rav Sheshet as follows:

**From where** do you know that **that Rabbi follows the view of the Rabbis**, who hold that one is not liable for consuming less than *kazayit* of **trumah**? **Perhaps he holds the view of Abba Shaul, who said:**

Anything **that contains the value of a prutah**<sup>7</sup>, one is liable for consuming it, **even if it is not kazayit!**

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<sup>4</sup> A conjugation of the word *chet*.

<sup>5</sup> As learned from the juxtaposition of the phrase "and any non-cohen shall not eat of the sanctified items" and the phrase "and they shall die from it as they profaned it".

<sup>6</sup> Items consecrated to the Temple.

<sup>7</sup> The lowest valued coin during Talmudic times.

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If so, this would be true even for one who intentionally violates *me'ilah*, that he is liable when it is of the value of a *perutah*, even if it is not *kazayit*.

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The fact that Rav Pappa said that regarding *trumah*, there is no need for the amount eaten to be *kazayit*, according to Abba Shaul, gives rise to a difficulty:

**But surely it is Rav Pappa who said earlier that Abba Shaul requires two conditions to be fulfilled, to be liable for eating *trumah*: both a volume of *kazayit* and a value of a *perutah*.**

The Gemara concludes: **Rather, hear from this a proof that he Rav Pappa retracted from the second statement cited in his name!** Therefore, according to Abba Shaul, the only condition is the value of a *perutah*.

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The Gemara now returns to the Baraita cited at the end of the previous *daf*. There, the Baraita was explained as follows: “No, it is not a logical proof. For if you say that this is so with the other mitzvot, that they do not obligate a sacrifice when transgressed intentionally, I could argue that this is because they are not as severe, since one is not liable, for transgressing them, the punishment of death at the hands of Heaven. But will you say that this is true even for *me'ilah* done intentionally, that one is liable for it death at the hands of Heaven, which is more severe a punishment than is *karet*?<sup>8</sup> Perhaps this severe punishment carries with it a sacrifice obligation, even for intentional transgression.”

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**Mar the son of Ravina said** a different explanation of this part of the Baraita: **This is what he was saying: No**, it is not a logical proof. For **if you say** this is so **for other mitzvot**, that there is no sacrifice obligation for intentionally violating them because they are not as severe. This is because the Torah **did not treat** one who transgresses **them unintentionally, the same as** one who transgresses them **intentionally**. Rather, one is only liable for transgressing them intentionally, whereas “*mit’asek*” is exempt.

*Mit’asek* means performing an act without awareness of, or intention for, the basic nature of what one is doing. For example: someone reaped on Shabbat, **that if** he did not intend to do the *melachah* of “reaping” at all, but rather, **he intended to cut that which was** already **detached** from the ground, which is permitted on Shabbat, in this case **he is exempt** from bringing a sacrifice. For he is not lacking in his knowledge of the prohibition, or that today is Shabbat. That would make him unintentional (*shogeg*). Here, he lacks basic awareness of the nature of the act.

This exemption of *mi’asek* is because the Torah assigns liability only for *melechet machshevet*, “thoughtful work”.

And similarly for other prohibitions, regarding which it is written (*Vayikra* 4:23), “that he sinned in *it*”. This comes to exclude one whose thoughts were involved in something else, and a prohibited action came to his hand due to a lack of awareness.

However, continues the Baraita (as explained by Mar the son of Ravina): **Could you say** this **in** the case of *me’ilah*, that there is no sacrifice required for intentionally transgressing it? Surely *me’ilah* is more severe than other prohibitions, as the Torah assigns liability even when he does not intend to benefit from the *hekdesh*.

For if someone was suffering from the cold, and he had the wool-shearings of an ordinary animal and also the wool-shearings of a consecrated animal, and **he intended to warm**

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<sup>8</sup> This is the ostensible meaning of the Baraita, although the Gemara will later argue that *karet* is more

## Perek 2 – 33a

**himself with the shearings of the unconsecrated** animal. But, without thinking, he reached out in the direction of the forbidden shearings and took them by mistake, **and he warmed himself with the shearings of the olah offering** i.e. the consecrated animal. In this case, the law is **that he violated** the transgression of *me'ilah*. Unlike Shabbat and other prohibitions, we do not exempt “*mit'asek*” from the prohibition of *me'ilah*.

Since *me'ilah* is severe in this respect, one cannot transfer to it the lenient law of other prohibitions, through the principal of *kal vachomer*, as the Baraita had attempted earlier to do.

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**Rav Nachman son of Yitzchak said:** Even concerning other prohibitions, the Torah did not exempt *mit'asek*.. For example, if he intended to cut a detached item and he instead cut an item that was still attached to the ground, he would be liable. For this is still considered a “*melechet machshevet*” since he indeed intended to do the act of cutting. He lacked knowledge only of the nature of the object, whereas he was cognizant of the act itself.

Rav Nachman bar Yitzchak will therefore offer a slightly different explanation of the Baraita:

Rather, **this is what he** (the Tanna of the Baraita) **was saying: No**, it is not a logical proof. For **if you say** this is so **for other mitzvot**, that there is no sacrifice obligation for intentionally violating them, this is because they are not as severe. For the Torah **did not treat** one who does **not involve his thoughts in them**, who **does not become liable**, like one who **involves his thoughts in them**.

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severe.

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For example, **if he intended to merely lift up a detached item** without cutting it in any way, and instead **he cut off an item attached** to the ground, **he is exempt!** This is because it is not a “*melechet machshevet*”, since he had no intention to perform an act of cutting anything.

However, **could you say** this is so **in** the case of *me'ilah*, which is severe?! For **if he put his hand into a vessel in order to take an item** from it, and unintentionally inserted his hand into a vessel with consecrated oil, **and he** inadvertently **anointed his hand** with this **oil he has transgressed me'ilah!** This is despite the fact that he did not involve his thoughts in an act of anointing.

c c õ d d

**Said the master** i.e. the Tanna of a Baraita cited on *daf* 32a: **To what circumstances does this ruling apply**, that on Pesach there is such a thing as trumah which is chametz? **In a case of separating trumah** from the grain, and afterwards the trumah portion **became chametz**. (Alternatively, the grain was already chametz, but he separated the trumah before Pesach). **However**, one who **separates trumah** on Pesach from grain after it already became **chametz, according to everyone it has no holiness**, i.e. it does not become trumah at all.

Even according to Rabbi Yosi HaGalili who holds “chametz on Pesach is permissible to benefit from”, the holiness of trumah cannot be imparted to something that is unfit to eat.

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The Gemara raises a question: **From where** is there a source for **these words?**

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Said Rav Nachman son of Yitzchak: We learned it from the verse that discusses trumah, where it states (*Devarim*<sup>9</sup> 18:4), “**You shall give** [the trumah] *for him*”. This means that the trumah, at the time of its separation, is to be for his, the cohen’s, physical benefit. For example, for eating. **But** it is **not** for something that is only suitable **for his lighting** purposes, for example, chametz on Pesach (according to Rabbi Yosi HaGalili).

Thus, chametz cannot become trumah.

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**Rav Huna son of Rav Yehoshua brought a contradiction:** It was taught in a Mishnah: **One may not separate trumah from impure produce, for pure produce** (i.e. one may not separate impure fruits as trumah, in order to exempt pure fruits from the obligation to take trumah). For causes a loss to the cohen.

**And if** he was not aware that these fruits were impure and **he inadvertently separated trumah** from the impure fruits for the pure fruits, then *bedi’avad* (after the fact), **his trumah is considered trumah.**

**And why** does it help after the fact? **Let us say** that these impure fruits should not receive the sanctity of trumah, since they may only be burned but not eaten. And we have explicated the verse as saying: “**for him**” **and not for his lighting.**

**The Gemara answers: This is not a difficulty. There,** concerning impure trumah, **it had a time when it was fit,** for it could have been separated as trumah before it became impure. But **here,** concerning chametz trumah on Pesach, we are referring to a case where **it did not have a time when it was fit,** since this grain was never fit to be a trumah that was permitted to eat.

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<sup>9</sup> Deuteronomy

## Perek 2 – 33a

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The Gemara asks: **And what is the case that it did not ever have a time when it was fit?** Surely it was suitable to separate it as trumah before it became chametz.

The Gemara answers: **For example, it** (the grain) **became chametz whilst** still attached to the ground. As long as it is still attached to the ground it cannot be designated as trumah (as it states concerning trumah (*Devarim* 18:4), “the first of your grain (*deganechah*)” and the word “*digun*” denotes gathering and forming a bundle after harvesting). And after this grain was harvested, it is chametz and may not be eaten.

Rav Huna son of Rav Yehoshua said to him: **But** if the grain **became chametz when** it was already **detached**, are we to say that **here, too, he** in fact succeeded in **sanctifying it** as trumah, even though at the time of designating it as trumah, it was already prohibited to eat?

**He said to him: Yes, indeed! “This matter is by decree of the angels and this sentence is by the word of the holy ones”** (Daniel 4:14). **And in fact they** the scholars **of the study hall rule like me!** He quoted this verse in Daniel in order to compare Torah scholars to angels.

### **AMMUD BET**

**When Rav Huna son of Rav Yehoshua came, he said:** Even grain that became chametz when already detached, that had a time when it was fit, cannot be designated as trumah on Pesach.

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**This is because the verse stated: “the first of your grain”.** This implies that the *trumah* should be first, and through it, that which remains will be free from the prohibition of *tevel* (untithed produce). It is only referred to as “the first” **when its remains are recognizable** i.e. they are permitted **to the people of Israel. This excludes that** case of *chametz trumah*, **which its remains are not recognizable** as such. This is because even the other *tevel* that remains is prohibited with the prohibition of *chametz*. Since it (the *trumah*) does not permit the remains, it is not called “the first” and is not sanctified.

And even according to Rabbi Yosi HaGalili who holds that one may benefit from *chametz* on Pesach, that *trumah* has not permitted the remains, for even before this, one could benefit from the *tevel* since it is only prohibited to consume it.

c c õ d d

**Rav Acha son of Rav Avya sat before Rav Chisda, and he sat and said in the name of Rabbi Yochanan: Grapes that became impure, he may tread them in quantities less than *kabeitzah* (*kabeitzah*).**

This is because the wine that is released will become impure since it has come into contact with impure grapes. Therefore if he does not wish the wine to become impure, he must tread these small quantities, since a food cannot cause impurity to a liquid unless the food is *kabeitzah*. **And** if he does this, **its wine** is pure and **is fit for libations**.

And the Gemara deduces: **This implies that he** (Rabbi Yochanan) **holds that juices** inside grapes **are** considered **stored up there**, rather than considered as part of the fruit! Whilst the wine is still inside the grape, it is not connected to it and is not considered one entity. Rather, the grapes may be compared to a vessel containing liquid. Therefore, when

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the skin of the grape becomes impure, the juice inside does not receive the impurity of impure foods.

And **when do they** (the liquids) **become impure? When he squeezes them**, as then, the juices of one grape touch the skin of other grapes. And since, **when he squeezes them**, he squeezes an amount of less than *kabeitzah*, **there is not the required amount** of food in the skins in order to cause impurity to the juice.

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The Gemara raises a difficulty: **If so**, even grapes of the quantity **of *kabeitzah* also** should not make the wine that is squeezed from them impure. This is because when the wine was squeezed from them, they contained less than the required amount at that point, since they are no longer *kabeitzah*.

**For surely it was taught** in a Mishnah: **If one who touched a corpse then pressed olives and grapes** that contained **exactly *kabeitzah***, the law is as follows: if he did not touch the juices that were flowing from them (for example, he pressed them using simple pieces of wood that cannot become impure), the juices **are pure!**

Despite the fact that the skins were made impure by coming in contact with this person, they do not cause the juices to become impure. This is because the moment that the first drop of juice came out from them, they had a volume of less than *kabeitzah* and they cannot therefore become impure.

However, if the grapes contain slightly more than *kabeitzah*, the juices are impure, since as soon as the first drop was released, it became impure from the grapes, since more than *kabeitzah* remained. Even though there was not an amount *kabeitzah* in the skins, together with the juices there was the required amount. We only consider the juices to be

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a separate entity from the skins as regards the law that they do not become impure together with the skins.

We see that if they contain exactly *kabeitzah*, they do not cause the juices that are released to be impure. This is a difficulty to Rabbi Yochanan, who rules that they only remain pure when there is *less* than *kabeitzah*.

The Gemara resolves the difficulty: **There**, the Gemara is speaking of the halachah that applies after someone already acted improperly and squeezed the grapes in the described fashion. **That if he did** press only the exact amount of *kabeitzah*, the juices are pure. Whereas **here**, Rabbi Yochanan was saying **that in the first place**, one is allowed to tread only less than *kabeitzah*. It is a Rabbinic decree that one may not tread a full *kabeitzah*, **lest he come to make** (treads) **more than *kabeitzah*** at one time.

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**Rav Chisda said to him** (Rav Acha): **Who would listen to you and to your master Rabbi Yochanan**, who hold the juices that were treaded with less than *kabeitzah* to be pure? For it is clear to me that when the juices were still inside the fruit, they became impure together with the fruit. This being so, **to where did the impurity inside them go?**

The Gemara deduces: **This is to say that he** (Rav Chisda) **holds that juices** inside fruits **are** considered **absorbed** into the fruit, and since they are connected to them, they are considered one entity. **And since the food** (the grapes) **became impure, the juices** absorbed inside them also **became impure**.

**He** (Rav Acha) **said to him: And do you not hold that the juices are** considered **stored up**, and *not* connected to them?

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**Yet surely it was taught** in a Mishnah to that effect: **If one who touched a corpse pressed olives and grapes** that contained **exactly *kabeitzah***, if he did not touch the juice, **they are pure!**

**If you say that** the juices **are stored up, it is all right. For this is** the reason **that they are pure.** They do not become impure after juicing, from contact with the skins, since the skins already lack the required amount of *kabeitzah*.

**But if you say** that the juices **are absorbed, why** are they **pure?** Surely they already became impure whilst still inside the fruit, by the fruit coming in contact with this person!

**He (Rav Chisda) said to him: Here, with what are we dealing? With grapes that had not yet become prepared (*huchshar*)** to become impure. (They had not yet come into contact with liquids that prepare foods to receive impurity).

And those grapes that were touched by this person, **when did they become fit** to receive impurity? Surely they only become fit **when they are squeezed**, through the juices that were squeezed out and now moisten the grapes. If there is only exactly an amount *kabeitzah*, **when he squeezed them, they were less than the required amount.** Therefore, even the grapes themselves are pure, since they were not of the required amount in order to receive impurity.

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Rav Chisda proves this as follows: It must be that the juices are considered absorbed, **for if you do not say this**, but rather, you say that the juices are stored up, you will find **this** (earlier Baraita) to be difficult.

**For it was taught** in a Baraita: Said Rabbi Yochanan ben Nuri to Rabbi Akiva: And surely there is no benefit to be derived from the chametz trumah at all. **And to what is**

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**this comparable? To trumah of strawberries and grapes that became impure, that he has for it neither permission to eat nor permission to burn** as fuel. For these fruits are not suitable to burn. Therefore, a non-cohen who eats such trumah is exempt from paying. The same is true for chametz trumah: since no benefit may be derived from it, a non-cohen who eats it is exempt from payment.

**And if you say “juices are stored up”, surely there is also in it** the strawberries and grapes **permission to eat. For if he wishes, he could tread them** (the impure strawberries and grapes) **in quantities of less than *kabeitzah***, and the juices will remain pure.

**Said Rava** to refute the proof: It is prohibited to press impure trumah in order to extract its juices, despite the juices themselves being pure. For **it is a Rabbinic decree, lest he come through it to transgression.** We are concerned lest at the time that he tread it, he will eat from it and he will transgress the prohibition of eating impure trumah.

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**Abayei said to him** Rava: **And are we concerned about** coming to this type of **transgression? Yet surely it was taught** in a Baraita: **One may light a lamp with bread and with oil of trumah that became impure.** This proves that we are not concerned lest he eat from it whilst using it.

**He said to him:** It was only permitted for **bread** of impure trumah **to throw it amongst the firewood**, for through this, it becomes dirtied and he will not come to eat from it. The Baraita did not mean to light with it a lamp.

**And similarly, that which they permitted to light with impure trumah oil**, they only permitted it **when it was put into a dirty vessel.** Since the vessel is dirty, one need not be concerned that he will come to eat it.

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Regarding the above-mentioned statement **itself: One may light with bread and with oil of trumah that became impure.**

**Abayei said it** (this Baraita) **in the name of Chizkiyah, and Ravina said it in the name of the House of Rabbi Yitzchak son of Marta.**

**Said Rav Huna:** This permission to light with impure trumah, **they only taught it for bread** of trumah. **But with wheat-**berries of impure trumah, one may **not** light, lest one come to transgression. Since they are not made dirty through burning, there is a concern lest one come to eat from the wheat-berries.

**And Rabbi Yochanan said:** One may light **even with wheat-**berries of impure trumah.

The Gemara raises a difficulty: **And why** is it permitted to do this? Surely, since they do not become dirty, **we should be concerned lest he come through them to transgression** and eat them.

# CHAVRUTA

## PESACHIM – DAF LAMED DALED

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[**And Rabbi Yochanan said:** One may light **even with wheat**-berries of impure trumah.

The Gemara raises a difficulty: **And why** is it permitted to do this? Surely, since they do not become dirty, **we should be concerned lest he come through them to transgression** and eat them.]

The Gemara resolves the difficulty: Rabbi Yochanan only permitted it in a case where there is no concern of transgression.

**As Rav Ashi said** (answered) elsewhere, and explained the case to be discussing **cooked** wheat-berries. **And** thus when he threw it amongst the firewood **it became dirty**.

**Here also**, Rabbi Yochanan only permitted lighting with wheat of impure trumah when it is wheat that is **cooked and becomes dirty**. In this case, after they became impure, he cooked them and then threw them amongst the firewood and since they are dirty, he will not come to eat them. Whereas Rav Huna prohibits even leaving them after they became impure. Rather, he must immediately burn them as we are concerned that he will eat them before they are cooked or during their cooking.

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**And where was this statement of Rav Ashi said?**

**On that which was said by Rabbi Avin son of Acha in the name of Rabbi Yitzchak:**

**Abba Shaul was the kneader in the House of Rabbi** i.e. Rabbi Yehudah HaNasi: **And they would heat up water for him with** a fire made from **wheat of impure trumah** in

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order **to knead with them** (this hot water) **dough in purity**. Rabbi would eat even ordinary food in a state of purity fit for sacred food, yet he was not concerned lest the wheat come to touch the hot water and make it impure. This is because from the time when the wheat was put as firewood, it lost its status as food and it could no longer make other things impure.

The Gemara raises a difficulty: **And why** did he do this? **Let us be concerned lest** he eat from it and **he will come through it to transgression?**

**Said Rav Ashi:** They only did this **with cooked and dirty wheat**, for since they were cooked, they would become dirty when put amongst the firewood.

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**Abayei son of Avia and Rav Chananya son of Avia learned** Tractate *Terumot* **at the House of Rabbah. Rava son of Matna met them and said to them: What new understandings did you say in** Tractate *Terumot*, **in the House of** a great man like **the Master (Rabbah)?**

**They said to him: And what is difficult for you in** *Terumot*?

**He said to them:** I have a difficulty with that **which was taught** in a Mishnah: One who takes **shoots** from vegetables of **impure trumah** (for example, shoots of cabbage and leeks) **and he planted them**, those shoots **are pure as regards transferring impurity**. Through their attachment to the ground, they lose their status as food and lose their impurity. Thus they cannot impart impurity to other food. But even after they are planted, **they are prohibited to be eaten.**

Rava son of Matna holds that a cohen may not eat them because of the prohibition to eat impure trumah. He therefore had a difficulty as follows:

## **PEREK 2 – 34A**

**And after they have already been purified as regards transferring impurity, why are they still prohibited to be eaten** by the cohanim? Surely their impurity has left and they have become pure trumah!

**They said to him: This is what Rabbah said: What is prohibited? They are prohibited to be eaten by non-cohanim!** Even though they have been made pure from their impurity because of their connection with the ground, they still have the sanctity of trumah.

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He continued to ask them: **If so, what has it** (the Mishnah) **come to teach us?** That **outgrowths of trumah** considered to be **trumah**, and they are prohibited to non-cohanim?

Surely **this was already taught** in a Mishnah, as follows: **Outgrowths of trumah are trumah!**

**And if you say** that we are discussing **outgrowths of outgrowths, and what has it come to teach?** That **for something whose seed does not disintegrate**, even its outgrowths of outgrowths have the sanctity of trumah.

For example, he planted several thin trumah onions, with each one slightly distanced from the next one. They then proceeded to grow and expand until they became connected and united as one onion. This addition is referred to as “outgrowths of outgrowths” and the Tanna taught us that even though the body of the onion stands before us and these outgrowths are not from the body of the onion itself (in which case they would be simple outgrowths), and they were never actually trumah, the sanctity of trumah is upon them.

This cannot be the teaching of the Mishnah.

## **PEREK 2 – 34A**

As **surely** even this law **has already been taught** in another Mishnah.

As it was taught in a Mishnah: **The *tevel*<sup>1</sup>, its outgrowths are permitted as regards something whose seed disintegrates** in the ground.

And that which was taught: “Outgrowths of trumah are trumah”, this law is not of Torah origin. Any situation where the seed disintegrates, it is considered a new growth and the trumah itself has already completely disintegrated. However, the Sages were stringent on this, to forbid them to non-cohanim, in order that the cohanim should not lose out. (This is one of the eighteen decrees listed in Tractate Shabbat 16b). It is specifically in the case of trumah that they were stringent, but not in the case of *tevel*.

**But** if he planted produce of *tevel*, in the case of **something whose seed does not disintegrate**, and the object still exists in the ground but it has grown larger, not only are the outgrowths prohibited, but **even the outgrowths of the outgrowths may not be eaten**.

This is because the original prohibition of *tevel* is still upon them. “Outgrowths” are those leaves that he planted but they increased and became wider. “Outgrowths of the outgrowths” are new leaves that were added to the original leaves.

This prohibition would surely apply in the case of trumah as well. This being so, why did the first Mishnah need to teach that shoots of trumah are prohibited to be eaten by non-cohanim?

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**They** (Abayei and Rav Chanina) **were silent** and did not answer Rava son of Matna.

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<sup>1</sup> Produce from which tithes have not been separated, thus it is forbidden to be eaten.

## **PEREK 2 – 34A**

They said to him: **Did you hear something to answer this** question?

**He said to them: This is what Rav Sheshet said:** The law that was taught, “shoots of trumah that became impure and he planted them, they are prohibited to be eaten”, it is not saying that they are prohibited to non-cohani. For this was already taught, you showed.

Rather, **what is prohibited?** It is **prohibited even to cohanim!**

Even though the shoots are pure, and they are not prohibited as impure trumah, they are prohibited nevertheless, **since they have become disqualified due to a lapse of attention.** Since it is written concerning trumah (*Bamidbar*<sup>2</sup> 18:8), “the guarding of my *terumot*”, this teaches that one must guard trumah and not take his mind off from it.

And since the terumot became impure, he has taken his mind off from them and he has not guarded them. And even though the prohibition of impurity has been removed from them upon planting them, they are prohibited since he took his mind off from them.

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The Gemara raises a difficulty: **This is all right according to the one that holds that “a lapse of attention is a disqualification of the item itself.** To this view, **it is fine** that there is a prohibition to cohanim. For consecrated items and trumah have this special requirement, which is unrelated to the concern for possible impurity.

**But according to the one that holds that “a lapse of attention is a disqualification of impurity”,** that since he took his mind off from the consecrated items or trumah, we are concerned that impurity might have touched them without his knowledge, **what is there to say?** Surely these shoots cannot receive impurity and there is no further need for any concern.

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<sup>2</sup> Numbers

## **PEREK 2 – 34A**

As it was said in a statement of Amoraim: **If he had a lapse of attention** of trumah and consecrated items: **Rabbi Yochanan said: It is a disqualification of impurity.** Even though he does not know that they became impure, but since he did not guard them, we are concerned that they were touched by an impure item.

**And Rabbi Shimon son of Lakish said: It is a disqualification of the item itself** and it is not because of concern for impurity. It is an independent disqualification.

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A difference between these two views that affects practical Halachah is as follows:

According to **Rabbi Yochanan who said “it is a disqualification of impurity”**, it emerges **that if** the Prophet **Eliyahu<sup>3</sup> would come** and testify that it did not contact anything improper, **and declare it pure, we would listen to him**, and the trumah returns to its original fit state as there would be no further cause for concern.

But according to **Rabbi Shimon son of Lakish who said “It is a disqualification of itself”**, it emerges that **if Eliyahu would come and declare it pure, we would not listen to him!** For even if the entire doubt over impurity would be removed, it is still disqualified.

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**Rabbi Yochanan contradicted Rabbi Shimon son of Lakish:**

**It was taught in a Baraita: Rabbi Yishmael son of Rabbi Yochanan son of Beroka says: A small retainer was located on the floor of the Temple Courtyard, between the**

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<sup>3</sup> Elijah

## **PEREK 2 – 34A**

**ramp and the Altar**, and it was **to the west of the ramp**, in order that it would be close to the place of the sacrifice of the bird sin-offering, which was done in the south-west corner. **They would throw there the disqualified bird sin-offerings, until their state would change** (by being left overnight). They thereby became *notar*, leftover sacrificial meat, which must be burnt by Torah law. And afterwards, **they would go out to the House of Burning**, since it is prohibited to burn them before their state had changed, as it would be a disgrace to consecrated items.

And since their state needed to change, it could not have been bird sin-offerings that were disqualified themselves. For consecrated items that were disqualified themselves, for example *pigul*<sup>4</sup>, must be burned immediately. There is no need to wait for the state to change. Rather, it must have been sin-offerings that were disqualified through a lapse of attention.

Rabbi Yochanan brings out the point: **It is all right if you say** that “a lapse of attention is a **disqualification of impurity**”, therefore it is not burned immediately, as it does not have definite impurity, only a suspicion of impurity. And **consequently it requires a change of state** in order to disqualify it, by being left overnight. For without this, **perhaps Eliyahu will come and declare it pure**, and it will emerge that we burned it unnecessarily, which would be a disgrace to consecrated items.

**But if you say that** “a lapse of attention is a **disqualification of the item itself, why do I require a change of state?** Burn it immediately!

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<sup>4</sup> When the cohen offering the sacrifice has a wrong intention that the offering should be eaten beyond the time-limit for that sacrifice, the sacrifice becomes *pigul* and may not be eaten.

## PEREK 2 – 34B

### AMMUD BET

For surely it was taught in a Mishnah:

**Anything that its disqualification** (of the offering) is a certain disqualification **in the item itself**, (i.e. in the meat), **it is burned immediately!**

**And if its disqualification is not in the meat but rather in the blood**, for example, the blood was spilt before being thrown on the Altar (thus the meat is not fit for burning and eating); or if its disqualification is in **the owner** (for example a Pesach offering whose owner became impure and he is no longer suitable to eat it); even though these are absolute disqualifications, however, since they are not in the meat itself, they are not burned until their **state changed** overnight. Through this, they will receive a disqualification of themselves, through becoming *notar*, and then they **go out to the House of Burning**.

**He** (Rabbi Shimon son of Lakish) **said to him: This Tanna** (who said that they would throw the disqualified bird sin-offerings to the above-mentioned retainer), **is a Tanna of the House of Rabbah son of Abuhah, who said: Even** meat that was disqualified with *pigul*, which is a disqualification of the item itself, **requires a change of state!**

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**Rabbi Yochanan further contradicted** Rabbi Shimon son of Lakish: It was taught in a Mishnah: **If it became impure, or the meat of offering was disqualified, or** the meat of the most holy offerings **that was taken out of the** area defined by the *kela'im* (lit. curtains) and thereby became disqualified. And the blood is still fit for throwing on the Altar. In this case, **Rabbi Eliezer says: He should throw** the blood on the Altar.

## **PEREK 2 – 34B**

**And Rabbi Yehoshua says: He should not throw** the blood, for if the meat is not suitable for burning and eating, it is as if it does not exist. And one may not throw the blood upon the Altar unless there is sacrificial meat associated with it.

**And Rabbi Yehoshua agrees** to Rabbi Eliezer, **that if he threw** the blood after the meat had become impure, then after the fact, the sacrifice is accepted on High on behalf of its owner and there is no need for him to bring another sacrifice. The reason for this will soon be explained.

It was taught, however, “if it became impure *or* disqualified”—which implies another disqualification aside from impurity. **What is “it became disqualified”? Is it not disqualified throughs a lapse of attention?**

**It is all right if you say** that “a lapse of attention **is a disqualification of impurity**”, therefore Rabbi Yehoshua agrees that it finds acceptance, after the fact. **For the reason is that the *tzitz*<sup>5</sup> causes acceptance** on High, even regarding cases of certain impurity. Since the *tzitz* causes acceptance regarding impurity of the meat, it is considered that there is sacrificial meat associated with the blood that was thrown. However, in the first place, one may not throw the blood. This is because Rabbi Yehoshua holds that the *tzitz* only causes acceptance after the fact.

And that which Rabbi Eliezer allows throwing the blood in the case that the meat was disqualified through going of its permitted area, this is not because of the *tzitz*, which only causes acceptance regarding impurity. Rather, it is still considered that the meat exists.

**But if you say** that “a lapse of attention **is a disqualification of the item itself**”, **why did the blood find acceptance**, after the fact, when the meat was disqualified in this way? Surely the *tzitz* only causes acceptance regarding impurity!

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<sup>5</sup> The gold plate worn on the forehead of the High Priest.

## **PEREK 2 – 34B**

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The Gemara resolves the difficulty: We are not discussing a disqualification due to a lapse of attention. Rather, **how was it disqualified? It was disqualified through touching a *tevul yom*<sup>6</sup>**, who disqualifies consecrated items upon contact.

The Gemara is puzzled: **If so, this is** the disqualification of “**impure**”, and the case of “it became impure” was already taught.

The Gemara resolves the difficulty: **Two types of “impure”** were taught: Becoming impure with strong impurity, and becoming impure from a *tevul yom*.

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**When Ravin went up** from Babylon to the Land of Israel, **he said this teaching** of Rav Sheshet (that outgrowths of trumah are prohibited to cohanim because of a lapse of attention), **in front of Rabbi Yirmeyah.**

**And he** (Rav Yirmeyah) **said:** These **Babylonians are fools. And because they live in a land of darkness** (Babylon is dark since it is a lowland), **they say a dark teaching!**

**And did you not hear that statement which Rabbi Shimon son of Lakish said in the name of Rabbi Oshia:** Regarding **waters** drawn to be used for the water libations **of the Festival** of Succot, **which became impure**, and it is impossible to draw other water in their place<sup>7</sup>. The water may be rendered pure by touching it to the stream of water that ran through the Temple Courtyard. In this way it would be connected to a body of water

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<sup>6</sup> When a person contracts certain types of impurity, he is required to immerse himself in a mikveh and then wait until dark before touching trumah and the like. During the interim period between the immersion and the onset of darkness, he is called a *tevul yom* and retains a certain level of impurity.

<sup>7</sup> For example, that they were made impure on Shabbat during the Festival. It was not permitted on Shabbat to go out and draw water from the spring, so they would bring it before Shabbat

## **PEREK 2 – 34B**

with the qualities of a mikveh<sup>8</sup>, thus itself becoming an extension of the mikveh. And waters of a mikveh cannot be impure.

However, this is specifically if the water became impure before it had been consecrated through being placed in one of the vessels of the Temple. If it was not yet so consecrated, one did as follows: **He made them** the two waters “**kiss**” (i.e. he connected the drawn water to the stream running through the Temple). **And afterwards he consecrated it, for it is pure.**

But if **he consecrated it** and it then became impure **and afterwards he made them “kiss”**, this is not effective in purifying the water, and **it is impure.**

And Rabbi Yirmeyah said: **Let us see:** connecting the drawn water to the stream of the Temple Courtyard is like **planting** in the ground, i.e. in both cases, it causes that **it is** connected to the ground. If so, **what is** the difference **to me** whether **he made them “kiss” and afterwards consecrated them**, in which case the water is pure, and **what is** the difference **to me if he first consecrated them and afterwards made them “kiss”**, in which case the water is impure? Surely once the water is “planted” in the ground through contact with the stream, it is purified!

And Rabbi Yirmiyah brings out the point: **Therefore**, we may conclude that **there is no “planting”** as regards *hekdes*<sup>9</sup>! This is a stringency that the Sages enacted regarding *hekdes*. In the case of consecrated waters, it emerges that they do not lose their impurity by “planting” them in the ground.

If so, **here also** in the case of shoots of impure *trumah*, the same stringency applies: **planting** is **not** effective **for trumah**, which is also holy, to remove the prohibition of eating it in impurity. This is in spite of the fact that strictly speaking, it has lost its status as food.

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<sup>8</sup> Purifying pool

## **PEREK 2 – 34B**

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**Rav Dimi was sitting and he said this teaching.**

**Abayi said to him** an inquiry: How are we to interpret the law that “planting” is not effective to purify from impurity? Perhaps **it was said** specifically **when he** the cohen **consecrated it**, the water drawn to be used as a libation, through placing it in one of the Temple **vessels**. **But** if he consecrated it **with his mouth**, by verbally declaring it holy, yet he had not yet placed it in a Temple vessel, **the Rabbis did not make this stringency**, and it may be purified as explained above.

**Or perhaps**, even if he consecrated them **with his mouth** alone, **the Rabbis still made this stringency**.

**He** (Rav Dimi) **said to him**: For **this** inquiry, **I did not hear** an answer. But for another inquiry **like it**, **I did hear** an answer.

**For Rabbi Abahu said in the name of Rabbi Yochanan**: **Grapes that were impure**, if someone treaded them, the juice released is pure. The grapes do not transfer impurity to the juice upon touching it.

And similarly for other non-consecrated items, but not for *hekdes*. Therefore, if **one treaded them and afterwards consecrated it** (the juice), **it is pure**, since at the time of its contact with the grapes it was not yet consecrated.

But if **he consecrated them** (the grapes) **and afterwards treaded them**, even if he treaded quantities of less than the size of an egg (*kabeitzah*), the juices **are impure!** This is also a stringency of consecrated items. For the juices are considered stored up in the

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<sup>9</sup> That which is consecrated.

## **PEREK 2 – 34B**

fruit and they are not considered connected to them, and remain pure in spite of the impurity of the grapes themselves. When they exuded from the grapes, the grapes did not have the requisite amount of *kabeitzah* to impart impurity.

Yet the Sages were stringent and enacted that juices of *kekdesh* become impure together with the fruit, whilst still inside them. This is true, even though strictly speaking they are not considered to be connected as one body.

The Gemara is now assuming that Rav Dimi is speaking of consecrating wine for libation on the Altar. Therefore, a proof is brought as follows:

**And surely, grapes are** consecrated merely with **sanctity of the mouth**. For even if they were put in a Temple vessel, they would not receive sanctity thereby, since the grapes themselves are not suitable for an offering. They are not rightly placed in a Temple vessel. And we have established that “a Temple vessel only consecrates something that is suitable for it”. **And despite this, the Rabbis made** for these *hekdesh* grapes **this stringency**, that the juices become impure with them.

This proves that the stringency of consecrated items applies even to something only consecrated with the mouth.

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**Said Rav Yosef:** From **grapes, you have said** to prove this point? This is no proof. For **here we are discussing grapes of trumah**, and not *hekdesh*. (Even for trumah the Sages enacted this stringency.) And grapes of trumah are different, since **their consecration by the mouth is like the consecration of a vessel** concerning consecrated items. This is because trumah is ordinarily designated as such by a verbal declaration. This is its proper way of attaining its sanctity. Therefore, the Rabbis applied the stringency.

## PEREK 2 – 34B

**But these** consecrated items, **which require a Temple vessel** to be given sanctity, perhaps when it is **with sanctity of the mouth** alone, **the Rabbis did not make this stringency.**

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The Gemara returns to explain the words of Rabbi Yochanan, who said: If he treaded them and afterwards consecrated them, they are pure.

The Gemara raises a difficulty: **“He pressed them”**, and does this mean that **even** if it was **a large amount** of impure grapes **also**, that the juices are pure? **But did Rabbi Yochanan really say this? And surely Rabbi Yochanan said: Grapes that were impure, he treads them in quantities of less than *kabeitzah***, and only then do the juices remain pure, since food cannot impart impurity when so small. But if he treaded a large amount together, the juices become impure upon being released, when they touch the grapes.

The Gemara answers: **If you wish, I could say that here also**, Rabbi Yochanan meant that if he pressed **less than *kabeitzah*** and then consecrated them, they are pure.

**If you wish, I could say** as an alternative answer: In truth, even if he pressed a large amount together, Rabbi Yochanan rules that they are pure. This is the difference: **over there**, where only less than *kabeitzah* could be treaded at a time, it was discussing grapes **that touched an** object of **first level** impurity (*rishon*). **For these grapes were of second level** impurity (*sheni*), and capable of imparting impurity to the juices.

But **here**, we are discussing grapes **that touched an** object of **second level** impurity, **that they** the grapes **are third level** impurity. This low level of impurity cannot then affect liquids, since it cannot even disqualify *trumah*.

## PEREK 2 – 34B

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**Said Rava: Even we have also learned this**, that the Rabbis enacted a stringency for consecrated items, even when consecrated by the mouth. For it was taught in a Baraita: It is written about the ashes of the *parah adumah*, the red heifer: (*Bamidbar* 19:17): “**And he shall put on it ‘living’ water, in a vessel**”. This is interpreted to mean **that the ‘life’ of the water should be in the vessel**, i.e. that the water must be filled from the spring in the same vessel that will ultimately be used to contain the ashes of the red heifer. The water may not be drawn in another vessel and then emptied into the vessel in which the ashes were placed.

The Gemara raises a difficulty: And surely it is written, “**And he shall put** on it ‘living’ water”, which implies that there is no requirement that the same vessel to be used for the ashes be filled from the spring, rather, it is sufficient to take water from the spring and then ‘put’ it into the final vessel. We may **say from here** that the purifying waters are valid even when **they are detached** from their original vessel! Why, then, did the Baraita say otherwise?

# CHAVRUTA

## PESACHIM – DAF LAMED HEH

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

**Rather**, it is a **stringency** enacted by the Rabbis regarding the purifying water of the *parah adumah*, the red heifer, that it should be drawn directly into the vessel that the ashes will ultimately be placed in.

And **here also** concerning impure shoots that are replanted, it is a **stringency** imposed by the Rabbis regarding *trumah*, that they will not become pure by being planted. Thus, they are forbidden to be eaten by *cohanim*.

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**Said Rav Shimi bar Ashi: We have also learned this in a Mishnah**, that there are stringencies with regards to consecrated items, and even in Torah-ordained law. For it was taught in a Mishnah: An impure person **who immersed** himself in a *mikveh*<sup>1</sup>, **upon emerging** from it he **may eat *ma'aser sheni***<sup>2</sup> immediately, but he may not yet eat *trumah* until nightfall. This is because he is a *tevul yom*<sup>3</sup>.

**He**, the impure person, **can even eat *trumah* once the sun goes down for him**, i.e. at nightfall.

This implies: **Regarding *trumah*, yes**, he may eat it. And this would apply even to someone who has an extended status of *tevul yom*, for example a *zav*<sup>4</sup> or a *yoledet*<sup>5</sup> before they have brought their atoning offerings in the Temple. Even they may eat *trumah* from nightfall on, although they have not yet brought their offering.

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<sup>1</sup> Purifying pool

<sup>2</sup> The Second Tithe. It must be eaten in a state of purity, but not with the same stringency as *trumah*.

<sup>3</sup> One who immersed just today, and will not attain total purity until nightfall.

<sup>4</sup> A man who had a seminal-like emission.

<sup>5</sup> A woman after childbirth.

## **PEREK 2 – 35A**

However, **regarding consecrated items, no**, they may not eat them even at night, until they bring their atoning offerings. I.e. they may not partake of the meat of any sacrifices until then.

But **why** is this so? **He is pure** even before he brings his offerings! **Rather**, the Torah imposed **a stringency** regarding consecrated items, that one who has not yet brought his atoning offerings can not eat them. And **here also**, regarding impure trumah shoots that were planted, the Rabbis imposed **a stringency** and prohibited it to be eaten by cohanim.

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**Said Rav Ashi: We have also learned this in a Mishnah**, i.e. that there are stringencies with regards to consecrated items, and even in Torah-ordained law. For it was taught in a Baraita: It is written regarding consecrated items (*Vayikra*<sup>6</sup> 7:19), “And the meat that touches anything that is impure shall not be eaten; it shall be burned in fire . ‘And’ of the meat, any pure person may eat the meat.” The extra word “and”, in the phrase “and of the meat”, comes to include consecrated wood and frankincense, such that these items can contract impurity of food, although they are not actually food.

And the Gemara asks: Are **wood and frankincense subject to the impurity** of food? But they are not food!

**Rather**, there is **a stringency** regarding consecrated items, that even non-food items can contract impurity of food. And the reason for this stringency is to show fondness for the sacred.

And **here also** regarding trumah, the Rabbis imposed **a stringency** that replanted impure shoots do not become pure.

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<sup>6</sup> Leviticus

## PEREK 2 – 35A

### MISHNAH

On the first night of Pesach there is an obligation to eat matzah, as it is written: (*Shmot*<sup>7</sup> 12:18), “In the evening you shall eat matzot.” The matzah must be made from flour of one of the five types of grain. These will be further elaborated.

1. **These are the things** – types of flour – with **which a person fulfills his obligation** of eating matzah **on** the first night of **Pesach: wheat, barley, spelt, rye and oats**. The reason will be explained in the Gemara.

2. One only fulfills the obligation with matzah that is permitted to be eaten. As the Gemara will explain further, since it writes “You shall not eat chametz with it, for seven days you shall eat matzot with it.” This juxtaposition of chametz and matzah teaches that one may fulfill the obligation of eating matzah with a grain that, if it were to become chametz, would be forbidden because of the prohibition of chametz. This excludes something that is anyways prohibited.

A person **fulfills the obligation** of eating matzah with matzah made from *demai*<sup>8</sup>. If a person eats matzah of *demai* without tithing it as required by Rabbinic law, he nevertheless fulfills his obligation.

**And** similarly, anyone may fulfill his obligation **with** matzah made from *ma’aser rishon*<sup>9</sup> **whose trumah** (i.e. *trummat ma’aser*<sup>10</sup>) **has been separated**. Before the *trummat ma’aser* is

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<sup>7</sup>Exodus

<sup>8</sup> Most people, even the ignorant, would tithe their produce. However, some ignorant people would not separate all the necessary tithes. In Torah law we judge according to the majority. Nevertheless, the Sages

## PEREK 2 – 35A

separated, it is prohibited to eat the *ma'aser rishon*, since it is untithed. Once it has been removed, even a non-Levite may eat the *ma'aser rishon*.

**And** similarly, anyone may fulfill his obligation of eating matzah **with** matzah made from *ma'aser sheni*<sup>11</sup>, **or consecrated produce, which were redeemed**<sup>12</sup>. It is prohibited to eat *ma'aser sheni* outside of Jerusalem, and similarly, it is prohibited to eat consecrated produce. Once they become like any other food after being redeemed, they may be used to fulfill the obligation of eating matzah.

**And cohanim** may fulfill their obligation of eating matzah **with** matzah made from *challah*<sup>13</sup> **and with** matzah from *trumah*<sup>14</sup>. This only applies to cohanim since *challah* and *trumah* are given specifically to them to eat. However, because it is prohibited to non-Cohanim, they may not fulfill their obligation by eating it.

3. **But** one may **not** fulfill the obligation **with** matzah made from *tevel*<sup>15</sup>, since it is prohibited to eat it.

And one may not fulfill the obligation with matzah made from *ma'aser rishon* **whose trumah** (*trumat ma'aser*) **has not been removed**. It is considered *tevel* and it is prohibited to eat.

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decreed that the agricultural produce of an ignoramus be treated as if there is a doubt whether it was tithed. Produce under such a doubt is termed *demai*, lit: "this, what is it?".

<sup>9</sup> The First Tithe – one tenth of the crop is given to a Levite.

<sup>10</sup> The Levite must separate one tenth of his *ma'aser rishon* and give it to a cohen. This is called *trumat ma'aser*.

<sup>11</sup> The Second Tithe is taken to Jerusalem and eaten there, or is redeemed with coins that are taken up to Jerusalem for the purchase of food to be eaten there.

<sup>12</sup> The redemption transfers their sanctity onto designated money, allowing the produce to be consumed anywhere and by anyone.

<sup>13</sup> A small portion separated from the dough and given to a cohen.

<sup>14</sup> A small portion of the crop that is separated and given to a cohen.

<sup>15</sup> Untithed produce.

## **PEREK 2 – 35A**

**And** one may not fulfill the obligation with matzah made from *ma'aser sheni*, when eaten outside of Jerusalem, **or** from **consecrated produce, which have not been redeemed**, since they are prohibited to eat.

4. One who brings a *Todah*<sup>16</sup> offering is required to bring with it forty loaves: four sets of ten loaves each. Three sets are matzah loaves: loaves mixed with oil, wafers, and loaves of scalded flour. And a fourth set is of chametz loaves.

And similarly with a Nazirite, on the day that he finishes the period of his vow: he brings three sets of thirty loaves each. They are matzah loaves, loaves mixed with oil and wafers. All these loaves are made from matzah and not from chametz.

Regarding **loaves of a *Todah* and wafers of a Nazirite** - if **he made them for himself** to bring with his offering, **he may not fulfill** his obligation to eat matzah on Pesach **with them**. And even if he has not yet designated them for his offering, or has not yet slaughtered his offering, he can not fulfill his matzah obligation with them.

But **if he made them to sell in the market** to others who require them for a *Todah* or Nazirite offering, **he may fulfill** his matzah obligation **with them**. And the reason for this will be explained in the Gemara.

## **GEMARA**

It was stated in the Mishnah that a person fulfills his obligation of eating matzah on the first night of Pesach with wheat, barley, spelt, rye and oats.

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<sup>16</sup> Thanksgiving

## PEREK 2 – 35A

**It was taught** in a Baraita: **Spelt is a type of wheat. Oats and rye are types of barley.** And this is relevant to the laws of trumah, since Halachah states that one may not separate trumah from one type of produce for another type. However, one may separate trumah from spelt for wheat, or from oats or rye for barley, since they are of the same type.

And the Gemara explains that “*kusmin*” (spelt) is known as “*gulva*”, “*shifon*” (rye) is known as “*disra*”, “*shibolet shu’al*” (oats) are known as “*shvilei ta’ala*”. The stalk of oats resembles a fox’s tail. “*Ta’ala*” is Aramaic for fox.

The Mishnah implies: With **these** five types, **yes**, one may fulfill the matzah obligation. But with **rice and millet**, **no**, one may not.

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And the Gemara asks: **From where** do we have a source for **these words**, that one may fulfill the matzah obligation with these five types only?

**Said Rabbi Shimon ben Lakish, and similarly it was taught the House of Rabbi Yishmael, and similarly it was taught in the House of Rabbi Eliezer ben Yaakov: The verse says: “You shall not eat chametz with it, for seven days you shall eat matzot with it”.**

This implies: It is only **with things that can come to be chametz** that a person fulfills **his obligation of eating matzah**, and this can occur only with the five types of grain. This **excludes those**, rice and millet, **that they can never come to be chametz. Rather**, if one leaves their dough to sit, they **come to spoil**, and do not become puffed up and leavened in the way of proper grain.

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## PEREK 2 – 35A

The Gemara deduces: **Our Mishnah does not follow the view of Rabbi Yochanan ben Nuri.** For the Mishnah holds that rice can not become chametz, whereas Rabbi Yochanan ben Nuri says: **rice is a type of grain, and a person would be liable for *kareit*<sup>17</sup> for eating it as chametz on Pesach.** And therefore **a person would fulfill his obligation of eating matzah on Pesach with it,** since anything that can become chametz can be used to fulfill the obligation of eating matzah.

**For it was taught** in a Baraita: **Rabbi Yochanan ben Nuri forbids** one to eat a food cooked **with rice or millet** on Pesach, **because they are close to becoming chametz.** We see from this that rice and millet can become chametz, therefore one can also fulfill the obligation to eat matzah with them.

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**They,** the scholars of the study hall, **posed an inquiry: Regarding that which Rabbi Yochanan ben Nuri said, “because they are close to becoming chametz”, does he mean that they become chametz quickly - even quicker than the five species of grain? Or perhaps he means that they nearly become chametz but do not become actual chametz,** and one would not be liable for eating them on Pesach.

And the Gemara answers: **Come and hear** a proof that they become chametz quickly. **For it was taught** in a Baraita: Said Rabbi Yochanan ben Nuri, rice is a type of grain, and one is liable for *kareit* for eating it in as chametz. And therefore **a person would fulfill his obligation of eating matzah on Pesach with it.** We see from this that it becomes chametz quickly and it becomes actual chametz. Thus one is liable for eating it on Pesach.

**And similarly, Rabbi Yochanan ben Nuri said: *Karmit* (a type of seed) is obligated in the mitzvah to separate *challah* from it,** since it is a type of grain. For the obligation to

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separate *challah* is only applicable to types of grain. We learn this from a *gezeirah shavah*<sup>17</sup> of “bread” to “bread”. Since it is written “from the *bread* of the land” regarding *challah*, and it writes “poor man’s *bread*” regarding matzah, we can connect the laws as follows: just as one may only fulfill the obligation to eat matzah with grain that can become chametz, so too the obligation to separate *challah* is only applicable to such grain.

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The Gemara asks: **what is “*karmit*”?**

**Said Abaye:** it is a seed known as “*shitzanita*”.

**Said Rav Pappa:** *Shitzanita* is a seed **that is found amongst *kalanita***. I.e. poppy, which is round like millet and is a black color.



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<sup>17</sup> Spiritual excision.

<sup>18</sup> I.e. when different verses have a similar wording, they are often connected. This is *gezeirah shavah*, one of the means by which Scriptural verses are interpreted. There are many verses with similar wording, and a *gezeirah shavah* interpretation is only made when there is a tradition of the Oral Torah (as handed down from Mt. Sinai) that these two verses are indeed linked.

## **PEREK 2 – 35A**

**Said Rabbah bar bar Channah in the name of Reish Lakish:** Regarding a dough that is kneaded with wine, oil or honey, and not with water, **one is not liable for *kareit*** for eating it, if it becomes a state similar to **chametz**.

**Rav Pappa and Rav Huna the son of Rav Yehoshua were sitting before Rav Idi bar Avin. And Rav Idi bar Avin was sitting and dozing.**

**Rav Huna the son of Rav Yehoshua said to Rav Pappa** in front of him: **What is the reasoning of Reish Lakish**, who exempts this type of dough from *kareit*?

**He, Rav Pappa, said to him:** because the verse says: **“You shall not eat chametz with it, for seven days you shall eat matzot with it.”** Only for those **things with which a person fulfills his obligation of eating matzah** when they have not become chametz, **would he be liable for *kareit*** if he were to eat them **in their state of chametz**.

**And regarding that case of a dough** that was kneaded with fruit juice, **since a person can not fulfill his obligation** of eating matzah with it (even if it was guarded from leavening), **because it would be “rich matzah” (*matzah ashirah*)**, therefore **he is not even liable** for eating it **in its state** similar to that **of chametz**. (“Rich matzah” can not be used because there is a requirement for matzah to be “poor man’s bread”.)

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**Rav Huna son of Rav Yehoshua contradicted Rav Huna**, from a Baraita: **If one dissolved bread and made it into a liquid and swallowed it** on Pesach – **if the bread had been chametz, he is punished with *kareit*** because the Torah prohibits forbidden food even in liquid form. And this is derived from the verse regarding forbidden fat: (*Vayikra*<sup>19</sup>

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<sup>19</sup> Leviticus

## PEREK 2 – 35A

7:25), “The soul that eats will be cut off (*kareit*) from its people.” The extra word “soul” implies that even one who drinks will receive the *kareit* punishment.

But **if** the bread had been **matzah**, a person may not fulfill his obligation to eat matzah **on Pesach** with it, when he drinks it. This is because he has not eaten it in the normal manner of eating, and regarding the obligation of eating matzah, an act of “eating” is required. This is learnt from the verse “You shall *eat* matzot”.

Rav Huna son of Rav Yehoshua brings out the point: **And note that here, a person does not fulfill his obligation** to eat matzah **on Pesach** through a drink, **and** even so, **he is liable for *kareit*** for drinking the bread **in a state of chametz**. This shows that even things that one can not fulfill the matzah obligation with, carry the punishment of *kareit* when in their chametz state.

Meanwhile, **Rav Idi bar Avin awoke** from his sleep **and he said to them: Children** (i.e. young men who have not reached a high level of understanding)! The above interpretation is not what Reish Lakish meant when he exempted from *kareit* a dough kneaded with wine or oil. Rather it is **because they**, wine, oil and honey, **are fruit juice, and fruit juice can not cause** a dough to become true chametz.

### **Ammud Bet**

It was stated in our Mishnah: A person **fulfills the obligation** of eating matzah with matzah made from **of *demai* or with** matzah of *ma’aser sheni* etc.

The Gemara raises a difficulty: Why may a person fulfill his obligation with *demai*? **Surely it is not fit for him** to eat, since the Rabbis prohibited eating it! And we have

## PEREK 2 – 35B

established that anything with an additional prohibition may not be used to fulfill the obligation of eating matzah.

The Gemara answers: The prohibition of eating *demai* is a Rabbinic stringency (as the majority of ignorant people actually do take tithes) and the Rabbis prohibited it only to wealthy people. However, they permitted it to poor people. And **since if he the eater wanted, he could declare his property ownerless and become a poor person, and then be able to eat *demai*.** This being so, **also now** it is considered **fitting for him** to eat. Since he has the ability to create a situation in which the prohibition of *demai* will no longer apply, he can fulfill his matzah obligation with it.

And a poor person is permitted to eat *demai*, **as it was taught** in a Mishnah: **we may feed poor people *demai*. And** similarly, we may feed *demai* to **soldiers** of the king of Israel. Since their provisions are levied on the public, we may feed them *demai*. For when they are stationed out of their hometown they are treated like poor people who are permitted to eat *demai*.

**And said Rav Huna: It was taught** in a Baraita: **Beit Shammai say: We may not feed poor people *demai*, nor soldiers *demai*.**

**Beit Hillel say: We may feed** poor people *demai*, and soldiers *demai*.



It was stated in our Mishnah: And one may fulfill his obligation of eating matzah **with** matzah made from *ma'aser rishon* whose **trumah** (*trumat ma'aser*) **has been removed, etc.**

## PEREK 2 – 35B

The Gemara is puzzled: is it not obvious that he may fulfill his obligation with it? For since its *trumah ma'aser* has been removed, it is considered to be ordinary produce, permitted to all. What new law is the Mishnah teaching us?

The Gemara answers: **It is only necessary** to teach the case in **which** he separated the *ma'aser rishon* **early**, while the grain was still **in its ears**, i.e. it had not yet been piled up and smoothed over, at which the obligation to tithe the grain begins to apply. For that is the grain's final stage of agricultural processing. Nevertheless, if one separated *ma'aser* before this stage, the *ma'aser* is valid.

Thus, the case of the Mishnah is that a Levite came to receive his *ma'aser rishon* at this early stage, and the owner of the crop gave it to him, before separating *trumah gedolah* (the regular *trumah*) from the grain. For the obligation to separate *trumah gedolah* had not begun.

And then, ***trumah ma'aser* was separated from it**, from the *ma'aser rishon*. Now, one is allowed to eat the produce. **And** this is so, even though ***trumah gedolah* was not yet separated from it**, neither from the grain as a whole, nor from the *ma'aser rishon*. **And** it is in accordance with a teaching of **Rabbi Abahu**.

**For Rabbi Abahu said in the name of Rabbi Shimon ben Lakish: *Ma'aser rishon* that one preempted** the normal time to separate it, and the produce was still **in its ears**, the law is that it is **exempt from *trumah gedolah***. In other words, that *ma'aser rishon* may be eaten after separating from it *trumah ma'aser* alone.

And we derive this law from that **which is stated** in the passage of the Torah dealing with the Levites separating *trumah ma'aser* from *ma'aser rishon* (*Bamidbar*<sup>20</sup> 18:26): “**And you shall separate from it Hashem's *trumah*, a tithe of the tithe.**”

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<sup>20</sup> Numbers

## **PEREK 2 – 35B**

This implies: It is only a **tithe of a tithe**, i.e. *trumat ma'aser*, that I Hashem said to you to separate. **But not** to separate both *trumah gedolah* and *trumat ma'aser* from *ma'aser rishon*.

\*

**Rav Pappa said to Abaye:** But now that we interpret that only *trumat ma'aser* is to be separated from the *ma'aser rishon*, then **even** if he **preempted** the proper *order* of tithing, and separated *ma'aser rishon* before the separation of *trumah*—and it was from produce already smoothed over **in a pile** and fully obligated in tithes—it the *ma'aser rishon* **also be exempt** from *trumah gedolah*! Yet we know this to be untrue.

**He Abaye said to him:** Specially **for your** question, **the verse states** regarding *trumat ma'aser* (*Bamidbar* 18:29): “**From all your gifts, you shall separate** all of Hashem’s *trumah*”. The word “all” is an extra inclusion, to tell you to separate every type of *trumah* (*trumah gedolah* and *trumat ma'aser*) from *ma'aser rishon*. This applies when one preempted the proper *order*, and separated the *ma'aser rishon* before the *trumah gedolah*. This is only after the produce was smoothed over in a pile.

The Gemara asks: **And what** logical grounds **have you seen** to interpret the verse of “And you shall separate” as referring to while the produce is still in ears, whereas the verse containing the word “all” applies only after the produce has been smoothed over in a pile? Why not say the opposite?

The Gemara answers: **This** produce smoothed in a pile **has become proper grain** (*dagan*), and an obligation to separate *trumah* falls on such produce, as it is written (*Devarim*<sup>21</sup> 18:4), “the first of your *grain*”. Therefore, the Levite is obligated to separate *trumah gedolah* from it and to give it to a cohen. And after that, to give him the *trumat ma'aser*.

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<sup>21</sup> Deuteronomy

## PEREK 2 – 35B

**But that** case where he preempted to tithe the produce while it is still in its ears, **has not become proper grain**, and is not yet obligated in *trumah*.



It was stated in the Mishnah: A person may fulfill the obligation of eating matzah with matzah made from *ma'aser sheni* and consecrated produce, which were redeemed.

The Gemara is puzzled: **It is obvious** that he may fulfill his obligation with them, since they are now considered to be ordinary food, permitted to all!

The Gemara answers: **What are we dealing with here? Where he gave the principle**, i.e. their actual value, for their redemption. **But he did not give the additional fifth**. One who redeems his *ma'aser sheni* or consecrated items is obligated to add one fifth onto the actual value of the item.

**And this case informs us that the additional fifth does not hinder** the redemption. The redemption is valid, the produce is considered ordinary food, and the redeemer merely has an obligation to pay the fifth at some point in the future.



## PEREK 2 – 35B

It was stated in the Mishnah: **And cohanim** may fulfill their obligation of eating matzah **with** matzah made from *challah* **and with** matzah of *trumah*.

The Gemara is puzzled: **It is obvious** that he may fulfill his obligation with them, since cohanim are permitted to eat them.

The Gemara answers: **You might have said that we require matzah that is the same to all people**, i.e. permitted to all. The Mishnah **informs us** that since the Torah writes “**matzot**”, in plural form, it implies that even **matzot** that are not the same for all people are **included**. I.e. those people who are permitted to the matzah may fulfill their obligation with it.



It is stated in the Mishnah: **But** one can **not** fulfill the obligation of eating matzah **with** matzah of *tevel* etc.

The Gemara is puzzled: **It is obvious**, since if it became chametz it would anyway be prohibited as *tevel*, and one may not fulfill the matzah obligation with it.

The Gemara answers: **It is only necessary** to teach the case of *tevel* that is only *tevel* by **Rabbinic law**. For example, **where he planted grain in a flowerpot that was not perforated** on the bottom, and made matzah from this grain. In this case he does not have a Torah-ordained obligation to separate tithes, because it is not attached to the ground. The Mishnah **informs us** that nevertheless he does not fulfill his obligation with such produce, because eating it is considered to be a mitzvah that comes about through a sin.

## PEREK 2 – 35B

And this is not like the case of *demai*, where he may fulfill his obligation with matzah even though it carries a Rabbinic prohibition, because *demai* is in fact permitted to poor people and to Jewish soldiers. Therefore even wealthy people who are prohibited to eat *demai* have fulfilled their matzah obligation if they ate it. Rabbinic *tevel*, however, is prohibited to all people.



It was stated in the Mishnah: And one may not fulfill the obligation of eating matzah if it was made from *ma'aser rishon* whose *trumah* has not been separated.

As explained above, the Gemara assumes that the *trumah* spoken of here is *trumat ma'aser*.

The Gemara is puzzled: **It is obvious** that he can not fulfill his obligation with it, since it is *tevel*.

The Gemara answers: **It is only necessary** to teach the case where he did not separate *trumah gedolah* from the *ma'aser rishon*. For example where he preempted the usual order of separation, and took *ma'aser rishon* before *trumah gedolah* when the produce was already smoothed over in a pile and obligated in tithes. **You might have said** that even this case of *ma'aser rishon* is exempt from separating *trumah gedolah* from it. And it is **like that which Rav Pappa said** (i.e. suggested) **to Abaye** above, that even this case is referred to in the verse “And you shall separate from it Hashem’s *trumah*, a tithe of the tithe.” This verse implies that it is only *trumat ma'aser* that I Hashem said to you to separate from *ma'aser rishon*, but not both *trumah gedolah* and *trumat ma'aser*.

## PEREK 2 – 35B

The Mishnah **informs us** that this is not so. Rather, since the grain was already obligated in tithes before the *ma'aser* was taken, the obligation of *trumah gedolah* remains. And it is in accordance with what **he** Abaye **answered him** Rav Pappa.



It was stated in the Mishnah: **And** one may not fulfill the obligation of eating matzah if it was made from *ma'aser sheni* and was eaten outside of Jerusalem, **or** with **consecrated produce, which have not been redeemed etc.**

The Gemara is puzzled: **It is obvious**, for surely they are prohibited to eat!

The Gemara answers: **In truth**, the Mishnah is referring to where *ma'aser sheni* and the consecrated produce **had been redeemed**. **And what** does the Tanna mean when he says “**which have not been redeemed**”? He is saying **that they have not been redeemed according to Halachah**.

For example, *ma'aser sheni* whose sanctity was unsuccessfully **transferred onto a blank, unminted coin**. The Torah dictates that it may be redeemed only onto a minted coin. **For the Merciful One** i.e. the Torah **says** regarding redeeming *ma'aser sheni* (*Devarim*<sup>22</sup> 14:25): “**And you shall bind (vetzarta) the money in your hand**, and you shall go to the place that Hashem your God shall chose for you”. Since the verse uses the word “*vetzarta*” which is cognate with the word for image (*tzurah*), the Gemara interprets it to mean that *ma'aser sheni* may only be redeemed on **something that has an image (tzurah)**. In other words, the coin must be minted.

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<sup>22</sup> Deuteronomy

## PEREK 2 – 35B

**And** similarly, the Mishnah teaches a case where **consecrated produce** was redeemed, but not according to Halachah. For example **where he** unsuccessfully **transferred its sanctity onto land**. Consecrated items may be redeemed only onto money, or movables that have a monetary value. **For the Merciful One** i.e. the Torah **says** regarding one who consecrates his field and then comes to redeem it (*Vayikra*<sup>23</sup> 27:19), “**And he shall pay the money and it shall be his.**”



**Our Rabbis taught** in a Baraita: **One might have thought that a person may fulfill his matzah obligation with *tevel* that has not been rectified** (i.e. tithed).

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The Gemara interrupts the citation of the Baraita to ask: What does *tevel* “that has not been rectified” refer to? Surely, **all *tevel* has not been rectified** i.e. tithed! For if it had been tithed, by definition it would not be *tevel*.

The Gemara answers: **Rather**, the Baraita is referring to a case **of *tevel* that had not been entirely rectified**. And for example, **where *trumah gedolah* was separated from it but *trumot ma’aser* was still not separated, or *ma’aser rishon* was separated from it but not *ma’aser sheni***.

And not only these cases, where sanctity remains in the produce due to the unseparated tithes, but **even** if only *ma’aser ani* (the tithe given to the impoverished) has not been separated from it, one may not fulfill his matzah obligation with it. This is true even

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<sup>23</sup> Leviticus

## PEREK 2 – 35B

though *ma'aser ani* does not have any particular sanctity. Nevertheless, until it has been separated from the produce the prohibition of *tevel* remains.

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The Baraita now continues: Regarding such *tevel*, **from where** is it derived that one may not fulfill his obligation with it?

The Baraita answers: **The Torah says** (*Devarim* 16:3): “**You shall not eat chametz with it**, for seven days you shall eat matzot with it.” This teaches that **something whose only prohibition is because of “not eating chametz with it”**, if it becomes chametz, with that one may fulfill his obligation of matzah, when it has not become chametz. This **excludes this *tevel*, for** if it becomes chametz **it does not carry the prohibition of “do not eat chametz”**, **rather**, it is forbidden **on account of** the prohibition of “do not eat *tevel*”. And even produce with unseparated *ma'aser ani* is prohibited on this account.

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The Gemara is puzzled: how could the Baraita say that *tevel* that became chametz is not prohibited on account of the chametz prohibition, but only because it is *tevel*? **And where did the chametz prohibition go?**

Said Rav Sheshet: **Whose view is expressed in the Baraita? It is Rabbi Shimon, who says: One prohibition cannot rest upon another prohibition**, i.e. the second prohibition does not go into effect, since the object is already forbidden. And since the *tevel* prohibition has already come upon on the produce, the chametz prohibition can not apply.

# Chavruta

## Pesachim – Daf Lamed Vav

Translated by: *Chavruta staff of scholars*  
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[Said Rav Sheshet: **Whose** view is expressed in the Baraita? **It is Rabbi Shimon, who says: One prohibition cannot rest upon another prohibition**, i.e. the second prohibition does not go into effect, since the object is already forbidden. And since the *tevel* prohibition has already come upon on the produce, the chametz prohibition can not apply.]

**For it was taught** in another Baraita: **Rabbi Shimon says: Someone who** inadvertently eats *neveilah*<sup>1</sup> **on Yom Kippur is exempt** from bringing an offering for the sin of eating on Yom Kippur. This because the prohibition of Yom Kippur cannot rest upon on the meat, which already had the prohibition of *neveilah*<sup>2</sup> before Yom Kippur.

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<sup>1</sup> An animal of a kosher species that did not undergo kosher slaughtering.

<sup>2</sup> Rashi explains that even if the animal only became a *neveilah* on Yom Kippur itself, the animal's prohibition of *eiver min hachai* (the prohibition against eating live flesh) preceded the prohibition of eating on Yom Kippur. See *Tosafot*.

## Perek 2 – 36a

**Ravina said: Even if you say** that the first Baraita<sup>3</sup> is in accordance with the **Sages**, who hold that a prohibition can rest upon top of another prohibition, we can still explain the Baraita, as follows: The verse “Do not eat chametz with it [the Pesach sacrifice], seven days eat matzot with it,” teaches that matzah must be **something whose prohibition is only because of “do not eat chametz”**, if it becomes leavened. **That excludes this *tevel* whose prohibition is not only because of “do not eat chametz,” but also because of the prohibition of “do not eat *tevel*.”**

The Gemara rejects Ravina's answer: **Indeed, is it written** “do not eat (something that has) **only** (the prohibition of) **chametz?”** The verse merely specifies that matzah is something that has a potential to become chametz, but this does not mean that it cannot have other prohibitions as well.

The Gemara concludes: **Rather, the correct explanation is like that of Rav Sheshet**, that one prohibition cannot rest upon another prohibition.

c c ã d d

The Gemara continues to explain our Mishnah, which listed things from which one cannot make matzah, including *ma'aser sheni* – second tithe.<sup>4</sup>

**The Rabbis taught: You might think a person could fulfill his obligation** of eating matzah on the first night of Pesach **with *ma'aser sheni* eaten in Jerusalem**, the place where this tithe is to be eaten.

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<sup>3</sup> Cited at the end of the previous *daf*. This Baraita apparently rules that *tevel*<sup>3</sup> which is chametz is forbidden due to *tevel* alone, and for that reason, may not be used for the mitzvah of eating matzah on the first night of Pesach.

<sup>4</sup> During certain years, one gives a tenth of one's produce to a Levite (this is the first tithe), and a second tenth (this is the second tithe), one eats in Jerusalem, in a state of purity.

## Perek 2 – 36a

To teach that this is not so, **the verse writes** about matzah: “*Lechem oni*”, which can be translated: bread **that it is eaten** even **in** a state of **bereavement** (*aninut* - see footnote).<sup>5</sup> **That excludes this *ma’aser sheni*, which may not eaten in bereavement, but only in a state of joy**, as it says, “I did not eat from it in bereavement.” This is **according to Rabbi Yosi Hagelili**.

**Rabbi Akiva says:** One may use *ma’aser sheni* for the mitzvah of matzah, because the Torah writes **matzot**, in the plural, therefore **matzot** comes to **include** the *ma’aser sheni*.

**But if so, why does the Torah write “*lechem oni*?”**

Rabbi Akiva translates “*lechem oni*” as “Bread of poverty,” **to exclude dough that was kneaded with wine, oil and honey.** (Baraita #1)

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The Gemara inquires: **What is the reasoning of Rabbi Akiva**, that he translates *oni* as meaning poverty, and not as bereavement, as Rabbi Yosi Hagelili does?

The Gemara explains: **Does it write *ohni*** with a *vav*, which would suggest that it means bereavement? Because this is how it is spelt in the verse that says, “I did not eat in bereavement (*ohni*) from it.”

**It is written *oni*** without a *vav*, which implies poverty.

**And Rabbi Yosi Hagelili** answers this objection by saying: **Do we read “*lechem ani*”** which would mean the bread of an impoverished person? **We read it “*lechem oni*”**, which implies the bread of bereavement.

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<sup>5</sup> *Aninut* is the first day of mourning, and is Torah-ordained.

## Perek 2 – 36a

And Rabbi Akiva counters: **That which we read it as “oni”** is hinting at something else. It is **in accordance with** the view of Shmuel.

For Shmuel said: **“Lechem oni”** hints that matzah is **bread that one says** (lit: “answers”, *onin*) **many things over it**, such as the Hallel and Haggadah.

c c õ d d

The Gemara returns to a statement Rabbi Akiva made in the previous discussion.

And does Rabbi Akiva indeed **hold that** with **dough that was kneaded with wine, oil, and honey**, one does **not** fulfill the mitzvah of eating matzah?

But it was taught in a Baraita: **One may not knead matzah on Pesach with wine, oil and honey.**

And if one did knead with these things, Rabban Gamliel says it should be burned **immediately** because these things make dough into chametz much faster than water does<sup>6</sup>.

And the Sages say: After the fact, if one kneaded with these things, **one may eat it** because it is possible to keep such dough from becoming chametz.

And said Rabbi Akiva: Once, on Pesach, **my dwelling place was with Rabbi Eliezer and Rabbi Yehoshua. And I kneaded dough for them with wine, oil, and honey, and they did not say anything to me** in objection.

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<sup>6</sup> Even though Reish Lakish said earlier that fruit juice (which includes wine and oil) does *not* make flour chametz, he means that it does not make chametz that makes one liable for *karet*. But it does make flour into lower grade *chametz* (*chametz noksheh*), which is prohibited as a negative command (without *karet*).

## Perek 2 – 36a

Thus we see that Rabbi Akiva completely permits this type of dough, and this contradicts Rabbi Akiva's statement in the previous Baraita.

This Baraita concludes: **And even though** according to the Sages **we do not knead** with these ingredients if it can be avoided, they agree that one may **smooth with it** the surface of the dough after kneading. And this statement **goes according to the first Tanna** who forbids kneading with these things.

**But the** latter **Sages** (note: there are two sets of Sages here) disagree with this view of the first Sages, and **say: That which one may knead with, one may smooth with. And that which one may not knead with, one may not smooth with!**

**And they** all agree that one may not knead the dough with lukewarm water because that speeds up the leavening process even more.

In conclusion, this Baraita presents a contradiction in Rabbi Akiva's view.

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The Gemara resolves the difficulty:

This is **not a difficulty**. **Here** where Rabbi Akiva disqualifies dough made with wine etc because it is not *lechem oni*, it is **on the first** night of **Yom Tov** when it is an obligation to eat matzot, as it says, “In the evening, eat matzot.”

**Here** where Rabbi Akiva completely allows it is **on the second** day of **Yom Tov** when there is no obligation to eat matzah. And although matzot made of wine etc are not fit for the mitzvah of matzah, because they are considered “rich” matzah, they are nevertheless not chametz.

## Perek 2 – 36a

And this distinction between the first and later days of Pesach is like **that** which **Rabbi Yehoshua ben Levi said to his sons: On the first day of Pesach, do not knead for me dough with milk**, because it is like wine etc and is not considered “poor” matzah. But **from then on, knead for me matzah dough with milk.**

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The Gemara raises a difficulty: How could they knead matzah with milk?

**But it was taught** in a Baraita: **One may not knead dough with milk** the whole year round because one might mistakenly eat such bread with meat. **And if one did knead with milk, all the bread is forbidden, because of it leading to sin.**

The Gemara resolves the difficulty: **But this is what he** Rabbi Yehoshua ben Levi **said: The first day, do not knead for me with honey. From then on, knead for me with honey.**

**And if you wish, I will say** an alternative answer: that he indeed told his sons to knead matzah **with milk**. And they did **as that which Ravina said: To knead dough like** the size of **an ox's eye** with milk **is permitted**, because this small amount will be eaten quickly and not mistakenly eaten together with meat.

**Here too,** Rabbi Yehoshua ben Levi's sons kneaded **like an ox's eye.**

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## Perek 2 – 36a

The Gemara raises yet another difficulty with the Baraita quoted above.

The Baraita said: **And they agree that one may not knead the dough in lukewarm water.**

The Gemara raises a difficulty: **Why is this different from flour offerings (*menachot*), which also are forbidden to be chametz? For it was taught in a Mishnah: All flour offerings are kneaded in lukewarm water, and one guards them that they do not become chametz.**

If so, why do forbid lukewarm water for Pesach matzot?

The Gemara resolves the difficulty: **If they the Sages said** it is permitted **for the zealous** cohanim who make the flour offerings to use lukewarm water, **will they say** the same **concerning** regular people **who are not zealous** and may not be careful enough?

The Gemara asks: **If so, we should even allow soaking and pounding** wheat grains **in water** (to remove their chaff), for flour offerings.

**Why did Rav Zeira say that Rabbah bar Yirmeyah said** in the name of **Shmuel: We do not soak and pound the wheat of flour offerings** because this can easily make them chametz?

The Gemara answers: **Kneading is done by the zealous** because it is done in the Temple Courtyard by cohanim. But **soaking and pounding is not done by the zealous** because it can be done by anyone in their home beforehand.

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## Perek 2 – 36a

The Gemara raises another difficulty: **And is kneading only done by the zealous? But it is written, “And he shall pour oil over it** (the flour offering) and put frankincense on it,” and only then does it say: **“And he shall bring it to the sons of Aharon, the Cohanim, and they take** from there a handful.”

Thus we see that **from *kemitzah* (taking a handful) onwards, it is the mitzvah** to be done by **the priesthood.**

And **this teaches concerning** the things that precede *kemitzah*, like **pouring oil and mixing in the oil, that is valid** when done **by any person.**

And kneading and baking, too, are done even before the oil is poured on,<sup>7</sup> and may certainly be done by anyone.

The Gemara answers: **Kneading, even though it is not done by the zealous, it is done in a place of the zealous** cohanim who supervise that everything is done properly, since from kneading onwards, everything is done in the Temple Courtyard.<sup>8</sup>

**As the master said: Mixing** the flour offering with oil **is valid** if done **by a non-cohen.** But if done **outside the Courtyard walls, it is invalid.** Because once the offering has been sanctified by being placed in a sacramental utensil, it becomes disqualified if it leaves the Courtyard.<sup>9</sup>

This is **to exclude soaking and pounding** the grains, **which is not done by the zealous and not even done in the place of the zealous.** And that is why the grains of flour offerings are not soaked and pounded.

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<sup>7</sup> The order of preparing baked or fried flour offerings is as follows: First they are baked, then they are broken in pieces, then oil is poured on them and mixed in, and finally part is taken (*kemitzah*) and burnt on the Altar.

<sup>8</sup> Because the dough is cooked in ovens or pans that are sacramental utensils.

<sup>9</sup> Even though the dough is not kneaded in a sacramental utensil, it has to be done in the Courtyard in order to place it in the oven immediately without delay.

## Perek 2 – 36a

\*

The Gemara raises another difficulty concerning “soaking and pounding:

**And how is it** (a regular flour offering) **different from the *Omer*<sup>10</sup> flour offering**, which is also not allowed to be chametz? **And yet it was taught in a Baraita: The flour offering of the *Omer*, one soaks and pounds it the grain and then piles it** so that the water flows off.

The Gemara answers: This is a public sacrifice, **and the public is different** because the Rabbinical Court of the cohanim is in charge and ensures that the soaking does not make it chametz.

c c õ d d

The Gemara now discusses whether one may use the grain of *bikkurim* (first fruits) to fulfill the mitzvah of eating matzah.

**The Rabbis taught: You might think that a person fulfills his obligation with** matzah made of *bikkurim*. To teach otherwise, **the Torah writes: “In all your habitations, eat matzot.”**

This includes **matzah that is eaten in all your habitations**, and excludes *bikkurim*, **which are not eaten in all your habitations but only in Jerusalem**. This is according to **Rabbi Yosi Hagelili**.

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<sup>10</sup> Offering of barley, brought on second day of Pesach.

## Perek 2 – 36B

**Rabbi Akiva** says another reason why *bikkurim* are invalid: **Matzah and maror** (bitter herbs) are juxtaposed in the verse, as it says, “On matzah and maror you shall eat it [the Pesach sacrifice].” **Just as maror** is a vegetable, **which** by definition **is not *bikkurim***, because *bikkurim* is only brought from the Seven Species, **so matzah** must be from grain **that is not *bikkurim***. I.e. the grain used for the matzah must not be from *bikkurim*, although wheat is indeed brought as *bikkurim*.

**And if** you object that if this reasoning is correct, the following should be true as well: **Just as maror does not include a species that is *bikkurim*, matzah** too, we should say **that its species does not include *bikkurim***.

### **Ammud Bet**

And therefore, **I should exclude wheat and barley, that their species includes *bikkurim***, because *bikkurim* are brought from the seven species!

To preclude this objection, **the Torah writes**: “In the evening, eat **matzot**.” The word matzot in plural **includes** that one can use **matzot** of wheat and barley. (Baraita #2)

\*

The Gemara raises a difficulty: **If** the word **matzot** is learnt to **include** more types of **matzot**, why not use *bikkurim* **also** to fulfill the mitzvah of eating matzah?

## Perek 2 – 36B

The Gemara concludes: Because of this objection, **Rabbi Akiva retracted**, and later ruled that matzot may not be made from *bikkurim* because of the reason mentioned by Rabbi Yosi Hagalili (i.e. “matzah that is eaten in all your habitations”) and not the reason that he himself suggested.

\*

The Gemara now proves that Rabbi Akiva indeed retracted, from the following Baraita:

**Because it was taught** in a Baraita: **You might think that a person fulfills his obligation** to eat matzah **with *bikkurim***. To preclude that, **the Torah writes: “In all your habitations you shall eat matzot” – matzah that is eaten in all your habitations. This excludes *bikkurim* that are not eaten in all habitations, but in Jerusalem alone.**

**You might think that** because of this, **I should exclude even** matzah of the *ma’aser sheni*, which has to be eaten in Jerusalem.<sup>11</sup>

To preclude this, **the Torah writes “matzot”** in plural, **to include matzot** of the *ma’aser sheni*.

The Baraita continues, questioning its own reasoning: **And what** logical grounds **did you see to include** matzah of *ma’aser sheni*, **and to exclude *bikkurim*?**

The Baraita answers: **I include *ma’aser sheni* because it has a leniency** that sometimes facilitates its being eaten in all **habitations – like that** which was said **by Rabbi Elazar** (quoted soon).

**And I exclude *bikkurim* which has no leniency** to be eaten **in all habitations** at all, and can never be redeemed.

## Perek 2 – 36B

**For Rabbi Elazar said: From where do we know that *ma'aser sheni* that became impure, and is forbidden to eat as *ma'aser sheni*, that one may redeem it even when it is already in Jerusalem?**

Because **the verse says: “Because you cannot carry it (*se'eito*)... and you will transfer it into money, and tie the money in your hand, and go to the place that Hashem your G-d chose.”**

**And *se'eit* also means eating, as it says concerning *Yosef*<sup>12</sup> and his brothers, “And he sent foods (*masa'ot*) from before him...”**

Thus, the verse about *ma'aser sheni* is hinting that if one cannot eat one's *ma'aser sheni*, because it became impure, one may redeem it on money. (However, the verse's simple meaning is that if one is too far from Jerusalem to carry the food there, one may redeem it on money.)

Therefore, because *ma'aser sheni* can sometimes be eaten anywhere, we include *ma'aser sheni* due to the plural form of the word “matzot,” but we do not include *bikkurim*.

\*

Now the Gemara will prove that this Baraita was said by Rabbi Akiva:

**Who did we hear of, who says the same as this Baraita does concerning *ma'aser sheni*, i.e. that one fulfills with it the mitzvah of eating matzah?**

---

<sup>11</sup> And once it enters Jerusalem, it is Rabbinically forbidden to redeem it on money in order to eat it outside Jerusalem.

<sup>12</sup> Joseph

## Perek 2 – 36B

**Rabbi Akiva**, in Baraita #1 on the previous *ammud*. He disagreed there with Rabbi Yosi Hagelili who said that one may not fulfill the mitzvah of matzah with *ma'aser sheni*.

Yet this above Baraita excludes *bikkurim*, deriving it from the verse “in all your habitations”, and not from the juxtaposition of matzah to maror.

The Gemara concludes: **Hear from this** a conclusive proof that **Rabbi Akiva retracted** from his former interpretation.

\*

The Gemara raises a difficulty in connection with Baraita #2:

**And Rabbi Yosi Hagelili**, why does he exclude *bikkurim* because of the verse, “In all your habitations?” **Let him derive it** this law **from** the verse that requires matzah to be “**bread of bereavement**” (*lechem oni*), just as he excluded *ma'aser sheni* because of this verse, in Baraita #1? For he holds that one only fulfills the mitzvah of eating matzah with **that which may be eaten in bereavement** (*oni*), and that **should exclude this** *bikkurim*, **which is not eaten except in joy**.

The Gemara answers: **He** Rabbi Yosi Hagelili **holds like Rabbi Shimon** who allows one to eat *bikkurim* in bereavement.

**For it was taught** in a Baraita: *Bikkurim* are forbidden to one in bereavement.

**And Rabbi Shimon** allows it.

\*

## Perek 2 – 36B

The Gemara now discusses why the Rabbis (i.e. the first Tanna in the Baraita just cited) hold that *bikkurim* are indeed forbidden to a mourner:

**What is the reason of the Rabbis** that they forbid a mourner to eat *bikkurim*?

The Gemara explains: **Because it is written:** “**You cannot eat in your gates** [but must eat in Jerusalem] the [second] tithe of your grain, and wine and oil, and the firstborn of your cattle and your flock, and all your vows [to bring sacrifices] that you vow, and your gift sacrifices and the *trumah* of your hand.”

**And the Master said:** “**The *trumah* of your hand,**” these are *bikkurim*. Because we find the word “hand” mentioned in connection with *bikkurim* as well, where it says, “And the cohen will take the basket from your hand.”

**Thus, *bikkurim* are juxtaposed to *ma’aser sheni*** in this verse. And from that we derive that **just as *ma’aser sheni* is forbidden to one in bereavement, so *bikkurim* are forbidden to one in bereavement.**

**And Rabbi Shimon**, who permits a mourner to eat *bikkurim*, counters that **the Torah calls it, *bikkurim***, by the name of ***trumah*** in this verse, to hint that **just as *trumah* is permitted to one in bereavement,<sup>13</sup> so *bikkurim* are permitted to a mourner.**

\*

The Gemara raises a difficulty with the view of Rabbi Shimon, that one in bereavement is permitted to eat *bikkurim*.

**And Rabbi Shimon, even though he does not have** reason to interpret **the juxtaposition** as the Rabbis do, *bikkurim* should still be forbidden to one in bereavement, because **nevertheless, “joy” is indeed written concerning it *bikkurim***. For the verse

## Perek 2 – 36B

says: “**You shall rejoice in all the good** that Hashem your G-d gave you and your house.”

The Gemara resolves the difficulty: **That** command to rejoice **comes to** teach that *bikkurim* must be bought at **a time of joy**.

**For it was taught** in a Mishnah: **From Shavu’ot until Succot, one brings *bikkurim* and also recites** the Torah passage of “*Arami oveid avi...*” over the *bikkurim*. Because Shavu’ot is when one reaps the harvest, and Succot is when one gathers the harvest into the storehouse, and this is a time of joy.

**From Succot until Chanukah, one brings *bikkurim* but one does not recite** the special passage over them, because it is no longer a time of joy.<sup>14</sup>

c c õ d d

The Gemara now discusses what kind of matzot one bakes for Pesach.

**The Rabbis taught:** The Torah writes, “**Bread of poverty**” (*lechem oni*). **This excludes** matzah made from dough that was **soaked** in boiling water, **and** matzah made in the shape of **a large cake**, because these two things make the matzah prestigious and it is not “bread of poverty.”

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<sup>13</sup> Because the verse writes concerning trumah, “Every non-cohen shall not eat the holy (trumah),” interpreted to mean that non-cohanim are forbidden, but those in bereavement are not forbidden.

<sup>14</sup> From Chanuka until Shavu’ot, one does not bring them at all, because the *Sifri* comments on the verse, “That you bring from your land,” so long as fruit are on your land and have not finished for animals of the field (to eat from), you bring *bikkurim*. And from Chanukah onwards there are no longer any fruits found in the field.

## Perek 2 – 36B

**You might think that a person only fulfills his obligation with bran bread, to conform with the requirement of “bread of poverty.”**

To teach otherwise, **the verse says: “Matzot”** in the plural, **to include** more varieties of **matzot, and even** if they are **like the matzot of King Shlomo<sup>15</sup>**, which were made of the finest flour.

**If so, why does the verse say “Bread of poverty?” To exclude soaked dough and a large cake (*ashishah*).**

\*

The Gemara now explains how we know that *ashishah* means a large cake:

**And why is understood that this *ashishah* is an expression of importance, that we use it to refer to a large cake?**

The Gemara explains: **Because it is written** concerning King David when he brought the Holy Ark to Jerusalem: **“And he divided among all the nation, to all the multitude of Israel, to man and woman, to a man one loaf of bread, and one *ashpar* (piece of meat), and one *ashishah*.”**

**And said Rav Chanan bar Abba:** The word “*ashpar*” hints that the meat was *echad mishishah par* (one sixth of an ox).

“*Ashishah*” hints that this was a big cake *echad mishishah be'eifa* (one sixth of an *eifah*<sup>16</sup>).

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<sup>15</sup> Solomon

<sup>16</sup> A large measurement of volume.

## Perek 2 – 36B

And he Rav Chanan disagrees with Shmuel. Because Shmuel said: *Ashishah* is an *EIFAH* of wine, because it is written concerning people who go after false gods, “**And they love an *asishah* (*EIFAH*) of grapes (wine).**”

\*

The Gemara continues discussing what kind of matzot one should bake for Pesach.

**The Rabbis taught: One may not bake thick loaves of matzah on Pesach** because it is difficult to guard them from leavening. This is **according to Beit Shammai.**

# Chavruta

## Pesachim – Daf Lamed Zayin

Translated by: *Chavruta staff of scholars*  
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[**The Rabbis taught: One may not bake thick loaves** of matzah on **Pesach** because it is difficult to guard them from leavening. This is **according to Beit Shammai.**]

**And Beit Hillel allows it.**

The Gemara inquires: **And how much** is considered a **thick loaf, *pat avah***, and still permitted by Beit Hillel?

**Said Rav Huna:** A *tefach*<sup>1</sup> wide.

**Because so we find with the *lechem hapanim*** (the Showbread put on the Table in the Sanctuary of the Temple), which also was not allowed to be chametz.<sup>2</sup> It was a *tefach* wide.<sup>3</sup>

\*

The Gemara challenges the proof that Rav Huna brought from *lechem hapanim*:

**Rav Yosef contradicted this: If they said** such a thickness is permitted **for zealous** cohanim who bake the *lechem hapanim* and are careful to guard it from leavening, that it can be a *tefach* wide, **would they say** the same for regular people **who are not zealous?**

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<sup>1</sup> 1 tefach: 3.1 in., 8 cm

<sup>2</sup>The *lechem hapanim* could not be chametz because Chazal consider it as a flour offering, *Minchah*, which cannot be chametz.

<sup>3</sup> The *lechem hapanim* was bent up to make two sides (*panim*) and the Sages learn that a *panim* cannot be less than a *tefach* wide.

## Perek 2 – 37a

Furthermore, **if they said** this **concerning** the **toiled-over bread** used for *lechem hapanim*<sup>4</sup>, **would they say** it **with bread that is not toiled over**?

Furthermore, **if they said** this **concerning** the **dry wood** used for the *lechem hapanim*,<sup>5</sup> which baked the bread rapidly, at a high temperature, thus preventing it from becoming leavened, **would they say** it **regarding damp wood** used by regular people?

Furthermore, **if they said** this **regarding** the **hot oven** used for the *lechem hapanim*,<sup>6</sup> **would they say** it **for a colder oven** of ordinary people?

Furthermore, **if they said** this **concerning** the **metal oven** used in the Temple, **would they say** it **for an earthenware oven** used by most people, which gets less hot?

\*

Because of all these objections, the Gemara altogether rejects the previous explanation of thick bread, and offers another explanation:

**Said Rav Yirmeyah bar Abba: I asked my master in private...**

The Gemara interjects: **And who is he**, the master of Rav Yirmeyah? It is **Rav**.

**And some say** the following version of the above statement: **Said Rabbi Yirmeyah bar Abba said Rav: I asked my master in private...**

The Gemara interjects: **And who is he**, the master of Rav? It is **Rabbi**, i.e. Rabbi Yehudah HaNasi.

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<sup>4</sup> A lot of toil was put into making the dough of the *lechem hapanim* and this constant activity prevented it from becoming *chametz*. It used to be shifted (*shifah*) from hand to container 300 times, and punched down (*be'itah*) 300 times.

<sup>5</sup> The wood for the Temple was chopped in the summer until 15 Av, when the wood was dry.

<sup>6</sup> The Temple ovens were hot because they were used to bake flour offerings the whole day long.

## Perek 2 – 37a

...And he said to me: **What is the meaning of “thick” bread? A lot of bread** (i.e. dough).

The Gemara now understands the case not as one of thick matzot, but that someone kneads a thick lump of dough to make from it a lot of matzot. (The reason why this is forbidden is explained later).

**And why is it called “thick” bread? Because it is a big lump during the kneading.**

**And if you wish, I will say** another explanation: **In the place of that Tanna** of the Baraita, **they called a lot of bread “pat avah,”** because in that place *avah* meant not “thick” but “many.”

\*

The Gemara now explains why Beit Shammai forbade kneading a big piece of dough.

**What is the reason** they forbid this?

**If it is because he is making unnecessary effort** on Yom Tov, since he could knead smaller amounts, **why mention** specifically **Pesach? Even on a regular Yom Tov too,** it is forbidden to do unnecessary effort.

The Gemara answers: **Yes, it is true** that any Yom Tov could have been mentioned. **But this Tanna was addressing** the laws of the **Yom Tov of Pesach** when he said this law, so he spoke about Pesach even though it applies to every Yom Tov.

\*

## Perek 2 – 37a

It was also taught in a Baraita like this, that this law applies to every Yom Tov:

**One may not bake *pat avah* on Yom Tov according to Beit Shammai.**

**And Beit Hillel allow it.**

Thus we see from this Baraita that the law applies to every Yom Tov.

c c õ d d

The Gemara continues discussing what sort of matzot may be used on Pesach.

**The Rabbis taught: One fulfills one's obligation with fine-sifted bread and with bran bread as we learned earlier (36b),<sup>7</sup> and with matzot decorated with illustrations made by manipulating or cutting the dough's surface, on Pesach.**

**And even though they the Sages said that one should not make decorated matzot on Pesach, if they were made that way anyway, they may still be used to fulfill the mitzvah.**

\*

The Gemara explains why decorated matzot should not be made.

**Said Rabbi Yehudah: Baitus ben Zonin, a very wealthy man, once asked this to the Sages: Why do we not make decorated matzot on Pesach?**

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<sup>7</sup> That the plural matzot includes fine matzot as well.

## Perek 2 – 37a

**They told him:** Because a woman spends time decorating it and it might become chametz in the mean time.

**He said to them:** But it is possible to make it the illustration with a mold and stamp it quickly on the dough.

**They said to him:** If we allowed this, people would say: All the decorated matzot are forbidden, but the decorated matzot (made with a special mold) of Baitus are permitted?! Therefore we forbid them all to be made, even if one has a special mold for them.

**Said Rabbi Elazar bar Tzadok:** I once went after my father Rabbi Tzadok to the house of Rabban Gamliel, and they brought before him matzot that had been decorated, on Pesach.

**I said to him:** Father! Did you not teach us about this, that one may not make decorated matzot on Pesach?

**He said to me:** My son, they did not say that the decorated matzot of every person are forbidden, but only of bakers. Because they want to sell them, they are more particular to spend time decorating them beautifully.

**Some say:** This is what he Rabbi Tzadok told him: They did not say that decorated matzot of bakers are forbidden, but only of every regular person, because the bakers are more expert and they have molds. So theirs do not become chametz.

**Said Rabbi Yosi:** One may make decorated matzot on Pesach when they are like thin crackers, because the thinness makes them become chametz slower.

## Perek 2 – 37a

**But one may not make** decorated **matzot** thick **like cakes**, because their thickness makes them become chametz quicker.

c c õ d d

The Gemara now discusses from what kinds of dough one has to separate *challah*<sup>8</sup>. The general rule is that *challah* is only separated from something that will have the status of bread when baked. Thus this discussion is relevant to matzah, which also has the status of bread—as required for fulfillment of the mitzvah on Pesach night, since it is written about matzah: *lechem oni* (bread of poverty).

**It was taught in a Mishnah there: *Sufganin*** (spongy baked good made from thin batter) **and *duvshanin*** (dough fried in honey) **and *iskaritin*** (wafers made from thin batter) **and *challat massarat*** (dough fried in frying pan) **and *hameduma*** (dough made of flour that had trumah mixed with it) **are exempt from *challah*.**

The first ones in this list are exempt because they are not called “bread,” and the Torah says, “When you eat from the *bread* of the land”, you shall separate *challah*. Whereas *meduma* is exempt because the Torah writes concerning *challah*, “You shall separate the trumah [i.e. the *challah*]”, and leave the ordinary dough behind. This excludes bread that already has trumah mixed in it.

\*

The Gemara inquires: **What is *challat massarat*?**

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<sup>8</sup> A small portion given to a cohen.

## Perek 2 – 37a

**Said Rabbi Yehoshua ben Levi:** This is dough that was **scalded** (put in boiling water in a frying pan), as made **by householders**, and not made in the way normal bread is made.

**Said Reish Lakish:** These things listed in the Mishnah **are all *ma'aseh ilfas*** (baked in a pot). Therefore they are not considered bread, because normal bread is baked in an oven.

**And Rabbi Yochanan said:** *Ma'aseh ilfas* is **obligated** in *challah*. **And these** in this Mishnah are exempt **because they were made in the heat of the sun**, rather than by fire, and that is what differentiates them from normal bread.

\*

**The Gemara contradicts Reish Lakish, from a Baraita:**

**The *sufganin*, and the *duvshanin*, and the *iskaritin*, if one made them in a pot (*ilfas*) they are obligated.** And if one made them **in the sun they are exempt.**

**And this is a contradiction to Rabbi Shimon ben Lakish.**

The Gemara answers: **Said Ula: Rabbi Shimon ben Lakish** i.e. Reish Lakish **will say to you:** When the Baraita says that in a pot they are obligated, **here what are we dealing with? That he heated the empty pot on the fire and afterwards stuck the bread inside** so that it was like an oven.

But if he stuck the dough on beforehand he is exempt, because then the pot heats up slowly from the fire, and it is not like baking in an oven where the dough is suddenly exposed to great heat.

\*

## Perek 2 – 37a

The Gemara challenges Ula's answer:

**But** according to Ula, **if one stuck** dough to the pot **and then heated** it, **what** is the halachah? **Indeed we would exempt him.**

But if so, **when it is taught in the latter clause** of the Baraita: **“If one made them in the sun, one is exempt,”** **it** the Baraita **should** instead **made a different distinction** between obligated and exempt, **and have taught** an exempt case **regarding it** (the *ilfas*) **itself**, as follows:

**When do we say** that for bread baked in a pot, it is obligatory to take *challah*? **In a case where one heated** the pot **and then stuck** on the dough. **But if one stuck** on the dough **and then heated** the pot, **they are exempt** from *challah*.

The Gemara answers: Ula will explain that **it** the Baraita **is missing** part of its text, **and this is how it was taught: When do we say** that bread made in a pot is exempt? **When one heated** the pot **and then stuck** on the dough. **But if one stuck on** the dough **and then heated** the pot, **it is considered as if one made them** the bread **in the sun, and they are exempt** from *challah*.

\*

The Gemara poses another contradiction to Reish Lakish:

**Come and hear** a proof the dough prepared in a pot is obligated in *challah*. A Baraita says: **One fulfills one's obligation** to eat matzah **with *matzah hina*** (half-baked matzah) **and with matzah made in a pot.**

## Perek 2 – 37a

Yet we know that matzah has to be bread, because the verse calls it *lechem oni* (bread of poverty). This disproves Reish Lakish, who says that dough prepared in a pot is not considered bread, and thus is exempt from *challah*.

The Gemara answers: **Here too, that he heated** the pot **and then stuck** the dough of the matzah inside, in which case Reish Lakish agrees that it is considered bread.

\*

The Gemara now discusses the Baraita just quoted and inquires: **What is *matzah hina*?** How baked must this half-baked matzah be to be considered valid matzah?

**Said Rav Yehudah said Shmuel: Whatever that when one breaks it, threads of unbaked dough don't stretch from it.**

**Said Rava: And so** is the halachah regarding **the loaves of a thanksgiving offering (*Todah*)**. They must already be baked at the time the sacrifice is slaughtered, in order to be sanctified as part of the offering. The degree it has to be baked is defined as when its surface has hardened, and that is the same degree of baking that “when one breaks it, threads don't stretch from it.”

The Gemara objects to Rava's statement: Why does Rava need to tell us this? It is **obvious** that matzah and the loaves of the *Todah* have the same qualifications, because **here** in matzah **it is written, “Bread of poverty” (*lechem oni*)**, **and here** concerning the *Todah* **it is written, “a loaf of bread (*challat lechem*)”!**

**Ammud Bet**

## Perek 2 – 37B

The Gemara answers: **You might have thought** otherwise, **because it is written** about the bread of the *Todah*: “**And you shall sacrifice from them, ‘one’ [loaf] from all** [four types of bread, as a] **sacrifice**, an offering to Hashem.” And we infer from the word “**one**” **that** it must be a whole one. In other words, **one may not take a piece** broken off one loaf of bread and offer it.

**And** therefore, one might think that **here** too, with half-baked matzah, **it is considered as if it is broken** because it is liable to break very easily. **So he Rava tells us** that it regarded as whole, and may be used even for the *Todah*.

\*

**The Gemara** now **contradicts** the view of Rabbi Yochanan, who said earlier that bread made in a pot is considered as bread according to Torah law, **from a Mishnah**.

The Mishnah says: Regarding *hame'issa* (the Gemara will explain what this means), **Beit Shammai exempt** it from *challah*.

**And Beit Hillel obligate** it in *challah*.

*Hachaluta* – **Beit Shammai obligate, and Beit Hillel exempt.**

The Baraita inquires: **What is** the meaning of *hame'issa* **and what is** the meaning of *hachaluta*?

*Hame'issa* means to pour **flour on boiling water**.

*Hachaluta* means to pour **boiling water on flour**.

## Perek 2 – 37B

**Rabbi Yishmael ben Rabbi Yosi says in the name of his father Rabbi Yosi: This and that,** both *hame'issa* and *hachaluta*, are **to be exempted** from *challah*, even if the boiled flour is then baked in an oven.

**And some say it** in his name **to obligate** both of them in *challah*, if the boiled flour is then baked, even in a pot. (*Tosafot*)

**And the Sages say: Both this and that, if one made** (baked) **them in a pot,** they are **exempt. If one made** (baked) **them in an oven, they are obligated.**

\*

Before bringing out how this Mishnah contradicts Rabbi Yochanan, the Gemara first explains the Mishnah itself:

**And according to the first Tanna** (i.e. the views of Beit Shammai and Beit Hillel), **what is the difference between *hame'issa* and *hachaluta*?** What does it matter whether one poured boiling water on flour or vice versa?

The Gemara explains: **Said Rav Yehudah said Shmuel, and so said Rabbi Yehudah, and if you wish to say** that it was Rabbi Yehoshua ben Levi:

There is no difference between *hame'issa* and *hachaluta*. **As they** Beit Shammai and Beit Hillel **disagree concerning this, so do they disagree concerning that. And it is clear that he** the Tanna **who taught this,** the statement of Beit Shammai, **did not teach that,** the statement of Beit Hillel.

And the beginning of the Mishnah should be learnt as follows:

View one: “*Hame'issa* (and *hachaluta*) - Beit Shammai exempt and Beit Hillel obligate.”

## Perek 2 – 37B

View two: “*Hachaluta* (and *hame’issa*) – Beit Shammai obligate, and Beit Hillel exempt.”

\*

The Gemara now explains how this Mishnah contradicts Rabbi Yochanan, who says that bread baked in a pot is considered bread:

**In any case, it is taught in the Mishnah: And the Sages say: Both this and that, if one made (baked) them in a pot, they are exempt. If one made (baked) them in an oven they are obligated.**

Thus we see that bread baked in a pot is not considered bread, and this is **a disproof to Rabbi Yochanan.**

The Gemara answers: **Rabbi Yochanan will tell you: This issue is the subject of a disagreement between the Tannaim.**

**For it was taught in a Baraita: You might have thought that *me’issa* and *chaluta* are obligated in *challah*.** Therefore **the verse says:** “When you eat from **the bread** of the land.” And these are not considered bread.

**Rabbi Yehudah says: Bread is only that which is baked in the oven.** Therefore *me’issa* and *chaluta*, which were first boiled are not considered bread.

Rabbi Yochanan examines the Baraita: And we raised a difficulty with this Baraita: **Rabbi Yehudah is the same as the first Tanna**, because they both exempt *me’issa* and *chaluta*! Over what point are they differing?

## Perek 2 – 37B

And we answered: **Rather**, you must say **no**, they do not completely agree. When bread is **baked in a pot**, this is the point of difference **between them**. **The first Tanna holds** that although *me'issa* and *challuta* are exempt because they were first boiled in water, **something baked in a pot is obligated**.

**And Rabbi Yehudah holds** that **something baked in a pot is exempt**.

And I, Rabbi Yochanan, hold like the first Tanna.

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The Gemara rejects Rabbi Yochanan's explanation of this Baraita:

**No**, there is no need to interpret the Baraita like that. Rather, **they all agree that something baked in a pot is exempt**. And here they are differing over a case that after baking bread in a pot, **he again baked it in an oven**.

**That the first Tanna holds** the view: **Because he again baked it in an oven, it is called "bread."**

**And Rabbi Yehudah holds** the view: **Bread is only** considered such when it is **baked in an oven from the start**. And here, because from the beginning he did not bake it in an oven but in a pot, **it is not bread**.

\*

The Gemara explains Rabbi Yehudah's rationale, that something must be baked in an oven from the start:

**Said Rava: What is the reasoning of Rabbi Yehudah?**

## Perek 2 – 37B

**Because it is written: “And ten women will bake your bread in one oven.”** This implies that **something baked in one oven is called bread**, whereas something **that is not baked in one oven** but also in a pot beforehand, **is not called bread**.

\*

The Gemara now defines what is included in the category of “baking in a pot.”

**Rabbah and Rav Yosef were sitting behind Rabbi Zeira, and Rabbi Zeira was sitting in front of Ula. Said Rabbah to Rabbi Zeira: Ask Ula**, the master, the following question: If **someone sticks** dough **inside** a pot **and heats** the pot with fire **from outside**, **what** is the halachah concerning *challah*?

**He Rabbi Zeira said to him: What shall I say to him**, to Ula? **Because if I say** to him this question, **he will say to me: This is the bread baked in a pot** that Rabbi Yochanan and Reish Lakish differ over.

Then **Rav Yosef said to Rabbi Zeira: Ask Ula** as follows: **If someone sticks** dough **inside** a pot **and a flame is opposite it**, the dough, above the opening of the pot, **what is** its law regarding *challah*?

**He Rabbi Zeira said to him: What shall I say to him**, to Ula? **If I say to him** this question, **he will say to me** that this is obviously also regarded as baking in a pot, because **most poor people do like this**<sup>9</sup> when they bake bread in a pot.

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<sup>9</sup> Because poor people don't have much wood and the heat reaches the dough most efficiently in this way.

## Perek 2 – 37B

c c ã d d

### *Introduction:*

The Gemara now discusses whether second tithe (*ma'aser sheni*<sup>10</sup>) is obligated in *challah*.

The Mishnah in Tractate *Kiddushin* says: “If someone betrothed (i.e. made *eirusin*<sup>11</sup> with) a woman by giving her *ma'aser sheni* produce of a certain value, he did not effectively betroth her, according to Rabbi Meir. And Rabbi Yehudah says: He did effectively betroth her.”

The Gemara there explains that Rabbi Meir holds that *ma'aser sheni* is considered as property belonging to the Temple treasury, and not to the person who separated it from his harvest. Therefore one cannot effect a betrothal with it, since this requires giving a woman a personally owned object of a certain value. Whereas Rabbi Yehudah holds that *ma'aser sheni* is considered the property of the person who separated it from his harvest, thus he can betroth a woman with it.

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**Said Rav Asi: Dough of *ma'aser sheni*, according to Rabbi Meir, is exempt from *challah*, because any dough belonging to the Temple is exempt from *challah*, as we will see.**

And **according to the Sages** (i.e. Rabbi Yehudah), **it is obligated** in *challah* because it belongs to the owner of the produce.

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<sup>10</sup> A tithe separated during certain years and eaten in Jerusalem.

<sup>11</sup> This is a Torah-ordained bond, tantamount to full marriage.

# Chavruta

## Pesachim – Daf Lamed Chet

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[Said Rav Asi: Dough of *ma'aser sheni*, according to Rabbi Meir, is exempt from *challah*, because any dough belonging to the Temple is exempt from *challah*, as the Gemara will soon explain.

And according to the Sages (i.e. Rabbi Yehudah), it is obligated in *challah* because it belongs to the owner of the produce.]

And similarly: Matzot of second tithe (*maaser sheni*)<sup>1</sup>, according to Rabbi Meir, a person does not fulfill his obligation of eating matzah with them on Pesach, because they do not belong to him.

And according to the Sages, a person fulfills his obligation on Pesach with them because they do belong to him.

And similarly: An *etrog* of *ma'aser sheni*, according to Rabbi Meir, a person does not fulfill his obligation on Yom Tov of Succot with it.

And according to the Sages (i.e. Rabbi Yehudah), a person does fulfill his obligation with it on Yom Tov of Succot.

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## Perek 2 – 38a

**Rav Pappa contradicted** Rav Asi:

What you say is **all right** concerning **dough** and its obligation in the mitzvah of *challah*<sup>2</sup>, **because it is written** regarding it, “The first **of your dough**, separate to Hashem,” and therefore to have the mitzvah of *challah*, **it the dough must be from yours.**

And concerning an *etrog* **too**, what you say is all right, **because it is written** regarding it, “**And you shall take for you** on the first day,” which is interpreted: “**For you**” – **it shall be from what is yours.**

Therefore, you are correct that using *ma'aser sheni* for these mitzvot depends on Rabbi Meir and Rabbi Yehudah's differing views, whether *ma'aser sheni* belongs to the owner or to the Temple.

**But** concerning what you said that **matzah**, too, depends on this point, **where is it written “Your matzah,”** to teach that matzah must belong to the person eating it?

The Gemara answers: **Said Rava, and if you wish, say it was Rav Yeimar bar Shalmaya** who said it: **It** (the source of having to own matzah) **comes** from a *gezeirah shavah*<sup>3</sup> learnt from “**bread**” written here, to “**bread**” written in a different verse.

**It is written here** concerning matzah, “**bread of poverty,**” **and it is written there** concerning *challah*, “**And it will be when you eat from the bread of the land.**” **Just as later** in *challah* it must be **of yours** to be obligated, **so here** in matzah it must be **of yours** to fulfill one's obligation.

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<sup>1</sup> In certain years a person gives one tenth of his produce to a Levite, and eats a second tenth (second tithe) in Jerusalem.

<sup>2</sup> A small portion to be given to a cohen from the dough.

<sup>3</sup> Sometimes when the same word appears twice in the Torah the laws of one place are applied to the other place.

## Perek 2 – 38a

Therefore, whether one may use matzah of *ma'aser sheni* to fulfill the mitzvah or not, also depends on the differing views of Rabbi Meir and Rabbi Yehudah.

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The Gemara tries to find support from a Baraita for Rav Asi's statement that whether *ma'aser sheni* is valid for *challah*, *etrog* and matzah depends on the differing views of Rabbi Meir and Rabbi Yehudah:

**Let us say that it the following Baraita supports him**, because it was taught in a Baraita: **The dough of *ma'aser sheni* is exempt from *challah* according to Rabbi Meir. And the Sages (Rabbi Yehudah) say that it is obligated in *challah*.**

The Gemara comments: You merely said, **“Let us say that it supports him,”** but this Baraita **is saying exactly that** which Rav Asi says!

The Gemara answers: **This is what he** (the Sage bringing this support) **was saying: Let us say that since** we see in the Baraita **that they** (Rabbi Meir and the Sages) **disagree about dough, concerning that** other thing – *etrog* – **they also disagree.**

**Or perhaps, it is different there** regarding *challah* **because it is written**, “The first of **your dough** you shall separate to Hashem,” and then it once more writes, “From the first of **your dough** give to Hashem.”

And perhaps the dough has to belong to the owner because it says “your dough” **twice**. But concerning an *etrog*, the Torah only writes once that it must be “yours.” Therefore, we could say that the verse only invalidates an *etrog* that was stolen. Yet, because the true owner is allowed to eat it, it is considered “his”, i.e. it has a private owner, and this is sufficient to fulfill the mitzvah of *etrog*.

## Perek 2 – 38a

That is why the Baraita is not identical with Rav Asi's statement.

c c õ d d

The Gemara now discusses whether one may fulfill the mitzvah of eating matzah with *challah* that was separated from *ma'aser sheni*.

**Rabbi Shimon ben Lakish posed an inquiry: May a person fulfill his obligation of eating matzah with *challah* of *ma'aser sheni*, if he eats it in Jerusalem?**<sup>4</sup>

The Gemara explains his question:

**According to Rabbi Yosi Hagelili** who learns (36a) from the verse “*lechem oni*” that matzah must be bread that may be eaten in a state of bereavement (*aninut*), and may not be made even from *ma'aser sheni* which may not be eaten in such a state, **you need not inquire**. He will certainly hold that *challah* taken from *ma'aser sheni* is invalid.

Because **now**, if **with** *ma'aser sheni* which is *chulin* (non-sacred in the sense that it does not have the sanctity of *challah*), **one may not fulfill** a mitzvah of eating matzah—then **with its *challah*, would one inquire** whether one fulfills the mitzvah by eating it? Obviously one does not.

**When you** have reason to **inquire**, it is **according to Rabbi Akiva** who disagrees with Rabbi Yosi Hagelili, and learns the verse “*lechem oni*” differently.

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<sup>4</sup> *Challah* has to be separated from the dough of second tithe, and such *challah* has two sanctities, the sanctity of second tithe and the sanctity of *challah*.

## Perek 2 – 38a

And the underlying issue is as follows: on *daf* 36b, Rabbi Akiva says that matzah must be made of grain that may be eaten anywhere, as it says, “In all your habitations you shall eat matzot.” (Thus he invalidated *bikkurim* for use as matzot.)

Although Rabbi Akiva might indeed agree that **with *chulin*** (regular *ma’aser sheni*), **one fulfills** the obligation of eating matzah, this could be for the following reason: **because if it becomes impure**, one can redeem it. **And it is then allowed** to eat it outside Jerusalem.

**But** he might rule differently regarding *challah* of *ma’aser sheni*. For it is never permitted to be eaten outside Jerusalem. As long as it is pure, one must eat it in Jerusalem. **And if it becomes impure, it is also not permitted** to eat it **in habitations** outside Jerusalem, **and it goes to be burnt**. **And** therefore, perhaps according to Rabbi Akiva **one does not fulfill** the obligation of eating matzah with it.

**Or perhaps** we could reason differently: Even though in practice this *challah* can never be eaten in all one’s habitations, it may be used for matzah nevertheless. This is **because had one not designated the name of *challah* to it and made it into *challah*, and it then became impure, it would be permitted** to eat **in all habitations**, by redeeming it. **And one could fulfill with it** the mitzvah of eating matzah.

Therefore perhaps **now, too, one may fulfill** the mitzvah, because if we consider *challah* and *ma’aser sheni* each on its own, they are valid for matzah. So perhaps even with *challah* and *ma’aser sheni* combined, one may fulfill the mitzvah, even though technically one cannot eat it in all habitations.

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**Some say** a different version of the inquiry: **This certainly you need not inquire** about, **because we certainly say: Since (*ho’il*)** the *ma’aser sheni* could be eaten in all habitations had he not made it into *challah*, it may be used for the mitzvah of matzah.

## Perek 2 – 38a

**When do you** have reason to **inquire** whether one can fulfill the mitzvah? Concerning *challah* separated from dough **that was bought with money of *ma'aser sheni***.

**And according to the Rabbis you need not inquire, since they say:** Even food bought with the money of *ma'aser sheni* **may be redeemed, thus it is like *challah*** separated from *ma'aser sheni* **itself**, and may be used for matzah, as we concluded above.

**You** have reason to **inquire** what the halachah is **according to Rabbi Yehudah, who said** that food bought with the money of *ma'aser sheni* that became impure **must be buried** and cannot be redeemed.

**For it was taught in a Mishnah:** Food **bought with money of *ma'aser sheni* that became impure may be redeemed**, just like *ma'aser sheni* itself.

**Rabbi Yehudah says: It must be buried.**<sup>5</sup>

**Do we say** the following? Even though according to Rabbi Yehudah, food bought with the money of *ma'aser sheni* can never be eaten in “all your habitations,” nevertheless, **since (*ho'il*) if it was not bought** with the money of *ma'aser sheni*, but was *ma'aser sheni* itself, it could have been used for matzah.<sup>6</sup>

**And since (*ho'il*) concerning *challah*, if one did not designate it** (the produce bought with *ma'aser sheni* money) **with the name *challah*** (but it remained plain produce acquired with the money of *ma'aser shen*, **and then it became impure, it is allowed to be eaten in all habitations. And one fulfills with it** the mitzvah of eating matzah. **Now, too, one fulfills with it** this mitzvah.

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<sup>5</sup> Rabbi Yehudah holds that although second tithes and the redemption money of second tithes can be redeemed on other money, the sanctity of second tithe in food bought with redemption money is so weakened that it cannot attach onto other redemption money. Therefore such food cannot be redeemed.

<sup>6</sup> And that which it was bought with money should make it even more lenient than second tithe itself, because the reason that it cannot be redeemed is because its sanctity is so far removed. See footnote 3.

## Perek 2 – 38a

**Or perhaps** this cannot be said. Because **one** instance of **since** (*ho'il*), **we say** it. I.e. we apply to a given case. But **two “sinces”**, **we do not say**.

The Gemara concludes: **Said Rava: It stands to reason** that one may even use *challah* taken from grain bought with *ma'aser sheni* money, and even according to Rabbi Yehudah, because **the “name”** of “*ma'aser sheni*” **is one** and the same. I.e. anything designated as *ma'aser sheni* has the same law in this regard. Therefore one may use anything with the sanctity of *ma'aser sheni* to fulfill the mitzvah of matzah. And the fact that it is *challah* doesn't invalidate it, because *challah*, too, may generally be used for matzah.

**c c õ d d**

Our Mishnah said: **The loaves of a thanksgiving offering** (*Todah*) **and the wafers of a Nazirite**, which were made to bring with one's own sacrifice, may not be used to fulfill the mitzvah of eating matzah.

The Gemara inquires: **From where** do we have a source for **these words**?

## Perek 2 – 38B

### **Ammud Bet**

**Said Rabbah:** Because the verse says, “And you shall guard the matzot [from becoming leaven].” From there we learn that we require **matzah that is guarded for the sake of matzah. That excludes this** case of the Mishnah, **that** even though it was guarded from becoming leaven, **it was not guarded for the sake of** the mitzvah of eating **matzah** on Pesach night, **rather for the sake of a sacrifice** that also requires non-leaven loaves.

**Rav Yosef said** another reason. Even if the loaves of a *Todah* etc. were guarded to fulfill the mitzvah of matzah, they would still be invalid. Because **the verse says, “Seven days, you shall eat matzot.”** From there we learn: **Matzah that is eaten for seven days** may be used for the mitzvah of eating matzah.

**That excludes this** case of the Mishnah, **that** the matzah **is not eaten for seven days, but only for a day and a night**, just like the *Todah* itself, that is eaten for a day and night and whatever is left is burnt as *notar*.<sup>7</sup>

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**It is taught in a Baraita in accordance with Rabbah, and it is taught in a Baraita in accordance with Rav Yosef:**

**It is taught in a Baraita in accordance with Rabbah: You may have thought one may fulfill his obligation with loaves of a *Todah* and the wafers of a Nazirite. To inform you otherwise, the Torah says: “And you shall guard the matzot.”** You must use **matzah that is guarded for the sake of** the mitzvah of eating **matzah** on Pesach

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<sup>7</sup> And even if one did not bring the sacrifice straight away and the wafers may be kept for many more days, nevertheless, they were baked with intent of being sanctified by a sacrifice and becoming invalid after a day and night, and matzah must be guarded for the sake of matzah that can be eaten for a week only.

## Perek 2 – 38B

night. **That excludes this case, which is not guarded for the sake of matzah but for the sake of a sacrifice.**

**It is taught in a Baraita in accordance with Rav Yosef: You may have thought one may fulfill his obligation with loaves of a *Todah* and the wafers of a Nazirite. To inform you otherwise, the Torah says: “Seven days you shall eat matzot.”** From there we learn: **Matzah that is eaten for seven days** may be used for the mitzvah of eating matzah. **That excludes this case, which is not eaten for seven days, but only for a day and a night.**

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The Gemara inquires: **And let us derive it**, that one may not use loaves of a *Todah* etc., because matzah is called “*lechem oni*” (bread of *oni*), **something that may be eaten even in a state of bereavement (*aninut*)<sup>8</sup>. That excludes this case, of the *Todah* etc, which are not eaten in *aninut* but in joy.<sup>9</sup>**

And indeed, Rabbi Yosi Hagelili (36a) excluded matzah made of *ma’aser sheni* for this reason.

The Gemara answers: **He** the Tanna of the Baraitot **holds like Rabbi Akiva who says that it is written *ani*** without the letter *vav*. This hints that the word should be understood as meaning that the matzah must be “poor”, i.e. not made with things like oil (see 36a), and it does not have to be eaten with joy. Therefore he does not exclude using *ma’aser sheni* for matzah, and the Baraitot had to offer different reasons.

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<sup>8</sup> The first day of mourning, which is Torah-ordained.

<sup>9</sup> The bread brought with a *Todah* is considered like the flesh of sacrifices, and we learn that sacrifices must be eaten with joy, through a *kal vachomer* from second tithe. If second tithe which is less sacred than sacrifices cannot be eaten in *aninut*, how much more must sacrifices which are more sacred not be eaten in *aninut*.

## Perek 2 – 38B

The Gemara inquires further: **And let us derive it**, that one may not use the loaves of *Todah* etc., **because they would be “rich” matzah**. For the loaves of the *Todah* are kneaded with oil. And Rabbi Akiva holds that this is invalid, as we just said.

The Gemara answers: **Said Shmuel bar Rav Yitzchak**: Only a *revi'it* (quarter) of a *log* is used for all the loaves of the *Todah* offering, and all the wafers of the Nazirite, **and it is divided among many** (twenty) large loaves whose total volume is seven *esronim* less a third of an *isaron*. And such a small amount of oil per loaf doesn't make it “rich.”

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The Gemara inquires further: **And let us derive it**, that one may not use the wafers of *Todah* sacrifices and the wafers of a Nazirite, **because they are eaten only in Jerusalem and not eaten in all habitations**, as is true with all *kodoshim kalim* (sacrifices of lesser sanctity). For it says, “You shall eat before Hashem.”

The Gemara answers: **Said Reish Lakish**: Because the Baraitot do not give this reason, **this tells us that *Todah* wafers and wafers of a Nazirite were eaten in Nov and Givon.**<sup>10</sup>

There was no *Mishkan* (Tabernacle) in these two places, only a stone building and a copper altar that was called the “*bamah gedolah*,” the central offering place. (Private altars were spread throughout the Land, at that time.) Our Baraita holds that *Todah* sacrifices and a Nazirite's sacrifices could be brought in the “*bamah gedolah*”, and the

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<sup>10</sup> And these Baraitot disagree with other Tannaim who hold that thanksgiving sacrifices and sacrifices of a nazir were not brought in Nov and Givon. One of these dissenting Tannaim is Rabbi Shimon who holds that only sacrifices with set times like *Pesachim* and daily and additional (*mussaf*) sacrifices were sacrificed on the *bama gedolah* in Nov and Givon. And another opinion holds that only burnt offerings and peace offerings (that could even be offered on people's private altars) could be offered on the *bamah gedolah*, but not thank-offerings and not the sacrifices of a nazir.

## Perek 2 – 38B

halachah is that in the time of a *bamah gedolah*, the meat and bread of *kodoshim kalim* and of *ma'aser sheni* may be eaten in all the towns of the land of Israel.

Therefore, in the time of *bamah gedolah*, the matzah of the *Todah* etc. would not be disqualified because of the requirement that matzah must be eaten “in all your habitations.” That is why the Baraita did not bring this reason.

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**It was taught in a Baraita: Said Rabbi Ila'i: I asked Rabbi Eliezer: May a person fulfill his obligation of eating matzah with loaves of a *Todah* and wafers of a Nazirite?**

**He said to me: I have not heard** the halachah regarding this.

**I Rabbi Ila'i came and asked this question before Rabbi Yehoshua, and he said to me: They said that loaves of a *Todah* and the wafers of a Nazirite, which one made for oneself to bring with one's sacrifice, a person may not fulfill his obligation with them. But if he made them to sell in the market to other people for their sacrifices, he fulfills his obligation with them.**

**And when I came and said these words that Rabbi Yehoshua told me before Rabbi Eliezer, he said to me: I swear by the covenant (*brit*), these are the very words that were said to Moshe<sup>11</sup> at Sinai.** In other words, Rabbi Yehoshua is correct.

**Some say that Rabbi Yehoshua said this response in surprise, implying that he disagreed: I swear by the covenant! Are these the very words said to Moshe at Sinai, so that no reason is required to explain them? I.e. as far as we know, there is no plausible difference between these two types of matzah, thus we should not simply accept that their Halachah is different, until the reason for this is explained.**

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<sup>11</sup> Moses

## Perek 2 – 38B

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The Gemara inquires: **And what is the reason** that Rabbi Yehoshua does differentiate between those made for oneself and those made to be sold to other people? After all, they were not made for the sake of matzah but for the sake of a sacrifice!

**Said Rabbah: Whoever** makes bread **for the market place**, sometimes he **changes his mind** and does not sell it to people who need it for sacrifices after all.

**And he says** to himself when making it: **If it is sold, it is sold. And if it is not sold, I** will use it for myself, and **will fulfill with it** the mitzvah of eating matzah on Pesach night. Thus it turns out that the person bakes them for the sake of Pesach matzah as well.

# Chavruta

## Pesachim – Daf Lamed Tet

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

### *Introduction:*

It is a positive Torah mitzvah to eat *maror* (bitter herbs) on the first night of Pesach. It is to be eaten together with the Pesach sacrifice as the Torah says, “With *maror* you shall eat it.”

### **Mishnah**

**And these are the herbs with which a person fulfills his obligation on Pesach: With *chazeret* (the species will be further identified in the Gemara)<sup>1</sup>, with *tamcha*, and with *charchevina*, and with *ulshin*, and with *maror*.** (Note: Throughout the Gemara’s discussion, the term *maror* is used sometimes for this specific species and sometimes as a generic term for bitter herbs in general.)

**And one fulfills the mitzvah with them, whether they are fresh or dried. But not when they are pickled in vinegar, and not when they are stewed to the point of dissolving, and not even when they are regularly cooked.**

**And they the different kinds of *maror* combine to make up the olive’s volume (*kazayit*)<sup>2</sup>** required to fulfill the mitzvah.

**And one fulfills the obligation not only by eating their leaves but also with their stalks.**

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<sup>1</sup> Note: Most identifications of the species, from the time of the Rishonim onwards, are subject to disagreement.

<sup>2</sup> *Kazayit*: 0.9 fluid oz. or 28 cu. cm.

## Perek 2 – 39a

**And** one may fulfill the obligation **with** *maror* of *demai*<sup>3</sup>, but not with *tevel* (non-tithed produce).<sup>4</sup>

**And** one may fulfill the obligation **with first tithe** (*ma'aser rishon*) **that its trumah was separated**,<sup>5</sup> **and with second tithe** (*ma'aser sheni*) **and** *hekdesh*<sup>6</sup> **that were redeemed**.<sup>7</sup>

### **Gemara**

The Gemara identifies the herbs listed in the Mishnah:

*Chazeret* is **Romaine lettuce**.

*Ulshin* are **endives**.

*Tamcha*: Said **Rabbah bar bar Channah**: Its name is *tamcheta* (horseradish).

*Charchavina*: Said **Rabbi Shimon ben Lakish**: The vine that grows round the palm.

**And with** *maror* – *merarita* (burdock).

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<sup>3</sup> Produce bought from an ignoramus, from which the Sages decreed one must separate tithes because the ignoramus may have failed to do so.

<sup>4</sup> Even though the obligation to tithe herbs is only Rabbinical.

<sup>5</sup> When an earlier Mishnah said this concerning matzah, the Gemara explained that a Levite met the farmer early, and the farmer gave the Levite first tithe before the cohen came to take his *trumah gedolah* from the produce as a whole. We learn from a special verse that no *trumah gedolah* has to be separated from the first tithe, in this case.

<sup>6</sup> Consecrated produce

<sup>7</sup> Even if they were not redeemed in the preferred way, as the Gemara explained earlier concerning matzah.

## Perek 2 – 39a

**Bar Kafra taught: These are the herbs that a person fulfills his obligation with them on Pesach. With endives, with horseradish, with *charchelin*, with *charchevinin* (various species of bitter herbs), and with *charzin* (Romaine lettuce).**

**Rabbi Yehudah says: Also with wild endives, and garden endives, and with Romaine lettuce.**

The Gemara raises a difficulty: **But garden endives (regular endives) and Romaine lettuce were already taught in the beginning of the Baraita**, in Bar Kafra's statement!

The Gemara resolves the difficulty: **This is what he Rabbi Yehudah is saying: Even wild endives are like garden endives and Romaine lettuce**, and one may use them.

\*

The Baraita continues: **Rabbi Meir says: One may also fulfill the mitzvah with *asvas*, and *tura*, and with bitter *yaruar* - species of herbs.**

**Rabbi Yosi said to Rabbi Meir: *Asva* and *tura* are one species, and it is bitter, and this is bitter *yaruar*.** In other words, all three are the same.

\*

**The House of Rabbi Yishmael taught: These are the herbs that a person fulfills his obligation with them on Pesach: With Romaine lettuce, with endives, and with horseradish, and with *charchevinin* (a bitter herb), and with *charginin* (oregano species), and with *hardufinin* (wormwood).**

## Perek 2 – 39a

**Rabbi Yehudah says:** Also *yulin*-type Romaine lettuce and *galin*-type Romaine lettuce are like them, and are suitable for the mitzvah, even though they have an addition to their names, and are not called plain “Romaine lettuce.”

**Rabbi Illa'a says in the name of Rabbi Eliezer:** Also with *arkebalim*.<sup>8</sup>

**And I went round to all his** (Rabbi Eliezer's) **disciples and searched for a colleague** who agreed that Rabbi Eliezer had said that, **and I did not find** anyone.

**And when I came to Rabbi Eliezer ben Yaakov he agreed with me** that Rabbi Eliezer had said this.

**Rabbi Yehudah says:** Any herb **that has sap** when one cuts it, which is white as milk, is considered *maror*.

**Rabbi Yochanan ben Beroka says:** Any herb **that its appearance is** not dark green but **pale** green.

**Others say:** Every **bitter** herb **has** these signs: It has **sap and its appearance is pale** green.

**Said Rabbi Yochanan:** **From the words of all of them,** all the above Tannaim and everything they listed, **we can learn** that every **bitter** herb **has sap and its appearance is pale** green. Because they all have these signs.

**Said Rav Huna:** **The Halachah is in accordance with** the “**Others**”, thus every herb with the two signs he mentions may be used for *maror*.

## Perek 2 – 39a

c c ð d d

The Gemara now discusses which herb is best of all.

**Ravina found Rav Acha the son of Rava, that he was searching for** the specific herb called *maror* (burdock).

**He said to him: Why is it your view** that *maror* is better? **If because it is very bitter,** it is nevertheless still not the best, **because Romaine lettuce is taught** first in the list **in the Mishnah.**

**And so taught the House of Shmuel: Romaine lettuce** is the most preferable.

**And so said Rabbi Oshaya: It is a mitzvah** to fulfill one's obligation **with Romaine lettuce.**

**And said Rava: What is chazeret** (the word used for Romaine lettuce throughout this discussion)? *Chasa* (Romaine lettuce)!

**And why** is it called *chasa*? **That the Merciful One had mercy (chas) on them,** the Israelites, and released them from Egyptian slavery.

**And said Rav Shmuel bar Nachmeini: Why are** the burdens imposed by the **Egyptians compared to maror,** as it says, “They embittered (*vaymareru*) their lives?”

**To tell you: Just as this maror is soft at its beginning** of its growth **and hard** as wood **in its end** of its growth, **so too with the Egyptians. Their beginning was soft** and they

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<sup>8</sup> This is “*atzveta decharzaita*” mentioned in *Eiruvin*, which is a thick fibrous plant that climbs up palm

## Perek 2 – 39a

paid the Jews to persuade them to work, **and their end was hard**, that they enslaved them.

Thus Romaine lettuce is the best thing to use for *maror* because it has this quality.

**Said Rav Acha the son of Rava** (Rav Acha had been searching for the herb called *maror*, as mentioned before) **to Ravina: I have retracted** from my view that *maror* is preferable, and will no longer search for *maror*.

c c õ d d

The Gemara now discusses from where we know that *maror* is a bitter herb.

**Rav Rachumi said to Abaye: From where do we know that this *maror*** that we are commanded to eat **is a kind of herb? Let us say** instead **that it is the bile of a *kufya*** fish?

He answered: Because *maror* is **like matzah. Just as matzah is from what is grown from the earth, so *maror* is only from what is grown from the earth.**

**But let us say that it *maror* is *hirduf*,** the bitter plant with which Moshe<sup>9</sup> sweetened the water at Marah?

He answered: *Maror* is **compared to matzah. Just as matzah is made from a species of seed, so *maror* is a species of seed.**

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trees like a vine.

## Perek 2 – 39a

**But let us say that it *maror* is *shirzufi*, a seed that is poisonous to animals?**

He answered: It has to be **similar to matzah. Just as matzah may be bought with money of *ma'aser sheni*, so *maror* that may be bought with money of *ma'aser sheni* must be used.** But *shirzufi* is not regarded as normal food and cannot be bought with *ma'aser sheni* money.

**Said Rabbah bar Chanin to Abaye: Let us say *maror* is only one of the things listed in the Mishnah – whichever one is bitterest?**

He replied: **It is written “*merorim*”** in the plural.

**But let us say that *merorim* means only two?**

He answered: **Like matzah. Just as matzah is of many kinds of grain, so *maror* is of many kinds.**

c c õ d d

**Said Rava bar Rav Huna said Rav: The herbs with which the Sages say a person may fulfill his obligation on Pesach, they may be sowed in one bed.**

The Gemara asks in surprise: **Do you want to say that they do not have a problem of *kilayim*<sup>10</sup> because they are all regarded as one species?**

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<sup>9</sup> Moses

<sup>10</sup> The prohibition of sowing mixed species.

## Perek 2 – 39a

**Rava contradicted** that supposition, **from a Mishnah: Romaine lettuce and *galin-Romaine lettuce* are considered one species. And so are endives and wild endives, leeks and wild leeks, coriander and wild coriander, mustard and Egyptian mustard, Egyptian gourd and charcoal gourd.**<sup>11</sup> Therefore, these pairs **are not *kilayim* one with the other** even though their names are not identical.

So we see that **Romaine lettuce and *galin-Romaine lettuce*, yes, these are not *kilayim* when planted together. But Romaine lettuce and endives no, they are regarded as *kilayim* when planted together.**

**And if you say** in reply: **All of them are taught together in the Mishnah** and everything in the whole list is not *kilayim* with everything else in the Mishnah—

**But Rav said** otherwise, because he said: **The Mishnah teaches these species in pairs** and only the species of each pair are not *kilayim* with each other.

The Gemara answers: **“What is the meaning of “sown in one bed”, which Rav said? That they may be sown according to their Halachah.** Although they are different species, they may be sown in one bed if they are planted far enough from each other to conform with the Halachah.

### **Ammud Bet**

The Gemara objects to the answer just given: **It has already been taught** in a Mishnah that different species can be sowed **according to their Halachah**, so why repeat it?

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<sup>11</sup> A bitter gourd that is made edible by roasting it on charcoal.

## Perek 2 – 39B

For the Mishnah says: **A plant bed that is six *tefachim* by six *tefachim*, one may sow in it five types of seeds of different species. Four of them on the four sides of the bed, and one in the middle**, to provide at least three *tefachim* between each species so that they do not draw sustenance from each other.

The Gemara answers: Without the further statement, **you might have said: these words** (that three *tefachim* are sufficient) apply only **to seeds. But not to herbs** because they draw sustenance from further away. **So he Rav tells us** that herbs have the same Halachah as seeds.

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The Gemara raises a difficulty: Do you want **to say that** the drawing of sustenance of **herbs is stronger than** that of **seeds**, and because of that Rav had to make his statement that three *tefachim* distance is enough? **But** we find the exact opposite to be true.

For **it was taught in a Mishnah: All species of seeds may not be sown in one bed. All species of herbs may be sown in one bed.** According to this, the Mishnah quoted before (that said one can plant five species in a bed of six *tefachim*) is speaking about seedlings of herbs and not seeds. And therefore our original question remains: what is Rav adding that is not already in that Mishnah?

The Gemara answers: **You might have said: these** herbs used for *maror* **are really seeds** and not herbs. **So he Rav tells us** that they may be sown in one bed because they are indeed herbs.

\*

## Perek 2 – 39B

The Gemara objects to the above answer: **Do you think** that *maror* could be a species of seeds? **But it is taught in our Mishnah:** These are the **herbs** that a person fulfills his obligation with on Pesach.

**And so taught Bar Kavra** in his list of *maror*: These are **herbs**.

**And so taught the House of Shmuel** in their list of *maror*: These are **herbs**.

The Gemara answers: **He Rav needed** to say what he said because of **Romaine lettuce**.

Because **you might have thought to say: since in the end it becomes hard** and thick, **we should give it more space** than three *tefachim*.

\*

The Gemara proves that this concern is well founded: **Did Rabbi Yosi ben Rabbi Chanina not say:** “A cabbage stalk that thickened, we widen for it a distance of a **quarter of a rova** from other species”?

**We see, since in the end it will get hard we give it more space.** So we might have thought that **here too** with Romaine lettuce, because it will get hard **we should give it more space.** **So he Rav tells us** that three *tefachim* is enough.

c c õ d d

## Perek 2 – 39B

The Mishnah says: **One fulfills the mitzvah with them, whether fresh or dry.**

**Said Rav Chisda:** We only learnt this statement regarding their stalk, which is bitter even after it dries. **But with their leaves,** when it is **fresh, yes,** one may use them. But when it is **dry, no,** one may not use them, because they have no taste and are like mere dust.

The Gemara raises a difficulty: **But from that which is taught in the latter clause** of the Mishnah: “And one fulfills the mitzvah **with their stalk,**” **one can infer that the first clause** of the Mishnah is speaking about **leaves.** And concerning that, the Mishnah said they may be used even when dry!

The Gemara resolves the difficulty: The first clause, too, is speaking about a stalk. And the latter clause is **explaining** the first clause, and is saying: **When the Mishnah teaches** in the first clause: “**both fresh and dry,**” it is referring **to a stalk.**

\*

**They contradicted this** conclusion, that dry leaves may not be used, **from a Baraita:**

The Baraita says: **One fulfills the mitzvah with them,** the leaves, **and with their stalk.** This is true **whether fresh or dry, according to Rabbi Meir.**

**And the Sages say:** If they are **fresh, one fulfills the mitzvah with them. Dry, one does not fulfill the mitzvah with them.**

**And they** Rabbi Meir and the Sages **agree that one fulfills the mitzvah with them** when they are merely **withered, but not** when they are **pickled** in vinegar, **and not stewed** to the point of dissolving, **and not** even when they are **cooked** normally, because then they have no bitter taste.

## Perek 2 – 39B

**The rule of the matter is: Whatever has a bitter taste, one fulfills the mitzvah with it. And whatever does not have a bitter taste, one does not fulfill the mitzvah with it.**

In conclusion, the Baraita says at the beginning, “One fulfills the mitzvah with them (the leaves) and with their stalk, whether fresh or dry, according to Rabbi Meir,” and this contradicts Rav Chisda who says that dry leaves are invalid.

The Gemara answers: **Explain** that which Rabbi Meir says, “whether fresh or dry,” only referring to the case of a stalk.

\*

**The Rabbis taught: One does not fulfill the mitzvah with them** when they are withered.

**In the name of Rabbi Eliezer ben Rabbi Tzaddok they said: One does fulfill the mitzvah with them** when they are withered.

c c õ d d

**Rami bar Chama posed an inquiry: May a person fulfill his obligation with *maror* of second tithe (*ma'aser sheni*), when it is eaten in Jerusalem?**

The Gemara explains his question: **According to Rabbi Akiva, you need not ask.** Because, **now**, if he holds that **concerning matzah**, which is obligated in *ma'aser sheni* according to the Torah, that one fulfills one's obligation with *ma'aser sheni*, then it

## Perek 2 – 39B

follows that with *maror*, which is obligated in tithes only **Rabbinically**, **would one need to ask?** Obviously it is all right.

**When you need to ask**, it is **according to Rabbi Yosi Hagelili** who says that one may not use *ma'aser sheni* for matzah because the verse says concerning matzah that one must eat it in “in all your habitations,” and *ma'aser sheni* may be eaten only in Jerusalem.

And the inquiry is as follows:

*Maror* is also subject to the rule that it must be eaten “in all your habitations” because matzah and *maror* are juxtaposed in a verse, to teach that they are subject to the same laws.

Therefore, **what** do we say according to Rabbi Yosi Hagelili? Perhaps we say that only **concerning matzah**, which is obligated in tithes **from the Torah—that is where one does not fulfill** the mitzvah with *ma'aser sheni*. **But *maror***, where the *ma'aser sheni* is only **Rabbinical**, **one fulfills** the mitzvah with it.

**Or perhaps we say: whatever the Rabbis decree, they decree similar to Torah law.** Therefore, because Torah-ordained *ma'aser sheni* is unsuitable for matzah, Rabbinically ordained *ma'aser sheni* will be unsuitable for *maror*.

**Said Rava: It stands to reason** to say: since **matzah and *maror*** are juxtaposed, their laws are equal in everything. Therefore, *maror* of *ma'aser sheni* is unsuitable for the mitzvah.

## Perek 2 – 39B

### **Mishnah**

On Pesach, **one may not soak bran for chickens** because it makes it turn to chametz.

**But one may scald it** in boiling water, because the boiling water does not allow it to become chametz.

**A woman should not soak bran, to take in her hand to the bathhouse** to rub down with, because this makes it chametz.

**But she may rub** the bran **on her skin** when the bran is **dry**, even if she is wet, because this small amount of water will not make it chametz.

**A person may not chew wheat kernels and put them on his wound** because this makes them chametz.

### **Gemara**

**The Rabbis taught** in a Baraita: **These things do not come to be chametz: Baked dough and boiled dough. And scalded dough which one scalded in boiling water,** because the boiling water prevents it from becoming chametz.

The Gemara raises a difficulty: How can **boiled** dough be included in the list?

**While one boils it, it becomes chametz!**

## Perek 2 – 39B

**Said Rav Papa: It is talking of baked dough that one then boiled.**<sup>12</sup>

\*

**It was taught in a Baraita: Rabbi Yosi b'Rabbi Yehudah says: Flour, which a drip of water fell into it from the roof, even the whole day, it does not come to be chametz.**

This is because the constant action of the drip retards the leavening process, similar to what we see later (48b) that dough cannot become chametz all the time it is being kneaded.

**Said Rav Papa: And that is true if it goes drop by drop,** immediately, with no pause between the drops.

c c õ d d

**The House of Rav Shila say: *Vatika* (a kind of food) is permitted** on Pesach.

The Gemara raises a difficulty: **But it was taught in a Baraita: *Vatika* is forbidden!**

The Gemara resolves the difficulty: This is **not a difficulty**. **This** case where it is permitted is **that one made** (boiled) **it with oil and salt**, without water so that it could not become chametz. (Liquids from fruit, including oil, do not cause leavening as long as there is no water present.)

**And here** where it is forbidden, **that he made it with water and salt.**

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<sup>12</sup> And is teaching us that once dough is baked, even boiling does not make it chametz.

## Perek 2 – 39B

c c õ d d

**Said Mar Zutra:**

**A person should not put flour made from roasted unripe wheat in a pot,** to thicken the food, even though the roasted wheat is considered as baked. (And baked things cannot become chametz.) This is because **perhaps it** the wheat **was not cooked** (i.e. roasted) **well,** and thus can still become chametz.<sup>13</sup>

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<sup>13</sup> And even though flour put in boiling water does not become chametz, this flour is generally put in before the water begins boiling.

# Chavruta Pesachim – Daf Mem

Translated by: *Rabbi Avraham Rosenthal*

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[**A person should not put flour made from roasted unripe wheat in a pot**, to thicken the food, even though the roasted wheat is considered as baked. (And baked things cannot become chametz.) This is because **perhaps it** the wheat **was not cooked** (i.e. roasted) **well**, and thus can still become chametz.<sup>1</sup>]

**Said Rav Yosef:** Scalding in boiling water is only effective to prevent leavening when each wheat kernel is placed in the boiling water by itself. But, **a person should not scald two wheat kernels together, perhaps one kernel will go and sit in the cleft of the other**, and cover it, **and** as a result the **boiling water does not reach it on the four sides**, and **it will come to leavening**.

\*

**And said Abaye:** A person should not singe two stalks of wheat **together**, over the fire, **perhaps moisture will come out from this stalk, and the other stalk will absorb it**, **and** before it has a chance to be singed, **it will come to leavening**.

**Said to him Rava:** **If so, even one stalk also**, he should not singe. We should be concerned **perhaps** moisture **will come out of this end** of the stalk, **and the other end will absorb** it and leaven because of it.

**Rather, said Rava:** We are not concerned that the moisture coming out of the stalks will cause leavening, because **they are fruit liquid**. And **fruit liquid does not cause leavening**. Therefore, it is permissible to singe two stalks together.

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<sup>1</sup> And even though flour put in boiling water does not become chametz, this flour is generally put in before

## Perek 2 – 40A

**Abaye** also **retracted from that** earlier statement that he made, and he now permits it. But but not because of Rava's reasoning, rather for a different reason: **All water, by way of its falling, does not cause leavening.** Water can only cause leavening when it remains on the wheat. But when it is falls, it does not cause leavening.

**For Abaye said: A jug** used for **for roasting** wheat in an oven – if the jug **is inverted**, and its opening faces down, **it is permitted** and the roasted grains made in it are permitted on Pesach. This is because any moisture that exudes from them while being heated in the oven falls out of the jug, and they do not leaven while the moisture is falling.

But if the jug **is upright**, and its opening faces up, **it is forbidden**, because the moisture gets absorbed into the wheat and leavens it, since the moisture remains in the jug.

We see that Abaye holds that as long as the moisture is falling, it does not cause leavening, and he retracted from the earlier ruling in which he forbade singeing two stalks together.

**And Rava said: Even** if he placed the wheat in **an upright** jug, **it is also permissible** to eat, because the moisture exuding from them **is fruit liquid, and fruit liquid does not cause leavening.**

c c õ d d

**The Rabbis taught** in a Baraita: **One may not soak barley** in water **on Pesach** before grinding it, because this could cause it to leaven, if the kernels split open.

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the water begins boiling.

## Perek 2 – 40A

**And** after the fact, **if he soaked** it, the Halachah is as follows: if they **split open** because of the swelling caused by the water, they will certainly leaven quickly and **they are forbidden**.

But if **they did not split open, they are permitted**.

**Rabbi Yosi says:** If he sees that they are swollen, and will soon split open, **he should soak them in vinegar**, and they are then permitted. This is because **vinegar strengthens them** and does not allow them to leaven.

**Said Shmuel: The Halachah is not in accordance with Rabbi Yosi.** For if they do split open in the end, the vinegar does not prevent them from leavening.

**Said Rav Chisda in the name of Mar Ukva:** That which was stated, “if they split open, they are forbidden,” this is **not** only if **they actually split open**, that they become forbidden. **Rather, wherever** it swells to the point **that if he would place them at the opening** of a wine barrel, **and**, because of the wine’s aroma, **they would split open by themselves**, they will leaven and are forbidden.

**And Shmuel said:** The barley only becomes forbidden if **they actually split open**.

\*

**Shmuel ruled in a certain case** that came before him **in the village of the House of Bar Chashu**, and permitted barley that had swelled due to soaking, but had not yet split open. He permitted it even though had they placed the barley on the opening of a wine barrel, they would have split open by themselves. This is because he only forbids it where **they actually split open**.

## Perek 2 – 40A

**Said Rabbah:** A pious person should not soak grain on Pesach. At this point the Gemara understands that we are speaking about barley.

The Gemara is puzzled: **Why do you say “a pious person,”** which indicates it is only a stringency? **Even for everyone** it is **also** forbidden to soak barley, not only for a “pious person”, since it is forbidden according to the letter of the law. **For it was taught** in a Baraita: **One may not soak barley on Pesach.**

The Gemara answers: **This is what it is saying:** According to the letter of the law, only barley is forbidden to soak. But **a pious person, even for wheat, which is harder** than barley and does not leaven easily, **he should also not soak** it.

**Said Rav Nachman** to Rabbah: **The one who listens to Father,** i.e. Rabbah (he called him “Father” because it is an expression of leadership), and does not soak his wheat on Pesach, **he eats moldy bread.** This is because without soaking, one cannot properly remove the shell of the wheat, and the flour is not good quality.

Rav Nachman holds that there is no need to be concerned over soaking wheat, and even a pious person should do so. **For note that in the House of Rav Huna they soaked** wheat on Pesach, **and** similarly **in the House of Rav Avin they soaked** wheat on Pesach.

**And Rava said:** Not only should a pious person not soak, but according to the letter of the law, **it is forbidden** for anyone **to soak** wheat on Pesach.

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The Gemara raises a difficulty: **But that which was taught** in a Baraita—**“One may not soak barley on Pesach”**—indicates that specifically **barley is what** one **may not** soak, but **note** that **wheat is permitted** to soak. This is a difficulty for Rava who forbade even wheat.

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The Gemara answers: The Tanna of the Baraita **stated** his teaching in the “**not only**” form. **Not only** is wheat forbidden to soak, **since they have cracks**, and **water enters them** and they will leaven. **But** even **barley, which are smooth** and have no cracks and do not absorb water, **I would say it is all right** to soak barley. Thus the Tanna **teaches us** that one should not soak even barley. Due to the swelling they will split open and leaven.

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In the end, **Rava retracted** and **said: It is completely permitted to soak** wheat. He proves this from **that what was taught** in a Baraita: **They fulfill their obligation** both with **white bread and with coarse bread**, and both are referred to as “poor man’s bread”, *lechem oni*.

This shows that it is permitted to soak the wheat, since one cannot produce white bread without soaking the wheat prior to grinding. We see that they may soak wheat in the first place.

**Rav Pappa contradicted Rava**, from a Baraita: **Flour and fine flour of gentiles**: if they are **of the villages, they are pure**. Villagers are not particular that the flour be exceptionally white, and they do not soak the wheat before grinding. Since they were not placed in water, they cannot receive impurity, because it can only receive impurity if it was prepared by coming in contact with liquids.

But flour and fine flour **of the towns are impure**. City-dwellers soak wheat in water, and since it came in contact with liquids it is prepared to receive impurity, we are concerned that they became impure.

Rav Pappa brings out the point: Flour and fine flour **of villages, what is the reason** that they are pure? It is **not because they do not soak** the wheat, and it was not prepared by

## Perek 2 – 40A

the liquids to receive impurity? **And** nevertheless, **they call it “fine flour.”** We see that even without soaking it is possible to have “white bread.” If so, how does Rava prove from the teaching of “they fulfill their obligation with white bread” that one may soak wheat? It can be explained that no soaking was done, for example, he made it from fine flour.

Rava answered: In truth, “white bread” is only made from soaked wheat. Without soaking, it is not called “fine flour.” And that which was taught, “of villages is pure,” we may **explain it regarding flour.** It is only referring to “flour” and not to “fine flour.” That which was taught, “fine flour” is referring to that of the towns, where they soak.

**After** Rava **left** the study hall, Rav Pappa was pained and **he said** to himself: **What is the reason** that I did not remember a better source from which to contradict Rava? Why did I **not say to him from that** statement **which Rabbi Zeira said in the name of Rabbi Yirmeyah in the name of Shmuel: Wheat of *minchah*<sup>2</sup> offerings, they may not soak them** in order that they do not become leaven, since a *minchah* is only brought as matzah.

And note that *minchah* offerings are brought from fine flour, **and** even though they do not soak them, **they call it fine flour.** We see that we can have white bread even from wheat that was not soaked.

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**Rava retracted and said:** Not only is it permitted to soak the wheat for the Pesach matzot, but it is a **mitzvah to soak** them. **As it says** (*Shmot*<sup>3</sup> 12), **“And you should guard the matzot.”** We explicate this to mean that the matzah should be guarded from leavening, for the sake of the mitzvah of matzah. **And if it did not require soaking** in water, then **guarding** the wheat, **for what** is it needed? Note that if there is no contact with water, they cannot leaven, and guarding them from leavening is not relevant.

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<sup>2</sup> A sacrifice that comprised of flour and oil.

## Perek 2 – 40A

**And if** you say that the verse which requires this special guarding is speaking of the **guarding of the kneading**, this cannot be said. **Because guarding of the kneading is not guarding.** Meaning, it is insufficient to guard only from the stage where it is already dough. For it is evident from the words of Rav Huna that even guarding the wheat before kneading has to be done for the sake of the mitzvah.

**For said Rav Huna: Dough of gentiles**, which are kneaded by gentiles and baked by a Jew, **a person may fill his stomach with them** on the night of Pesach, and we are not concerned that they leavened. This is because it is possible to recognize that it did not leaven. If it did not change to a silver color, and it does not have cracks like grasshopper antennae, it is clear that it did not leaven.

**But** this is **provided that he eats a *kazayit*<sup>4</sup> of matzah** that was guarded for the sake of the mitzvah, **at the end**. Although there is no concern of leavening with regards to dough of gentiles, one does not fulfill his obligation of matzah with it, since it was not made for the sake of the mitzvah.

That *kazayit* of matzah which was guarded for the sake of the mitzvah, he should eat at the end. This is because the main obligation of eating matzah is fulfilled by eating it together with the Pesach sacrifice, as it is written, “with matzot and bitter herbs, eat it.” And the Pesach sacrifice is eaten on a full stomach, as was taught in a Mishnah: “One does not eat dessert after the Pesach,” as the Pesach sacrifice is eaten at the end of the meal, and nothing is eaten afterwards.

Rava brings out the point: **At the end, yes**, when he eats a *kazayit* of matzah guarded for the sake of the mitzvah, he fulfills his obligation. **But with the first** eating, when he ate the dough of the gentiles, he has **not** fulfilled his obligation of matzah.

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<sup>3</sup> Exodus

## Perek 2 – 40A

**What is the reason?** Is it not **because he** the gentile **did not do a guarding for it** for the sake of the mitzvah?

And if it is true that guarding from the stage of dough alone is sufficient, why does he not fulfill his obligation with it? **But** note that he can **do for it**, the dough, **a guarding** for the sake of the mitzvah, after it comes to the Jew's possession. For the Jew can guard the dough as soon as he receives it, **from** the beginning of the **baking and onwards**. For example, by rolling the dough, smoothing it and putting it into the oven. This would be sufficient to fulfill the Torah's requirement that the dough be guarded for the sake of the mitzvah, while it is dough.

**Rather**, we may **hear from it**, from the fact that Rav Huna invalidated the dough of gentiles, **a proof that** even **guarding** the wheat itself, **from the start, is required** for the sake of the mitzvah. Thus we may conclude that they need to soak it, because without soaking, it cannot become leavened. And guarding is only relevant to something that can become leavened. And without guarding for the sake of the mitzvah, he does not fulfill his obligation with them.

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The Gemara dismisses this proof: **And from where** do you see proof that we require guarding even for the grinding of the wheat? **Perhaps** guarding the dough is sufficient, and **it is different there** with the dough of gentiles. One does not fulfill his obligation with it because **at the time that it enters** a state where there is concern about possible leavening, and it needs guarding, he **does not yet do for it guarding** for the sake of matzah. Even if he were to guard the dough from now on, this is insufficient. It requires guarding for the sake of matzah from the very beginning of the dough stage, from when the water is poured into the flour, because then the concern of leavening starts.

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<sup>4</sup> *Kazayit*: 0.9 fluid oz. or 28 cu. cm.

## Perek 2 – 40A

**But** in a case **where, at the time** the dough **enters** the stage **of needing guarding, he guards it, here also** it would be sufficient. **For guarding of the kneading alone is considered guarding,** and the stage of grinding the wheat does not require guarding.

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**And** even though Rava's proof is dismissed, **nevertheless, Rava did not retract** from his position that guarding is required even before kneading.

Because we find **that Rava said to them,** to those **who turn over the sheaves** of wheat, and bundle them: **When you turn over** the wheat of the Pesach matzot, **turn them over for the sake of the mitzvah** of matzah.

Thus **we see** that Rava **holds** that the verse of “and you shall guard the matzot” requires **guarding from the start,** even when it is still in the field. **For the beginning** of handling the wheat used for the matzah, **until its completion, we require that** the matzah is guarded for the matzah.

And even regarding **Mar the son of Ravina...**

### **AMMUD BET**

...we find that **his mother held** the Pesach wheat **for him in bowls.** Already from the harvesting, she guarded the wheat for the sake of the mitzvah.

c c õ d d

## Perek 2 – 40B

Concerning a **certain boat** loaded with wheat **that sank** before Pesach **in the Chishta River**. The wheat leavened in the water and it was subsequently fished out. **Rava permitted to sell the wheat to gentiles.**

**Rabbah bar Livai contradicted Rava's** ruling, from a Baraita: Regarding a **garment in which one lost** a thread of *kilayim*,<sup>5</sup> i.e. during the weaving a thread of the opposite type was woven in, and now he does not recognize it. The Halachah is that **he may not sell to a gentile.** Generally *kilayim* may be sold, but here it is different, because the forbidden mixture is not noticeable and the gentile could sell it to a Jew, and the Jew will wear it inadvertently and transgress the prohibition of *kilayim*.

**And** similarly, **he should not make** this garment **into a saddle-blanket for a donkey.** Since the *kilayim* is not noticeable, we are concerned he will take it off the donkey and sew it into one of his clothes.

**But he may make it,** this garment in which *kilayim* was lost, into **shrouds for the dead.** Since it is forbidden to benefit from the clothes of a dead person, there is no concern that someone will take them and wear them. The fact that the dead person is wearing *kilayim* is also not problematic, as he is not obligated in mitzvot. For it is written (*Tehillim*<sup>6</sup> 88:6), “among the dead who are free,” which is explicated to mean that once a person dies, he becomes free from the mitzvot.

Rabbah brings out the point: **To a gentile, what is the reason** they decreed that he may **not** sell it?

Is it **not because** we are concerned **that he** the gentile **will sell it back to** another **Jew?** If so, we should forbid selling the wheat that fell into the river to a gentile, since it is not

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<sup>5</sup> A mixture of wool and linen.

## Perek 2 – 40B

recognizable that they leavened. There is a concern that the gentile will resell them to a Jew for Pesach.

**Rava retracted** from his earlier ruling and **said: They may sell** that wheat before Pesach, one *kav*<sup>7</sup> to this Jew, and one *kav* to another Jew. But not a large quantity to any one person, **in order that it will be finished before Pesach.**

c c õ d d

**The Rabbis taught** in a Baraita: **One may not add flour to food in a pot on Pesach,** because the flour in the food will leaven before the water boils.

**And the one who wants to add flour** should do the following: First **he places the flour** into the food, **and afterwards he places** on it **the vinegar**, as the vinegar affects the flour immediately, and does not allow it to leaven.

However he should not place the vinegar before the flour, because then the vinegar is weakened by mixing with the food.

**And there are those who say:** It is permitted to add flour even if **he places the vinegar** into the food first, **and afterwards places the flour.** Even if the vinegar is mixed in the food, it will affect the flour that is placed into it.

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<sup>6</sup> Psalms

## Perek 2 – 40B

The Gemara asks: **Who** are “those who say”?

**Said Rav Chisda: It is Rabbi Yehudah**, who holds that even vinegar mixed with water affects what is placed into it.

**As it was taught** in a Mishnah: **An *ilfas*** (a kind of cooking pot), **and a pot that one removed** from the fire when it was **boiling** hot, **one may not put spices in them** on Shabbat. This is because a *kli rishon*<sup>8</sup> cooks what is placed into it, even after it was removed from the fire.

**But one may put** spices **into a serving dish or *tamchui*** (a big serving dish) into which they poured the food from the pot, since they are only a *kli sheni*<sup>9</sup>, which does not cook.

**Rabbi Yehudah says: One may put spices into every** type of *kli sheni*, **except for one that contains vinegar or fish brine**. For these liquids will cause the spices to cook even in a *kli sheni*.

Although the vinegar was placed first into the *kli sheni*, and was already mixed into the food and is no longer recognizable, nevertheless it has an effect. This is view of the “those that say,” that it is permitted to first put in the vinegar and then the flour.

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The Gemara suggests: **And let us set up** the view of “those that say” **in accordance with Rabbi Yosi** as well, since we find that he also said as they did.

**For it was taught** in a Baraita: **Rabbi Yosi says:** Barley that soaked in water and split open, he should **soak them in vinegar, and the vinegar strengthens them** so that they

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<sup>7</sup> 1 *kav* = 2.9 pints or 1.4 liters

<sup>8</sup> Pot that was heated on the fire

<sup>9</sup> A utensil that received food from a *kli rishon*

## Perek 2 – 40B

should not leaven. We see that the vinegar affects, even if the barley had previously soaked in water.

The Gemara dismisses this suggestion: **When we hear that Rabbi Yosi** holds that vinegar affects, **these words** are in a case where the vinegar **is visible** on its own, and it is not mixed with something else. **But** with vinegar that is **a mixture** together with a food, he did **not** say that it affects.

**Ula said:** Both in **this case and that**, whether he placed the vinegar first or whether he placed the flour first, **it is forbidden** to add flour to the pot on Pesach. This is **because** of a preventive measure, out of concern of a transgression. As is written: **“Go, go, we say to the Nazirite, go around, go around. To the vineyard do not come close.** Out of concern that the Nazirite will transgress the prohibition on his eating grapes, he is told to distance himself from the vineyard.

c c õ d d

**Rav Pappi permitted the bakers of the household of the *Reish Galuta*<sup>10</sup> to dissolve roasted flour into food in a pot** on Pesach, since it will not leaven.

**Said Rava:** **And is there anyone who permits to do like this thing in a place where slaves are found?**

Strictly speaking it is permitted to add this type of flour to a pot. But in a place like the home of the *Reish Galuta*, where there are a lot of slaves, we should not permit this.

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<sup>10</sup> Exilarch. The Jewish head of the Babylonian Exile.

## Perek 2 – 40B

Since slaves disregard prohibitions, if we permit them to use roasted flour, they will permit the use of regular flour too.

**There are those who say: Rava himself dissolved roasted flour in a pot** on Pesach, and he was unconcerned that roasted flour would leaven.

### **MISHNAH**

1. **One may not place flour into *charoset* or into mustard** on Pesach, because *charoset* has vinegar. It is made for dipping meat into, and it was common to mix flour into it in order to dull the taste. The flour leavens after a while and dulls the taste of vinegar. The same is true of mustard, as the flour dulls its taste. One should not do this on Pesach, since the flour will leaven.

**And if he placed** flour into them, **it should be eaten immediately** before the flour has a chance to leaven.

**And Rabbi Meir forbids** eating them even immediately. He holds that that the vinegar in the *charoset*, and the strength of the mustard, quicken the leavening. Thus they leaven immediately.

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2. It is written regarding the meat of the Pesach sacrifice (*Shmot* 12:9), “Do not eat from it raw or cooked in water, but only roasted by fire; its head with its legs with its innards.”

## Perek 2 – 40B

Not only is it forbidden to cook it in water, but **one may not cook the Pesach** sacrifice even **in other liquids, not even in fruit liquid**. The reason will be explained in the Gemara.

**But one may smear** the meat of the sacrifice with them before roasting.

**And** similarly, **one may dip it**, the meat of the Pesach, **in them**, in other liquids and fruit liquid, while eating the meat.

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3. **Water used by the baker** to cool his hands while kneading and rolling the dough **should be poured out** on Pesach, and not kept around. This is **because it** the water **becomes leavened** because of the pieces of dough that fall into it.

## GEMARA

It was stated in the Mishnah: And if he placed flour into them (the *charoset* or mustard), it should be eaten immediately, and Rabbi Meir forbids.

**Said Rav Cahana:** The **disagreement** between the Sages and Rabbi Meir is only when he placed the flour **into the mustard**. According to the Sages, it does not leaven immediately, and according to Rabbi Meir, it does. **But** if he placed the flour **into the charoset**, according to **the words of everyone, it is to be burnt immediately**. The Sages only permitted eating the mustard since it is sharp and this prevents the flour from immediately leavening. But *charoset* causes the flour to leaven immediately.

## Perek 2 – 40B

**And it was taught also like this** in a Baraita: **One may not place flour into the *charoset*. And if he placed it, it is to be burnt immediately.**

And if he placed it **into the mustard, Rabbi Meir says: It is to be burnt immediately.**

**And the Sages say: It is to be eaten immediately.**

We see that they differ only regarding mustard. But regarding *charoset*, everyone agrees that it is to be burnt.

**Said Rav Huna the son of Rav Yehudah, in the name of Rav Nachman, in the name of Shmuel: The Halachah is in accordance with the words of the Sages,** thus if he already placed the flour in the mustard, it is to be eaten immediately.

**Said Rav Nachman bar Yitzchak to Rav Huna the son of Rav Yehudah:** Regarding what did you say that “the Halachah is in accordance with the Sages”?

[Did the **Master say** this even **regarding *charoset***, and in your view, the Sages permit eating immediately even with *charoset*? **Or** perhaps, the **Master said** this only **regarding mustard**. But with *charoset*, even according to the Sages it must be burnt.]

# Chavruta

## Pesachim – Daf Mem Alef

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[Said Rav Huna the son of Rav Yehudah, in the name of Rav Nachman, in the name of Shmuel: The Halachah is in accordance with the words of the Sages, thus if he already placed the flour in the mustard, it is to be eaten immediately.

**Said Rav Nachman bar Yitzchak to Rav Huna the son of Rav Yehudah:** Regarding what did you say that “the Halachah is in accordance with the Sages”?

Did the **Master** say this even **regarding charoset**, and in your view, the Sages permit eating immediately even with *charoset*? **Or** perhaps, the **Master said** this only **regarding mustard**. But with *charoset*, even according to the Sages it must be burnt.]

Rav Huna **said to him: What is the difference?** There is no practical difference between the two. At this point, we are under the impression that Rav Huna was unfamiliar with Rav Cahana’s soon-to-be-quoted statement.

Rav Nachman said to him: The difference is **in that** statement of **Rav Cahana, for Rav Cahana said:** The **disagreement** between Rabbi Meir and the Sages only refers to a case where the flour was mixed **into mustard, but** if it was mixed into *charoset*, **everyone agrees that it must be burnt immediately.**

**He said to him: I have not heard** that statement, **meaning, I do not agree with it.** Though Rav Huna had heard Rav Cahana's explanation, he disagreed, and held that according to the Mishnah, the Sages disagree with Rabbi Meir even when the flour falls into *charoset*.

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## Perek 2 – 41a

**Said Rav Ashi:** It is reasonable to interpret the Mishnah like Rav Cahana, i.e., to limit the disagreement between the Sages and Rabbi Meir to flour that was mixed into mustard, but to understand the Sages as agreeing with Rabbi Meir if the flour was mixed into *charoset*. **For Shmuel said:** The halachah is not in accordance with the view of **Rabbi Yosi**, who holds that if barley kernels split open (a stage prior to their becoming chametz), he may soak them in vinegar, and the vinegar prevents them from becoming chametz.

Rav Ashi brings out the point: **Why not** say that **since vinegar does not restrict** the leavening of the barley kernels put within it, it must be that it **accelerates their becoming chametz?** If so, we must conclude that Shmuel agrees with Rav Cahana; although the Sages disagree with Rabbi Meir concerning flour that was mixed into mustard, they agree with him that flour mixed into *charoset* immediately becomes chametz.

The Gemara argues: **No**, that is not correct. **Perhaps** it merely **does not restrict** kernels placed in it, but it also **does not accelerate their becoming chametz**. There is no proof that Shmuel agreed with Rav Cahana and disagreed with Rav Huna.

c c õ d d

It was stated in the Mishnah: We **may not cook** the Pesach offering in liquids, including in fruit juices.

**The Rabbis taught** in a Baraita: The verse says, “Do not eat it [the Pesach offering] partly roasted or cooked **in water**.<sup>1</sup>” **I only have** a source that it is forbidden to cook it **in water**. **From where** do we learn that it is also forbidden to cook it in **other liquids?**

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<sup>1</sup> Ex. 12:9

## Perek 2 – 41a

**You must say** that it is a *kal vachomer*<sup>2</sup>. **What** is true about **water**? **That it does not weaken the taste** of the meat of the Pesach offering, and nevertheless it is **forbidden**. If that is true, then **other liquids, that do weaken the taste** of the offering, **all the more so** that they must be forbidden.

**Rabbi** i.e. Rabbi Yehudah HaNasi **says**: The verse says **“in water.”** **I only have** a source that it is forbidden to cook it **in water**. **From where** do we learn that it is also forbidden to cook it in **other liquids**?

**The Torah states**: **“Uvashel mevushal** [lit: cooked, it is cooked].” The repetition teaches us that **any means** of cooking is forbidden.

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The Gemara asks: **What is** the practical difference **between** these two ways of deriving the prohibition on cooking the meat of the Pesach offering in all kinds of liquids?

The Gemara answers: **There is** this difference **between them: pot-roasting** the Pesach offering. The Sages (i.e. the Rabbis mentioned first in the above Baraita) would permit one to pot-roast the Pesach offering, since with this method of preparation it cooks only in its own juices, and that does not weaken the flavor at all. Rabbi, on the other hand, would forbid it, since it is still considered to be cooked.

The Gemara asks: **And the Rabbis**, who forbid cooking with all liquids based on a *kal vachomer* this phrase of **“uvashel mevushal,”** **what do they do with it?** What law do they derive from it?

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<sup>2</sup> A fortiori reasoning

## Perek 2 – 41a

The Gemara answers: **They need it for that** statement **which was taught** in a Baraita: If he **cooked** the Pesach offering, even if **afterwards he roasted it, or if he roasted it and afterwards cooked it, he is liable** for lashes, for transgressing the Torah prohibition of cooking the Pesach offering. This is learned from the repetition.

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The Gemara discusses the Baraita: The ruling that if he is liable if he **“cooked it and afterwards roasted it, he is liable”** is **all right, because** the moment **he cooked it**, it became forbidden to eat the offering. He has therefore disqualified a perfectly good offering, and it is understandable that he should be liable for lashes.

**But** when the Baraita said that if he **“roasted it and afterwards cooked it”** he is liable, that is difficult to understand. **After all, it is roasted on fire**, as it should be, and cooking should not undo the previous process of roasting. **Why** should he be liable?

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**Said Rav Cahana: Whose view does this** Baraita follow? It follows the view of **Rabbi Yosi**.

**For it was taught** in a Baraita: **We may fulfill** the obligation to eat matzah on Pesach night with a **wafer** that was **soaked** in a cooked dish after being baked. Despite the fact that it became soggy when it was soaked, it is still considered to be bread, so long as it did not completely dissolve. **And** we may also fulfill the obligation **with** a wafer that was **cooked** after being baked, **so long as it did not dissolve**. Although bread, by definition, must be baked, and matzah must be bread, nevertheless once it has been baked, the subsequent cooking does not remove its status of bread. These are the **words of Rabbi Meir**.

## Perek 2 – 41a

**Rabbi Yosi says:** We may fulfill the obligation to eat matzah **with a wafer that was soaked, but not with** one that was **cooked, even though it did not dissolve**. Rabbi Yosi holds that even if it was baked, the subsequent cooking removes its “bread” status.

Since Rabbi Yosi holds that cooking after baking undoes the previous process, presumably he also holds that cooking after roasting has the same effect, which is the view of the Baraita.

**Ula said:** You may even say that the Baraita follows the view of **Rabbi Meir**. Generally he does not hold that cooking undoes baking or roasting. But **here**, in the case of the Pesach offering, it is **different**. **For the verse said:** “*uvashel mevushal*,” from which we learn that **any** type of cooking is forbidden, due to the repetition in the verse.

c c õ d d

**The Rabbis taught** in a Baraita: You **could** think that if **he roasted it all the way, he shall be liable** for lashes when he eats it, since this degree of roasting is no longer considered “roasting,” but “burning.” To teach you otherwise, the **Torah states:** “**Do not eat it** [the Pesach offering] **partly roasted or cooked in water.**” This implies: That which is ‘**partly roasted**’ or ‘**cooked**’, **I Hashem have told you** that you are liable for lashes for eating it. But **not** for a Pesach offering **that is fully roasted**.

The Gemara asks: **What is the case** that the term “fully roasted all the way” refers to?

**Said Rav Ashi:** The term refers to a case where **he made it into charred meat**, rather than proper roasted meat.

## Perek 2 – 41a

c c õ d d

**The Rabbis taught** in a Baraita: You **could** think that if **he ate a *kazayit*<sup>3</sup> of raw** meat from the offering, **he shall be liable** for lashes. To teach you otherwise, the **Torah states: “Do not eat it** [the Pesach offering] **partly roasted or cooked** in water.” This implies: That which is **‘partly roasted’ or ‘cooked’, I Hashem have told you** that you are liable for lashes for eating it, but **not** for that which is completely **raw**.

You **could** think that it is **permitted** to eat the meat raw. To teach you otherwise, the **Torah states: “only roasted over fire.”<sup>4</sup>** This implies that one may not to eat it in an unroasted state. Although it is prohibited to eat it raw, one who does so is not liable for lashes, since this prohibition is a prohibition that includes many things. Our Tanna holds that someone who violates such a prohibition is not liable for lashes.

\*

The Gemara asks: **What is the case** that the term **“partly roasted”** refers to?

**Said Rav:** It is **like** that degree of roasting **that the Persians call “*avarnim*.”**

c c õ d d

**Said Rav Chisda:** **Someone who cooks on Shabbat** by using **the hot springs of Tiberias** is **exempt** from having to bring a sin-offering. In other words, he did not

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<sup>3</sup> *Kazayit*: 0.9 fluid oz. or 28 cu. cm.

<sup>4</sup> Ex. 12:9

## Perek 2 – 41a

transgress the Torah prohibition against cooking on Shabbat, which is only for cooking in the normal way, with fire-heated water.

However, regarding a **Pesach offering that he cooks in the hot springs of Tiberias**, he will be **liable** for lashes.

The Gemara assumes that this is because he violated the prohibition against cooking it.

Thus the Gemara raises a difficulty: **What is different** about the laws of **Shabbat**, that he is **not** liable if he cooks something in the hot springs? It is **because we need fire-heated water** for it to be considered “cooking,” and that is **lacking**. If so, the same thing should apply to the **Pesach offering, too**. After all, this is **not fire-heated water**.

**Said Rava:** What is the meaning of “**liable**”, which Rav Chisda **said**? That he shall be liable for lashes **because he violated** the prohibition against eating it when it was not **roasted on fire**. Rav Chisda holds that someone who violates a prohibition that includes many things is indeed liable for lashes, contrary to the view expressed before.

**Rav Chiya the son of Rav Natan taught it expressly in the name of Rav Chisda**, as follows: **Said Rav Chisda:** **Someone who cooks on Shabbat in the hot springs of Tiberias is exempt** from having to bring a sin-offering. However, for a **Pesach offering that he cooks in the hot springs of Tiberias**, he will be **liable** for lashes, **because he violated** the prohibition against eating it when it was not **roasted in fire**.

c c õ d d

**Said Rava:** If he ate it the Pesach offering **partly roasted...**

## Perek 2 – 41B

### **Ammud Bet**

...then he is **liable for two sets of lashes**. One set is for the prohibition of “Do not eat of it partly roasted<sup>5</sup>,” and one for the prohibition of “Do not eat of it...except roasted in fire<sup>6</sup>.”

Someone who eats it **cooked is liable for two sets of lashes**. One set is for the prohibition of “Do not eat of it...cooked in water<sup>7</sup>,” and the other is for “...except roasted in fire.”

Someone who eats one *kazayit* of it **partly roasted and another *kazayit* cooked is liable for three sets of lashes**. Since he violated three separate prohibitions, he is liable for three sets of lashes.

**Abaye said:** The prohibition of “...except roasted in fire” is a prohibition that includes many things, **and people are not liable for lashes for violating a prohibition that includes many things**. Therefore, in the first two cases above, he will be liable for only one set of lashes, and in the third, he will be liable for only two sets.

**Some say** that Abaye meant that **he is not liable for two sets of lashes** if he violated both a prohibition that includes many things, and a more specific prohibition as well. But if he violated only a prohibition that includes many things, **he is liable for one set of lashes**.

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<sup>5</sup> Ex. 12:9

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

## Perek 2 – 41B

**And some say** that he meant that even when he violates only a prohibition that includes many things, **he is nevertheless not liable even for one set of lashes.** Since **its prohibition is not specific, it is not like the prohibition** against **muzzling** an animal while it threshes, which is the source in the Torah for the punishment of lashes.

For the prohibition against muzzling an animal while it threshes is adjacent to the passage that discusses lashes. Just as that prohibition is specific, so too any prohibition, in order to carry a penalty of lashes, must be specific.

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Abaye and Rava differed similarly over the prohibition applying to a Nazirite. The Torah states: “All the days of his being a Nazirite he must not eat any wine-grape product, from the seeds to the skin.”<sup>8</sup>

**For said Rava:** A Nazirite who **ate a grape skin is liable for two sets of lashes.** He is liable for one set, for violating the prohibition of “He must not eat...the skin,” and another set for the prohibition of “He must not eat any wine-grape product...”

Likewise, if he ate a **seed, he is liable for two sets of lashes,** for the prohibitions of “He must not eat...the seeds...” and “He must not eat any wine-grape product...”

And if he ate **a seed and a grape skin, he is liable for three sets of lashes.**

**Abaye said:** The prohibition of “any wine-grape product” is a prohibition that includes many things, and one **is not liable for lashes for violating a prohibition that includes many things.**

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<sup>8</sup> Numb. 6:4

## Perek 2 – 41B

**Some say** that Abaye meant that **he is not liable for two sets of lashes** when he violates both a prohibition that includes many things and a specific prohibition, but if he violated only a prohibition that includes many things, **he is liable for one set of lashes.**

And **some say** that Abaye meant that even if he violated only a prohibition that includes many things, **he is not liable for one set of lashes.**

The general prohibition without a specific prohibition would be, for example, by eating a grape leaf.

c c ð d d

**The Rabbis taught** in a Baraita: Someone who **ate a partly roasted *kazayit*** of meat from the Pesach offering: if he ate it **during the daytime** of the Eve of Pesach, when the mitzvah of eating the Pesach offering does not yet apply, he is **exempt** from lashes. But if he **ate a partly roasted *kazayit* after it became dark**, and Pesach had begun, he is **liable** for lashes.

(By way of introduction: The Pesach offering must be eaten in one place, and in one group. Once someone has begun to eat it in a given place with a given group, he is not permitted to go somewhere else, or to join another group.)

The Baraita continues: If he **ate a roasted *kazayit*** of the offering **during the daytime**, before the beginning of Pesach, **he did not disqualify himself** from joining his **group** after dark. For the first *kazayit* that he ate did not count.

## Perek 2 – 41B

However, if he ate a roasted *kazayit* after it became dark, he did indeed disqualify himself from eating the rest with his group. Since he was not with them for the first *kazayit*, he may not now join them for the rest.

\*

It was taught in another Baraita: You could think that if he ate a *kazayit* of partly roasted meat from the Pesach offering while it was still daytime, before Pesach began, that he will be liable for lashes. You might think that, because it is a *kal vachomer*. What is true during the time that he is under the active obligation of “eat roasted” meat? That he is nevertheless under the prohibition of “do not eat partly roasted” meat. During the time that he is not under the active obligation of “eat roasted” meat, is it not a *kal vachomer* that he is under the prohibition of “do not eat partly roasted” meat?

The Baraita now questions its own reasoning: Or perhaps you would not accept this logic, but rather, you would reason in the following way. During the time that he is not yet under the active obligation of “eat roasted” meat, it is reasonable to assume that he is also under the prohibition of “do not eat partly roasted” meat. But once the first night of Pesach has begun, during the time that he is under the active obligation of “eat roasted” meat, perhaps he is not any more under the prohibition of “do not eat partly roasted” meat.

The Baraita continues: And do not be surprised by this approach, for it is actually quite reasonable. Note that once the night has begun, the offering is permitted from the prohibition that applied to its former rule. I.e., until nightfall it was forbidden to eat it in any form. But once night has fallen, it becomes permitted to eat it, provided it is roasted. Since it is now treated more leniently, and it is permitted to eat it roasted, the

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prohibition against eating it partly roasted will be mitigated, too. Therefore, someone who does so shall not be liable for lashes.

It emerges that according to either approach, if he ate partly roasted meat from the Pesach offering while it is still the day prior to Pesach, he will be liable for lashes. This would stand in contradiction to the ruling of the previous Baraita.

The Baraita concludes: Nevertheless, these approaches are precluded by what **the Torah states**: “**Do not eat from it partly roasted or cooked, only roasted in fire.**” **The Torah did not need to teach us “only roasted in fire.”**

**What did the Torah mean to state** with the words “**only roasted in fire?**” **To tell you**, through the juxtaposition of the phrases: **During the time that he is** under the **active** obligation of “**eat roasted**” meat, which is after dark on the first night of Pesach, **he is under** the prohibition of “**do not eat partly roasted**” meat. But **during the time that he is not under** the **active** obligation of “**eat roasted**” meat, i.e. during the day preceding Pesach, **he is not under** the obligation of “**do not eat partly roasted**” meat.

**Rabbi says:** The verse says: “*Uvashel mevushal,*” repeating the word for “cooked.” **I could have read it**, the verse, perfectly well even if it had only said “*uvashel,*” without repeating itself by saying “*mevushal.*” **What did the Torah mean to state** with the additional “*mevushal?*”

Rabbi answers his own question: It is to preclude the following line of reasoning. **For** you **could** think that **I only have** a source that he would be liable to lashes for cooking it if **he cooked** and ate **it after dark**, once Pesach had already begun. But if **he cooked** and ate **it during the daytime**, before the beginning of Pesach, **from where** do we learn that he shall be liable for lashes? **The Torah states** that he shall be liable in such a case, by

## Perek 2 – 41B

writing “*uvashel mevushal.*” The repetition teaches that this law applies **in all circumstances**.

\*

The Gemara raises a difficulty: **And this** term, “*uvashel mevushal,*” didn't **Rabbi use it** to teach another law—that he would be liable even if it was **pot-roasted** or cooked **in other liquids** aside from water? If so, how is he able to use it again to teach us that he shall be liable if he eats it water-cooked before the beginning of Pesach?

The Gemara answers: **If so**, if it is true that the verse means to teach that the Pesach offering may not be pot-roasted, then **the verse should have said** “*bashel bashel bamayim,*” or else “*mevushal mevushal bamayim.*” **What** is the meaning of “*bashel mevushal,*” which repeats the word, but also alters it slightly?

**Rather, hear from this** a proof that the Torah is teaching **two** laws. By repeating the term, the verse teaches us that the meat must not be pot-roasted, nor cooked in liquids aside from water. By varying the term slightly, the verse also taught us that he must not cook and eat the Pesach offering before the beginning of Pesach.

c c õ d d

**The Rabbis taught** in a Baraita: If he **ate** a *kazayit* of **roasted** meat from the Pesach offering **during the day**, before Pesach began, he is **liable** for lashes.

## Perek 2 – 41B

**And** likewise, if he ate a *kazayit* of **partly roasted** meat from the offering **after dark**, when Pesach has already began, he is **liable** for lashes.

The Gemara deduces: The Baraita **taught** that the eating of **roasted** meat during the day is **similar** to the eating of **partly roasted** meat after dark. **What** is true about eating **partly roasted** meat at night? It is subject to a **prohibition**. **So too**, eating **roasted** meat during the day is subject to a **prohibition**.

The Gemara is puzzled: **The** prohibition against eating **partly roasted** meat at night is **all right**, i.e. we know the source. **For it is written**, “**Do not eat from it partly roasted.**” **But from where** do we learn about the prohibition against eating **roasted** meat during the day?

The Gemara answers: **For it is written**, “**And they shall eat the meat on this night.**”<sup>9</sup> This implies that **at night**, during Pesach, **yes**, they shall eat of it. But **during the day**, before Pesach, **no**, they shall not eat of it.

The Gemara is puzzled: **This prohibition** is not written explicitly in the verse. Rather, it is **derived from a positive commandment**. **And** we have a principle that **any prohibition derived from a positive commandment** is treated as though it were a **positive commandment**. And one is not liable for lashes for violating a positive commandment. So why is he liable for lashes for violating this prohibition?

**Said Rav Chisda:** Whose view does **this** Baraita follow? **It** [follows the view of **Rabbi Yehudah**.]

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<sup>9</sup> Ex. 12:8

# Chavruta

## Pesachim – Daf Mem Bet

Translated by: *Chavruta staff of scholars*

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[Said Rav Chisda: Whose view does **this** Baraita follow, in which it said that one is punished by lashes for a prohibition that stems from a positive commandment? **It**] follows the view of **Rabbi Yehudah**.

**For it was taught** in a Baraita: The Torah states “**An ox or a sheep that have one limb longer than the other, or unsplit hooves, a free-will gift (*nedavah*) shall you make it**”. We learn from here that one may not consecrate an animal with a blemish for use as an offering on the Altar, however, one may consecrate it for its monetary value, to be used for the upkeep of the Temple. That is the meaning here of “free-will gift”.

And this implies: “**It**”, the blemished animal, **you may take for the upkeep of the House** (i.e. the Temple). But **you may not take unblemished** animals that are fit to be offered on the Altar **for the upkeep of the House**; they may be consecrated only as offerings for the Altar.

**From here, they the Sages said: Anyone who takes unblemished animals for the upkeep of the House has transgressed a positive** commandment. Given that the prohibition is learned from a positive commandment - “a free-will gift shall you make it”.

**I only have** a source for the fact that one transgresses a **positive** commandment. **From where** do we know that he has transgressed a **negative** commandment?

**The Torah states** at the beginning of that passage: “**And HaShem spoke to Moshe<sup>1</sup>, saying**”. The Torah **taught** by the extra word “saying” **that everything** that is written in this **entire passage** of the Torah **is** forbidden with the force of a **negative** commandment.

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<sup>11</sup> Moses

## Perek 2 – 42a

These are **the words of Rabbi Yehudah**. Thus according to him, even one who took an unblemished animal for the upkeep of the Temple would be transgressing a negative commandment.

\*

**Rabbi** i.e. Rabbi Yehudah HaNasi **said to Bar Kapara: What** is the reason that the word “saying” **implies** that the Torah is stating a negative commandment?

Bar Kapara **said to him:** When the Torah **writes “saying”** (*leimor*), this is a contraction of “**Not said in words**” (*lo ne’emar bidvarim*). Meaning to say that the Torah is alluding to a negative commandment that was not stated expressly.

In the **House of Rav they said: “Saying”** is a contraction of “*lav amur*” - “**A negative commandment was said**”. HaShem told Moshe to inform them that there is a negative commandment contained within these words.

Similarly in our case, regarding the prohibition of eating the Pesach offering on the fourteenth of Nissan, the beginning of this passage in the Torah is prefaced with the words “HaShem said to Moshe and to Aaron, saying”. Thus we may say that the Torah is speaking of a negative commandment upon every law mentioned in that passage. Consequently, one who ate the offering on the Fourteenth would have transgressed a negative commandment and would be liable for punishment by lashes.

**c c õ d d**

We learned in the Mishnah: **The water that bakers use** should be thrown out because it contains flour and thus it leavens.

## Perek 2 – 42a

**It was taught in one Baraita: One should pour out this water in a sloping place** because there the water would be absorbed by the ground rather than collecting in one spot.

But **one may not pour out the water in a place of a cavity** in the ground, because it would gather there and would come to be chametz.

**And it was taught in another Baraita: One may even pour out the water in a place of a cavity.** Thus the two Baraitot contradict one another.

The Gemara answers: **It is not a difficulty. This** first Baraita which taught that one may not pour out the water into a cavity, refers to a **large** amount of water. Given that there was a lot of water, it would **gather** in one place and would not be absorbed by the ground.

And **that** Baraita, which taught that one may pour out the water into a cavity, refers to water that was **not a large** amount. Given that there was not much water it would **not gather** in one place, rather it would be absorbed in the ground.

\*

**Rav Yehudah said: A woman<sup>2</sup> should only knead matzah on Pesach with water that remained** overnight after it had been drawn. One may only knead matzot with water that is cold, because warm water would cause the dough to rise, as will be explained further on. And given that water drawn from a well is somewhat warm, it must be left overnight in order for it to cool down.

**Rav Matna lectured,** saying this Halachah **in Papunia.**

## Perek 2 – 42a

**The next day, everyone brought their flasks, and came to him. And they said to him: Give us water** for us to knead our matzah with. Rav Matna had lectured to them in Hebrew, and they thus thought that he was telling them that one may only use “*mayim shelanu*” - “our water”, i.e. Rav Matna’s own water. In Hebrew *shelanu* may mean both ‘our’ and ‘that has remained overnight’.

**He said to them** in Aramaic: That is not what I meant, rather **I was saying** that one requires **water that remained** overnight in order to knead the matzot.

\*

**Rava lectured: A woman may not knead matzot in the sun.** If one were to make matzot in direct sunlight, the dough would become warm and would consequently rise more rapidly.

**And similarly one may not knead matzot with water heated in the sun.** Again, such water would cause the dough to rise more quickly.

**And similarly, one may not knead matzot with water that was scraped out of the bottom of an urn.** Given that the urn was regularly left on the fire, the water removed from there would be either warm or lukewarm.

**And a woman may not take her hand away from the vicinity of the oven until all of the loaves are finished** baking. Meaning to say that one may never leave the dough unattended until it is thoroughly baked. This is because dough that is left to stand rises more quickly.

**And she needs to have two containers** of water when she kneads the dough. **One that she smoothes the dough with, and one that she uses to cool down her hands with.**

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<sup>2</sup> The Gemara speaks of a woman only because kneading is commonly done by women. The law is the

## Perek 2 – 42a

During the process of smoothing the dough one's hands become heated up, thus one must cool them down in order to prevent the heat from causing the dough to rise more quickly. But one may not use the water that was used to smooth the dough in order to cool down one's hands, because it would have already become warm through contact with one's hands and the dough.

\*

**They** the scholars of the study hall **posed an inquiry**: If **she transgressed** this ruling **and kneaded** the matzah with warm water, **what** would be the status of the matzot?

**Mar Zutra said**: They are **permitted**.

**And Rav Ashi said**: They are **forbidden**.

**Mar Zutra said**: **From where do I know to say this**, that after the fact one would be permitted to eat the matzot? From here—**for it was taught** in a Baraita, **One may not soak barley** in water **on Pesach**. **And if one did** nonetheless **soak it**, then if the grains of barley **split** open it would be **forbidden** for one to eat it, because this would certainly be an indication that it had become chametz. And if **it did not split** open, then the barley would be **permitted**, after the fact.

Thus we see that despite the concern that the barley might become chametz by being soaked, if after the fact it was evident that it had not yet become chametz, it may still be eaten.

Similarly in our case of kneading with warm water: if it was evident that the dough had not yet risen, it may still be eaten.

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same for men.

## Perek 2 – 42a

**And Rav Ashi said:** This is no proof. **Were all** of the prohibitions that the Rabbis made on Pesach **woven in one stitch**, i.e. treated identically? **Where it was stated** that it is permitted after the fact, **it was stated**. **And where it was not stated** that this is so, **it was not stated**, and we cannot assume it to be so.

Therefore, in our case of kneading with warm water, given that one had transgressed the ruling of the Rabbis not to use such water, they penalized the person who did so, prohibiting the dough even if it was apparent that it had not yet risen. Because in these circumstances the dough would almost certainly rise, and one would have been too close to a willful transgression.

**Hadran Alach Kol Sha'ah**

**We Shall Return To You,  
Perek Kol Sh'ah**

## Perek 3 – 42a

### **Perek Eilu Ovrin**

#### *Introduction:*

There are three categories of chametz:

1. Proper chametz, called *chametz gamur*. Someone who eats such chametz on Pesach is liable for the punishment of *karet*<sup>3</sup>.
2. Somewhat spoiled chametz, called *chametz noksheh*, which is not fit for human consumption.
3. A mixture containing chametz, called *ta'arovet chametz*. This is a mixture that contains chametz which is not readily visible to the eye.

The upcoming Mishnah deals with the last two categories of chametz, teaching two new laws concerning them:

1. Even with these two categories of chametz, one transgresses the laws of Pesach, whether it be the prohibition of eating chametz, or of merely 'seeing' it, i.e. having it in one's possession over Pesach. (Whether both prohibitions apply is subject to a disagreement among the Commentators, as will be explained.)
2. The prohibition on eating chametz that is not readily visible to the eye is a negative Torah commandment, but not one that carries the penalty of *karet*.

## Perek 3 – 42a

Rashi and Rabbeinu Tam differ as to the subject of the first clause of the Mishnah. According to Rashi it teaches that aside from the prohibition of eating these types of chametz, one also transgresses the prohibition of having chametz in one's possession.

Whereas according to Rabbeinu Tam one must remove them from one's table so that one does not come to eat them. However one would not transgress the prohibition of owning chametz in Pesach if one kept them in one's house. Thus the Mishnah refers to the prohibition of eating chametz alone.

Our explanation will follow the view of Rashi.

### **Mishnah**

**And these** are the types of chametz that **one transgresses** the prohibition of owning chametz **on Pesach** through keeping them in his possession:

**Babylonian *cutach***, a type of dip made by mixing sour milk, salt and old bread crumbs. **And Median beer, and Edomite vinegar, and Egyptian *zeitom*, and the *zoman* of dyers, and the *amilan* of chefs, and the paste of scribes.**

The Gemara will explain the nature of all of these items.

**Rabbi Eliezer says: Even with women's cosmetics.** The Gemara will explain which types the Mishnah is referring to.

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<sup>3</sup> Spiritual excision

## Perek 3 – 42a

**This is the general rule:** With **anything that is** derived from a type of grain, one **transgresses** the prohibition of owning chametz **on Pesach**. This would be true even if the chametz was inedible or not readily visible in a mixture.

Concerning both chametz unfit for human consumption and a mixture of chametz, **they are prohibited by a negative commandment**. However **there is no** penalty of *karet* for eating **them**, because this penalty applies only to ‘proper’ chametz.

### **Gemara**

**The Rabbis taught** in a Baraita: **Three things are said about Babylonian *cutach*:**

1. It **stops up the heart**, which is the seat of understanding, meaning that eating *cutach* causes a person to lose his wisdom.
2. **And it blinds the eyes.**
3. **And it weakens the body.**

The Gemara explains the words of the Baraita:

**It stops up the heart, because of the whey** that it contains.

**And it blinds the eyes, because of the Sodomite salt** that it contains. If one were to handle this salt and then touch one’s eyes, it would cause blindness.

## Perek 3 – 42a

**And it weakens the body, because of the moldy bread** that it contains. The breadcrumbs within the *cutach* would turn moldy over time, and such food is harmful to the body.

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**The Rabbis taught** in a Baraita: **Three things multiply waste products** within a person's body, **and bend over one's stature** by draining one's strength, **and take away one five-hundredth of the light of a person's eyes.**

**And they are: Bran bread,** made from flour from which the bran was not removed. **And new beer, and fresh vegetables** such as leeks and onions. When one eats any of these things regularly they are harmful to the body.

**The Rabbis taught** in a Baraita: **Three things reduce waste products** in the body, **and straighten up one's stature, and lighten up the eyes.**

**And they are: Bread** that is **clean** from its bran, **fatty meat, and old wine.**

**Bread** that is **clean** from its bran means bread made from **fine flour.**

### **Ammud Bet**

**Fatty meat** is the meat of a **goat that has not given birth.**

And **old wine** is wine that **is very old,** having stood for three years.

## Perek 3 – 42B

**Anything that is beneficial for the healing of this illness is harmful for that other illness. And anything that is harmful for this illness is beneficial for that illness.** For example, something that heals an illness of the eyes would be harmful for someone with an illness affecting the heart. **Except for fresh ginger, and long peppers, and bread clean from its bran, and fatty meat, and old wine. For all of these foods are beneficial for the entire body.**

c c õ d d

We learned in the Mishnah, among those things considered chametz: **Median Beer.**

The Gemara explains: In Mishnaic times, beer was normally made from dates. The Medians made their beer in the same way, but they would **throw in** some **barley** in order to add flavor, thus it has the status of a ‘mixture of chametz’.

c c õ d d

We learned in the Mishnah, among those things considered chametz: **And Edomite vinegar.**

The Gemara explains: This vinegar was made from wine **that had barley soaked in it**, in order to cause it to sour. Such vinegar was termed Edomite vinegar, because the wine from Edom was of such superior quality that it would not turn to vinegar without the addition of barley. Such vinegar had the status of a mixture of chametz.

## Perek 3 – 42B

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**Rav Nachman said: In the beginning, when the Temple was still standing, they would bring the wine libations to be poured on the Altar from Judea, because Judean wine was of superior quality. And the wine from Judea did not sour until they placed barley in it.**

**And they would call it, vinegar that was made by the addition of barley, simply “vinegar”.**

**And now** Judean wine does not have this quality, rather it sours on its own.

Because nowadays **the wine of the Edomites does not sour naturally until one places barley in it.**

Thus nowadays, wine that sours through the addition of barley is not called plain “vinegar”, because ordinarily a certain percentage of wine kegs will turn to vinegar on their own, thus providing a supply of vinegar. Rather, **one calls it** (wine that sours through the addition of barley) **Edomite vinegar**, given that this type of vinegar now comes only from their wine.

The reason for the increase in the quality of the Edomite wine, in correspondence with the decrease in quality of Judean wine, was **in fulfillment of that which was said** in the verse: “Because Tyre said about Jerusalem, Ah! Broken are the gates of the peoples, it will turn towards me, **I shall become filled through the destruction.**”

For Tyre, representing the Edomite kingdom, said: I will rise to fulfillment through the downfall of Jerusalem.

## Perek 3 – 42B

From here we learn that **if this, Jerusalem is filled, then that, Tyre, is destroyed. And if that is filled, then this is destroyed.**

**Rav Nachman bar Yitzchak said:** We learn **from here** that the rise of Edom is dependent upon the downfall of the Jewish people, as the verse states, “**and one nation will be strong over the other nation**”. Meaning that when Eisav<sup>4</sup> becomes strong, Yaakov<sup>5</sup> will be weakened, and vice-versa. But both kingdoms do not reign at the same time.

\*

**It was taught** in a Baraita: **Rabbi Yehudah says** that in **the beginning**, when the Temple was still standing, **one who took vinegar from an unlearned person<sup>6</sup> did not need to take ma'aser<sup>7</sup>** from it. This was true even though the Rabbis decreed that one must take *ma'aser* on *demai*<sup>8</sup>, produce taken from an unlearned person, due to a concern that he did not properly tithe them himself.

However this concern did not apply to vinegar that was purchased from an unlearned person in Judea **because** there was a **presumption that it** vinegar in general **only came from *temed***. This was a secondary form of wine which was made by soaking grape pits and skins in water, and as such it was exempt from *ma'aser*.

While the Temple still stood they did not make vinegar from normal wine, given that it did not sour, as explained above. Thus one could be sure that any vinegar was made from *temed*.

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<sup>4</sup> Esau, progenitor of the Edomites

<sup>5</sup> Jacob

<sup>6</sup> *Am HaAretz* - Lit. people of the land.

<sup>7</sup> Tithes

<sup>8</sup> Most people, even the ignorant, would tithe their produce. However, some ignorant people would not separate all the necessary tithes. In Torah law we judge according to the majority. Nevertheless, the Sages decreed that the agricultural produce of an ignoramus be treated as if there is a doubt whether it was tithed. Produce under such a doubt is termed *demai*, lit: “this, what is it?”.

## Perek 3 – 42B

**And now, one who takes vinegar from an unlearned person needs to take *ma'aser*** from it, due to the decree of *demai*. Because there is a **presumption that it only comes from wine**, which does sour nowadays. Thus the vinegar is obligated in *ma'aser*.

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The Gemara raises a difficulty: **And does Rabbi Yehudah really hold that *temed* is not subject to *ma'aser*? Surely it was taught** in a Mishnah: **If one made *temed*, and put a certain measure of water** in the vat in order to soak the skins and pits. **And** when the *temed* was ready, one **found the same measure** of water that he had added originally. In this case the *temed* is **exempt** from *ma'aser*, since no juice was exuded from the skins and pits. Even though the water now has the appearance and taste of wine, it has only absorbed the taste of the grapes and does not contain any of the fruit itself, therefore it is exempt from *ma'aser*.

**And Rabbi Yehudah obligates** one to take *ma'aser* from *temed*, because in this matter he goes after taste and appearance.

So how could Rabbi Yehudah have said that vinegar which comes from *temed* is not subject to the laws of *demai*?

The Gemara answers: In the Baraita, Rabbi Yehudah would not have exempted the *temed* if he was sure that *ma'aser* had not been taken. Rather, **this is what he was saying:** When one takes *temed* from an unlearned person he need not take *ma'aser* because **unlearned people are not suspected** of negligence **concerning** taking *ma'aser* from *temed*. Because it was not such a valuable food in their eyes, they would certainly have taken *ma'aser*, not being concerned about thereby giving away some of their produce.

## Perek 3 – 42B

And **if you wish, I could say** an alternative answer: In truth, the unlearned are indeed **suspected** of not properly taking *ma'aser* from such food. But there are two types of *temed*, and Rabbi Yehudah only exempted one of them from *ma'aser*.

**This** *temed* which Rabbi Yehudah obligated in *ma'aser* was made from the **sediment** of the wine. A part of the sediment would naturally become mixed with the *temed*, and thus the whole mixture would be liable for *ma'aser*.

Although the *temed* had the same liquid volume as the water that was originally put in, this is explained by the fact that some of the water was absorbed by the sediment, and this balanced the sediment that became mixed with the *temed*.

**And that** *temed* which Rabbi Yehudah exempted from *ma'aser* was made from soaking grape **skins**, thus the skins themselves only flavored the *temed* but were not mixed in with it. Since it contained none of the actual fruit, it was exempt from *ma'aser*.

Originally, there was a presumption that vinegar came a *temed* that was made from soaking grape skins and was thus exempt from *ma'aser*. This was because *temed* that was made from wine sediment was of superior quality, and just like the wine itself, this type of *temed* did not sour<sup>9</sup>.

c c õ d d

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<sup>9</sup> Tosafot

## Perek 3 – 42B

We learned in the Mishnah, among those things that are chametz: **And Egyptian *zeitom*...**

The Gemara considers: **What is “Egyptian *zeitom*?”**

**Rav Yosef taught** a Baraita: It is a drink made from **three** measures of barley, **three** measures of **saffron and three** measures of **salt**.

**Rav Papa took out the barley** from the ingredients listed in the Baraita **and put in wheat** in its place.

**And** in order that one should not be mistaken between their two views, **your sign** shall be ‘*sinsei*’ the name of a certain utensil. The word *sinsei* contains the letter samech twice, alluding to our case where Rav Yosef, whose name also contains a samech, said that *zeitom* contains barley - *se’orim* in Hebrew. Although *se’orim* begins with the letter sin and not samech, the two are somewhat interchangeable as they have the same sound.

Rav Yosef continued to explain the process for making *zeitom*: One **soaked them**, the barley, saffron and salt. **And roasted them, and ground them, and drank it from Pesach until Shavu’ot.**

*Zeitom* was a remedy for both diarrhea and constipation, such that if one’s stools **were firm it would loosen them, and if they were loose it make them firm.**

Rav Yosef concludes: **And for a sick person and a pregnant woman, *zeitom* is dangerous,** given that it would cause the stools to become too loose.

c c õ d d

## Perek 3 – 42B

We learned in the Mishnah, among those things that are chametz: **And the zoman of dyers...**

The Gemara explains: **Here in Babylon it is called<sup>10</sup> bran water, which they use to color leather red.** The bran would leaven in the water, rendering it chametz. Such chametz would be forbidden on Pesach, even though it was unfit for human consumption, as explained above.

**c c õ d d**

We learned in the Mishnah, among those things that are chametz: **And the amilan of chefs.**

The Gemara explains: This was **bread** made from **produce that did not reach a third** of its natural growth, i.e. it was less than a third grown. **For** the chefs would **place it on the opening of a pot** in order to **soak up** the **scum** of the food that was cooking.

Although this bread was readily visible, nonetheless it was considered ‘spoiled chametz’, given that it was not suitable for human consumption.

**c c õ d d**

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<sup>10</sup> Lit. translated.

## Perek 3 – 42B

We learned in the Mishnah, among those things that are chametz: **And the paste of scribes...**

The Gemara explains: **Here**, in our locale, **it is called leather-workers' glue**. They would use it to join pieces of leather to one another. One of the constituents of this glue was oat flour, and thus it had the status of spoiled chametz.

**Rav Shimi from Chozana said: This is a paste of the wealthy women, who leave it over for the poor women.** Wealthy women would make a paste from fine flour and spread it upon their skin as a depilatory.

The reason that it is termed the 'paste of scribes' is because it was given to the female members of the families of "scribes". Here, "scribes" refers to the (usually poor) teachers of small children.

\*

The Gemara raises a difficulty: **Is this true? Surely Rabbi Chiya taught** a Baraita: Of all of the types of chametz mentioned in our Mishnah, **four** are **varieties of** food eaten generally by **the** residents of that **country**. Babylonian *cutach*, Median beer, Edomite vinegar, and Egyptian *zeitom* were eaten widely by the residents of these countries, and their use was not limited to certain craftsmen.

**And three** of them are **varieties of the craftsmen**. *Zoman* of dyers, the *amilan* of chefs and the paste of scribes were all used by craftsmen alone.

**And if you say** that the paste of scribes refers to the **paste of the wealthy women**, surely they do not engage in any craft. **And what variety of craft is there** here?

## Perek 3 – 42B

The Gemara replies: **Rather, what** alternative explanation of the Mishnah is there? If you will say that it refers to **leather-workers' glue** this would also pose a difficulty. **Why** did the Mishnah **call this** leather-workers' glue by the name of **“the paste of scribes”**?

Surely **it should** have said **“the paste of leather-workers”**.

**Rav Oshiyah said: In truth** the Mishnah refers to **leather-workers' glue**.

And your question, **why** did the Mishnah **call it “the paste of scribes”**, is not a difficulty. It is because **scribes would** also **glue** their papyrus-like **paper with it**. They would use the same paste that was used by leather-workers.

c c õ d d

We learned in the Mishnah, among those things that are chametz: **Rabbi Eliezer says: Even women's cosmetics** are prohibited on Pesach.

The Gemara considers: **Would you assume that women's cosmetics** are prohibited? Surely they only consist of eye shadow and rouge that they put on their faces and perfumes that they hang around their necks. These do not contain any chametz.

The Gemara replies: **Rather, I will say** it means that **even the paste of women**, mentioned above, is prohibited. Since this contained fine flour it had the status of chametz.

# Chavruta

## Pesachim – Daf Mem Gimel

Translated by: *Rabbi Dov Zimmel*

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[We learned in the Mishnah, among those things that are chametz: **Rabbi Eliezer says: Even women's cosmetics** are prohibited on Pesach.

The Gemara considers: **Would you assume that women's cosmetics** are prohibited? Surely they only consist of eye shadow and rouge that they put on their faces and perfumes that they hang around their necks. These do not contain any chametz.

The Gemara replies: **Rather, I will say** it means that **even the paste of women**, mentioned above, is prohibited. Since this contained fine flour it had the status of chametz.]

**For Rav Yehudah said in the name of Rav: Jewish girls who have reached their time** i.e. they already have pubic hair **but have not yet reached** twelve **years** in age. And they want to remove this hair out of embarrassment, what do they do?

**Girls from poor families smear these hairs with lime**, and in this way they fall out.

**Girls from wealthy families smear these hairs with fine flour.**

**Girls from royal families smear these hairs with oil of "hamor".**

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The Gemara asks: **What is oil of "hamor"?**

**Rav Huna bar Yirmeyah says: It is setekat.** But he did not explain what this is.

## Perek 3 – 43a

**Rav Yirmeyah bar Abba said: It is oil made from olives which have not reached one third** of their growth. This oil is very strong and has depilatory qualities.

\*

**It was taught** in a Baraita: **Rabbi Yehudah says: “Anpiknin” is oil made from olives which have not reached one third** of their growth. **And why** do people smear themselves with it? **Because it removes the unwanted hair and softens the skin** of a person.

c c õ d d

It was stated in the Mishnah: **This is the general rule:** With **anything that is** derived from a type of grain, one transgresses the prohibition of owning chametz on Pesach.

**It was taught** in a Baraita: **Said Rabbi Yehoshua: Since it** the general rule was stated in the Mishnah—“With **anything that is** derived from a type of grain, one transgresses the prohibition of owning chametz **on Pesach**”—**why did the Sages** find it necessary to **list all these** different types in the Mishnah? The general rule includes them all.

It must be that the Mishnah listed the details **in order** that each person **should be familiar with them and their names.** By knowing that these products derive from grains, they will not come to transgress the prohibition of possessing them on Pesach.

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## Perek 3 – 43a

**Like that incident of a resident of the West** i.e. the land of Israel<sup>1</sup>, **who came to Babylonia. And he had** already eaten some **meat** which he had brought **with him. He said to them**, to the people of the place he came to, **“Bring me a dip”**.

**This man (who had come from the land of Israel)** overheard that **the people of that place** were saying **to each other**: “Bring him *kutach*<sup>2</sup>”.

**Since he heard** that they were going to bring him *kutach*, **he refrained** from eating what they brought him. Because he had already eaten meat, and since *kutach* contains milk, it was forbidden for him to eat it now<sup>3</sup>.

Because he was familiar with the grain products listed in our Mishnah, he was spared from transgressing a prohibition. This incident therefore supports the reason cited above, that the Mishnah enumerates the various grain products in order to help people not to transgress prohibitions because of unfamiliarity with a certain product.

c c õ d d

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<sup>1</sup> It is referred to as the West, for it is west of Babylonia where the Gemara was redacted.

<sup>2</sup> A dip made from milk, bread and salt.

<sup>3</sup> There is a Rabbinical prohibition to eat a product made of milk after having eaten meat.

## Perek 3 – 43a

### *Introduction:*

- (1) There is a distinction between “*si’ur*” and “*se’or*”:

*Se’or*, sourdough, is a fully leavened substance. It is made in the following manner. Flour is mixed with water. The dough is immersed in dry flour until it becomes hard, and then it is removed from the flour. It is then used as a leavening agent.

The Torah states that one who eats *se’or* is liable for the severe punishment of *karet*<sup>4</sup>. Even though it is not really a product one would normally eat, still, if one eats it, it bears the same stringency as completely edible chametz.

However, *si’ur* is the term used for bread made of dough which has not fully leavened. If one would eat *si’ur*, everyone agrees that there is no punishment of *karet*.

The next section of Gemara is dealing with *si’ur*, and not with *se’or*.

- (2) There is a disagreement between Rabbi Meir and Rabbi Yehudah, over the following two points:

What exactly *si’ur* is.

What is the Halachah governing *si’ur*.

- (a) What is *si’ur*?

Rabbi Meir held that once the surface of the dough has turned pale, it is called *si’ur*.

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<sup>4</sup> Spiritual excision.

## Perek 3 – 43a

Rabbi Yehudah held that only at a later stage of its leavening is it called *si'ur* – when it starts to get thin cracks which are separate from one another.

(b) What is its Halachah?

If one eats dough which according to Rabbi Meir is considered *si'ur*, there is a disagreement if one is liable for a punishment of lashes (which is a lesser punishment than that of *karet*). According to Rabbi Meir, one is liable for lashes, since this is already a certain stage of chametz. According to Rabbi Yehudah, one is not liable, since it is not yet considered chametz. Furthermore, it be eaten as matzah on Pesach.

(3) Chametz “*noksheh*”:

The Gemara refers to several of the chametz products listed in the Mishnah as chametz “*noksheh*”, and compares it to *si'ur*. In both cases they are products which are not suitable for eating and nevertheless they are prohibited on Pesach.

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It was stated in the Mishnah: **And these** are the types of chametz that **one transgresses** the prohibition of owning chametz **on Pesach** through keeping them in his possession:

The Gemara asks: **Who is the Tanna** of the Mishnah **that** holds that both a product which has **real chametz made from grain<sup>5</sup> mixed into it, and also chametz *noksheh* recognizable by itself** (i.e. it is not in a mixture), are both forbidden on Pesach **because of a Torah prohibition?**

**Said Rav Yehudah in the name of Rav: It is Rabbi Meir.**

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<sup>5</sup> *chametz dagan gamur*

## Perek 3 – 43a

**For it was taught** in a Baraita: *Si'ur* should be burnt, and one may give it to his dog, and one who eats it is punished with forty lashes minus one.

\*

The Gemara poses a difficulty: **But** the Baraita is itself difficult to understand.

It states “*si'ur* should be burnt”. Therefore, from this part of the Baraita, we see that *si'ur* is indeed forbidden to derive benefit from.

And yet it continued to teach “And one may give it to his dog”, even though the owner benefits thereby.

Therefore, from this part of the Baraita, we see that that it is indeed permissible to derive benefit from!

Rather, it must be that **this is what** the Baraita is saying:

- (1) *Si'ur* should be burnt – this is referring either to the *si'ur* of Rabbi Meir, that the surface of the dough has turned pale. (And it is according to the view of Rabbi Meir, who holds that this is chametz that one receives lashes for eating. Also it is forbidden to benefit from it, and therefore one should burn it.)

Or it is referring to the *si'ur* of Rabbi Yehudah, that the dough is already showing cracks. (It should be burnt even according to Rabbi Yehudah, for it is forbidden to benefit from it.)

- (2) And one may give it to his dog – this refers to the *si'ur* of Rabbi Meir's definition, that the dough has become pale, however the lenient ruling is

## Perek 3 – 43a

**according to** the view of **Rabbi Yehudah**. Because it is not yet chametz according to Rabbi Yehudah, it is permissible to derive benefit from it.

(3) **And one who eats it**, this dough which has become pale, is liable to receive **forty** lashes (minus one). And this **is going** according to the view of **Rabbi Meir**, who holds this is chametz that one receives lashes for eating.

\*

Rav Yehudah in the name of Rav now explains why the Mishnah must be following the view of Rabbi Meir.

**We can learn** from the above Baraita **about** the view of **Rabbi Meir**. That he holds that chametz *noksheh* which is **by itself**, not mixed together with anything else, is forbidden to possess **because of a Torah prohibition**. For just like he holds that *si'ur* is forbidden because of a Torah prohibition, even though it is not real chametz, so too he would hold the same with chametz *noksheh*.

**And** therefore, **certainly** Rabbi Meir would hold that **real chametz made from grain** which is **part of a mixture**, would be forbidden to eat because of a Torah prohibition.

Rav Yehudah holds that it is worse to eat real chametz, even if it is in a mixture, than it is to eat chametz *noksheh* even by itself. Therefore, if Rabbi Meir holds that chametz *noksheh* is forbidden, certainly he holds that real chametz made from grain will be forbidden, even in a mixture.

Therefore our Mishnah which states that there is a prohibition concerning mixtures of real chametz, and also chametz *noksheh* by itself, must be going according to Rabbi Meir.

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## Perek 3 – 43a

**Rav Nachman said** a different explanation: The Mishnah is following the view of **Rabbi Eliezer**.

**For it was taught** in a Baraita: **On** account of eating **real chametz made from grain, the punishment is *karet*<sup>6</sup>**.

**For eating its mixture**, i.e. there is chametz contained in the food eaten, he transgresses a Torah **prohibition**. These are the **words of Rabbi Eliezer**.

Even though the mixture does not contain a *kazayit*<sup>7</sup> of real chametz, if there is a *kazayit* of the mixture as a whole, this is enough to be included in the prohibition of not eating chametz.

**And the Sages say: For eating real chametz made from grain, the punishment is *karet***.

For **eating** its mixture, there is nothing. **I.e. he has not transgressed anything, by Torah law**.

Rav Nachman now brings out the point:

**And we may learn** from here about the view **of Rabbi Eliezer**. **For he said**, “A **mixture containing real chametz made from grain** is forbidden to eat **because of a Torah prohibition**”. **And** if so, **certainly** Rabbi Eliezer holds that chametz *noksheh* **by itself** (not in a mixture) is forbidden to eat **because of a Torah prohibition**.

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<sup>6</sup> Spiritual excision

<sup>7</sup> *Kazayit*: 0.9 fl.oz or 28 cu.cm.

## Perek 3 – 43a

Rav Nachman holds that eating chametz *noksheh* by itself is worse than eating real chametz made from grain, but in a mixture.

And therefore he holds that the Tanna of our Mishnah who forbids mixtures containing real chametz made from grain, as well as chametz *noksheh* by itself, is Rabbi Eliezer.

\*

The Gemara asks: **And what is the reason** why **Rav Nachman did not say like Rav Yehudah**, that the Mishnah is following the view of Rabbi Meir?

The Gemara answers: Rav Nachman **would say to you: Perhaps Rabbi Meir only said** that one transgresses a Torah prohibition over **there**, concerning *si'ur*, because it is comparable to chametz *noksheh* and it is **by itself**. **However concerning real chametz made from grain in a mixture** he did **not** say so, and perhaps there is no Torah prohibition at all.

\*

The Gemara asks: **And what is the reason** why **Rav Yehudah did not say like Rav Nachman**, that the Mishnah is following the view of Rabbi Eliezer?

The Gemara answers: Rav Yehudah **would say to you: Rabbi Eliezer only said** that one transgresses a prohibition over **there, concerning a mixture containing real chametz made from grain**. However **he did not say** one transgresses a prohibition concerning chametz *noksheh* **by itself**, and maybe there is no Torah prohibition at all in this case. For this case is more lenient than that of a mixture containing real chametz.

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## Perek 3 – 43a

**It was taught** in a Baraita **in accordance with** the view of **Rav Yehudah**, that eating a mixture containing real chametz is worse than eating chametz *noksheh* by itself.

For it was taught in the Baraita: The verse states (*Shmot*<sup>8</sup>12:20), “**Anything leavened, do not eat**”. This comes to include **Babylonian *kutach* and Median beer and Edomite vinegar and Egyptian *zitom***<sup>9</sup>. These products are mixtures containing real chametz, and the Baraita teaches that there is a Torah prohibition to eat or drink them.

**I might think** by eating them, **the punishment would be *karet***.

Therefore the verse (ibid 12:15) **comes to teach: “For anyone who eats chametz, that soul is cut off (*kareit*) from Israel”**.

The verse teaches that specifically on chametz which is *not* part of a mixture there is the punishment of *karet*.

Therefore, **for eating real chametz made from grain, by itself, the punishment is *karet***. **However for eating its mixture** there is no punishment of *karet*, although he has transgressed **the Torah prohibition** of not eating it.

Now, the Tanna of this Baraita spoke only of mixtures of chametz, to teach that for these, there is a Torah prohibition on eating them. And since he left out the examples of chametz *noksheh*, listed in the Mishnah, we may deduce that he holds that there is no Torah prohibition with regards to them.

Therefore we may conclude that he holds that eating mixtures containing real chametz is worse than eating chametz *noksheh* on its own.

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<sup>8</sup> Exodus

<sup>9</sup> A drink made up of barley flour, saffron and salt.

## Perek 3 – 43a

**Who did you hear about, that he says that for eating a mixture containing real chametz, there is a Torah prohibition?**

**It is Rabbi Eliezer** who said this.

And since he said only that these mixtures of chametz have a Torah prohibition, **whereas** chametz *noksheh* **by itself, he did not say** that it has a Torah prohibition—**hear from it** a proof that **Rabbi Eliezer does not** hold that there is any Torah prohibition to eat chametz *noksheh* **by itself.**

This is a support for Rav Yehudah, who said that the Tanna of the Mishnah is Rabbi Meir and not Rabbi Eliezer. For the Tanna of the Mishnah holds that even one who eats chametz *noksheh* transgresses a Torah prohibition.

\*

**And Rabbi Eliezer,** who holds that one who eats a mixture containing chametz transgresses a prohibition, **from where** does **he** derive this Halachah?

**For it is written** (ibid 12:20), “**Anything leavened (*machmetzet*) do not eat**”. From the choice of the term ‘*machmetzet*’ in place of ‘chametz’, this implies that even a mixture containing chametz is included in the prohibition.

The Gemara raises a difficulty: **If so,** then for eating a mixture of chametz, he should **even be liable** for a punishment of *karet*! **For note that it is written** (ibid 12:19), “**For anyone who eats something leavened,** that soul **shall be cut off (*kareit*)** from the Jewish people”.

The Gemara resolves the difficulty: **That** verse (ibid 12:19) **is necessary** to teach something else, thus it does not refer to eating a mixture containing chametz.

## Perek 3 – 43a

**For it was taught** in a Baraita: **I only know** a source saying that one is liable for *karet* for chametz **that became chametz by itself**, without a leavening agent.

But chametz that became chametz **on account of something else** (e.g. by means of wine sediment), **from where** do I know that for eating even this type of chametz, one is liable for *karet*?

For this, the verse (ibid) **comes to teach**: **“For anyone who eats something leavened, that soul shall be cut off (*kareit*) from the Jewish people”**.

\*

The Gemara raises a difficulty: **If so**, the verse that teaches **the prohibition** to eat chametz is **also coming to teach this** law, that it is prohibited to eat even food which became chametz through something else. For we have now redefined the term *machmetzet* to refer not to a mixture containing real chametz, but to something which became chametz due to the influence of a leavening agent. And if so, from where does Rabbi Eliezer derive that there is a Torah prohibition to eat a mixture of real chametz?

**Rather**, it must be that Rabbi Eliezer has a different source. And **the reason of Rabbi Eliezer is from** the word *kol* (“anything”)<sup>10</sup>, which comes to include in the prohibition even a mixture containing real chametz.

The Gemara raises a difficulty: If so, that Rabbi Eliezer derives from “*kol*” that even a mixture of chametz is forbidden, then **even over there**, in the verse dealing with the punishment for eating chametz, he should interpret likewise. For there also, **it is written “*kol*”** (in verse 19). And if so, the punishment for one who eats a mixture of chametz should also be *karet*.

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<sup>10</sup> From the verse (*Shmot* 12:20) “*Anything* leavened (*machmetzet*) do not eat”.

## Perek 3 – 43a

The Gemara resolves the difficulty: **That** “*kol*” written in the verse dealing with the punishment **is needed to include women** in the prohibition of eating chametz.

\*

The Gemara is puzzled by this: But the prohibition for **women** to eat chametz **is derived from that statement of Rav Yehudah in the name of Rav!**

**For Rav Yehudah said in the name of Rav, and similarly it was taught in the House of Rabbi Yishmael:**

**The verse states** concerning the guilt offering (*asham*) of a thief (*Bamidbar*<sup>11</sup> 5:6), “**A man or a woman who commits any of man’s sins**, by committing treachery towards Hashem...” **The verse equates a woman to a man concerning all punishments of the Torah.**

And since they are equal regarding all punishments, they must be equal regarding all prohibitions. For there is no punishment unless there is a prohibition. So why do we need to learn from the extra word “*kol*” that a woman is prohibited to eat chametz?

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<sup>11</sup> Numbers

## Perek 3 – 43B

### **Ammud Bet**

The Gemara resolves the difficulty: **It is still necessary** to state regarding women that they too are forbidden to eat chametz.

For **you might have thought to say** that they would be permitted to eat chametz, for the following reason. Since it is written (*Devarim*<sup>12</sup> 16:3), **“You should not eat chametz with it [the Pesach offering]; for seven days you should eat matzot”**. The verse compares the eating of chametz with the eating of matzah. And if so, one might think that **anyone who has the active mitzvah of “eat matzah”, has the prohibition of “not eating chametz”**.

Whereas **women, since they do not have the active mitzvah of “eat matzah”—because it is a time-bound positive mitzvah**<sup>13</sup>—I might say they also do not have the prohibition of **not eating chametz**.

Therefore the verse **comes to teach us**, with the word *“kol”*, that even women are forbidden to eat chametz.

\*

**And now that they are included** in the prohibition of **not eating chametz, they are included also in** the mitzvah of **eating matzah, as Rabbi Elazar said**.

**For Rabbi Elazar said:** That which **women are obligated in eating matzah**, it is **something** which the **Torah** commanded; it is not a Rabbinic obligation. **For it is stated** (ibid), **“You should not eat chametz with it [the Pesach offering]; for seven days you**

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<sup>12</sup> Deuteronomy

<sup>13</sup> Women are generally exempt from fulfilling positive mitzvot which are time-bound, *mitzvot aseh shehazman garma*.

## Perek 3 – 43B

**should eat matzot**". From the juxtaposition of chametz and matzah in this verse, we derive that **anyone who has** the prohibition of **not eating chametz** also **has** the mitzvah of **eating matzah**.

Therefore **women, since they have** the prohibition of **not eating chametz, they** also **have** the **active** mitzvah of **"eat matzah"**.

\*

The Gemara raises a difficulty: **And what did you see** in this verse that made you decide that **this** word "*kol*" is coming **to include women** in the prohibition to eat chametz, **and** by saying this, **you excluded a mixture** of real chametz from the punishment of *karet*?

Why not **say** the opposite? That the word "*kol*" is coming to **include a mixture** of real chametz in the punishment of *karet*, and we will not interpret it to include women in the prohibition of eating chametz (and consequently, also not include them in the mitzvah of eating matzah).

\*

The Gemara answers: **It stands to reason** that this word "*kol*" is coming to include women in the prohibition of eating chametz, rather than including a mixture containing real chametz in the punishment of *karet*.

Because the verse **is referring to eaters** of chametz, and not to the *types* of foods that may or may not be eaten.

Therefore it is reasonable to interpret the word "*kol*" as coming to **include** another category of **eaters** of chametz, namely women.

## Perek 3 – 43B

But would it be reasonable to say that a verse which is **referring to eaters** of chametz, is coming to **include things which are eaten**, namely a mixture of chametz?

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**Rav Natan the father of Rav Huna challenged this logic. And wherever the verse is referring to eaters, it does not come to include things which are eaten? But note that which is taught in a Baraita:**

The verse says (*Vayikra*<sup>14</sup> 7:25), “**For anyone who eats the forbidden fat of an animal [species from which] one may bring a fire-offering to Hashem, the soul that eats will be cut off from its people**”.

From here, **I only know** a source to include in this prohibition **the forbidden fat of unblemished animals, since it is fitting to be offered** on the Altar.

But **the forbidden fat of blemished animals**, which are not included in the verse since they are not brought as offerings, **from where** do we know that even this type of fat bears the punishment of *karet*?

Therefore the verse **comes to teach**: “**For anyone** who eats the fat”. The word “*kol*” (anyone) comes to include even the forbidden fat of blemished animals in the prohibition.

**But note that here** the verse is referring to **eaters**, as it says, “For anyone that eats”. Nevertheless, **it comes to include things which are eaten**, i.e. the forbidden fat of blemished animals.

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<sup>14</sup> Leviticus

## Perek 3 – 43B

And if so, why not say that also the “*kol*” in the verse referring to eaters of chametz is coming to teach about something which is eaten – thus we would learn that a mixture of real chametz is included in the punishment of *karet*?

The Gemara resolves the difficulty: **There**, concerning the prohibition of the fats, **there is no** option of including **eaters**. For women were already included in the prohibitions of the Torah, as discussed earlier by the Gemara. Therefore, we are compelled to interpret **the inclusion** as referring to **something that is eaten**.

However **here** in regards to chametz, **that there is** an option of interpreting the inclusion as referring to **eaters**, it stands to reason that **it** the Torah **would not put aside** an inclusion of **eaters**, and instead **make an inclusion of things which are eaten**.

\*

The Gemara asks: **And** according to **the Rabbis**, who **do not** hold that there is a prohibition to eat **a mixture** of chametz—because **they do not interpret** the word “*kol*” in this way—**from where do they know** that **women** are included in the prohibition not to eat chametz? Presumably, just as the Rabbis do not so explicate the word “*kol*” in this verse (v 20), they similarly do not explicate the word “*kol*” in that verse (v 19).

The Gemara answers: Granted that the Rabbis **do not interpret** the word “*kol*” to derive that a mixture containing real chametz is included in the Torah prohibition to eat chametz.

But the words “*ki kol*” (“**for anyone**”) of the verse (19), **they do interpret** to include women in the prohibition to eat chametz. Since this verse also has the extra “*ki*”, they explicate from the “*kol*”.

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## Perek 3 – 43B

The Gemara raises a difficulty, based on the reasoning of the above answer: **And** according to **Rabbi Eliezer**, let us say that the word “*kol*” comes **to include women**, and “*ki kol*” comes **to include a mixture** containing chametz in the punishment of *karet*!

**And if you will say that Rabbi Eliezer does not interpret** the words “*ki kol*” for an extra teaching, this is not true—

For **has it not been taught** the following in a Baraita? The verse states (*Vayikra* 2:11), “For any **sourdough** or [fruit] honey, **you shall not burn** from it as a fire-offering to Hashem”.

From this verse, **I only know** that it is prohibited when **all** of the offering is sourdough or the like.

But if one were to offer up only **part of it** from sourdough (i.e. less than a *kazayit* of sourdough), **from where** do we know that this too is forbidden?

The verse **comes to teach**: “**any** sourdough”.

And concerning **a mixture** of sourdough (i.e. it is mixed together with a regular meal offering), **from where** do we know that this too is forbidden to offer up?

The verse **comes to teach**: “**For any** (*ki kol*) sourdough”.

Now, **who have we heard that interprets** the word “*kol*” on its own? Surely, it is **Rabbi Eliezer**. And since the Baraita learns an additional teaching from the “*ki kol*”, **we may derive that** Rabbi Eliezer **interprets** an additional teaching from the phrase “*ki kol*”.

## Perek 3 – 43B

If so, concerning the verse about chametz discussed above, he should also interpret “*ki kol*” to mean that a mixture of chametz is included in the punishment of *karet*.

The Gemara leaves the question unanswered: **It is indeed a difficulty!**

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**Rabbi Abahu said in the name of Rabbi Yochanan:** With all the prohibitions of the Torah, something permissible does not combine with something forbidden to complete the minimum amount of the prohibition.

E.g. someone eats half a *kazayit* of forbidden fats, together with half a *kazayit* of permitted meat. He is exempt. He only transgresses the prohibition when he eats a full *kazayit* of forbidden fats.

This is true with the **exception of the prohibitions of eating** applying to a **Nazirite**. For if he ate half of a *kazayit* of grapes together with half of a *kazayit* of bread, he would be liable.

**Because the Torah said** concerning a Nazirite (*Bamidbar* 6:3), “He should not drink anything in which grapes **have been soaked**”. From the extra word “*kol*”, “anything”, we derive that he is liable even if a non-grape product completes the minimum measurement.

\*

**And Zeiri said:** Not just concerning the prohibitions of a Nazirite do we find that something permissible combines with something forbidden to make up a minimum

## Perek 3 – 43B

measurement. For **even** in the case of the prohibition of **not** burning **sourdough** on the Altar, we find the Halachah to be the same.

For if one would burn half a *kazayit* of sourdough, and half a *kazayit* of permitted flour, he would transgress the prohibition of not burning sourdough on the Altar.

The Gemara asks: **In accordance with whose** view is Zeiri speaking? It must be **in accordance with Rabbi Eliezer, who interprets** the word “*kol*” in the verse about sourdough to include even part of the burnt offering being from sourdough.

But **if so...**

# Chavruta

## Pesachim – Daf Mem Dal ed

Translated by: *Rabbi Dov Grant*

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[**And Zeiri said:** Not just concerning the prohibitions of a Naziriteite do we find that something permissible combines with something forbidden to make up a minimum measurement. For **even** in the case of the prohibition of **not** burning **sourdough** on the Altar, we find the Halachah to be the same.

For if one would burn half a *kazayit* of sourdough, and half a *kazayit* of permitted flour, he would transgress the prohibition of not burning sourdough on the Altar.

The Gemara asks: **In accordance with whose** view is Zeiri speaking? It must be **in accordance with Rabbi Eliezer, who interprets** the word “*kol*” in the verse about sourdough to include even part of the burnt offering being from sourdough.

But **if so,** that the view of Zeiri is in accord with Rabbi Eliezer, we have a problem. Why did he not expressly state the “joining together” rule in regard **to the subject of chametz on Pesach?** For we know that Rabbi Eliezer holds that the Torah prohibition of chametz even applies to a mixture that contains less than a *kazayit*<sup>1</sup> of chametz.

The Gemara answers: **Yes, it is so,** that Zeiri also prohibits by Torah law a *kazayit* mixture containing less than a *kazayit* of actual chametz. For he holds that the measure of the permitted food joins together with the measure of the forbidden food to form the total forbidden amount of a *kazayit*.

**But** since Zeiri only intended in making his statement **to exclude** the (up-to-come) words **of Abaye,** he only stated the rule in regard to burning sourdough on the Altar.

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<sup>1</sup> *Kazayit*: 0.9 fluid oz. or 28 cu. cm.

## Perek 3 – 44a

**For** we learnt the following in a Baraita (43b): “The verse states (*Vayikra* 2:11), ‘For any sourdough or [fruit] honey, you shall not burn from it as a fire-offering to Hashem’.

From this verse, I only know that it is prohibited when all of the offering is sourdough or the like.

But if one were to offer up only part of it from sourdough (i.e. less than a *kazayit* of sourdough), from where do we know that this too is forbidden?

The verse comes to teach: ‘any sourdough’.

And **he**, Abaye, **said** that this Baraita is not dealing with the burning of sourdough and the *minchah*<sup>2</sup> offering together.

Rather, according to Abaye, the verse comes to make someone liable for burning an offering that is solely sourdough, but is less than a *kazayit*. For **there is** transgression of a sacrificial “**burning**” of sourdough, even **for** an amount **less than a *kazayit***.

Therefore, Zeiri **teaches us that** the word “any” in the verse regarding “**burning**” is **not** coming **for** the case of **less than a *kazayit***. For Zeiri holds that burning an amount less than a *kazayit* is not termed “burning” by the Torah.

\*

**Rav Dimi was sitting and said** over **this teaching** of Rabbi Yochanan (43b), that in respect to all Torah prohibitions other than those of a Nazirite, the measure of permitted food does not join together with the measure of forbidden food to form the minimum forbidden amount of a *kazayit*.

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<sup>2</sup> Consisting of flour, rather than being an animal.

## Perek 3 – 44a

**Abaye said to Rav Dimi:** And is it true that regarding **all** of the other **prohibitions of the Torah**, the amount of **permitted** food **does not become** Halachically **joined together to** the amount of **prohibited** food? **But surely it was taught** in a Mishnah (*Tevul Yom* 2:3) regarding *trumah*<sup>3</sup> that this is not so!

\*

There the Mishnah discusses the status of *trumah* touched by a *tevil yom*<sup>4</sup>. He cannot impart impurity to *chulin* (ordinary, unconsecrated food). However, until nightfall he imparts impurity to *trumah* upon contact. The Mishnah states:

What is the status of **the *mikpah*** (“thick food” such as porridge) that contains flavoring ingredients and has been touched by a *tevil yom*? In particular, what is its status if it is made of *trumah* ingredients, **but the garlic and the oil flavorings are *chulin*?**

**If the *tevil yom* touches even part of them**, i.e. the flavoring ingredients, **he invalidates all of them**. All the ingredients, i.e. the entire *mikpah*, may no longer be eaten. For the main part of the *mikpah* is *trumah* and the other ingredients are considered as part of it.

What is the Halachah if **the *mikpah* is made of *chulin*, and the garlic and the oil are items of *trumah*, and a *tevil yom* touched part of them?**

**He only invalidates the place of his contact** with the oil or garlic. This will now be explained.

**And** when this Mishnah was first discussed in the study hall, **we raised a difficulty concerning it:** When the garlic and oil are *trumah*, **why is the place of his contact** with them **invalidated? Surely the flavorings** of *trumah*, which are in the minority, **are**

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<sup>3</sup> A small amount separated from agricultural produce in the land of Israel. It is given to the cohanim and eaten in purity.

## Perek 3 – 44a

**annulled in** the *mikpah* of *chulin* which is **the majority** of the mixture! For the general Torah rule is that forbidden food becomes annulled when mixed with permitted food, if it is the minority of the total product.<sup>5</sup>

**And** in answer, **Rabbah bar bar Chanah said** the following:

**What is the reason** that the *trumah* garlic and oil become invalidated by a *tevil yom*? Why are they not annulled within the *mikpah*, from the rule of minority? **Since** the rule of *dimua* applies. (*Dimua* connotes a forbidden mixture of *trumah* and *chulin*.) For, in fact, the rule of *dimua* is of Torah origin. Thus **a non-cohen** who ate these food items in the mixture **receives lashes on account of them. In** particular when he eats **a *kazayit*** of the mixture. And just as the *trumah* of the *mikpah* is not nullified under Torah law as regards a non-cohen eating it, so it is that the *trumah* is not nullified as regards a *tevil yom* touching it. Thus when the *tevil yom* touches the *mikpah*, the *trumah* becomes invalid for eating.

Nevertheless, the entire *mikpah* is not considered actual *trumah*. Therefore the entire *mikpah* does not become invalid for a cohen to eat, when part of it has contacted with a *tevil yom*. Rather, only the place of contact itself is invalidated.

\*

We have learnt that a non-cohen receives lashes for eating a *kazayit* of a mixture of *trumah* and *chulin*. Thus we return to the question of Abaye to Rav Dimi.

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<sup>4</sup> A person that has left his state of impurity by immersing in a mikveh, but who has not yet had nightfall pass over him to complete the purification process.

<sup>5</sup> The Gemara does not consider the possibility that the *trumah* cannot be annulled because it is subject to the rule of *dimua*. This rule states that *trumah* that has fallen into normal food can only be eaten by a non-cohen if it constitutes a hundredth (or less) of the amount of *chullin*. The Gemara disregards this rule here, since at this point it regards *dimua* as being only a Rabbinic law regarding eating.

## Perek 3 – 44a

And Abaye derives from this: **How is it**, the fact that he receives lashes, **to be understood? Is it not** that he receives lashes **because** the *chulin* joins together with the *trumah* to complete the amount of a *kazayit*? Thus it is evident **that the permissible item joins together to the prohibited** item, in regards to all prohibitions of the Torah, not just for the Nazirite. This contradicts the statement by Rav Dimi in the name of Rabbi Yochanan.

Rav Dimi replies: **No**. He does not receive lashes for eating a joint *kazayit* of the mixture.

Rather, **what is the** makeup of the *kazayit* that the non-cohen receives lashes for? It is a *kazayit* of the *trumah* garlic and oil, without the volume of the *mikpah* itself.

It emerges that he receives lashes even if he did not eat the *trumah* at one time. More specifically, he is punished if he ate a portion of *mikpah*, containing at least a *kazayit* of *trumah*, **within that** extended **amount** of time needed **to eat “a piece”** (*bichdei achilat pras*), i.e. the time needed to eat half a loaf of the volume of eight eggs.

Abaye is puzzled by the reply of Rav Dimi: **But** is that act, the drawn-out eating of a *kazayit* **within the amount** of time needed **to eat “a piece”**, really a law **of the Torah**, that he receives lashes for it?

Rather, it stands to reason that the lashes are given because the permitted food joins together with prohibited food to make up the *kazayit*.

**He Rav Dimi said to him: Yes**, it is indeed a Torah law!

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Abaye posed a difficulty to him: **If so, why did the Sages disagree with Rabbi Eliezer regarding** the case of the food dip called **Babylonian *kutach*** (*daf* 43a), which contains a

## Perek 3 – 44a

certain percentage of chametz, and say that one who eats it does not transgress anything at all, by Torah law?

Since the Sages hold that *kutach* is not prohibited to eat by Torah law, it is evident that they hold that the Torah only forbids eating a *kazayit* at one time. And the *kutach* does not contain enough percentage of chametz for one to be able to eat a *kazayit* of chametz at one time.

Rav Dimi replies: **But what** are you saying? Do you maintain that the time period of eating “a piece” is not a Torah law? But what about the Mishnah above regarding a *tevil yom*, which states that a non-cohen receives lashes for eating a *kazayit* of the *trumah* mixture? You will have to say that the reason for the prohibition is **since the permitted food joins together with the prohibited food.**

And if that is so, there is a difficulty with your position. For, **after all, why do the Sages disagree with Rabbi Eliezer regarding Babylonian *kutach*** and permit it? Surely, they should forbid it. For the *kazayit* that one eats from the *kutach* at one time contains chametz joined together with permitted food!

**Rather**, the permitted food does not Halachically combine with the forbidden food. The non-cohen is liable since he ate a *kazayit* of *trumah* itself, within the time it takes to eat “a piece”.

And regarding your question—why did the Sages disagree with Rabbi Eliezer about *kutach*—the answer is: **Leave** the case of **Babylonian *kutach*** out of the discussion, for it is not relevant. The reason it is permitted by Torah law is that **there is not** much chametz **in it** at all, and furthermore, it is eaten only as a dip. Thus, one does not normally eat a *kazayit* of chametz **within the amount** of time needed to eat “a piece”.

## Perek 3 – 44a

And even **if** he ate the *kutach* **by itself**, i.e. **he gulps and eats it**, rather than using it merely as a dip, he is still exempt by Torah law, since this is not the normal way of eating *kutach*.

And even if this is the normal way that *he* eats *kutach*, nevertheless, **his mindset is** Halachically **nullified in** face of the mindset of **every person**.

**And if he** acts normally and **dips** food into the *kutach* **and eats** it, he cannot become liable. For **there is not a kazayit** of chametz **in it** that could be eaten **within the amount** of time needed to eat **“a piece”**.

(And regarding the view of Rabbi Eliezer, we could say he holds that the Torah regards every *kazayit* of chametz within a mixture as a prohibition by itself.)

\*

**He Abaye contradicted him**, from the following Baraita:

There were **two pots**. **One** of them contained a cooked food **of chulin**. **And one** of them contained a cooked food **of trumah**.

**And in front of them** were **two mortars** in which spices are ground. **One** mortar contained an amount **of chulin** spice, **and one** contained an amount **of trumah** spice.

**And these** spices **fell inside those** pots. However, it is not known which spice fell into which pot. The Halachah is that **they**, the contents of the pot that contained *chulin*, **are permitted** for eating by a non-cohen. We do not forbid the contents of the pot due to the *trumah* that might have fallen into it.

## Perek 3 – 44a

The reason that the contents are permitted is **because** we apply the following Halachic principle: **“I say”** that the *trumah* spice **fell into** the pot of *trumah* food. **And the chulin** spice **fell into the** pot of *chulin*.

Abaye brings out the point: This leniency stated in the Baraita is understandable if a *kazayit* within the time needed to eat “a piece” is *not* a Torah law. **But if you say** that the rule of eating a *kazayit* **within the amount** of time needed **to eat “a piece”** is a law **of the Torah**, then **why** is the Baraita lenient? Why do **we say** in the Baraita: **“I say *trumah* fell into *trumah*, and the *chulin* fell into the *chulin*”**?

Surely it is equally possible that *trumah* fell into the *chulin* pot and the non-cohen will eat a *kazayit* within the time it takes to eat “a piece”. And when there is an uncertainty regarding a Torah law, the Halachah treats it stringently. Therefore it is evident from the “I say” leniency that we are dealing with a Rabbinic law.

\*

**He Rav Dimi said to him: Leave** the case of *trumah* **of spices** out of the discussion, since it is only **Rabbinical**. The Torah obligation of *trumah* only applies to grain, wine and olive oil. Thus the Baraita is lenient regarding the spices because it is a case of Rabbinic law.

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**He Abaye again contradicted him** Rav Dimi, from the following Baraita:

There were **two big boxes**. **One** of them filled with grain **of *chulin***, **and one** of them filled with grain **of *trumah***.

## Perek 3 – 44a

**And in front of them** lay **two** pots, each containing a *se'ah*, a relatively small amount. **One** of them containing *chulin* grain **and one** of them containing *trumah* grain.

**And** the contents of **those** pots **fell inside these** boxes. However, it is not known which into which. The Halachah is: **They** the contents of the box that contained *chulin* **are permitted** for eating by a non-cohen. The reason is **because I say** that the *chulin* pot **fell inside the chulin** box **and** the *trumah* pot **fell inside the trumah** box.

And here the Baraita is dealing with grain, the *trumah* of which is a Torah obligation.

**And if you**, Rav Dimi, still **say** that the eating of a *kazayit* **within the amount** of time needed to eat “**a piece**” is a law **of the Torah**, then here you have a problem. For if *trumah* of grain actually fell into the box of *chulin*, then when a non-cohen eats a *kazayit* of the mixture within the amount needed to eat “a piece”, he transgresses Torah law. **Why do we say** leniently in the Baraita, “**I say** that *chulin* fell in the *chulin* box”?

**He** Rav Dimi **said to him** Abaye: **Leave** the case of *trumah* **in these days** out of the discussion, since it is only a law **of the Rabbis**. For the Torah says that *trumah* must be separated from produce “when you come to the Land”. This means at a time when “all of you are coming” to the Land. Since the entire Jewish people does not presently reside in the land of Israel, tithes are only Rabbinically ordained.

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Rabbi Yochanan had said above (*daf* 43b) that the measure of permitted food does not join together with forbidden food to form the minimum forbidden amount of a *kazayit*. And he had said that this applies to all Torah prohibitions, with the exception of a

## Perek 3 – 44B

Nazirite. For he derived from the usage of the word *mishrat*, “soaked” (*Bamidbar*<sup>6</sup> 6:3), that permitted food *does* join together with forbidden food for the prohibitions of a Nazirite. The word “soaked” refers to a food substance soaked in wine, and then consumed by a Nazirite (who is forbidden to wine). The Gemara now discusses this point.

**And** does **that** word “soaked” **come for this** reason? Surely **that** verse **is needed** to teach a different Halachah.

**For it was taught** in a Baraita as follows: When the Torah says regarding a Nazirite (*ibid.*), “He may not drink any wine-soaked item”, it is to teach us the following Halachah—

### **Ammud Bet**

**To teach** that the mere **flavor** of a forbidden food **is** treated **like** the **main** body of the food itself (*ta’am ke’ikar*). Therefore, as long as a food has the flavor of a forbidden ingredient, the entire food is forbidden to eat.

In particular, the verse tells us **that if someone soaked grapes in water** to the degree that the grapes imparted their flavor to the water. **And** thus **there is a flavor of wine in it**. Then **he** a Nazirite who drinks a *kazayit* of the wine-flavored water **is liable**.

**And from here you** may **derive**, by way of *kal vachomer*<sup>7</sup> reasoning, the Halachah **for all prohibitions of the Torah:**

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<sup>6</sup> Numbers

<sup>7</sup> The hermeneutical rule using *a fortiori* reasoning

## Perek 3 – 44B

**Since** we find that the case of the **Nazirite** exhibits leniency, yet is subject to the stringency of “flavor is like the main body of food”, it is logical that in other cases more stringent than Nazirite, the stringency of “flavor” should also apply.

For the Halachah of the Nazirite is more lenient than other prohibitions in three respects:

- A) **That its prohibition is not a prohibition that is always** applicable. For an ordinary Nazirite vow is assumed to be for only a thirty-day duration, unless the vower stipulated a longer period. Even then, it is limited by the time stipulated.
  
- B) **And its prohibition**, i.e. the prohibition of wine and grapes etc, **is not a prohibition of all benefit**. Rather it is only a prohibition of eating and drinking.
  
- C) **And there is a release for its prohibition**, by way of a Torah sage annulling his vow.

But despite these leniencies, **the Torah made** applicable **regarding it** the Halachah of “**flavor is like the main** body of food”.

In contrast to this, the prohibition of *kilayim*<sup>8</sup> is more stringent than that of the Nazirite, in **that its prohibition is always** applicable. **And its prohibition is a prohibition of all benefit. And there is no release for its prohibition**, by way of nullification.

Therefore, **is it not logical that it** the Torah **should make** the Halachah of “**flavor is like the main** body of food” applicable to it?

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<sup>8</sup> Planting grain or other species in a vineyard

## Perek 3 – 44B

**And the same *kal vachomer* applies to the prohibition of *orlah*<sup>9</sup>, in so far as *orlah* has two out of the above three stringent aspects. (The constant applicability of the prohibition is not relevant to *orlah*. For the prohibition to eat the fruit extends only for three years).**

Thus, *orlah* is more stringent than Nazirite. For *orlah* is a prohibition of all benefit, and cannot be annulled. Therefore, if the stringency of “flavor” applies to Nazirite, it follows that it should also apply to the more stringent case of *orlah*.

It emerges that the word “soaked” teaches a general Halachah of “flavor is like the main body of food”. So how could Rabbi Yochanan have stated that “soaked” comes to teach us the Halachah of “permitted food joins together with forbidden food”, and specifically for a Nazirite?

\*

The Gemara answers: **That** Baraita, which interprets the word “soaked” to teach the Halachah of “taste is like the main body of food”, **is according to whose view? It is according to the view of the Rabbis.** For the Rabbis hold that the rule of “permitted food joins together with forbidden food” does *not* apply to the prohibitions of a Nazirite.

**But Rabbi Yochanan, who said** that “soaked” teaches the rule of “permitted food joins together with forbidden food” for a Nazirite, holds **like Rabbi Akiva.**

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The Gemara discusses the last statement: From **which** statement of **Rabbi Akiva** did we learn that “permitted food joins together with forbidden food” for the prohibitions of a Nazirite?

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<sup>9</sup> Eating fruit grown in the first three years from the tree’s planting.

## Perek 3 – 44B

It would be problematic **if you say** that it is the statement of **Rabbi Akiva of our Mishnah** in Tractate *Nazir* (6:1, *daf* 34b).

**For we have learnt** in a Mishnah: **Rabbi Akiva says**, This is the Halachah regarding a Nazirite who soaked his bread in wine and ate it. If there is in it an amount that joins together for a *kazayit*, then he is liable.

This Mishnah is not a proof that Rabbi Akiva holds of the above principle, even though it seems that Rabbi Akiva is saying that the joint quantities of bread and wine together make the Nazirite liable.

For **from what** do you deduce **that** the *kazayit* is made up **from bread and from wine** together? **Perhaps** Rabbi Akiva means that there is enough **from the wine alone** soaked into the bread to join together to compose a *kazayit*. For “joining together” could refer to the wine that is absorbed and spread out throughout the piece of bread.

**And if you wish to say** that there is a difficulty with this approach, since the halachah that Rabbi Akiva stated would be obvious if he was referring to a *kazayit from wine alone*—thus, **what** new halachah would he be coming **to say**? This is not problematic.

For we could say that **this is what he** Rabbi Akiva **is coming to teach us**. **That** the Nazirite is liable **even if** the wine, rather than being visible, is in a **mixture**.

So we see that the Mishnah in *Nazir* does not provide us with the source where Rabbi Akiva holds that “permitted food joins together with prohibited food” for the Nazirite.

**Rather**, it is from **Rabbi Akiva of the Baraita** that we see that he holds that “permitted food joins together” for the Nazirite.

## Perek 3 – 44B

**For it was taught** in a Baraita: **Rabbi Akiva says: A Nazirite who soaked his bread in wine, and ate a joint *kazayit* from the bread and wine together, is liable.** Even though the wine element is not a *kazayit* in volume, nevertheless he is still liable. So we see that he holds that “permitted food joins together with forbidden food”.

And even if the *kazayit* is made up partially of bread that has not absorbed wine, the Nazirite is liable. (*Rashi*)

The Sages, however, disagree with Rabbi Akiva. They hold that the part of the bread that has not absorbed wine does *not* join together with the wine-soaked. Rather, the Nazirite is liable only if there is a *kazayit* of wine-soaked bread.

(It should be noted that even the Sages hold that the Nazirite is liable when there is only a *kazayit* of wine-soaked bread. That is, even though the wine element is actually less than a *kazayit*. But this is not because they hold of the principle of “joining”. Rather, the *kazayit* of wine-soaked bread is prohibited under the rule of “flavor is like the main body of food”.)

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The Gemara has now found a source for saying that Rabbi Yochanan’s statement—“soaked” teaches the rule of “permitted joins with forbidden” regarding a Nazirite—is reflecting Rabbi Akiva’s view. In contrast, the Sages hold that “soaked” teaches the rule that “flavor is like the main body of food”. The Gemara now poses a difficulty with this.

**But** now that we see that **Rabbi Akiva** holds that “soaked” tells us the rule of “permitted joins with forbidden”, what of the rule of “**flavor is like the main** body of food”? **What is his source** for that?

## Perek 3 – 44B

The Gemara answers: **He** Rabbi Akiva **learns** that rule **from** the prohibition of cooking **meat and milk** together. For the meat may not be eaten, due to the milk that has been absorbed in it. **Is it not**, the milk absorbed in the meat, **merely a flavor?** After all, the milk is not actually visible. **And** yet the meat **is forbidden**. So we see that the flavor of milk is like the milk itself.

And **here also**, regarding all Torah prohibitions, **there is no difference!** The flavor of the forbidden ingredient is enough to prohibit consumption of the normally permitted food.

**But the Sages** hold that **we do not learn** any general principles **from** the prohibition of cooking meat and milk, **since it is unique**.

**And what is unique** about meat and milk?

It is not correct **if you say** that the following is the unique characteristic of the prohibition: **That this** meat **by itself is permitted** for eating, **and that** milk **by itself is permitted**, **but** by way of their mixture **with each other**, the resulting product **is forbidden**. For we find this feature with other prohibitions as well.

We find it regarding *kilayim* as well. That **this** grain **by itself** is permitted for eating, **and that** product of the vineyard **by itself is permitted**. **But** by way of mixture **with each other**, the result **is forbidden** for any benefit.

**Rather**, the following is the unique characteristic: In regards to the meat, **if they soaked it in milk the entire day**, the meat **is permitted** for eating, under Torah law, even though it has absorbed the taste of the milk. Whereas if **he had cooked it** with milk, the Torah says<sup>10</sup> that it **is forbidden**.

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<sup>10</sup> The Torah writes in three places (Shemot 23; 34; Devarim 14) “Do not cook meat in the milk of its mother”. Once is to forbid the cooking itself. Once is to forbid eating the product of the cooking. Once is to forbid the derivation of any benefit.

## Perek 3 – 44B

Since the Torah states that only cooking them together makes the prohibition, it is apparent that other mixtures of meat and milk are permitted by Torah law. Therefore, the rule of “flavor is like the main body of food” cannot be learnt from it.

Thus the Sages learnt the rule of “flavor” from the word “soaking” in the passage of the Torah about the Nazirite. And therefore, unlike Rabbi Akiva, they do not learn from “soaking” that “permitted food joins together with forbidden food”, as regards the prohibition of a Nazirite.

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We have stated that the Sages do not learn any rule from the prohibition of cooking meat with milk, because it is such a unique case.

Based on this, the Gemara now retracts from its previous contention that Rabbi Akiva learns the rule of “flavor” from the prohibition of cooking meat with milk.

**Rather, Rabbi Akiva also** agrees that the prohibition of **meat with milk is certainly unique** and no rule can be learnt from it for other prohibitions.

**Rather, he learns** the rule that “flavor is like the main body of food” **from** the law of “**purged utensils**” of gentiles.

A pot that has been used by a gentile is usually unfit for use by a Jew. This is because gentiles cook foods that are forbidden for a Jew to eat, and the pots absorb the food cooked within them. When a Jew subsequently cooks food in the pot, it exudes the absorbed forbidden taste of food into the permitted food. The resulting mixture is forbidden for use.

## Perek 3 – 44B

This is learnt from the passage of the Torah dealing with the utensils captured in the battle with Midian. There (*Bamidbar* 31), the Torah instructs the Jews to purge the utensils from the absorption of forbidden food before using them. As is stated: “Anything that came into the fire must pass through fire in order to be cleansed”.

Regarding the law of “**purged utensils**” of gentiles: **Is it not** so that there is **merely a flavor** of the prohibited item that exudes from the pot, **and** yet the resulting mixture **is forbidden?** Therefore, we see from here that a “forbidden flavor is like the main body of the forbidden food itself”. And **here also**, regarding all Torah prohibitions, **there is no difference!**

And since Rabbi Akiva learns the rule from there, the word “soaked” in the passage about the Nazirite may be interpreted as teaching a different law. According to him, it teaches the rule that “a permitted food joins together with a forbidden food” to make up a *kazayit* of food prohibited for eating.

**And the Sages** hold that the case of “**purged utensils**” is **also unique**, and so we cannot learn from it.

**For** the general Halachah is that **anything that gives a bad flavor is permitted**. And that is a Halachah **which we learn from** the passage of the Torah (*Devarim*<sup>11</sup> 14:21) that deals with *neveilah*<sup>12</sup>: “Do not eat any *neveilah*. Give it to the *ger*<sup>13</sup> that lives in your gates, to eat it”. This implies that only a *neveilah* fit to be given to a *ger* can really be termed a *neveilah*. Thus the Torah does not forbid one to eat a *neveilah* that is so bad to the taste that it is unfit for a *ger* to eat.

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<sup>11</sup> Deuteronomy

<sup>12</sup> An animal of a kosher species that died through a means other than kosher slaughtering and therefore is prohibited to be eaten.

<sup>13</sup> *Ger toshav*: A gentile living in the land of Israel, who has agreed to abide by the Seven Noachide Laws.

## Perek 3 – 44B

And it must be noted that the absorbed flavor of food in the gentile pots also imparts a bad taste to the food cooked therein. If a Jew cooks permitted food in such a pot, the taste of his food is not improved from the flavor that exudes from the walls of the pot.

**And** yet, the Torah **here** states that food that has been cooked in gentile utensils **is forbidden**.

So we see that the case of “purged utensils” is unique. And since it is unique, we cannot learn from it the principle of “flavor of food is like the main body of food”.

\*

**But Rabbi Akiva** holds that the case of “purged utensils” is *not* unique. For he holds like **that** statement of **Rav Chiya the son of Rav Huna**: The **Torah only prohibited** food cooked in **a pot of** a gentile, if the pot was used by the gentile that **day**. For the absorbed flavor in the pot does not go bad until twenty-four hours have passed. **Therefore, it does not give a bad flavor!** And if more than a day has passed and the absorbed flavor has now gone bad, the pot may now be used by a Jew, according to Torah law. This is in line with the general rule. Thus, “purged utensils” is not a unique case.

**And the Sages hold** that the case is indeed unique, even though they agree with Rabbi Akiva that the Torah only prohibited using utensils that had been used by the gentile that day. For the Sages hold that even to prohibit the utensil in such a case is unusual. For **even** regarding **a pot of a** gentile that was used that **day, it is impossible that it** the walls of the pot **did not** cause the flavor absorbed in it to **go bad** at least **a small amount!** Therefore, the pot of a gentile should never be prohibited for use, according to the general principle. Nevertheless, the Torah teaches us that even such a pot is forbidden. Therefore we cannot learn out any rule from it to apply to any other Torah prohibition.

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## Perek 3 – 44B

**Rav Acha the son of Rav Avya said to Rav Ashi:** Both Rabbi Akiva and the Sages explicate from the same word, “soaked”, yet derive from it differing halachot. But why do we say that Rabbi Akiva holds that the rule of “permitted food joins together with forbidden food” is only true for the Nazirite? Surely he would say that it applies to all Torah prohibitions! For **from that ruling of the Sages**, which they apply generally, **we could learn** the same **for** the ruling of **Rabbi Akiva!** Also his rule should apply generally.

**Did the Sages not say** that we learn from “soaked” **to apply** the general rule of “**flavor** of a food **like the main** substance of the food itself”? And did they not also say that **from here**, from the case of Nazirite, **you may derive** that the rule is true **for all the prohibitions of the Torah?**

This being so, let us say that the same is true **for Rabbi Akiva as well.** He also explicates “soaked” **for** a rule. Namely, the rule of “**permitted joins together with forbidden**”. Therefore, it is logical to assume that he also holds: “**From here**, the case of the Nazirite, **you may derive** that the rule is true **for all the prohibitions of the Torah**”.

**He Rav Ashi said to him** Rav Acha: The rule of “permitted joins together with forbidden” cannot be extended from the Nazirite to all other Torah prohibitions.

# Chavruta

## Pesachim – Daf Mem Heh

Translated by: *Rabbi Reuven Bloom*  
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[He Rav Ashi **said to him** Rav Acha: The rule of “permitted joins together with forbidden” cannot be extended from the prohibition of the Nazirite to all other Torah prohibitions, as was previously claimed to be the view of Rabbi Akiva.]

**Because Nazirite and sin offering** are **two** laws learned from **verses that come as if together**, i.e. they teach the same halachah. Also regarding a sin offering, it is stated that something permitted combines with something forbidden, to make up the requisite minimum amount. And every two verses that come as if together, they **do not teach** their halachah to other areas of the Torah.

The Gemara explains: Regarding **Nazirite**, we learn from “soaking” that something permitted combines with something forbidden, like **this which we said** above.

**A sin offering, what is it**, i.e. where is the verse teaching this halachah?

The source is **that which is taught in a Baraita**: Regarding a sin offering, it is written: **“Whatever touches ‘in’ its meat** [of the sin offering], **it will be sanctified.”** If meat which is ordinary or is from a peace offering (which has a lower degree of sanctity) touches meat of a sin offering, and absorbs something from it, it becomes as sacred as the sin offering, and has the same laws as regards eating it.

**Could it be that even** if the piece of meat touches the sin offering and **did not absorb** anything from it, it also becomes sacred like the sin offering?

To preclude this, **Scripture says: “‘In’ its meat”** – meaning **only when it**, something of the sin offering, **absorbs in the meat** that touches it. Only then, **“it** [the meat that touched the sin offering] **will be sanctified” to be like it.**

## Perek 3 – 45a

**For if** the sin offering **is invalid** and forbidden to eat, even the meat that absorbed from it **will become invalid**, and must be burned.

**And if** the sin offering **is valid**, **it** the meat that absorbed from it **should be eaten like** the laws pertaining to **the severe** level of sanctity **in it**. If the meat absorbing is a peace offering, it now has the added holiness of a sin offering, and must follow the stringencies of a sin offering. It now has only a day and a night to be eaten, and only by male Cohanim, and only within the Temple Courtyard.

And even if the part of the meat that absorbed from the sin offering is less than the amount required to be considered eating, i.e. it is less than a *kazayit*,<sup>1</sup> the other part of the meat that did not absorb combines with it to make up the requisite *kazayit*.

Thus we see “something permitted combines with something forbidden” in the case of a sin offering.

Since the Torah taught about both a sin offering and the Nazirite that something permitted combines with something forbidden, the halachah applies specifically in these cases, and not for the entire Torah.

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The Gemara raises a difficulty: **And** regarding the **Sages**, who learn a different halachah from “soaking” written in the passage of the Nazirite. They learn that “the flavor of a food is like the main substance of the food itself.” **Also** for them, we should say that **Nazirite and sin offering should be two** laws learned from **verses that come as if together**, teaching the halachah that the flavor is like the main substance of the food.

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<sup>1</sup> *Kazayit*: 0.9 fluid oz. or 28 cu. cm.

## Perek 3 – 45a

**And** since this is so, they **do not teach** everywhere else in the Torah that the flavor is like the main substance.

The Gemara answers: **They** the Sages **said**: **These** two verses **are necessary**, each one is needed for a different lesson, thus they indeed teach a general rule.

The Gemara will soon explain why these two verses are necessary, according to the view of the Sages.

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The Gemara now explains the difficulty that Rav Ashi earlier raised to Rabbi Akiva's view: namely, that the prohibition of the Nazirite cannot serve as a source for the general rule that something permitted combines with forbidden, since there is another verse (that of the sin offering) that teaches the same rule:

**And for Rabbi Akiva: Why** are these two verses **necessary**?

**It would be all right if the Torah had written in the case of a sin offering** alone that something permitted combines with something forbidden, then it would be true that one **does not learn** to apply this to **Nazirite from it**. Because **we do not learn** the **ordinary (*chulin*) from what is holy**, since the holy is more stringent than the ordinary. (Here, the prohibition of the Nazirite is regarded as ordinary, in relation to the severe level of holiness accruing to the sin offering.

**However, let the Torah write regarding Nazirite** alone that something permitted combines with something forbidden, thus making up the requisite minimum amount for a prohibition. **And a sin offering will come and learn from it**, Nazirite, that something permitted combines with something forbidden. **For note that all things forbidden in**

## Perek 3 – 45a

**the Torah are learned from Nazirite**, and certainly this should include a sin offering, which is holy.

Yet, the Torah repeats the halachah of the permitted combining with the forbidden for a sin offering. From this fact we may conclude that “soaking” which is written regarding Nazirite applies only to Nazirite and sin offerings, and does not apply to any other case in the Torah.

**And the Sages say to you:** Both verses **are necessary**, thus the rule of a forbidden flavor being like the main substance of a prohibition may indeed be learned from it.

“Whatever touches it will be holy” that is written regarding **a sin offering**, is needed to teach the halachah **something permitted combines with something forbidden**. (This would apply to a case where no forbidden flavor is imparted to the permitted substance.

For example, only part of a *kazayit* of the permitted meat absorbed the flavor of a sin offering, and in order to obligate him for eating a *kazayit*, this meat must be combined with some of the permitted meat that did not absorb the flavor.)

**And we do not learn the ordinary from the holy**. Therefore we do not derive laws that apply to the entire Torah from a sin offering.

**And “soaking”** which is written regarding a Nazirite does not teach that “something permitted combines with something forbidden”, rather, it comes **to give** us the teaching that **the flavor is like the main substance**.

**From here you learn** the halachah that the flavor is like the main substance **to all the prohibitions in the Torah**, since they are not two verses with the same teaching.

## Perek 3 – 45a

**And Rabbi Akiva** holds that the flavor is like the main substance is not learned from Nazirite, rather, from the “purged utensils of gentiles”, as explained on the previous *ammud*. And if so, **both of them** (Nazirite and sin offering) come to teach that **something permitted combines with something forbidden**. Therefore, **they are two laws learned from verses that come as if together. And all two verses that come as if together, do not teach** a general rule.

\*

**Rav Ashi said to Rav Cahana: However,** a difficulty will arise concerning **this which is taught in a Baraita:**

It is written regarding a Nazirite, “**anything that is made of the grape-vine, from the seeds and until the skin, do not eat**”.

Since the verse puts the seeds together with the skin as one act of eating, **it teaches regarding the prohibitions of Nazirite that they combine with each other** to make up the minimum amount of a *kazayit*.

Thus if he eats half a *kazayit* of seeds with half a *kazayit* of skins, he receives lashes for transgressing the prohibition of “do not eat”.

According to what was said, the following difficulty arises: why is a verse needed to teach this?

**Now, according to Rabbi Akiva, something forbidden combines with something permitted** to make the amount of a *kazayit*. So **in the case of something forbidden and something forbidden, is it necessary** for the verse to say that they can be combined?

## Perek 3 – 45a

**He Rav Cahana said to him: Something forbidden and something permitted** combine to make the amount of a *kazayit* specifically when they are eaten **at one time**. But the verse “from the seeds and until the skin” teaches that half a *kazayit* of this **prohibited object and** half a *kazayit* from a different **prohibited object** combine to make a *kazayit*, even if eaten **one after the other**, as long as it is within the time it takes to eat a *pras*.<sup>2</sup>

### Mishnah

**Dough** of chametz **that is in the cracks of the kneading trough, if there is a *kazayit*<sup>3</sup> in one place he is obligated to eradicate** it before Pesach.

**And if not**, if the *kazayit* is scattered around in different places in the kneading trough, **it is nullified by its being in the minority**, and does not require eradication.

**And so too regarding the subject of the impurity.**

If a kneading trough has dough stuck to it, the rule is as follows: **if he objects to its presence there, and intends to remove it, the dough intervenes. And if he wants it to be there, and intends to leave it there permanently, it is like the kneading trough itself, and does not intervene.**

And the Gemara will explain what the Mishnah means by “so too with the subject of impurity” and the subject of interfering.

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<sup>2</sup> *Pras* – half a loaf, according to Rashi this is four eggs and according to the Rambam this is three eggs.

<sup>3</sup> *Kazayit*: 0.9 fluid oz. or 28 cu. cm.

## Perek 3 – 45a

### **Gemara**

The Mishnah stated: If there is a *kazayit* in one place it requires eradication.

**Said Rav Yehudah said Shmuel:** The Mishnah **only teaches** this when the dough is found **in a place that the dough is not there to strengthen** the walls of the kneading trough. I.e. the dough is not needed to prevent water from dripping through the cracks in the kneading trough. For instance, it is in the upper part of the wall.

And since the dough is not needed to close up the cracks it is not nullified to the kneading trough and is still considered chametz, and requires eradicating.

**But** if the *kazayit* of dough is found **in a place that is there to strengthen** its walls, such as when the dough closes up the cracks in the bottom of the kneading trough to prevent the water poured into it from dripping out, and otherwise the kneading trough is unusable – **he is not obligated to eradicate** the dough. Since the dough is needed there, it is nullified to the kneading trough and is considered to be like wood and not chametz. In other words, it is no longer regarded as a food; it becomes part of the utensil.

And we infer the following from Shmuel's statement, which set up the Mishnah as speaking of a place that the dough is not there to strengthen the utensil:

**By implication it follows that less than a *kazayit* in one place, even in a place where the dough is not there to strengthen, he is not obligated to eradicate** the dough.

## Perek 3 – 45a

Thus if there are a few half-*kazeitim* of dough scattered in a number of places in the kneading trough, since they are not in one place they are unimportant, and the owner nullifies them in relation to the kneading trough.

\*

**Some teach this** statement of Shmuel **as referring to the latter clause** of the Mishnah: **And if not** [that there is not a *kazayit* in one place], **it is nullified by its** being in the **minority.**

**Said Rav Yehudah said Shmuel:** The Mishnah **teaches this only in a place where** the dough **is there to strengthen**, such as in the bottom of the kneading trough. There, it is nullified to the utensil. **But in a place where it is not there to strengthen** it, such as above in the walls, **he is obligated to eradicate** it even if it is less than a *kazayit*. Since the kneading trough does not need the dough, it is not nullified to the kneading trough.

And we make an inference: Since Shmuel explains that our Mishnah is speaking of dough that is there to strengthen, **by implication** it follows **that** if there is a *kazayit* of dough in one place, **even in a place that is there to strengthen, he is nevertheless obligated to eradicate** it! Even though he definitely intends to nullify the chametz, since it has the volume of *kazayit* it has importance and is not nullified to the kneading trough.

\*

**It is taught** in a Baraita **like the first version.** And **it is taught** in a Baraita **like the last version.**

**It is taught** in a Baraita **like the first version:** **Dough that is in the cracks of a kneading trough:** if it is **in a place that it is there to strengthen**, it is nullified to the

## Perek 3 – 45a

kneading trough. Therefore, when immersing the kneading trough in a mikveh<sup>4</sup> to remove impurity, **it** the dough **does not intervene** between the trough and the water, thus the immersion is valid. **And** if he keeps the dough over Pesach, **he does not transgress** the prohibition on owning chametz.

And if it is **in a place that it is not there to strengthen**, it is not nullified to the kneading trough. Therefore **it intervenes** when immersing the kneading trough. **And he transgresses** if he keeps it on Pesach.

**To what circumstances does this apply? With a *kazayit*** that is in one place. **But** if there is **less than a *kazayit*** in one place, **even in a place that it is not there to strengthen**, it is nullified to the kneading trough. **And does not intervene** when he immerses the trough.

**And he does not transgress** if he keeps it over Pesach.

\*

**And it is taught** in a Baraita **like the last version: Dough that is in the cracks of a kneading trough: in a place that it is there to strengthen**, it is nullified to the kneading trough. **And it does not intervene** when immersing the trough in a mikveh. **And he does not transgress** if he keeps it over Pesach.

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<sup>4</sup> Purifying pool

## Perek 3 – 45B

### **Ammud Bet**

And if it is **in a place that it is not there to strengthen**, it is not nullified to the kneading trough. Thus, **it intervenes** when immersing the trough. **And he transgresses** if he keeps it over Pesach.

**To what circumstances does this apply? With less than a *kazayit*.** If there is less than a *kazayit* in one place, the dough is nullified to the kneading trough in a place made to strengthen the kneading trough.

**But with a *kazayit* in one place, it is never nullified to the kneading trough. And even in a place that it is there to strengthen, it intervenes** when immersing, **and he transgresses** if he keeps it over Pesach.

\*

The Gemara points out: **They** the two Baraitot **contradict each other**.

**Said Rav Huna: Strike out** the first Baraita, which is **lenient, in face of** the last Baraita, which is **stringent**.

I.e. we follow the last Baraita.

**Rav Yosef said: You can take a disagreement among the Tannaim out of the world?**  
Both Baraitot reflect valid teachings, since **it is a disagreement among the Tannaim** as we see from a different source.

## Perek 3 – 45B

**For it is taught** in a Baraita: **Bread which became moldy** and unfit for a person to eat, **he is still obligated to eradicate** it on Pesach. This is **because it is fit to grind it and then to leaven with it a few other doughs**. So it is like “sourdough” which the Torah forbids to eat, like chametz, even if it is unfit to eat on its own.

**Rabbi Shimon ben Elazar said: To what circumstances does this apply**, that moldy bread requires eradication? **When it is saved for eating**, i.e. to leaven other doughs with. **But a block of sourdough which is designated for sitting on, it is nullified** and no longer considered food. Thus, one does not transgress by keeping it over Pesach.

The Gemara brings out the point: **Since Rabbi Shimon ben Elazar said “nullified”, this implies that the first Tanna holds** that even if it is designated for sitting, **it is not nullified**, and is still considered food.

**It follows that he holds that all** food that is a *kazayit*, **even though it is nullified** as regards his intention to eat it, **it is not** thereby Halachically **nullified**.

**It follows that he holds that all** food that is the size of a *kazayit*, **even though he nullifies** in his intention and no longer considers it food, **it is not nullified**.

Thus, the last Baraita is like the first Tanna here. And the first Baraita is like Rabbi Shimon ben Elazar.

\*

**Abaye said to him**, to Rav Yosef: You only resolved the contradiction between the Baraitot in the case of a *kazayit* in place that it is there to strengthen. However, the contradiction regarding **less than a kazayit** in a place that it is not there to strengthen, **did you resolve?** We only find that Rabbi Shimon ben Elazar is lenient when the dough is not for eating. But in a place that it is not there to strengthen, it is for eating—so how do

## Perek 3 – 45B

we know that less than a *kazayit* in such a case is considered insignificant and is nullified?

**Rather**, said Abaye: **Both of these** two Baraitot **are** expressing the view of **Rabbi Shimon ben Elazar**. **And there is no difficulty** between them. **This** which the first Baraita teaches about “a place that it is not there to strengthen” is referring **to a place of kneading** the dough. And even if the dough in the cracks is in a higher place in the walls, it is still a place where the dough is kneaded. And the dough in the cracks helps to a certain extent to contain the dough that is kneaded. Therefore, less than a *kazayit* is nullified to the utensil. But a *kazayit* is more significant, and is not nullified, since it is not so needed there.

But “a place that it is to strengthen”, i.e. the bottom of the kneading trough, which contains the water, is different. The dough sealing the cracks is essential for using the kneading trough. Therefore, even if a *kazayit* is there, it is nullified to the kneading trough.

And **that** which the last Baraita teaches about “a place that it is not there to strengthen”, is referring to the part of the utensil **which is not in the place of the kneading** at all, and the crack does not disturb the use of the utensil at all. Therefore the dough in the crack is not nullified, even if it is less than a *kazayit*.

\*

**Said Rav Ashi** to explain what Abaye said: **Do not say** that “**not in the place of kneading**”, is only **on the outside** (on the outer wall) **of the kneading trough**. **Rather**, even **on the upper edge of the kneading trough** it is also considered not to be the place for kneading.

## Perek 3 – 45B

The Gemara objects: This is **obvious!** For on the upper edge, there is clearly no need to seal the cracks.

The Gemara answers: **What is it that you would have thought?** That **sometimes that** the dough **overflows, and reaches there**, and there is some need to seal the cracks there. Thus **he inform us** that this is not so, and the dough which is less than a *kazayit* that is stuck there is not nullified.

\*

**Said Rav Nachman said Rav:** The **Halachah is in accordance with Rabbi Shimon ben Elazar**. A block of sourdough that is designated for sitting on is nullified and no longer considered food, and one does not transgress for keeping it over Pesach.

The Gemara is puzzled: **Is it so? But note that Rav Yitzchak bar Ashi said** differently **in the name of Rav**, not in accordance with Rabbi Shimon ben Elazar: **If he covered the surface** of the block of sourdough **with plaster, it is nullified** and no longer considered food.

This implies: If **he covers** its surface, **yes**, it is nullified. But if **he did not cover**, then **no**, it is not nullified. And even if he designated it for sitting, intention alone does not nullify it.

The Gemara answers: **The one that taught** in Rav's name **this statement, did not teach** in Rav's name **that** other statement, and there is a disagreement between the Amoraim about what Rav's view is.

**There are some who say** a different version of the teaching: **Said Rav Nachman said Rav:** The **Halachah is not in accordance with Rabbi Shimon ben Elazar**. **For said**

## Perek 3 – 45B

**Rav Yitzchak bar Ashi said Rav:** Only if he covered its surface with plaster, it is nullified. But without covering its surface, designation for sitting does not nullify it.

c c õ d d

**Said Rav Nachman said Shmuel:** Regarding two halves of *zeitim*, i.e. two small pieces of chametz dough in the cracks of the kneading trough, in two separate places, **and a thread of dough connects between them. They are to be viewed** as follows: **any case that if the thread would be picked up**, and the two pieces would remain connected **and would be picked up with it**, with the thread, it is considered one piece. It is thus judged as a *kazayit* in one place, and is not nullified. Therefore **he is obligated to eradicate** them.

**And if not** – when the thread is picked up, the two pieces do not come with it, then they are considered to be two separate pieces of less than a *kazayit*. Therefore, **he is not obligated to eradicate** them.

**Said Ula:** We only say that two unconnected halves of a *kazayit* do not require eradication when they **are in a kneading trough**. Since they are stuck in the cracks, there is no concern that they might join together.

**But** if the two halves **are in a house, he is obligated to eradicate** them, even if there is not a *kazayit* in one place.

**What is the reason?** Sometimes he sweeps the house, **and gathers them** together in one place, **and they fall together**, and since they combine to be a *kazayit*, he transgresses the prohibition of owning chametz on Pesach.

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## Perek 3 – 45B

**Said Ula:** They posed an inquiry in the West, i.e. the land of Israel: If there is half a *kazayit* in the ground floor of the **house, and** half a *kazayit* **in the upper story** of the house, **what is the halachah?** Should we be concerned that they will be gathered together to form a *kazayit*, thus he is obligated to eradicate them?

Or perhaps we are not concerned about this, because even if the chametz would fall from the upper story to the ground floor, it is unlikely it would fall in the place where the other piece of chametz is.

And if we say that there is nothing to be concerned about in the above case, we could still ask about the following case: if there is half a *kazayit* in the **house** and half a *kazayit* **in the veranda, what is the halachah?** Should we be concerned that the two halves will be joined?

And if we say that in this case we should be concerned, since people enter the house through the veranda and there is no complete division between them, then we could ask about the following case: when there are two halves of a *kazayit* that are found **in two houses** i.e. two rooms, **one inside the other**, and the inner room is accessed through the outer room, **what is the halachah?**

Should we be concerned they will be swept together and the two halves will be joined? Or perhaps, since they are not always used together, there is no such concern.

And the Gemara concludes: **Let it** this series of inquiries **stand** unanswered.

c c õ d d

## Perek 3 – 45B

**The Rabbis taught** in a Baraita: **The bread that became moldy and unfit for eating for a person, but the dog can still eat it,** it is still considered food.

And if it is impure, **it makes** other food **impure** with the **impurity of food**, when it has **the size of a *kabeitzah***<sup>5</sup>. This is the same halachah as for any other impure food.

**And** if this bread is pure trumah, **it is burned with the impure trumah on Pesach**, even though it becomes impure by touching the impure trumah, and normally it is forbidden to actively impart impurity to trumah. Here it is permitted since this bread is unfit for a person to eat.

**In the name of Rabbi Natan they said:** Whatever becomes unfit for a human to eat, even if it is still fit for a dog, it **cannot impart food impurity**.

\*

The Gemara asks: **According to whose view does this** following statement **go, which is taught in a Mishnah? They said a general principle regarding the laws of purity: Whatever is designated as food for a person, it is susceptible to become impure, until it becomes unfit for a dog to eat.** Even if it is no longer fit for a human, it is still considered food as long as it is fit for a dog.

The Gemara deliberates: **According to whose view is this Mishnah? Not like Rabbi Natan**, who said that moldy bread cannot impart food impurity, even if it is still fit for a dog. Rather, it is according to the first Tanna of the above Baraita, who said: “It makes other food impure with the impurity of food, when it has the size of a *kabeitzah*.”

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<sup>5</sup> *Kabeitzah* – 1.9 fluid oz. Or 37 cu. cm.

## Perek 3 – 45B

**It was taught** in a Baraita: Regarding **troughs of tanners** (where they place their hides), **that he placed inside it flour**. If he placed the flour in it **within three days** before Pesach and it became chametz there, **he is obligated to eradicate it**. Until it sits there three days, the flour does not spoil totally. Thus when Pesach arrives it is forbidden to keep.

But if he placed the flour in the trough **more than three days** before Pesach, **he is not obligated to eradicate** it. It is no longer considered chametz by the time Pesach arrives.

**Said Rabbi Natan: To what circumstances does this statement apply**, that within three days he is obligated to eradicate it? Only **when he did not place in it the hides**. Since the trough does not have the odor of the hides, the flour is not totally spoiled until three days pass.

**But if he placed in it hides, he is not obligated to eradicate** the flour. Because the hides nullify the flour from being considered food.

**Said Rava: The Halachah is according to Rabbi Natan**. If he placed the hides in the flour, it is nullified from being considered food **even within one day, and even within one hour** from the placing of the hides.

c c õ d d

Our Mishnah taught: **And so too regarding the subject of the impurity**. If a kneading trough has dough stuck to it, the rule is as follows: **if he objects to its presence there, and intends to remove it, the dough intervenes**. **And if he wants it to be there, and intends to leave it there permanently, it is like the kneading trough** itself, and does not intervene.

## Perek 3 – 45B

The Gemara assumes that the Mishnah is speaking of immersing the utensil in a mikveh, as with any impure vessel requiring immersing. In such a case, the Halachah is as follows: if something is stuck to it that bothers its owner, it intervenes between the utensil and the water of the mikveh, and the immersion will not be considered valid.

The Gemara raises a difficulty: How could the Mishnah teach: “And so too regarding the subject of impurity”? **Is this similar** to chametz on Pesach? **There**, regarding chametz, the **matter depends on the amount** of chametz present. If there is a *kazayit* in one place, he transgresses, less than a *kazayit*, he does not transgress. But **here** regarding immersion, **the matter depends on his objecting** to its presence, and not on the amount. Whenever he objects to it and intends to remove it, it intervenes, whether it is the size of a *kazayit* or not.

**Said Rav Yehudah: I will say** that this is what the Mishnah means: **And regarding the subject of impurity, it is not so.** It is not like chametz, which depends on the amount of a *kazayit*, whereas here, it depends only on objecting to its presence.

**Abaye said to him: Note that “and so too regarding the subject of impurity” is taught!** Clearly, the Mishnah is saying that it is similar to chametz.

# Chavruta

## Pesachim – Daf Mem Vav

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

**[Said Rav Yehudah: I will say** that this is what the Mishnah means: **And regarding the subject of impurity, it is not so.** It is not like chametz, which depends on the amount of a *kazayit*, whereas here, it depends only on objecting to its presence.

**Abaye said to him: Note that “and so too regarding the subject of impurity” is taught!** Clearly, the Mishnah is saying that it is similar to chametz.]

**Rather, said Abaye:** The Mishnah is not speaking of immersing an impure utensil in a mikveh.<sup>1</sup>

The words of the Tanna are divided into two subjects:

The Tanna first said “And so too for the matter of impurity”, that even in the matter of impurity, it makes a difference whether in the cracks of the kneading trough there is food of the amount of a *kazayit*, or whether it is less than that. And afterwards, the Tanna made this dependent on whether the owner of the kneading trough objects to the presence of the food.

\*

## Perek 3 – 46a

And **this is what he was saying:**

1) **And so too for the matter of combining impurity on Pesach**—for only food the size of a *kabeitzah* can transfer impurity to other foods.

And that dough that is in the cracks of the kneading trough, if it was on Pesach and there was a *kazayit*, it combines with other foods to reach the size of a *kabeitzah* in order to transfer impurity to other foods.

And if is not of the size of *kazayit*, it does not combine with them.

But **on other days of the year**, it does not depend on an amount of *kazayit*. Rather, **there is a difference** whether he objects to the dough remaining in the cracks of the kneading trough, in which case he intends to remove it, or whether he does not care if the dough stays there. If he does not care, then the dough is nullified to the kneading trough, and loses the status of food. Thus it will not combine with other food.

And it makes no difference whether or not there is an amount of *kazayit*.

And **what is the case?**

**For example that there is less than a *kabeitzah* of other food; and it** (this other food) **touched this dough** that was stuck in the cracks of the kneading trough, and combined

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<sup>1</sup> Purifying pool

## Perek 3 – 46a

with it to be *kabeitzah*. And an impure item touched them whilst they were still connected to each other, thus they became impure. Afterwards, they touched other foods.

**On Pesach**, if there is an amount of *kazayit* in this chametz dough, despite the fact that the owner does not care to remove it, it is not nullified. This is because **its prohibition** makes it independently **important**.

Therefore, **it combines** with the other food to make up the minimum amount necessary to impart impurity.

But if there is not a *kazayit* in it, it is nullified.

**But on the other days of the year**, it does not depend on the amount.

**Rather, the matter depends on his objecting** to the dough's presence. **If he objects to it**, thus he intends to remove it, it is considered food. And **it** therefore **combines** with other foods make up the minimum amount necessary to impart impurity.

**But if he wishes to keep it** in the cracks of the kneading trough, **it is** considered to be **like the kneading trough**, and it has lost its status of food. Therefore, it does not combine with other foods to complete their amount, despite its containing a *kazayit*.

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## Perek 3 – 46a

**Rava challenged** Abaye: **Did it teach** in the Mishnah “if he objects to it, **it combines**”?

**But surely it taught** “if he objects to it, **it intervenes**”<sup>2</sup> (i.e. it invalidates the immersion)! Thus, the Mishnah is indeed speaking of immersing a utensil in a mikveh.

**Rather, said Rava:** In truth we are discussing *chatzitzah*, i.e. whether the dough intervenes between the utensil and the water when the utensil is immersed in a mikveh, thus invalidating the immersion.

And this is what he was saying: **And so too, to elevate a kneading trough to purity** through its immersion in a mikveh.

If there is *kazayit* in the cracks of the kneading trough, it intervenes.

**And what is the case? For example, that this kneading trough became impure and it requires immersion.**

**On Pesach, due to its prohibition, it a *kazayit* of dough is important. Thus it intervenes** for immersion, since it is not considered to be part of the utensil.

But if it does not contain *kazayit*, since he does not need to remove it from there due to the prohibition of keeping chametz over Pesach—and furthermore, he does not object to its presence—it does not intervene. For it is nullified and is considered as part of the utensil itself.

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<sup>2</sup> *chotzet*

## Perek 3 – 46a

But **on the other days of the year**, it does not depend on *kazayit*. Rather, **the matter depends on his objecting** to its presence.

**If he objects to it**, thus his intent is to remove it, **it intervenes**.

**And if he wishes to keep it** there permanently in the cracks of the kneading trough, **it is like the kneading trough** and it does not intervene.

\*

**Rav Pappa challenged** Rava: **And did it teach “and so too for the matter of purity”?**

**Surely** it taught “and so too **for the matter of impurity**”! This contradicts Rava’s explanation of the Mishnah.

**Rather, said Rav Pappa:** This is what the Mishnah is saying: **And so too for the matter of impurity descending on the kneading trough**, as will be explained.

**What is the case? For example that a *sheretz*<sup>3</sup> touched this** dough and did not touch the kneading trough itself.

As long as the dough is considered an independent item, the *sheretz* is not considered to be touching the trough itself and the trough does not become impure from it.

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<sup>3</sup> One of the eight creeping creatures whose carcasses impart impurity. They are enumerated and their laws are stated in *Vayikra* 11.

## Perek 3 – 46a

Therefore **on Pesach**, if there is *kazayit*, due to **its prohibition it is** considered **important** like something that is ready to be removed from the kneading trough. Thus it is not nullified to the trough even if he does not object to its presence. Therefore **it intervenes** between the *sheretz* and the trough, **and impurity has not descended to it** (the kneading trough).

And if it does not contain *kazayit*, and he does not object to its presence, it is nullified to the trough. It is considered a part of the trough and does not intervene between the trough and the *sheretz*. It is considered as if the *sheretz* touched the trough itself and it makes the trough impure.

But, **on the other days of the year**, it does not depend on the amount, rather, **the matter depends on his objecting** to its presence. Thus, even if there is *kazayit*, it is specifically **if he objects to it that it intervenes** between the *sheretz* and the kneading trough.

But, **if he wishes to keep it, it is like the kneading trough**, and if the *sheretz* touched it, it is considered as if it touched the kneading trough itself.

## Perek 3 – 46a

### **MISHNAH**

The Sages gave signs for the varying stages of leavening of regular dough, in order to know whether or not it has become leaven. Examples of this are: if its surface turned white, or if cracks the size of locust antennae had formed, or if its cracks overlapped, as detailed in the following Mishnah.

However, at times it is impossible to recognize whether these signs have appeared or not. Then it is called “the ‘deaf’ dough”, as it is like a deaf person who has ears but it is not apparent whether or not he is able to hear.

\*

Regarding ‘**deaf dough**’: How is it possible to know whether or not it became leaven?

**If there is** another dough **that is like it**, (that was kneaded with it at the same time), we judge it according to that other dough. If the other one is recognizable through its signs **that it became chametz, it** (even the ‘deaf dough’) **is prohibited**, since they were kneaded at the same time. Since the second one became chametz, it must be that enough time has passed for the first one to become chametz, too.

## Perek 3 – 46a

### **GEMARA**

The Gemara raises a question: **If there is none** (i.e. no other dough) **there that is like it, what** is the law? How are we to know whether or not it became chametz?

**Said Rabbi Abahu, said Rabbi Shimon ben Lakish:** If enough time passed **in order for a man to be able to walk from Migdal Nunia to Tiberius**, it is known that it has become chametz. This is the amount of time it takes to walk **a mil** (eighteen minutes<sup>4</sup>).

\*

The Gemara raises a difficulty: **And let he** Rabbi Abahu **say:** “in order to walk **a mil**”?

The Gemara answers: Through Rabbi Abahu choosing this phrase, **it teaches us that the distance of a mil is like** the distance **from Migdal Nunia to Tiberius**.

**Said Rabbi Abahu, said Rabbi Shimon ben Lakish: For a kneader, four mil!**

This is to say that if one hired a worker to knead his dough for payment, and he gave the worker impure utensils in which to knead the dough, the worker is obligated to trouble himself to walk up to four *mil* in order to immerse the utensils in a *mikveh*, in order to knead the dough in purity.

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<sup>4</sup> According to other views: 24 minutes

## Perek 3 – 46a

**And similarly for prayer.** If a person is walking on the road and the time arrives for him to rest overnight, and there is a synagogue four *mil* away, he is obligated to walk that extra four *mil* in order to be able to pray with a congregation, and then he will stay overnight in that town.

**And similarly for washing hands** to eat: if there is water within **four *mil*** from him, he should trouble himself to walk there in order to wash his hands before eating bread.

\*

**Said Rav Nachman son of Yitzchak: Aiybu said it** (this teaching), and he not only said those three things, but rather **he** actually **said it** (the requirement to walk four *mil*) **about four things.**

**And one of them** (the fourth one) **is: “working** the skin of an animal carcass”.

The regular skin of a carcass (*neveilah*<sup>5</sup>) is tough skin and is not considered flesh. Therefore, it does not have impurity like the flesh of a *neveilah*. However, there are soft skins that are eaten, like the flesh itself, and those skins have the impurity of a *neveilah* just like the flesh itself.

**And it was taught** in a Mishnah: **And all of them** (all of the soft skins have impurity like flesh), if it happened **that he worked them** in the way of working skins, **or that** he

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<sup>5</sup> An animal of a kosher species that died through a means other than kosher slaughter.

## Perek 3 – 46a

spread out their skins and **he walked on them** until he had trampled them **in order to work** them, they have lost their status of flesh.

They are then **pure**, no longer having the impurity of a *neveilah*.

**Except from human skin.** Even after it has been worked, it is still considered human flesh and it still has the impurity of a corpse.

**And** the Gemara raises a question: **How much** is the amount of walking on a skin that is **in order to work it?**

**Said Aiybu, said Rabbi Yannai: In order to walk four mil.**

\*

**Said Rabbi Yosi son of Rabbi Chanina:** This which we require a person to trouble himself to walk four *mil* for prayer and for washing the hands, **it was only taught** when the synagogue or water are located **in front of him**, i.e. in his direction of travel.

**But** if they are **behind him**, he is not required to backtrack. And **even** for a distance of **a mil, he does not need to return.**

**Said Rav Acha: And from it** (from the words of Rabbi Yosi son of Rabbi Chanina) we learn that it is specifically for a distance of **a mil that he need not return.**

## Perek 3 – 46a

**But** if the synagogue or water are located **less than a mil** behind him, he must **return** for them.

### **MISHNAH**

All of the forms of work forbidden on Shabbat that involve food preparation, for example cooking and baking, are permitted on Yom Tov. But a food that anyway would not be suitable for eating, because it is prohibited for some reason, may not be cooked or baked on Yom Tov.

Therefore, one who wishes to bake impure dough on the Yom Tov of Pesach has a problem with separating *challah*<sup>6</sup>. If he separates *challah* before baking, he will no longer be able to bake it, since impure *challah* is prohibited to be eaten even by cohanim. Thus it is prohibited to be baked on Yom Tov.

And if he would leave the *challah* portion of dough on the side, without baking it, it will become chametz and he will transgress the prohibition of having chametz on Pesach.

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<sup>6</sup> The portion of dough that is separated and given to a cohen.

## Perek 3 – 46a

And even to burn it or to feed it to dogs before it becomes chametz is prohibited, since the burning or destruction of invalidated consecrated items does not supersede the prohibition of Yom Tov.

If so, **how does one intervene *challah* on the Yom Tov of Pesach in impurity** (i.e. with impure dough)?

**Rabbi Eliezer says: Do not declare the name of *challah* on a part of the dough until it** (the entire dough) **is baked.**

Rather, bake loaves of matzah from the dough, without separating *challah*. It is permitted to bake all of the loaves, since all of their baking is for the purpose of eating them on Yom Tov. For after the baking, all of the breads will become suitable to eat, by separating a small amount from them as *challah*.

Therefore, since at the time of baking, each loaf is suitable to eat that day, he may separate one whole loaf for all of the loaves, after the baking, as explained in the Gemara.

**Ben Beteira says:** He should separate *challah* before baking, **and put the *challah* in cold water** since cold water prevents leavening. And after Yom Tov, he should burn the *challah*, according to the law of impure *challah*.

## Perek 3 – 46B

### **AMMUD BET**

**Said Rabbi Yehoshua:** Even if the *challah* became chametz, he has not transgressed any prohibition. As **this is not the chametz over which one is warned** about in the verse that states “**it may not be seen**” and in the verse that states “**it may not be found**” (*Shmot* 12:19).

This is because this *challah* is given to the cohanim. Before it is given to a specific cohen, the tribe of the cohanim has collective rights to it. Thus it is not the property of the owner of the dough. Neither is it the outright property of the cohanim, as they have not yet received it.

In light of this, it is possible to explain the words of Rabbi Yehoshua in two ways:

1) A Jew does not transgress by having in his house the chametz of another Jew.

Therefore, the owner of the dough does not transgress by having the chametz *challah* in his house, since it belongs to the cohanim rather than to him

Similarly, the cohanim do not transgress since they have not yet received it and it is not considered to be chametz found in their property.

2) In truth, A Jew does transgress by having in his house chametz belonging to another Jew.

However, this is only true when the chametz has an outright owner

## Perek 3 – 46B

But *challah* does not have an outright owner as it belongs collectively to the tribe of the cohanim.

**Rather, he separates it (the *challah*) and he leaves it until the evening** and then burns it. **And if it became chametz, it became chametz**—there is no problem with this.

## GEMARA

It was taught in the Mishnah: Rabbi Eliezer says: Do not declare a name of *challah* on a part of the dough until it is baked.

Said Rabbi Yehoshua: This is not the chametz for which one is warned in the verse that states “it may not be seen” and in the verse that states “it may not be found”.

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The Gemara suggests: **Let us say** that Rabbi Eliezer and Rabbi Yehoshua **are disagreeing over** the level of ownership that results from *tovat hana'ah*<sup>7</sup>.

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<sup>7</sup> “The benefit of being able to bestow a favor”. A Jew may give the *challah* to any cohen he wishes. Thus, he has the benefit of deciding upon whom to bestow the favor. The recipient of the favor will assumedly hold a debt of gratitude to the donor. Thus, *tovat hana'ah* exhibits a certain aspect of ownership.

## Perek 3 – 46B

The non-cohen has limited rights over the *challah* in that he may give it to any cohen that he wishes.

These rights sometimes express themselves in monetary terms: A non-cohen may say to his fellow: I will give you a small amount of money if you give all of your *challah* to my grandson who is a cohen.

Over the level of ownership that *tovat hana'ah* creates, the Gemara suggests that there is a disagreement between Rabbi Eliezer and Rabbi Yehoshua.

**Rabbi Eliezer held that the *tovat hana'ah* that a non-cohen has in his *challah* is considered as if he has a true **monetary** ownership.** Thus he transgresses the prohibition of having chametz on Pesach. This is why Rabbi Eliezer holds that there is no solution for dealing with the impure dough other than to declare it to be *challah* only after baking.

**And Rabbi Yehoshua held that *tovat hana'ah* is not monetary.** This right to choose to which cohen to give the *challah* is not true ownership. Therefore, the owner of the dough does not transgress for having this type of chametz on Pesach.

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The Gemara rejects this explanation: **No**, this is not the point over which they disagree.

Rather, **everyone held that *tovat hana'ah* is not monetary.**

**And here, they are disagreeing over the principle called “due to the fact that” (*ho'il*).**

## Perek 3 – 46B

**For Rabbi Eliezer held that *challah*, although not actually permitted to a non-cohen, is theoretically permitted to him because we say: “due to the fact that if he wishes, he could make it the *challah* permitted” through annulling its separation as *challah*. Thus it is considered his money.**

I.e. it is within his ability to remove from it the status of *challah* and return it to its permitted state.

This is done by asking a Sage to annul the statement by which he originally made it into *challah*. Just as a Sage is able to permit a vow, so too he can remove any sanctity that resulted from a person’s words, such as *hekdesch*, *trumah* and *challah*.

Since it is in his ability to return it to a permitted state, it is already considered as if it is suitable to be eaten. Therefore, its baking is permitted on Yom Tov. It emerges that he could separate the *challah* from the dough and then bake it. (He would be obligated to bake it right away before it leavens, because he may not keep it as chametz on Pesach: Just as “due to the fact that” creates theoretical permission to eat it, by the same token, it creates theoretical ownership of it.)

Although Rabbi Eliezer ruled: “Do not declare a name until it is baked”, this was only to be on the safe side. For anywhere that it is possible to bake on Yom Tov without relying on the principle of “due to the fact that”, it is preferable to be stringent.

## Perek 3 – 46B

And since Rabbi Eliezer holds that it is possible to separate one baked *challah* loaf for all of the baked loaves (through combining all of them in one basket), he rules not to declare a name of *challah* on it until after the baking.

**And Rabbi Yehoshua held that we do not say: “due to the fact that”** if he wishes, he could permit it, thus it is already considered permitted to him, and it is similarly considered his property. Rather, as long as he does not actually have the Sage permit it, it is still *challah* and it is not his property. Therefore he does not transgress when it turns to chametz in his house on Pesach.

And it is prohibited for him to make and bake loaves from it, since one of the loaves is not suitable for eating as it will eventually be separated as impure *trumah*, which requires burning (not eating). Thus Rabbi Yehoshua ruled: “He separates it (the *challah*) and he leaves it until the evening and then burns it. And if it became chametz, it became chametz—there is no problem with this.”

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The Gemara brings an additional case in which the Amoraim disagreed regarding “due to the fact that”.

**It was said** in a statement of Amoraim: **One who bakes on Yom Tov for weekday use:**

## Perek 3 – 46B

**Rav Chisda said: He receives lashes** for doing work on Yom Tov. The various forms of work associated with food preparation were only permitted when the food is needed for Yom Tov, not when needed for weekday use.

**Rabbah said: He does not receive lashes**, as the loaf could be used on Yom Tov itself.

The Gemara explains the basis of their disagreement:

**Rav Chisda said that “he receives lashes”** since he holds that **we do not say: “due to the fact that guests might visit him** on Yom Tov, **it is suitable for him** to use on Yom Tov”. In actuality he does not have any guests, and this baking is not considered to be for Yom Tov use, rather, for weekday use.

And **Rabbah said that “he does not receive lashes”** as we say: **due to the fact that** if guests would come on Yom Tov, this bread would be suitable for them to eat on Yom Tov, it is considered that its baking is for Yom Tov use.

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**Rabbah said to Rav Chisda: According to you, that you say that we do not say “due to the fact that”, how does one bake on Yom Tov for Shabbat** use, when Shabbat immediately follows Yom Tov?

It is all right according to my view, for I hold that we say “due to the fact that guests might visit him on Yom Tov”, it emerges that the baking is for Yom Tov use.

## Perek 3 – 46B

But according to you, what is there to say?

**He** (Rav Chisda) **said to him: They** the Sages **permitted** baking on Yom Tov for Shabbat **because of *eiruvei tavshilin***.

Before Yom Tov, one designates bread and a cooked dish for Shabbat use. This is called “*eiruv tavshilin*”. The idea is that through having already begun to prepare the Shabbat foods before Yom Tov, he may continue to prepare them even on Yom Tov, since it is merely a continuation rather than the beginning of their preparation.

And Rabbah also knew of this law of *eiruvei tavshilin*.

However, his question was based on the fact that baking and cooking on Yom Tov is essentially a Torah prohibition, whereas the permission to bake and cook created by *eiruvei tavshilin* is only Rabbinic; it only has the ability to permit Rabbinical prohibitions, not Torah ones.

The answer of Rav Chisda, as understood by Rabbah, was that the law of *eiruv tavshilin* even permits Torah prohibitions.

It was over this point that Rabbah was puzzled.

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Rabbah said to him: **And because of *eiruvei tavshilin***, which is merely Rabbinic, **we permitted** cooking on Yom Tov for Shabbat, which is **a Torah prohibition?**

## Perek 3 – 46B

**He** (Rav Chisda) **said to him:** This was not my intent.

Rather, **from the** standpoint of **Torah** law, **Shabbat needs may be done on Yom Tov**, even without an *eiruv tavshilin*.

This is because it is written (*Shmot* 12:16), “but that which is eaten by every soul, that alone may be done for you”. Just as for a Yom Tov need, the work related to food preparation was permitted, so too it was permitted for a Shabbat need. This is because Shabbat and Yom Tov are considered to be one sanctity, since Yom Tov is also referred to as “Shabbat”.

**And** the law that one may not bake on Yom Tov for Shabbat, **it is the Rabbis who made a decree, lest** if we will permit this, **they** people **will say that one may also bake on Yom Tov for a weekday**. And if it is for weekday use, it is indeed a Torah prohibition.

**And since the Rabbis required** making *eiruvei tavshilin* before Yom Tov, **there is a sign** that this cooking is being done it is specifically for Shabbat. Thus, people will not come to permit even cooking on Yom Tov for a weekday.

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**He** (Rabbah) **contradicted him** (Rav Chisda) from the following Baraita:

## Perek 3 – 46B

**An animal in danger** of dying, and if he does not slaughter it today, it will die and be prohibited to eat, **he may not slaughter** it on Yom Tov **unless** there will still be time **in order that he could eat a *kazayit* of roasted meat from it whilst still day.**

Even if there is only a short time left to the day, enough to eat some meat by roasting it (which is the quickest way to cook it), it is permitted to slaughter it. In this case, the slaughtering is considered to be for the need of that Yom Tov. But if there is not enough time to eat from it, it is considered to be for weekday use and it may not be slaughtered.

This implies that it is enough that **he is able to eat** from it. **Even though he does not need to** actually eat from it, it is also considered to be for a Yom Tov need.

Rabbah brings out the point: **It is all right according to me, that they said “due to the fact that”**. For here we say: **due to the fact that if he wishes to eat today, he is able to eat.** And **it is because of this that he may slaughter**, and there is no requirement for an actual need of that day. Rather, it is enough that there is a possibility for it to be eaten that day.

**But according to you, that you say that we do not say “due to the fact that”**, and an actual need is required that day, **why may he slaughter?** Surely he has already eaten his meal and has no need to eat anything else.

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## Perek 3 – 46B

**He** (Rav Chisda) **said to him: Because of his monetary loss**, he is permitted to slaughter it. For if he does not slaughter it, it will die and become prohibited.

Rabbah said to him: **And because of his monetary loss, we permit him** to transgress a **Torah prohibition** of “you shall not do any work”?

**He said to him:** This is what I meant: **Because of his monetary loss, he decided in his mind** to force himself **to eat a *kazayit*** from it whilst still day, even though he is already satisfied from his earlier meal. He knows that if he will not eat from it, slaughtering it will be prohibited and he will lose the animal.

**And** since he decided to eat a little whilst still day, the slaughtering is considered to be a slaughtering for Yom Tov use, as **it is impossible** to eat **a *kazayit* of meat** from the animal **without slaughtering** it first.

# Chavruta

## Pesachim – Daf Mem Zayin

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

Rav Chisda said on the previous *ammud* that according to Torah law, one may prepare for the needs of Shabbat on Yom Tov. **He, Rabbah, contradicted him,** Rav Chisda, from a Mishnah: *Lechem HaPanim*<sup>1</sup> **is eaten on the ninth day from** the day it is baked, or on the tenth day or on the eleventh day. It is **not** eaten **less** than nine days from the day it is baked **nor** is it eaten **more** than eleven days afterwards.

**How so? In its regular case,** i.e. during most of the year, it is eaten **on the ninth** day from the day it is baked. **It is baked on the Erev**<sup>2</sup> **Shabbat** because baking the *Lechem HaPanim* does not supercede the prohibitions of Shabbat. On Shabbat it is arranged on the *Shulchan*, the golden Table in the Temple. **And it is eaten on** the following **Shabbat**, which is **nine days** from the day it was baked.

And if **Yom Tov falls on Erev Shabbat**, it is baked on Erev Yom Tov, on Thursday, since baking the *Lechem HaPanim* does not supercede the prohibitions of Yom Tov either. Then it is arranged on Shabbat **and eaten on** the following **Shabbat**, which is **ten days** from the day it was baked.

And if the **two days of Rosh Hashanah fall** on Thursday and Friday, it is baked on Erev Yom Tov on Wednesday, and arranged on Shabbat. **And it is eaten on** the following **Shabbat** which is **eleven days** from the day it is baked.

The reason for the above is **because** baking *Lechem HaPanim* **does not supercede** the prohibitions of **Shabbat or Yom Tov**.

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<sup>1</sup> Showbread. Twelve loaves were placed on the *Shulchan*, the golden Table in the Temple, and remained there from one Shabbat to the next, when they were replaced by another set of *lechem hapanim*.

## Perek 3 – 47a

Rabbah brings out the point: **And if you say** that according to Torah law, **one may prepare for the needs of Shabbat on Yom Tov, why does** baking *Lechem HaPanim* **not supercede** the prohibitions of **Yom Tov**? Note that *Lechem HaPanim* is eaten on the following Shabbat.

And even though the Rabbis made a decree not to prepare for the needs of Shabbat on Yom Tov, they waived such decrees for matters pertaining to the Temple.

**He**, Rav Chisda, **said to him**: In truth, there is only a Rabbinic prohibition to bake on Yom Tov for Shabbat. Nevertheless in this instance the Rabbis applied their decree even for Temple matters.

For only regarding a **Rabbinic prohibition** pertaining to a **closely** occurring need, i.e. something that is needed immediately, did the Rabbis **permit** their prohibitions for Temple needs. But regarding a **Rabbinic prohibition** pertaining to a **distantly** occurring need, i.e. for the Shabbat following the next week, the Rabbis **did not permit** their prohibitions.

Rabbah raises a further difficulty to Rav Chisda: **And according to Rabbi Shimon ben Gamliel, who said in the name of Rabbi Shimon ben Hasgan** (the deputy) the following: The baking of *Lechem HaPanim* **supercedes** the **Yom Tov** prohibition on work, since food preparation is permitted on Yom Tov. **But it does not supercede the** prohibition on work of the **fast day** of Yom Kippur, since food preparation is prohibited on that day.

According to this view, **what is there to say**? Clearly he holds there is no distinction between whether the need is for the immediate Shabbat or the following one.

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<sup>2</sup> The Eve of

## Perek 3 – 47a

It is all right according to me, argues Rabbah, for I hold that there is a disagreement over whether the Torah permits preparing for Shabbat needs on Yom Tov. According to the Sages it is prohibited, and according to Rabbi Shimon ben Gamliel it is permitted. And it makes no difference whether it is for an immediate need or not. And I follow the view of the Sages, that it is prohibited. However, according to you, what are Rabbi Shimon ben Gamliel and the Sages disagreeing about?

**He, Rav Chisda, said to him: This is what they are disagreeing about:**

One **master** (the Sages) **holds that the Rabbis only permit a Rabbinic prohibition** relating to a **closely** occurring need in the Temple, but **they did not permit a Rabbinic prohibition** relating to a **distantly** occurring need. And in truth, the prohibition of baking does not supercede the laws of Yom Tov, according to Rabbinic law.

**And** the other **Master** (Rabbi Shimon ben Gamliel) **holds that they even permit a Rabbinic prohibition** relating to a **distantly** occurring need in the Temple, thus they permitted baking the *Lechem HaPanim* on Yom Tov for Shabbat needs.

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**Rav Mari contradicted** Rav Chisda: The *Shte HaLechem*<sup>3</sup>, which are brought on Shavu'ot, **are neither eaten less than two** days from the day they are baked **nor** are they eaten **more than three** days afterwards.

**How so?** In its regular case when **they are baked on Erev Yom Tov** of Shavu'ot, **they are eaten on Yom Tov**. I.e. **two days** from the day they are baked.

But if **Yom Tov** of Shavu'ot **falls on a Sunday**, and the baking would thus be done on Friday, **they are eaten on Yom Tov**, which is **three** days from the day they are baked.

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<sup>3</sup> The two breads. These were part of the communal offering of two lambs, which were brought on Shavuot.

## Perek 3 – 47a

This is **because** the baking of *Shte HaLechem* **does not supercede** the prohibitions of **Yom Tov** or of **Shabbat**.

Rav Mari brings out the point:

**And if you say**, as Rav Chisda does, that **one may prepare for the needs of Shabbat on Yom Tov**, why does this baking not supercede the prohibitions of Yom Tov?

**Since it is permitted** to prepare for the needs of **Shabbat on Yom Tov**, is it necessary to say that it is permitted to prepare for the needs of **Yom Tov** itself **on Yom Tov**? And even if they are not fit to be eaten at the precise time that they are baked (since they are only eaten after the animal offerings are slaughtered and the blood is sprinkled on the Altar), nevertheless, they are fit to be eaten on that day. And it is certainly no worse than preparing the needs of Shabbat on the previous day's Yom Tov, where it is permitted according to Rav Chisda, according to Torah law.

Rather, from here we see that the Torah permitted cooking and baking on Yom Tov only for something that is fit for immediate use. But if it will not be fit until later on that day, it is forbidden—and certainly if it is for Shabbat needs, which is not until the following day.

Thus, preparations for the needs of Shabbat may not be done on Yom Tov, according to Torah law. And the only way to do such preparations is to utilize the principle stated by Rabbah: “due to the fact that” (*ho'il*) guests could come for a visit at any time, and extra food will be required on Yom Tov itself, the cooking is considered to be for Yom Tov use.

But baking *Shte HaLechem* does not supercede the prohibitions of Yom Tov, since one cannot apply Rabbah's principle of “due to the fact that”. This is because the bread is

## Perek 3 – 47a

definitely not fit to be eaten now. It must wait until the offerings have been slaughtered and their blood sprinkled on the Altar.

The Gemara answers for Rav Chisda: In truth, it is permitted to cook or bake on Yom Tov for a non-immediate need. This holds true as long as it is for the needs of that day or for the needs of Shabbat which falls on the following day. However **it is different there**, in the case of *Shte HaLechem*, for the verse states regarding food preparation on Yom Tov (*Shmot*<sup>4</sup> 12:16): “that alone may be performed **for you**.” And the Gemara interprets: “**for you**”, **and not for Heaven**. I.e. one may not cook and bake for needs of the sacrificial service in the Temple, only for personal needs.

Although the *Shte HaLechem* are eaten by Cohanim, nevertheless, their primary purpose is to serve as a part of the sacrifices.

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The Gemara raises a difficulty: And **according to Rabbi Shimon ben Gamliel, who said in the name of Rabbi Shimon ben Hasgan** that baking the *Shte HaLechem* **supercedes** the prohibitions of **Yom Tov**, and hence they may be baked on Shavu’ot, **what is there to say?** How does he interpret the verse stating “for you”, which implies: and not for Heaven?

The Gemara answers: **He holds like the view of Abba Shaul, who said:** The verse excludes not Heavenly needs, but the following needs: “**for you**” **and not for gentiles**. I.e. it is only permitted to cook on Yom Tov for Jews.

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<sup>4</sup> Exodus

## Perek 3 – 47a

**Rav Chisda sent a message to Rabbah, through Rav Acha bar Rav Huna:**

**Do we indeed say** that cooking is permitted on Yom Tov even where there is no immediate need, as long as one can apply the principle of “**due to the fact that**” if guests would visit him, the food would be fit for him to serve them?

**But was it not taught** otherwise in a Mishnah? For it was taught: **One could plow a single furrow and be liable on account of it**, this act of plowing, **for eight different prohibitions**, as follows:

1. If **one plows with an ox and a donkey** together. He transgresses the prohibition of (*Devarim*<sup>5</sup> 22:10): “You shall not plow with an ox and a donkey together.”
2. **And they**, the donkey and ox, **are consecrated**. The donkey is consecrated to *bedek habayit*<sup>6</sup> and he transgresses the prohibition of *me'ilah*<sup>7</sup>.
3. And regarding the ox, which is consecrated to be offered on the Altar, he transgresses also the prohibition of (*Devarim* 15:19): “You shall not work with the firstborn of your ox”. This prohibition applies to all animals consecrated to the Altar.
4. **And** through this act of plowing he covered seeds with soil. And he thereby transgresses the prohibition of sowing **mingled species in the vineyard** (*kilayim bakerem*). As it is written (*Devarim* 22:9): “Do not sow your vineyard with mixed species.” While he plowed, he covered over grape seeds and other seeds that were lying together on the ground. And covering with earth is considered an act of sowing.

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<sup>5</sup> Deuteronomy

<sup>6</sup> The upkeep of the Temple. I.e. the donkey belongs to the Temple treasury, who will sell it and use the resulting funds for Temple upkeep.

<sup>7</sup> Personal use of consecrated items.

## Perek 3 – 47B

### **Ammud Bet**

5. **And** he plowed during the **Sabbatical year** (*Shevi'it*). Covering the seeds with earth is considered to be an act of sowing, as said before, thus he transgresses also the prohibition of (*Vayikra*<sup>8</sup> 25:4): “You shall not sow your field [during the Sabbatical year].”

6. **And** he plowed **on Yom Tov**. Thus he transgresses (*Bamidbar*<sup>9</sup> 28:18): “You shall not do any labor of work.”

7. **And** the one who plowed was **a cohen**. **And** he was also **a Nazirite**. And he plowed **in an impure place** (a graveyard). Thus he transgresses the prohibition applicable to cohanim (*Vayikra* 21:1): “He shall not render himself impure through [contact with] a dead person.”

8. And similarly he transgresses the prohibition applicable to a Nazirite (*Bamidbar* 6:6): “He shall not approach any dead person.” This totals eight prohibitions.

Rav Chisda brings out the point: **And if we say** as Rabbah does, that even if it is not for immediate use, it is still permitted to cook or bake on Yom Tov **due to the fact that** he might come to use it later that day, then **one should not be liable for** transgressing **plowing**.

This is because he might be able to use the earth that he displaced with the plow, if he happens later that day upon some fowl and wishes to slaughter them on Yom Tov to be used for a festive meal. In such a case, he will need the earth he displaced in order to

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<sup>8</sup> Leviticus

## Perek 3 – 47B

fulfill the mitzvah of covering the blood of fowl after their slaughter (*kisui hadam*). And if so, he should not be liable for plowing, **due to the fact that it is fit to use to cover the blood of fowl!**

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**Said Rav Pappa bar Shmuel:** What case are we dealing with here? Where he plowed a field consisting of **pebbles**, which do not crumble to earth fit for covering blood.

The Gemara objects: surely these pebbles are **fitting** for covering blood, since they can be **ground** and made into earth.

The Gemara answers: **But is grinding permitted on Yom Tov?**

The Gemara objects: But surely **they are fit to be crushed in an unusual manner**. And this would not be a prohibition according to Torah law, only a Rabbinic prohibition. Thus, according to Torah law, the pebbles could indeed be used for the mitzvah of covering the blood. Consequently, plowing a field of pebbles should not incur lashes for work on Yom Tov, and this one should not be listed amongst the eight Torah-ordained prohibitions.

The Gemara answers: What case are we dealing with here? Where he plowed **rocky ground**. Since rocks can not be crushed, one cannot use them for covering blood.

The Gemara objects: And can a field of **rocks be used for sowing?** Could one be liable for sowing mingled species by plowing such a field?

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<sup>9</sup> Numbers

## Perek 3 – 47B

The Gemara answers: we are dealing with a field that has **rocks on the top, and soft earth below** the stone. And when he plows, he plants the scattered seeds into the ground below and is liable for sowing.

The Gemara objects: If so, the previous question reemerges. Why is he liable for working on Yom Tov?

**And** note that if we apply the principle of “due to the fact that”, **you should conclude** that he is exempt for the Yom Tov work, **since** the **soft earth** could be used later on that day to cover the blood of slaughtered fowl.

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**Rather, said Mar bar Rav Ashi:** we are dealing with a case **where** the earth is **mud** and is not fitting to cover blood with.

The Gemara objects again: **But is mud fit for sowing?**

The Gemara answers: Rather, we are dealing **with marshy** land. I.e. very moist land that is fit for sowing, but cannot be made into earth suitable for covering blood. For when it is crushed it sticks together.

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**Abaye contradicted him** Rabbah, from a Mishnah: **If a person cooks a *gid hanasheh*<sup>10</sup> with milk on Yom Tov, and he eats it,** he is liable for **five sets of lashes**, as follows:

1. **He is liable for lashes for cooking the *gid* on Yom Tov.** Since the *gid hanasheh* may not be eaten by Torah law, it is not considered for Yom Tov use.

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<sup>10</sup> Sciatic nerve. It is forbidden to eat, by Torah law

## Perek 3 – 47B

2. **And he is liable for lashes for eating the *gid hanasheh*.**
3. **And he is liable for lashes for cooking meat and milk.** For he has transgressed (*Shmot*<sup>11</sup> 23:19): “You shall not cook a kid in its mother’s milk.”
4. **And he is liable for lashes for eating milk and meat together.**
5. **And he is liable for lashes for kindling fire** on Yom Tov, for kindling the wood for cooking.

Abaye brings out the point: **And if we say** the principle of “**due to the fact that**”, **he should not be liable for kindling fire on Yom Tov!**

Although the kindling was not originally for festival needs, it should still be permitted **due to the fact that the kindling is fit for his needs** if he later wants to cook some other permitted food with it.

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**He Rabbah said to him** Abaye: Remove kindling from the list of prohibitions, and substitute the prohibition of eating a carcass (*neveilah*<sup>12</sup>). And we are referring to a case of cooking the *gid hanasheh* of a *neveilah*.

Abaye objected: **But did not Rabbi Chiya teach** in a Baraita, about that Mishnah: Out of the five sets of lashes incurred, **two sets are for eating it**. I.e. for eating the *gid* and for eating the meat and milk. **And three** of them are **for cooking it**. I.e. cooking meat and milk, cooking on Yom Tov and kindling on Yom Tov.

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<sup>11</sup> Exodus

## Perek 3 – 47B

**And if it is** like you suggested, that the prohibition of kindling is removed and substituted with the prohibition of eating *neveilah*, then **he** Rabbi Chiya **should have said**: “**Three** sets of lashes are **for eating it.**”

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Rabbah replied: **Rather, remove kindling** from the list, **and substitute** the prohibition of using *muktzeh wood*. For the wood that was kindled had not been set aside for such a purpose before Yom Tov.

Abaye objected: But is *muktzeh* a **Torah-ordained prohibition** that would incur the punishment of lashes?

**He Rabbah said to him:** Yes, it is a Torah-ordained prohibition.

**For it is written** regarding the manna which fell in the Wilderness (*Shmot* 16:5): “On the sixth day they shall prepare what they bring.” This verse shows that one needs to designate everything to be used for his Shabbat needs on Erev Shabbat, and must stipulate: “This is for the needs of Shabbat.”

(This verse does not come to tell us that one may not prepare food on Shabbat itself, since that has already been taught in the previous verse. Perforce, this verse teaches that anything that has not been designated on Erev Shabbat is prohibited to be used on Shabbat. And lashes are incurred for the prohibition of *muktzeh*.)

**And its prohibition** i.e. the prohibition bearing the punishment of lashes **is from here:** as it is written (*Shmot* 20:10), “**You shall not do any forbidden forms of work.**”

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<sup>12</sup> An animal of a kosher species that died through means other than kosher slaughter.

## Perek 3 – 47B

For if one uses an undesignated item on Shabbat, he is designating it now by using it. And designating something is a forbidden form of work, since the Torah refers to it as “preparation”, as seen in the earlier verse.

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**He Abaye said to him Rabbah: But are you not the one who said: “I asked Rav Chisda”, and some say that Rabbah said: “I asked Rav Huna”,** the following question—One who brought in **a sheep from grazing in the marsh**, and the sheep is considered *muktzeh* on Yom Tov since it is not readily available there for slaughtering, **and he slaughtered it for the daily (*tamid*) offering, on Yom Tov, what is the law? Is it fit for an offering?**

**And you, Rabbah, said to us about it:** It is fit, since regarding the daily offering it is written (*Yechezkel*<sup>13</sup> 45:15): “And one sheep from the flock out of two hundred, from Israel’s fatted animals.”

And the Gemara interprets this verse as follows:

**A regular sheep – and not a *bechor***<sup>14</sup>. Because the word “sheep” implies something that may be offered as a male or female, whereas with the *bechor*, only a male is offered.

An animal that is “**one**” – **and not** which is designated for the animal **tithe**. An animal designated as a tithe may not be consecrated as any other offering. The verse implies: “one” – an animal that always stood alone is fit to be a daily offering. This excludes an animal tithe, which only comes to be if originally it was in a group of ten animals.

An animal “**from part of the flock**” – **and not** everything from the flock. This excludes a *palgas*. A sheep is called a lamb until it is one year old. In its second year, after a month

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<sup>13</sup> Ezekiel

## Perek 3 – 47B

passes, it is called a ram. In the in-between month it is called a “*palgas*”. The Torah only permitted a lamb or a ram to be offered as a sacrifice, and a *palgas* is neither of these, thus it is not fit to be an offering.

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<sup>14</sup> A firstborn male of a cow, sheep or goat. It is given to a cohen who brings it as an offering.

# Chavruta

## Pesachim – Daf Mem Chet

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[On the previous *ammud*, the Gemara cited a Mishnah which states: “If a person cooks a *gid hanasheh*<sup>1</sup> with milk on Yom Tov, and he eats it, he is liable for five sets of lashes.” Rabbah argued that one of these sets of lashes is for the prohibition of *muktzeh*<sup>2</sup>. Abaye challenged the premise that *muktzeh* is a Torah prohibition.]

**“From the two hundred” - From the remaining two hundred that were left in a wine basin.**

The verse alludes to the wine used for libations upon the Altar, where wine of *orlah*<sup>3</sup> and permitted wines were mixed together. Here, even if there was a majority of permitted wine, one would not be permitted to use the mixture for libations until there was two hundred times the quantity of *orlah* wine.

And this is what the verse is saying: One may only bring this wine for libation offerings if, after removing an amount equal to the *orlah* that is mixed in there, one is left with two hundred times this amount of wine.

**From here** we see that *orlah* is only **nullified in** a majority of **two hundred** times its quantity of permitted food.

**“From the fatted animals of Israel”** - On the Altar one may offer only **from** something **that is permitted to a Jew** to eat.

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<sup>1</sup> Sciatic nerve. In a domesticated animal it is forbidden to eat, by Torah law.

<sup>2</sup> Articles that have no permitted function on Shabbat, which the Rabbis forbade one to move.

<sup>3</sup> Orlah - fruit that grew during the first three years following the planting of a tree. One is forbidden to eat such fruit.

## Perek 3 – 48a

**From here they said: One may not bring libations from *tevel*<sup>4</sup>,** given that a Jew is not permitted to eat it.

**One might** think that on Shabbat and Yom Tov one may **not bring** offerings on the Altar **from** items that are *muktzeh*.

But to this we will **say: Just as** the prohibition of *tevel* is unique in **that an intrinsic prohibition causes it** to be forbidden, rather than an external factor. **So too** one may not offer up **anything that an intrinsic prohibition causes** to be forbidden.

This would not include the prohibition of *muktzeh*, which is caused by an extrinsic factor, namely the Shabbat laws.

Abaye now brings out the point: **And if you will say** that the **prohibition of *muktzeh*** is based in **Torah law**, how may it be brought on the Altar? **What** difference does it make **to me** if the **prohibition is intrinsic and what** difference does it make **to me** if the **prohibition** is due to **another matter**? In either case it would not be permitted for a Jew.

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**And I, Abaye,** will pose **another** difficulty:

**Surely you, Rabbah, are the one who said** that there is a **division** between **forbidden forms of work on Shabbat**. If one were to perform a number of different forms of forbidden work on Shabbat during one lapse in awareness, one would be liable to bring a sin offering for each of them. This would be true despite the fact that the Torah includes all of these forms of work under one general prohibition.

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<sup>4</sup> Untithed produce.

## Perek 3 – 48a

However, **there is no division** between **forbidden forms of work on Yom Tov**. Thus if one were to intentionally perform a number of different forms of work one would only be liable for one set of lashes, for transgressing the prohibition of “You shall not perform any work”.

If so, why would one who cooked the *gid hanasheh* on Yom Tov be liable for two sets of lashes, one for cooking and one for *muktzeh*? Because even if one were to perform two forbidden forms of work together he would only be liable once.

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Rabbah said to him: **Rather, take out** of the list the prohibition of **kindling** on Yom Tov, which I had previously taken out and replaced with the prohibition of *muktzeh*. (This was because the presence of kindling on the list of prohibitions posed a difficulty to Rabbah. For Rabbah holds of the principle of “due to the fact that” [*ho'il*]. Namely, “due to the fact that” one could later make proper use of the fire, to cook permitted food on Yom Tov, one should not be liable for the Torah prohibition of kindling a fire on Yom Tov.)

Rabbah says: **And put in** its place the prohibition of using **the wood of an *asheirah***<sup>5</sup>. One is forbidden to derive any benefit from such a tree.

**And the warning** prohibiting one from deriving benefit from idolatrous articles comes **from here**: As the verse states “**And it shall not cling to your hand, anything from the banned property**”.

**Rav Acha son of Rava said to Abaye**: If it refers to kindling the wood from an *asheirah*, **let us also administer lashes for** the prohibition of “**You shall not bring an abomination into your house**”. And then he would be liable for six sets of lashes, rather than the five stated in the Mishnah.

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<sup>5</sup> A tree worshipped as an idol.

## Perek 3 – 48a

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**Rather, take out** the prohibition of **kindling** with the wood of an *asheirah* and **put in** the prohibition of kindling **wood** that was **consecrated** to the Temple.

**And the warning** prohibiting one from burning consecrated wood comes **from here**: As the verse states “**And their *asheivot* you shall burn in fire; you shall not do so to Hashem your G-d**”. From here we learn that one may not burn wood that was consecrated to Hashem, i.e. to the Temple.

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**Rami bar Chama said: That** disagreement between **Rav Chisda and Rabbah** as to whether one says “due to the fact that” **is the same disagreement as that of Rabbi Eliezer and Rabbi Yehoshua** on 46a–b.

**For Rabbi Eliezer** who said that concerning the separation of impure *challah*<sup>6</sup> on Yom Tov, “one should not declare it *challah* until it is baked,” **holds** the following: So long as one has not separated *challah* from the dough, one is permitted to bake it into a number of different loaves.

This would be true even though one of the loaves would ultimately receive the status of *challah*, forbidding one to eat it. (Impure *challah* may not be eaten even by a cohen. Thus it may not be baked on Yom Tov, since the baking is not for food purposes. It is only to prevent the portion of *challah* dough from turning to chametz.) One might have said that in baking that loaf, one had engaged in work that was not required for one’s Yom Tov

## Perek 3 – 48a

needs, and thus one would be forbidden to bake the whole sets of loaves before separating *challah* from them. Nonetheless, according to Rabbi Eliezer one would be permitted to bake all of them.

This is because **we say: “Due to the fact that (*ho’il*)”** he could separate a small amount of *challah* from each loaf, instead of separating one entire loaf, we may view each loaf as being suitable to eat, and one is permitted to bake them all.

**And Rabbi Yehoshua holds that we do not say “due to the fact that”.** Therefore, given that one would eventually separate an entire loaf as *challah*, we consider that loaf as being unsuitable for food. If one were to bake them all, it would emerge that one had baked a loaf that was not required for one’s Yom Tov needs. Thus Rabbi Yehoshua forbids one to bake the set of loaves.

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**Rav Papa said:** We are by no means forced to say that Rabbi Eliezer and Rabbi Yehoshua disagree in this matter.

**Perhaps** according to both of them, we generally do not apply the principle of “due to the fact that”.

And **this far Rabbi Eliezer only said there that we say “due to the fact that”** because **at the time when he placed the dough in the oven, each and every one was suitable for him** to eat. Though one would eventually separate off one entire loaf as *challah*, nonetheless, before they were baked, one could view each loaf individually as being suitable to eat. For when one looked at each specific loaf one could have always said that this was not the loaf that one was going to separate.

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<sup>6</sup> A small portion separated from one’s dough and given to cohanim for their personal consumption. It may

## Perek 3 – 48a

**But here**, in the case where Rav Chisda and Rabbah disagree, it is different. They disagree where one is baking on a Yom Tov that fell on a Friday, for the needs of that coming Shabbat. And one had already finished eating one's Yom Tov meal. Thus, this bread being baked would only be **suitable for guests** who might possibly come. But **for himself** it would **not be suitable**. And given that he had not invited any guests to eat the bread, **I Rav Chisda would say that we indeed do not say: “due to the fact that”** guests might possibly arrive, the bread is required on Yom Tov.

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**And similarly, Rav Shishah son of Rav Idi said:** Rabbi Eliezer and Rabbi Yehoshua do not disagree over the same issue as Rav Chisda and Rabbah did. But his reasoning was different:

**Perhaps this is not** the subject their disagreement, and both indeed hold that we say, “Since guests might arrive, the bread is required on Yom Tov”.

And **this far, Rabbi Yehoshua only said there that we do not say “due to the fact that”**, thus one is not permitted to bake all of the loaves, because **there is one** loaf that will eventually be separated as *challah*. And because the loaf is impure it would not be suitable, **not for him and not for guests**. And we do not say that one might separate a small amount from each loaf, as suggested before, because that would be an unusual practice.

**But here**, where one baked on Yom Tov for Shabbat needs, **that** the loaves **in any case are suitable for guests** who might possibly arrive, **I would say that we do indeed say “due to the fact that”** guests might arrive, it is suitable for him. For it is a relatively common occurrence for guests to arrive unexpectedly.

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be eaten only in purity.

## Perek 3 – 48a

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The scholars said this teaching of Rami bar Chama, who explained that the disagreement of Rabbi Eliezer and Rabbi Yehoshua was over the same issue as that of Rabbah and Rav Chisda, **in front of Rabbi Yirmeyah and Rabbi Zeira.**

**Rabbi Yirmeyah accepted it**, agreeing that Rabbi Eliezer and Rabbi Yehoshua also disagree as to whether one would generally say “due to the fact that”.

And **Rabbi Zeira did not accept it**, because he held that this was not the subject of their disagreement.

**Rabbi Yirmeyah said to Rabbi Zeira:** This matter is **something that has continually been a difficulty for us for many years**, namely: **about what are Rabbi Eliezer and Rabbi Yehoshua disagreeing?**

**Now that** the scholars **have said this in the name of a great man**, Rami bar Chama, should **we not accept** that this is indeed the subject of their disagreement?

Rabbi Zeira **said to him: And how could I accept it?**

**For surely it was taught** in a Baraita: **Rabbi Yehoshua said to him**, to Rabbi Eliezer: **According to your words**, that one should bake all of the dough before one separates *challah*, **surely** in doing so **he would transgress** the prohibition of **“You shall not perform any forbidden work”**.

Because one of the loaves will eventually be separated as *challah*, not being suitable to eat, and it would emerge that one has baked something that was not required for one’s Yom Tov needs.

## Perek 3 – 48a

**And** Rabbi Eliezer **was silent**, not offering any reply.

**And if it is** true that Rabbi Eliezer’s reasoning is that we hold of the principle of “due to the fact that”, **let him say** in reply: **My reasoning is because** we say “**due to the fact that**” one could have separated a small amount from each loaf, it emerges that every one of them is suitable to eat”.

\*

Rabbi Yirmeyah **said to him: And according to your reasoning**, one may pose a difficulty from **that which was taught in** the following **Baraita**:

**Rabbi Eliezer said to him**, to Rabbi Yehoshua: **According to your words**, that one should leave the *challah* sit as dough until the departure of Yom Tov, without baking it<sup>7</sup>, **Surely** by doing so **he would transgress** the prohibitions of “it shall **not be seen**” and “it shall **not be found**”. I.e. it is forbidden to keep chametz on Pesach.

**And** Rabbi Yehoshua **was silent**.

Surely Rabbi Yehoshua could have replied: “This is not the chametz that the Torah warns us about”.

Given that in the Baraita he did not reply in this way, although we know him to hold this view, **here too**, in the Baraita where Rabbi Yehoshua challenged Rabbi Eliezer, the fact that Rabbi Eliezer did not give a certain reply is not problematic.

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<sup>7</sup> Rabbi Yehoshua held that no one would transgress the prohibition of owning chametz on Pesach, since the *challah* portion has no true owner until given to a specific cohen.

## Perek 3 – 48a

The Gemara is puzzled: **Surely** there is no proof from that Baraita, because Rabbi Yehoshua was in fact not silent in face of that challenge. Rather, Rabbi Yehoshua **replied** to Rabbi Eliezer’s challenge, and his reply appears **in our Mishnah**.

**For it was taught** in our Mishnah: **This is not the chametz that the Torah warns us about, for** the prohibitions of “it shall **not be seen**” and “it shall **not be found**”.

The Gemara replies: **Rather**, this is what Rabbi Yirmeyah was saying to Rabbi Zeira:

Just like Rabbi Yehoshua **was silent in the Baraita and replied to him**, Rabbi Eliezer, **in our Mishnah, here too I will say that** Rabbi Eliezer **was silent in our Mishnah and replied to him in a different Tannaic text** that his reasoning was because we say “due to the fact that”.

According to the explanation of Rami bar Chama, aside from the disagreement over the principle of “due to the fact that”, they also disagree as to whether one transgresses by keeping *challah* that is chametz over Pesach.

\*

**It was taught** in a Baraita: **Rabbi** i.e. Rabbi Yehudah HaNasi **says: The Halachah is in accordant with** the view of **Rabbi Eliezer**, and thus one should not separate *challah* until the dough is baked.

**And Rabbi Yitzchak said: The Halachah is in accordant with** the view of **ben Beteira**, who said that one should place the *challah* dough in cold water until the conclusion of Yom Tov so that it does not become chametz.

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## Perek 3 – 48a

One may not knead a large amount of dough at one time because it would not be possible to guard it from becoming chametz.

The Gemara thus asks: **And how much is the amount of dough** that one is able to guard from becoming chametz?

**Rabbi Yishmael son of Rabbi Yochanan ben Beroka says: With wheat** flour one may knead up to **two kav**<sup>8</sup>. **And with barley** flour one may knead up to **three kav**. Because wheat flour rises more readily than barley flour, it is harder to guard it from becoming chametz.

**Rabbi Natan said in the name of Rabbi Eliezer: Switch the words.** Barley flour rises more rapidly thus one may knead only two *kav*, as opposed to three of wheat flour.

The Gemara raises a difficulty: **Surely it was taught** in a Baraita: **Rabbi Yishmael son of Rabbi Yochanan ben Beroka says:** With **wheat**, one is permitted to knead **three kav** at a time, **and with barley**, one may knead **four kav**.

This contradicts the first version of Rabbi Yishmael's view, which said that one may knead two *kav* with wheat flour and three *kav* with barley flour.

The Gemara replies: This is **not a difficulty**.

**This** second version, where the Baraita taught “three of wheat and four of barley” referred to **underdeveloped** produce.

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<sup>8</sup> *Kav* = 2.9 pints or 1.4 liters.

## Perek 3 – 48a

And **that** first version where he taught “two of wheat and three of barley” referred to **superior** quality produce. The flour that comes from two *kav* of superior produce would be equal to that which comes from three *kav* of inferior produce.

**Rav Papa said: Hear from here** a proof that **underdeveloped wheat is worse than superior quality wheat** by a **greater** factor than **underdeveloped barley is worse than superior quality barley**.

**Because there** in the case of wheat, the difference between the two is **a third**. Inferior quality wheat produces a third less flour than wheat of superior quality.

**And here** in the case of barley, the difference between the two is **a quarter**. Inferior quality barley produces only a quarter less flour than barley of superior quality.

The practical consequence of Rav Papa’s observation would be for commercial transactions.

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**Rav said:** One *kav* from *Melogna*, a certain place, is the maximum amount of dough that one is permitted to knead **for Pesach**. However one would not be able to guard a larger quantity from becoming chametz.

**And similarly**, this is the minimum amount of dough that is liable **for** separating *challah* from it.

## Perek 3 – 48B

### **Ammud Bet**

The Gemara raises a difficulty: **Surely it was taught** in a Mishnah: **Five “quarters” of flour<sup>9</sup> are liable for *challah***. The Mishnah refers to five Tziporian *log*<sup>10</sup>, with a *log* being equal to a quarter *kav*.

The amount of dough that one needs to prepare in order to be liable for *challah* is the same as that which the Jews received daily in the Wilderness as Manna, an amount defined by the Torah as an *omer* per person. The measurements are as follows:

An *omer* is one tenth of an *eiphah*.

Where an *eiphah* made up of three *se'ah*.

And a *se'ah* is comprised of six *kav*.

Where a *kav* is made up of four *log*.

And a *log* is comprised of six *beitzim*.

It thus comes out that there are eighteen *kav* in an *eiphah*, which are seventy two *log*.

Now given that an *omer* is one tenth of an *eiphah*, there would thus be 7.2 *log* in an *omer*, equaling seven *log* and an additional one and one fifth of a *beitzah*. (Two *log* are twelve *beitzim*, thus 0.2 *log* is 1.2 *beitzim*).

This measurement of seven and one fifth *log* is according to the measurement that was used by the Jews in the Wilderness, however in Jerusalem they made the measures larger.

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<sup>9</sup> In our texts the Gemara now reads “**and more**”. However Rashi’s text did not read this way.

## Perek 3 – 48B

They added one sixth to the previous measurement. As a result, any measurement of six in the Wilderness would have converted to a measure of five in Jerusalem.

Therefore, the measure of seven and a fifth *log* in the Wilderness would have equaled six Jerusalemite *log*.

Later, in Tzipori<sup>11</sup> they added another sixth to the Jerusalemite measurements, with a Jerusalem measure of six converting to a Tziporian measure of five.

Therefore, six Jerusalemite *log* would have converted to five Tziporian *log*, equaling the *kav* and one fifth mentioned in the Mishnah above.

This poses a difficulty for Rav who said that one is liable to take *challah* from dough equal to a *kav* from *Melogna*.

The Gemara replies: **This is what Rav was saying: A *kav* from *Melogna* also equals this amount.** I.e. one *kav* in *Melogna* is equal to one and one fifth Tziporian *kav*.

\*

**Rav Yosef said: Our women** act stringently **and are accustomed to bake a *kapiza*** (three *log*) at a time **for Pesach**, in order to guard it from becoming chametz.

**Abaye said to him: What is your view**, by which you condone such a **stringency?** Since Halachah does not require us to be concerned about such an amount becoming chametz, it would be improper to act in the manner of these women.

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<sup>10</sup> *Log* = 0.7 pint, or 0.3 liter

<sup>11</sup> Associated by some with the Galilean town of Safed, called in Hebrew Tzfat,

## Perek 3 – 48B

Because **it is a stringency that comes to bring about a leniency**. Given that the women have kneaded an amount of dough that contains less than five quarters of a *kav* of flour, the mitzvah to separate *challah* **has been removed**.

Rav Yosef **said to him**: Even when they knead a small amount of dough, they still separate *challah*, **because they act according to** the view of **Rabbi Eliezer**.

**For it was taught** in the Mishnah: **Rabbi Eliezer says: Remove** the loaves from the oven **and place them in a basket**. If the total number of loaves in the basket then equals five quarters of a *kav*, then **the basket combines them** to make up the amount that is liable for *challah*.

Although at the time of kneading, the dough was not obligated in *challah*, since it did not reach the required amount, once a number of different batches are combined in a single basket, they become obligated in *challah*.

**And Rav Yehudah said** in the name of **Shmuel: The Halachah is in accordance with** the view of **Rabbi Eliezer**.

Such is the practice of women on Pesach, to knead small batches of dough and to later combine them in a basket, thus fulfilling the mitzvah of *challah*.

\*

Abaye **said to him: Surely it was said** in a statement of Amoraim **regarding it** Rabbi Eliezer's ruling.

**Rabbi Yehoshua ben Levi said: We only learned** that a basket combines different loaves, **regarding the loaves of Babylon which bond one to another** in the process of baking. Because they were large and round they stuck together in the oven and could be

## Perek 3 – 48B

considered like one large loaf. It was for this reason that combining them in a basket was effective.

**But rolls** which long and narrow and do not stick together, would **not** be combined in a basket as regards *challah*.

Rav Yosef said to him: We do not hold like Rabbi Yehoshua ben Levi.

Because **surely it was said** in a statement of Amoraim **regarding it**: A basket **even** combines **rolls**.

\*

**Rabbi Yirmeyah posed an inquiry**: Concerning loaves that were placed **on a board that does not have a rim, what** is their status regarding being combined for *challah*?

Do **we** specifically **need** the loaves to be combined **inside a utensil**, meaning that the utensil would need to have walls forming a receptacle, **but this board does not have** such a receptacle to place the loaves within.

**Or perhaps we** only **need** the loaves to be combined in **the air** space above **the utensil**. **And this board does have** such an air space to combine the loaves.

The Gemara concludes: **Let it stand**, the matter is left unresolved.

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## Perek 3 – 48B

It was taught in a Baraita: **Rabbi Eliezer says: The basket combines** loaves in order for them to be liable for *challah*.

**Rabbi Yehoshua says:** Even an **oven combines them**. Therefore, even if one were not to combine them in a basket, one could still separate *challah* if a sufficient amount had been combined in the oven.

**Rabban Shimon ben Gamliel says:** Only **Babylonian loaves which bond one to another combine** in an oven. However, rolls would not combine.

### **Mishnah**

**Rabban Gamliel says: Three women** may **knead** each their own matzah dough for Pesach, **at one time**. They may each simultaneously knead as much dough as would fill up the oven. **And** nonetheless they may then **bake in the oven, one after the other**, without being concerned that the dough will rise in the meantime.

Even though the third woman would have to wait for her two friends to bake their matzot, her dough would not rise during this time.

**And the Sages say:** The three may not knead their dough simultaneously, because the dough would be likely to rise in the time that they had to wait in order to bake it.

Rather, the **three women** may **deal** each **with their** own matzah **dough at one time**, however, each one at a different stage of preparation.

## Perek 3 – 48B

**One kneading.**

**And one shaping** her dough, having earlier started to knead it.

**And one baking** her dough, already having kneaded it and shaped it.

When the second woman completed shaping her dough, the first would have finished baking, enabling her to start to bake immediately. At the same time the third woman would start to shape her dough, and in this rotational manner no one would be required to leave their dough standing at all.

**Rabbi Akiva says:** Rabban Gamliel's words, that we need not be concerned about the dough rising while they wait to bake their matzot, are difficult to understand.

Because **not all women** are the same. Some are more zealous in guarding their dough from becoming chametz, and others are less careful.

**And not all wood** is the same. Some woods burn more strongly, creating more heat and baking the matzot more quickly, while others bake them more slowly.

**And not all ovens are the same.** Some ovens become hotter and bake more quickly, while others are not so hot. Since the time that it takes three women to make their matzot is not fixed, it would be impossible to make such a generalized ruling. Therefore the Sages' view would appear to be correct.

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## Perek 3 – 48B

The Sages said, furthermore:

**This is the general rule:** If a woman sees that the dough in her hands is beginning to **swell**, **she** should **immerse** her hands **in cold water** and drip some of the cold water on the dough to cool it down. By doing so she prevents it from becoming chametz.

### **Gemara**

We learned in the Mishnah: And the Sages say: Three women may deal each with their own dough at one time, one kneading, and one shaping, and one baking.

**The Rabbis taught** in a Baraita: When the woman who first **kneaded** finishes her kneading, **she** should begin to **shape** the dough, and **her friend** should begin to **knead** her own dough, **in her place**.

And when the first woman has **shaped** her dough, **she** should **bake** the matzot. **And** at the same time **her friend** who was previously kneading her dough should begin to **shape it, in her place**. **And** at the same time **the third** woman should begin to **knead** her dough.

When the woman who first **baked** finishes, **she** may begin to **knead** another batch of dough. **And** at the same time **her friend** who was previously shaping her dough should begin to **bake in her place**. **And the third** woman would at the same time begin to **shape** her dough.

**And** in this way the women would **repeat** the process in a **rotational** manner until everyone had finished their baking.

## Perek 3 – 48B

**And all the time that they are dealing with the dough, it will not come to rise.**

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We learned in the Mishnah: **Rabbi Akiva says: Not all women** are the same...

**It was taught** in a Baraita: **Rabbi Akiva said: I discussed** this matter **before Rabban Gamliel**, who issued the generalized ruling that three women may knead dough simultaneously and then bake their matzot, one after the other. I said to him: **Teach us, our Master**, in which case are we not concerned that the dough of the last two women would rise before they are able to bake it?

Did you speak specifically **about zealous women** who are able to guard their dough well even if it has to stand for some time?

**Or even about women who are not zealous?**

And did you speak **about moist wood** that burns slowly, meaning that the women would have a longer time before their matzot were sufficiently baked to be safe from turning to chametz?

**Or specifically about dry wood** that burns quickly, not leaving enough time for the dough of the later women to rise?

Were you specifically speaking **about a hot oven** where the matzot would be baked more quickly, leaving less time to wait?

**Or even about a ‘cold’ oven** where the baking would take longer?

## Perek 3 – 48B

**He said to me: You only have** as a ruling **what the Sages taught**. The Sages do not make any distinction between different cases, therefore this ruling would apply to every circumstance.

**This is the general rule:** If one sees that the dough is beginning to **swell**, **one** should **immerse** one's hands **in cold water** and drip some of the cold water on the dough to cool it down.

### **Mishnah**

Dough that did not rise fully is termed *si'ur*. It is treated like *chametz noksheh*, spoiled chametz. Thus, as we learned at the beginning of the *perek*, one who ate it on Pesach would transgress a simple negative prohibition<sup>12</sup>.

*Si'ur* is not to be confused with *se'or*, or sourdough. *Se'or* is a leavened grain substance which was added to dough in order to cause it to rise. We learn from a verse that the punishment eating *se'or* would be *karet*, even though it itself is not edible.

See the Gemara above, 43a, for a further explanation of these matters.

*Si'ur* on Pesach must **be burnt** because one is forbidden to eat it or to derive benefit from it.

However, **one who eats it is exempt** from *karet*<sup>13</sup>.

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<sup>12</sup> Rashi in the Gemara explains that one would be exempt even from this simple negative prohibition, in addition to being exempt from the more severe punishment of *karet*, spiritual excision.

## Perek 3 – 48B

And *sidduk*, dough that was fully leavened, its surface full of crevices, must **be burnt**.

**And one who eats it is liable for *karet*.**

**What is the “*si’ur*”** mentioned above, for which one is not liable?

When a few thin cracks appear in the dough, **like the antennae of locusts**, this is a sign that the dough has begun to rise but is still in the stage called *si’ur*.

And what is *sidduk*? Dough that has many crevices, so **that the crevices merge one with the other**. This is a sign that the dough has risen fully. These are **the words of Rabbi Yehudah**.

**And the Sages** (this is described below as the view of Rabbi Meir) **say**: Whether **this**, that the crevices merge, **or that**, when they merely resemble locust antennae, both types of dough are full chametz. **And one who ate them** would be **liable** for the punishment of *karet*.

And **what is the *si’ur*** that is not considered full chametz?

**Any** dough that has not formed any cracks at all, rather **its surface has become pale like** the shade of white of **a person whose hairs have stood** on end out of fright.

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<sup>13</sup> Spiritual excision

## Perek 3 – 48B

### **Gemara**

**The Rabbis taught** in a Baraita: **What is “*si’ur*”? Any dough whose surface has become pale like a person whose hairs have stood on end.**

And what is *sidduk*? Any dough that has formed crevices **like the antennae of locusts.** These are **the words of Rabbi Meir.**

**And the Sages** (i.e. the view of Rabbi Yehudah in the Mishnah) **say: What is “*si’ur*”? When there are crevices in the dough like the antennae of locusts.**

And what is *sidduk*? Any dough **whose crevices merge one with the other.**

**And** whether it is **this *si’ur* or that *sidduk*, one who ate them** would be **liable** for the punishment of *karet*.

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The Gemara deliberates: Why did the Sages of this Baraita, i.e. Rabbi Yehudah, say that one would be liable for *kare*, even if he only ate *si’ur*?

**Surely it was taught** in our Mishnah: *Si’ur* **must be burnt, and one who eats it is exempt** from *karet*, and even from a simple negative prohibition. These are **the words of Rabbi Yehudah.**

The Gemara replies: **I will say** that the final clause of this Baraita is not the view of the Sages, rather, it is that of Rabbi Meir.

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And this is what the Baraita is saying: **According to Rabbi Meir**, whether it is **this** dough with crevice like locust antennae, **or that** dough whose crevices merge, both are full chametz. Thus, **one who ate them** would be **liable** for the punishment of *karet*.

For according to Rabbi Meir, only dough whose surface has turned pale, without forming any crevices, may be considered *si'ur*.

**Rava said: What is the reasoning of Rabbi Meir**, who even considers even dough with fine crevices to be full chametz?

Because **there is no case of crevices above**, on the surface of the dough, **that is not** made up of **many crevices below** the surface. Therefore even if there were only thin crevices on the surface, they would be sure to merge inside the dough.

# Chavruta

## Pesachim – Daf Mem Tet

Translated by: *Rabbi Avraham Rosenthal*

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### MISHNAH

**The Fourteenth** of Nisan **that fell on Shabbat**, when it is impossible to eradicate the chametz in the usual manner, **they eradicate everything**, *chulin*<sup>1</sup> and *trumah*,<sup>2</sup> **before Shabbat**—except for what is needed for the Shabbat banquets. These are the **words of Rabbi Meir**.

**And the Sages say:** Everything is eradicated on Shabbat **in its time**, which is the sixth hour of Erev<sup>3</sup> Pesach, and it is unnecessary to eradicate it before Shabbat, since it is possible to find people to eat it before the time of the prohibition.

**Rabbi Eliezer bar Tzadok says:** Chametz which is *trumah*, he should eradicate **before Shabbat**, because there are not that many people who may eat it, as it is only permissible to cohanim. It is even prohibited to feed to the animals of non-cohanim, only to those of cohanim.

But *chulin* they eradicate on Shabbat **in their time**, since one can find many people to eat it.

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<sup>1</sup> Ordinary food. In this case food that is not *trumah*.

<sup>2</sup> A small portion separated from agricultural produce in the Land of Israel, and given to cohanim for their personal consumption. It may be eaten only in purity.

<sup>3</sup> The Eve of

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### **GEMARA**

The Gemara brings a proof from a certain incident that the Halachah follows the Sages: it is unnecessary to eradicate the chametz before Shabbat, rather, it may be done on Shabbat itself through eating.

**It was taught in a Baraita: Rabbi Eliezer bar Tzadok says: One time, Father spent Shabbat in Yavneh and the Fourteenth of Nisan fell on Shabbat. And Zonin, who was the appointee of Rabban Gamliel, came and said: The time to eradicate the chametz has arrived.**

**I went after Father and we eradicated the chametz.**

This indicates that the time of eradication is on Shabbat and not on Erev Shabbat. For if everything was eradicated before Shabbat aside from what is needed for the Shabbat banquets and they already ate the banquets, Rabban Gamliel's appointee would not have had to announce, "the time to eradicate the chametz has arrived."

### **MISHNAH**

**One who goes on the fourteenth of Nisan to slaughter his Pesach sacrifice, or to circumcise his son, or to eat a betrothal (*eirusin*) banquet in his father-in-law's house, and he remembers that he has chametz in his house which has not yet been eradicated—**

## Perek 3 – 49a

**If he can return** to his house **and eradicate it** and afterwards **return to his mitzvah, he should return and eradicate** and then return to his mitzvah.

And **if not**, if he returns and eradicates, he will lose the opportunity to do the mitzvah, he should not return home to eradicate, but he should **nullify it mentally**.

This is because according to Torah law, mentally nullifying the chametz is sufficient, and he is only obligated by Rabbinic law to do eradication. When he will lose the opportunity to perform a mitzvah, the Rabbis did not obligate him to eradicate, rather they allowed him to fulfill the Torah requirement alone.

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One who goes on the fourteenth of Nisan **to save Jews from gentiles**, or to save them **from a river, or from robbers, or from a fire, or from a collapsed building**, and he remembers that he has chametz in his house, he does not return to eradicate it. This is true even if he will have time afterwards to return to his mission. Rather, **he nullifies** the chametz **mentally**.

\*

If he went on Erev Pesach in order to reach a particular place before the onset of Yom Tov, in order **to acquire shevitah**<sup>4</sup> there which will enable him to go 2000 *amot*<sup>5</sup> from that point in any direction, as per the law of the Shabbat boundary. If he is doing this for a **non-obligatory shevitah**, meaning, the reason he needs to extend his boundary is so that he can go somewhere for a non-obligatory purpose, he should **return immediately** to his house and eradicate his chametz, even if he will not be able to reach that place before sunset.

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<sup>4</sup> A place of residence.

## Perek 3 – 49a

But if he wishes to acquire *shevitah* so that he can go on Yom Tov for a mitzvah, i.e. to a mourner's house or a wedding banquet, then he has the same status as one going to slaughter his Pesach sacrifice. If he will not have enough time to both return home to eradicate and come back and acquire *shevitah* in that place, he should not go home, but should nullify it mentally.

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**And similarly, regarding one who leaves Jerusalem and remembers that he has in his possession consecrated meat.** Once he exits the walls of the city, the meat becomes invalid because of “*yotzei*.”<sup>6</sup> (The meat of most sacrifices may be eaten throughout the city of Jerusalem but not beyond the walls of the city.)

Invalidated sacrifices are burnt within their area where they may be eaten, as we explicated earlier from the verse: “In the holy, it is burnt in fire.”

One who leaves Jerusalem with invalidated consecrated meat in his possession, **if he already passed Tzofim**, a village from which one could see the Temple, **he burns it in its place**, since they do not trouble him to return from such a distance.

**And if not**, he did not yet reach Tzofim, **he returns to Jerusalem and burns it before the Birah** (another term for the Temple) **with the wood of the pyre**, which was the place where they burnt consecrated items.

\*

**And up to how much** is the amount of consecrated meat and the amount of chametz for which **they** are obligated to **return** to their respective places in order to burn them?

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<sup>5</sup> 1 *ammah*: 18.7 in., 48 cm

## Perek 3 – 49a

**Rabbi Meir says: This and that**, consecrated meat and chametz, their amounts are a *kabeitzah*.<sup>7</sup> But for less than this he need not return to Jerusalem, rather, he burns the meat in its place. And similarly with chametz, he does not need to return home for less than a *kabeitzah*, rather he nullifies it mentally.

**Rabbi Yehudah says: This and that**, even for a *kazayit*<sup>8</sup> he must return in order to burn them.

**And the Sages say:** He returns to Jerusalem to burn **consecrated meat** even for a *kazayit*. But, he does not return for **chametz** unless it is a *kabeitzah*.

## GEMARA

It was stated in the Mishnah: One who goes to eat an *eirusin* banquet in the house of his father-in-law, if he can return and eradicate and return to his mitzvah, he should return and eradicate. And if not, he should nullify it mentally.

**They posed a contradiction**, from that which was taught in a Baraita: **One who goes to eat an *eirusin* banquet in the house of his father-in-law, or to acquire a non-obligatory *shevitah*, and he remembers that he has chametz in his house, he returns** to his house **immediately** in order to eradicate, even if he will not be able to return to the banquet.

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<sup>6</sup> Lit. goes out. Meat of sacrifice that has left its permissible area of eating.

<sup>7</sup> *Kabeitzah*: 1.9 fluid oz. or 57 cu. cm.

<sup>8</sup> *Kazayit*: 0.9 fluid oz. or 28 cu. cm.

## Perek 3 – 49a

But it was taught in the Mishnah that one who goes to eat an *eirusin* banquet in his father-in-law's house does not return if he does not have enough time for both, rather he nullifies it mentally.

**Said Rabbi Yochanan:** This is **not a difficulty**.

**That** which was taught in the Baraita, “return immediately,” is **Rabbi Yehudah's** view, who holds that an *eirusin* banquet is not a mitzvah, therefore it does not supersede the Sages' requirement of eradication.

**And that** which was taught in the Mishnah, “he nullifies it mentally,” is **Rabbi Yossi's** view, who holds that the banquet is indeed a mitzvah, and where one is performing a mitzvah it is sufficient if he does the Torah requirement of nullification.

**This is as was taught** in a Baraita: The *eirusin* banquet is a banquet that is **not obligatory**. These are the **words of Rabbi Yehudah**.

**Rabbi Yossi says:** It is a banquet that is a **mitzvah**.

The Gemara adds: **And now that said Rav Chisda** that the **disagreement** is only regarding the **second banquet** (this was the practice of the bridegrooms: after the first *eirusin* banquet they would send gifts to the bride and then return to eat a second banquet), regarding this second banquet Rabbi Yehudah said that it is not obligatory.

**But with the first banquet** of the *eirusin*, **according to the words of everyone** it is a banquet that is a **mitzvah**. Thus **you can even say** that **this and that** are both **Rabbi Yehudah's** view, **and it is not a difficulty** to reconcile the Mishnah and Baraita.

Because **that** which was taught in the Mishnah: “nullify it mentally,” is speaking **where he is going to the first banquet**.

## Perek 3 – 49a

**And that** which was taught in the Baraita: “immediately return,” is speaking **where** he is going **to the second banquet**.

**It was taught** in a Baraita: **Said Rabbi Yehudah: I only heard that the *eirusin* banquet** is a mitzvah banquet, **but not the gifts** banquet, which is the second banquet.

**Said to him Rabbi Yossi: I heard** that both the *eirusin* banquet **and** the **gifts** banquet are mitzvah banquets.

\*

**It was taught** in a Baraita: **Rabbi Shimon says: Any banquet that is not a mitzvah** banquet, **a Torah scholar is not permitted to partake from it**.

The Gemara asks: **For example, what** is a banquet that is not a mitzvah?

**Said Rabbi Yochanan: For example,** an *eirusin* banquet celebrating the betrothal of the **daughter of a cohen to a non-cohen** is not a mitzvah. She should marry a cohen and not detract from her lineage.

**And** similarly an *eirusin* banquet celebrating the betrothal of a **daughter of a Torah scholar to an ignoramus** is not a mitzvah. He should not marry his daughter to an ignoramus.<sup>9</sup>

**For said Rabbi Yochanan: The daughter of a cohen who marries a non-cohen, their match will not turn out well.**

The Gemara asks: **What is this** which will happen to them?

## Perek 3 – 49a

**Said Rav Chisda:** **Either** he will die before his time and she will become a **widow, or** she will become a **divorcee, or** she will not have children. For it is written, “And the daughter of a cohen, if she will be [married] to a strange man...” i.e. a non-cohen. And a nearby verse states: “And the daughter of a cohen, when she will be a widow or divorcee, and **she has no offspring.**”

\*

**It was taught in a Baraita:** The daughter of a cohen who marries a non-cohen – either she will die prematurely and **he will bury her, or** he will die and **she will bury him, or she will bring him to poverty.**

The Gemara raises a difficulty: **Is this so? But note that Rabbi Yochanan said the opposite: One who wishes to become wealthy should cling to the offspring of Aharon,**<sup>10</sup> i.e. marry a cohen’s daughter.

And if he is a Torah scholar, **certainly this is so. Because his Torah learning and her priestly lineage will make them wealthy.**

The Gemara answers: This is **not a difficulty.**

**This** which he said that he will become wealthy is speaking **about a Torah scholar** who marries a cohen’s daughter.

And **that** which was taught in the Baraita, “she brings him to poverty,” is speaking **about an ignoramus** who married a cohen’s daughter, since this is a disgrace to Aharon. Thus he will be punished.

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<sup>9</sup> It emerges from the Gemara’s later discussion that the term “ignoramus” is sometimes used to refer to someone who does not observe basic Jewish practices.

<sup>10</sup> Aaron, the progenitor of the priestly tribe

## Perek 3 – 49a

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**Rabbi Yehoshua married a cohen's daughter and he became ill.**

**He said: Aharon is not pleased that I should cling to his offspring,** and it is not pleasing to him **that he should have a son-in-law like me.**

**Rav Idi bar Avin married a cohen's daughter. There came out from him two sons who had *semichah*<sup>11</sup> and they are: Rav Sheishet the son of Rav Idi and Rav Yehoshua the son of Rav Idi.**

**Said Rav Papa: Had I not married a cohen's daughter, I would not have become wealthy.** A Torah scholar who clings to the offspring of Aharon becomes wealthy, as was said earlier.

**Said Rav Cahana:** Because I married a cohen's daughter I was exiled from Babylonia to the Land of Israel. **Had I not married a cohen's daughter, I would not have been exiled.**

**They said to him: But note that you were exiled to a place of Torah,** and this is not a punishment.

He said to them: **I was not exiled as other people are exiled,** i.e. like other scholars who willingly exile themselves from their homes to learn Torah. Rather, I was exiled against my will, because I married a cohen's daughter .

**Said Rabbi Yitzchak: Anyone who partakes from a non-obligatory banquet** such as the ones mentioned above, which did not find favor in the eyes of the Sages, **in the end he will be exiled, as it says (Amos 6:4): “And eat lambs of the flock and calves out of the stall.”**

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<sup>11</sup> Authorization to render Halachic decisions

## Perek 3 – 49a

**And it is written** afterwards (ibid. 7): **“Therefore, now they shall go into exile.”**

**c c õ d d**

**The Rabbis taught** in a Baraita: **Any Torah scholar who increases his meal in every place, in the end he destroys his house, widows his wife and orphans his children.**

**Since his needs are great** seeing as he has accustomed himself to a higher standard of consumption, **and should they not be available to him, he will go into exile to find a livelihood—and his wife will be like a widow and his children like orphans.**

**And also his learning is forgotten from him.** Since he eats large meals, he does not have time to review.

**And many disagreements come to him,** since he forgot his learning. This is also because he buys on credit what he needs for his meals and he has a lot of debts.

**And his words are not listened to.**

**And he desecrates the Name of Heaven, and the name of his master and the name of his father.**

**And he causes a bad name for himself and for his children and grandchildren, until the end of all generations.**

The Gemara asks: **What is it,** the “bad name” that he causes to his children?

## Perek 3 – 49a

**Said Abaye:** Because **they call him**, his son, **the son of the oven-warmer**. He is the son of the person who constantly warmed his oven in order to cook his meals.

**Rava said:** They call his son: **the son of “dancer in the wine shop.”** He is the son of the clown who dances in wine shops and is paid by getting free wine.

**Rav Papa said:** They call his son: **the son of the bowl-licker**.

**Rav Shemayah said:** They call his son: **the son of the one who folds his clothes and lies** down to sleep where he is. This is the way of a drunk, who does not have a chance to get home to lie on his bed. Rather, he folds his clothes and lies on them.

\*

**The Rabbis taught** in a Baraita: **In truth, a person should sell everything that he has and marry the daughter of a Torah scholar**. Because even **if he dies, or is exiled** from his house, **he is assured that his sons** will be **Torah scholars**, as they will be raised by their maternal grandfather, who is a Torah scholar.

**And he should not marry the daughter of an ignoramus**. Because **if he dies or is exiled** from his house, **his sons** will be **ignoramuses**, as they will be raised by their maternal grandfather, who is an ignoramus.

\*

**The Rabbis taught** in a Baraita: **In truth, a person should sell everything that he has and marry the daughter of a Torah scholar**.

And similarly, he should sell everything that he has in order that **he should marry his daughter to Torah scholar**, because the marriage of the daughter of a Torah scholar to a

## Perek 3 – 49B

Torah scholar **may be compared to the joining of grapes of the vine with grapes of the vine, which is a pleasant and acceptable thing.**

**And a Torah scholar should not marry the daughter of an ignoramus** because the marriage of a Torah scholar to the daughter of an ignoramus **may be compared to the joining of the grapes of a vine with the grapes of a thorn bush, which is an ugly...**

### **AMMUD BET**

**...and unacceptable thing.**

\*

**The Rabbis taught in a Baraita: In truth, a person should sell everything that he has and marry the daughter of a Torah scholar.**

**If he does not find the daughter of a Torah scholar, he should marry the daughter of the great ones of the generation, i.e. righteous people.**

**If he does not find the daughter of the great ones of the generation, he should marry the daughter of the community leaders.**

**If he does not find the daughter of the community leaders, he should marry the daughter of the charity treasurer, whose appointment indicates that they are good and trustworthy people.**

**If he does not find the daughter of the charity treasurer, he should marry the daughter of the teacher of children.**

## Perek 3 – 49B

**And provided that he does not marry the daughter of an ignoramus, because they are disgusting and their wives are detestable, since they are not careful about keeping the mitzvot.**

**And regarding their daughters, it says (*Devarim*<sup>12</sup> 27): “Cursed is the one who lies with any animal.”** They are similar to an animal since they do not have understanding, like animals.

\*

**It was taught in a Baraita: Rabbi i.e. Rabbi Yehudah HaNasi said: An ignoramus – he is forbidden to eat meat, as it says (*Vayikra*<sup>13</sup> 11), “This is the *Torat* (the Law of) the animal and the bird.”**

From the fact that it is written “*torat*” before “the animal and the bird,” we learn that only those who are involved in Torah are permitted to eat the meat of the animals and the birds.

**And anyone who is not involved in Torah, it is forbidden for him eat meat of an animal or bird.**

**Said Rabbi Elazar: An ignoramus – it is permissible in certain circumstances to tear him apart, starting from his nostrils (this is a metaphor for publicly embarrassing him<sup>14</sup>), even on Yom Kippur which falls on Shabbat, when harmony among Jews is paramount.**

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<sup>12</sup> Deuteronomy

<sup>13</sup> Leviticus

<sup>14</sup> *Maharsha*

## Perek 3 – 49B

**His disciples said to him: Master, say “it is permissible to slaughter him.”** Why do you say: “to tear him apart from his nostrils?”

**He said to them:** I specifically said “tearing from the nostrils,” as this is a lowlier fate.

Since **this**, slaughtering, **requires a blessing**. We recite a blessing when performing kosher slaughter on an animal, thus it is a more honorable death.

**And that**, tearing from the nostrils, **does not require a blessing**. An ignoramus, in certain circumstances, deserves the public embarrassment comparable to the lowly death of tearing from the nostrils.

**Said Rabbi Elazar: An ignoramus – it is forbidden to accompany him on the road.**

**As it says** regarding the Torah (*Devarim* 30), **“Because it is your life and the lengthening of your days.”** Thus one who does not learn Torah puts himself in danger, since he disregards that which lengthens one’s days.

And if **over his own life he is unconcerned, over his friend’s life all the more so** he is unconcerned.

**Therefore, he should not accompany him, perhaps he will kill him on the road.**

\*

**Said Rabbi Shmuel bar Nachmeini in the name of Rabbi Yochanan: An ignoramus – it is permissible** in certain circumstances **to tear him** i.e. to publicly embarrass him **like a fish**.

## Perek 3 – 49B

**Said Rabbi Shmuel bar Yitzchak:** And one should tear him **on his back**, so that he will certainly die, i.e. be severely humiliated.

\*

**It was taught** in a Baraita: **Said Rabbi Akiva: When I was an ignoramus, I said: If only** someone would **give me a Torah scholar, and I will bite him like a donkey.**

**Said to him his disciples: Master, say:** “I will bite him **like a dog.**” Why did you specifically say “like a donkey?”

**He said to them: This,** a donkey, **bites and breaks the bone** while biting.

But **that,** the dog, **bites and does not break the bone.**

**This indicates the great hatred that ignoramuses have towards Torah scholars. It is insufficient for them merely to bite. Rather, they also want to break bones.**

\*

**It was taught** in a Baraita: **Anyone who marries his daughter to an ignoramus, it is as if he ties her up and places her before a lion.**

Because **just like a lion pounces** on an animal **and eats it** alive, **and it has no shame,** as it does not wait for the animal to die, **even an ignoramus** is the same.

For **he strikes** his wife **and** immediately **cohabits with her, and he has no shame,** as he does not wait to appease her.

\*

## Perek 3 – 49B

**It was taught** in a Baraita: **If it were not that we are needed for business transactions by them, the ignoramuses, they would kill us.**

**Taught Rabbi Chiya** in a Baraita: **Anyone who involves himself in Torah in front of an ignoramus, he embarrasses him as if he had cohabited with his betrothed one, of the ignoramus, in front of him.**

**As it says** (*Devarim* 33): **“Moshe<sup>15</sup> commanded us Torah, *morashah* (an inheritance) for the congregation of Yaakov<sup>16</sup>.”**

**Do not read it: “*morashah*,” rather, “*me’orasah*,” a betrothed woman.**

The Torah is considered “betrothed” to all of the congregation of Yaakov, meaning all Jews, including the ignoramuses—since it is relevant to everyone.

But it is not considered “married” to them, only to those who learn it. Thus for the ignoramus, the Torah has only the aspect of “betrothed”.

\*

**Greater is the hatred that the ignoramuses hate the Torah scholar, even more than the hatred that the gentiles hate the Jews.**

**And their wives, of the ignoramuses, hate the Torah scholars even more than them.**

**It was taught** in a Baraita: Someone who once **learned** and then **separated** himself from Torah learning, he hates the Torah scholars **more than all of them**. This is because they know how much ignoramuses are despised in the eyes of the Torah scholars.

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<sup>15</sup> Moses

## Perek 3 – 49B

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**The Rabbis taught** in a Baraita: **Six things are said about ignoramuses**, and they are:

1) **We do not give to them** an invitation to **witness** a matter. Meaning, we do not invite them to witness a legal proceeding in order that they should give testimony regarding it afterwards.

2) **We do not accept from them**, ignoramuses, **testimony**.

3) **We do not reveal to them secrets**, because they are gossipers and will reveal the secret.

4) **We do not appoint them as guardians over** the property of **orphans**.

5) **We do not appoint them as guardians over the charity fund**, since they are suspect of theft.

6) **We do not accompany them on the road** because of danger, since they are suspect of murder.

**And there are those that say: We also do not announce his lost object**, of the ignoramus.

One who finds a lost object is obligated to announce it, as it is written, “So you shall do to all lost objects of your brother.” However, an “ignoramus” is not referred to as “your brother,” because he does not observe even basic Jewish practices.

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<sup>16</sup> Jacob

## Perek 3 – 49B

**And the first Tanna**, who did not include this among the six things he taught, holds that we do announce his lost object because **sometimes there will come from him proper children**. He will have a child who is righteous, and by returning the object to the father, it will reach that child, **and he will eat it**, i.e. he will benefit from it.

As it says (*Iyov*<sup>17</sup> 27), “The wicked **will prepare, and the righteous will wear.**”

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It was stated in the Mishnah: **And similarly, one who leaves** Jerusalem and remembers that he has in his possession consecrated meat, Rabbi Meir says: This and that, are a *kabeitzah*. Rabbi Yehudah says: This and that, are a *kazayit*.

The Gemara asks: Does this mean **to say that Rabbi Meir holds** that only the amount of **a *kabeitzah* is significant**, and therefore they return for it in order to burn it properly, **and Rabbi Yehudah holds** that the amount of *kazayit* **is also significant** enough to go through the trouble to return for?

**And they contracted this**, from what was taught in a Mishnah: Three who ate together, are obligated to recite *zimun* (call for the joint recitation of *birkat hamazon*, grace after meals). They are not allowed to divide up.

**What is the quantity for calling for *zimun*?** What is the size of bread for which one is called for *birkat hamazon*?

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<sup>17</sup> Job

## Perek 3 – 49B

According to the words of Rabbi Meir, **until** they eat a *kazayit* together, but if they eat less there is no *zimun*.

**And Rabbi Yehudah says:** They are not obligated in a *zimun* until they eat a *kabeitzah*.

We see that according to Rabbi Yehudah, only the amount of a *kabeitzah* is significant.

But according to the Sages (i.e. Rabbi Meir) who differ with Rabbi Yehudah, even a *kazayit* is significant.

Yet above, the opposite was taught.

**Said Rabbi Yochanan: The opinion is switched.** Really, Rabbi Yehudah said in the Mishnah: “This and that, they return for a *kabeitzah*”, and Rabbi Meir said, “This and that, they return for a *kazayit*.”

**Abaye said: In truth, do not switch** the opinions, and nevertheless it is not a difficulty.

**Because there** with *zimun*, **they differ about** the interpretation of certain **verses**, while **here**, burning chametz and consecrated meat, **they differ about a matter of reasoning**.

**There they differ about verses, for Rabbi Meir holds** that since the source of *birkat hamazon* is the verse: “And you shall eat, and be satiated and bless,” we explicate it as follows:

**“And you shall eat,” this is eating. “And be satiated,” this is drinking.**

Since the minimum amount considered eating is a *kazayit*, therefore, as long as they eat a *kazayit* together, they are obligated in *zimun*.

## Perek 3 – 49B

**And Rabbi Yehudah holds** that we explicate the verse as follows:

**“And you shall eat and be satiated,” this is an eating of satiation. And which is an eating of satiation?**

**This** is an eating that has at least the amount of a *kabeitzah*.

But less than this there is no satiation, and there is no obligation of *birkat hamazon*.

Therefore if they did not eat this amount together, they do not join for a *zimun*.

But **here** with the eradication of the chametz and the burning of consecrated meat, **they argue about a matter of reasoning.**

The eradication of chametz is a Rabbinic obligation, since according to Torah law, mental nullification is sufficient.

Similarly, burning consecrated meats in Jerusalem is only a Rabbinic obligation.

They differ about what is the basis of the enactment.

**For Rabbi Meir holds** that the law requiring **his returning** to his house or to Jerusalem, in order to burn the chametz or the meat, is **like the law of its impurity**. They based it on the amount that would be susceptible to receive food impurity.

**Just as its impurity** of the food **is a kabeitzah**, since there is no food impurity for less than a *kabeitzah*, **even** regarding **his returning** to his place in order to burn it, the Sages did not require him to do so for less than a *kabeitzah*.

## Perek 3 – 49B

**And Rabbi Yehudah holds** that regarding the amount requiring **his returning**, they based it on the amount [**regarding its prohibition.**]

# Chavruta Pesachim – Daf Nun

Translated by: *Chavruta staff of scholars*  
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[For Rabbi Meir holds that the law requiring **his returning** to his house or to Jerusalem, in order to burn the chametz or the meat, is **like the law of its impurity**. They based it on the amount that would be susceptible to receive food impurity.

**Just as its impurity** of the food is a *kabeitzah*, since there is no food impurity for less than a *kabeitzah*, **even** regarding **his returning** to his place in order to burn it, the Sages did not require him to do so for less than a *kabeitzah*.

**And Rabbi Yehudah holds** that regarding the amount requiring **his returning**, they based it on the amount] **regarding its prohibition**.

**Just as its prohibition** i.e. the prohibition of eating of chametz and of invalid sacrificial meat is **with** the amount of *kazayit*, so regarding **his returning** to its place in order to burn it, the Sages made the obligation dependent **on kazayit**.

**It was taught** in a Baraita: **Rabbi Natan says:** For both **this and that** (chametz and invalid sacrificial meat), one does not return to burn it unless it contains a quantity **the same as two kabeitzah**.

**And the Sages did not agree to him.**

\*

## Perek 3 – 50a

Since our Mishnah spoke of the walls of Jerusalem as regards sacrificial meat, the Gemara now begins a discussion that will touch on the borders of Jerusalem.

It is written (*Zechariah* 14:6), “**And it shall be on that day, there shall not be light of *yekarot* and *kipa’on*”.**

The Gemara asks: **What is “*yekarot* and *kipa’on*”?**

**Said Rabbi Elazar: This is the light** of the sun in its might, **that is valued** (*yakar*) and important **in this world, and will be “*kafui*” in the next world.**

“*Kafui*” is a term for something light and is the Aramaic translation of the word “float”, as anything that is light floats on water.

The verse intends to say that in the future, a great light will blaze that will make the light of the sun seem insignificant.

\*

**Rabbi Yochanan said** a different explanation: **These are** the laws of *nega'im*<sup>1</sup> and *oholot*<sup>2</sup>, which are *yekarim* (heavy and difficult) **in this world and that are *kefuim*** (light and easy) **in the next world**, as the world will then be filled with knowledge of Hashem.

**And Rabbi Yehoshua son of Levi said** a different explanation: **These are rich people** who are not good in the eyes of Hashem, **that are *yekirim*** (important) **in this world and *kefuim*** (unimportant) **in the next world.**

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<sup>1</sup> The laws pertaining to the impurity of *tzara'at*

<sup>2</sup> The laws pertaining to the impurity of a human corpse, as imparted by its presence under a common roof

## Perek 3 – 50a

It is like what was said by **Rav Yosef son of Rabbi Yehoshua son of Levi, who became sick and his spirit rose** up to heaven. **When it** his spirit **returned** to him, **his father said to him: What did you see** there in the upper world?

**He Rav Yosef said to him: I saw an upside-down world.** People that are **on top** and important in this world **are on the bottom** in the upper world.

**And those** that are **on the bottom** and unimportant here **are on top** over there.

**He Rabbi Yehoshua son of Levi said to him: My son, you saw a clear world,** that the people on top over there are truly important.

They asked further: **And we,** who are Torah scholars, **where** are we **there?**

He said to him: **Just as we are here, so we are there.** (Just as we are important and honored here, so too we are important there.)

He told further: **And I heard that they were saying** there: **Fortunate is a person that comes here with his learning in his possession!**

**And I also heard that they were saying: Those killed by the wicked Roman government,** which persecuted the Jewish people, **nobody else is able to stand in their section** of heaven, due to their tremendous holiness and importance.

\*

The Gemara asks: **Who are they** who were killed by the government?

## Perek 3 – 50a

**If you say it is Rabbi Akiva and his colleagues** i.e. the ten outstanding Sages killed by the Romans, it does not make sense: is all their importance in heaven only **because they were killed by the government, and nothing else** noteworthy can be said about them?

The Gemara answers: Rather, it was said about **those killed in Lod**.

The incident in Lod is as follows: It was discovered that the daughter of the king had been killed, and people said that the crime had been committed by the Jews. Two Jewish brothers (Lulinus and Papus) admitted to the murder and gave themselves over to be killed. Through this, they saved all of the Jews.

\*

It is written further in that chapter of *Zechariah* (verse 20), **“On that day, there will be on *metzilot hasus*, consecrated to Hashem”**.

The Gemara asks: **What is “*metzilot hasus*”?**

**Said Rabbi Yehoshua son of Levi: In the future, The Holy One will add to the borders of Jerusalem** and increase its size, **up to the distance that the horse (*sus*) runs and shadows (*matzil*) the ground underneath it.**

Jerusalem will be increased by the distance covered by a horse galloping from the morning until halfway through the day. For at high noon, the shadow of the horse is directly underneath it.

**Rabbi Elazar said a different explanation: All of the *metzilot* (adornments) that they hang between the eyes of a horse (*sus*), will be consecrated to Hashem.** The Jews will donate them to the Temple treasury.

## Perek 3 – 50a

**Rabbi Yochanan said** a different explanation: **All of the booty that Israel will plunder** from the gentiles on one day, **up to the distance that the horse (*sus*) runs and shadows (*matzil*) the ground underneath, it will be donated by Israel and consecrated to Hashem.**

\*

The Gemara raises a difficulty: **It is all right according to the one who said** that “*metzilot hasus*” means “all of the **booty** that Israel will plunder on one day until noon, they will consecrate to Hashem”. It fits in well because **that is what is written** afterwards (verse 20): “**And the pots in the House of Hashem shall be as numerous as the bowls before the Altar**”.

Because of the great quantity of gold and silver that will be in the Temple from all of the booty that will be consecrated to Hashem, all of the pots in the Temple will be made from gold and silver, like the bowls of the Altar itself.

**But according to the one who said** that “*metzilot hasus*” is **in these two matters** (adding to the borders of Jerusalem or consecrating the adornments of the horses to Hashem), **what is** the connection to “**and the pots in the House of Hashem**”? For the adornments of horses are not of sufficient quantity to provide gold and silver for all of the pots of the Temple.

The Gemara resolves the difficulty: This verse is **something else**. It speaks of a different subject and does not refer back to the previous verse.

**It** the second verse **says that Israel will become wealthy and will donate and bring** large quantities to the Temple. As a result of these donations, all of the pots of the Temple will be gold and silver.

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## Perek 3 – 50a

The Gemara raises a further difficulty: **It is all right according to the one who said** that “*metzilot hasus*” means “All of the **booty** that Israel will plunder on one day until half-way through the day, will be consecrated to Hashem”. It fits in well because **that is what is written** afterwards (verse 21), “**and there will no longer be a Canaanite** [i.e. a trader] **in the House of the L-rd of H-sts** on that day.”

Due to the large wealth that will be in the Temple, the treasurers will not need to do business with property of the Temple.

**But according to the one who said** that “*metzilot hasus*” means **in these two** other matters, **what is** the connection to “**and there will not be a Canaanite**”?

**Said Rabbi Yirmeyah:** It is a separate announcement, that there will not be poor people there. The phrase “and there will not be a Canaanite” (*velo yihyeh cana’ani*) is an abbreviation for “*ein kan ani*” (there is no poor person here).

\*

The Gemara asks: **And** the word “**Canaanite**”, **from where do we know that it is referring to a trader?**

The Gemara answers: **From that which is written** (*Breishit*<sup>3</sup> 38:2), “**And Yehudah**<sup>4</sup> **saw there the daughter of a Canaanite man** and his name was Shua, and he took her and came unto her”. The Gemara now explains this.

**What is “Canaanite”?**

**If you say it refers to an actual Canaanite,** this cannot be.

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<sup>3</sup> Genesis

## Perek 3 – 50a

For **is it possible that Avraham came and warned** his servant Eliezer not to take **for Yitzchak<sup>5</sup>** a wife from the Canaanites, **and Yitzchak came and warned Yaakov<sup>6</sup>** about this, **and Yehudah went and married** a Canaanite woman?

**Rather, said Rabbi Shimon son of Lakish: She was the daughter of a tradesman,** for a “Canaanite” is a trader, **as it is written** (*Hoshea*<sup>7</sup> 12:8), **“A trader (Canaan) with deceitful scales in his hand”**.

**And if you wish, I could say** an alternative source: **From here** we learn that a “Canaanite” is a trader, from that which is written (*Yeshayahu*<sup>8</sup> 23:8): **“Whose merchants were princes, whose traders (Canaanites) were the honored of the land”**.

\*

It is written (*Zechariah* 14:9): **“Hashem shall be King over the entire land, on that day Hashem shall be One and His Name shall be One”**.

The Gemara is puzzled: **And now, is He not One?**

**Said Rav Acha son of Chanina: The next world is not like this world.**

In **this world**, there are good tidings and bad tidings.

**Over good tidings, one says: Blessed... Who is good and Who does good!**

**And over bad tidings one says: Blessed... the true Judge.**

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<sup>4</sup> Judah

<sup>5</sup> Isaac

<sup>6</sup> Jacob

<sup>7</sup> Hosea

<sup>8</sup> Isaiah

## Perek 3 – 50a

Thus it seems as if there are both positive and negative forces affecting events in the world.

But **in the next world**, there will be no bad tidings at all, and **all will be: “Who is good and Who does good”!** Thus it will be clear that all events emanate from the one Source of good. This is the meaning of the verse “On that day, Hashem will be One”.

The Gemara raises a further difficulty: The phrase that states “**And His Name will be One**”—and now, **is His Name not One?**

**Said Rav Nachman son of Yitzchak: The next world is not like this world.**

In this world, the name of the Holy One **is written with** the letters *Yud Hei...* **but read with** the letters *Alef Dalet...* I.e. it is not pronounced as it is written, thus there are two aspects to the Divine Name.

**But in the next world, it will all be One**, and there will be no difference between the way it is written and the way it is pronounced. Rather, **it will be written with *Yud Hei...* and read with *Yud Hei...***

\*

**Rava wished to interpret it** (the Name of *Yud Hei*) **in the public lecture**, and explain various aspects of the Name.

**A certain elder said to him:** It is not proper to explain it in public, as **it is written** (*Shmot*<sup>9</sup> 3:15): “This is My Name *le’olam* (forever).” And in this verse, *le’olam* is

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<sup>9</sup> Exodus

## Perek 3 – 50a

written without the letter *vav*, thus it may be read: *le'aleim*, “to be hidden.” This implies that we are to hide Hashem’s Name of *Yud Heh...*

**Rav Avina posed a contradiction: It is written “*le'aleim*”, which implies that the Name is to be hidden.**

On the other hand, it is written in the same verse: “...and **this is *zichri* (My mentioning) for all generations.**” *Zichri* implies that we are to mention the Name rather than hide it.

The Gemara answers: **Said the Holy One** to Moshe<sup>10</sup>, when teaching him a Name to be written and a Name to be pronounced—

**I am not to be read as I am written.**

**I am written with *Yud Hei...*** This Name will be hidden.

**And I am read with *Alef Dalet...*** This is the Name that will be mentioned and pronounced.

## **Hadran Alach Eilu Ovrin**

### **We Will Return to You, Perek Eilu Ovrin**

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<sup>10</sup> Moses

## PEREK MAKOM SHENAHAGU

### Mishnah

The prohibition on doing work on Erev<sup>11</sup> Pesach during the morning hours of the day is merely a custom, rather than a Rabbinic ordinance. It is in order that one not become involved in doing work and forget to eradicate one's chametz, slaughter one's Pesach offering and prepare the matzot.

It is meritorious to prepare everything needed for the Seder night while it is still daytime, in order that one may begin the Pesach Seder immediately at nightfall so that the children will remain awake to participate in the recounting of the story of the Exodus.

This custom of refraining from work in the morning hours of Erev Pesach applies only in a place where such a custom is already the established practice. Whereas in a place where they are accustomed to do work on Erev Pesach until noon, one may do so too.

However, **a place where they are accustomed not to do** work at this time, **one may not do** so.

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<sup>11</sup> The Eve of

## Perek 4 – 50B

**One who goes from a place where they do work before noon, to a place where they do not do work—**

**Or one who goes from a place where they do not do work to a place where they do work—**

**In either case, he should not do work.**

**They place on him both the stringencies of the place from which he left and the stringencies of the place to which he went.**

### **Ammud Bet**

Even if he comes from a place where they do work and thus he never obligated himself in this custom, nevertheless, **a person should not deviate** from the custom of the place where he is located, **because of** the fact that it gives rise to **quarrel** between people.

**Another case like this:** One should act similarly concerning the law of removing the fruit of the Sabbatical year (*Shevi'it*).

It is prohibited to keep *Shevi'it* fruit in one's house after fruit of that type has ceased to be in the fields. Rather, one must remove it from his house and declare it ownerless.

As it is written (*Vayikra* 25:7), “And for your animal and for the beast in your land shall be all of its produce to eat”.

## Perek 4 – 50B

This is interpreted to mean: As long as the beast eats from the field, you may have it in your house. But if the beast has ceased to eat from the field, so it should cease from your house.

The time that fruits cease to be in the field varies from place to place. We therefore find that the fruits of each place have a specific time that they must be removed from the house.

Therefore, **one who takes *Shevi'it* fruits from a place that the fruits have already ceased to be in the field, to a place that they had not yet ceased.**

**Or he takes fruit from a place that they have not yet ceased in the fields, to a place that they have already ceased.**

In any case, **he is obligated to remove them** from his house, since he must conduct himself according to the stringencies of the place from which he came, as well as the stringencies of the place to which he went.

If the fruits ceased to be in the field in the place from which the fruits came, they have already become fully obligated to be removed.

And even if they did not cease there but they did cease in the place that the fruits are located now, he must remove them in order not to deviate from the custom of that place, because of concern over causing quarrel between people.

**Rabbi Yehudah says: You may even go out and bring some for yourself!** This will be explained in the Gemara.

## Perek 4 – 50B

### **Gemara**

It was stated in the Mishnah: A place where they are accustomed not to do work on Erev Pesach until noon, one may not do so.

From the phrase “until noon”, this implies that after noon, it is completely prohibited to do work and it does not depend on custom.

The Gemara is puzzled: **Why are we dealing with Erev Pesach?** Why did the Tanna specifically choose to teach that the law applies on Erev Pesach?

**Surely, it is even on Erev Shabbat and Erev Yom Tov also**, that one may not do work!

**For surely it was taught** in a Baraita: **One who does work on Erev Shabbat or Erev Yom Tov from** the time of the *minchah* prayer and **onward will never see a sign of blessing** come from that work.

The Gemara resolves the difficulty: **There**, on Erev Shabbat and Yom Tov, **from minchah onwards it is prohibited**.

**But here**, on Erev Pesach, it is prohibited to do work already **from high noon**.

**Or** one could answer as follows: **There**, concerning Erev Shabbat and Yom Tov, it is not absolutely prohibited to do work. Nevertheless, **he will not see a sign of blessing** from it.

**But** if he did work at that time, **we do not place a ban (*shamta*) on him** for this.

**But here**, on Erev Pesach, it is absolutely prohibited to do work from the time of noon on. And if he did so, **we also place a ban on him**.

## Perek 4 – 50B

c c õ d d

Regarding the above-mentioned statement **itself: One who does work on Erev Shabbat and Erev Yom Tov from *minchah* onward—**

**And one who does work after the departure of Shabbat and Yom Tov and Yom Kippur—**

**And one who does work in any place where there is there “a hint of sin”. This comes to include working on a public fast-day that was decreed because of a shortage of rain—**

In all of these, **he will never see a sign of blessing** from his work.

c c õ d d

**The Rabbis taught** in a Baraita: **There is a worker who is zealous** in his work **and gains** from it.

**And there is a person who is zealous and loses** as a result of his zealousness.

**There is a person who is idle** from work **and he gains** from it.

**And there is a person who is idle and loses** from this.

**One who is zealous and gains:** This is a person **who did** work **the entire week and did not do on Erev Shabbat** from *minchah* onwards.

## Perek 4 – 50B

**One who is zealous and loses:** This is a person **who did** work **the entire week and** also **worked on Erev Shabbat** from *minchah* onwards. As a result of his excessive zealousness he loses and will never see a sign of blessing from the work done close to Shabbat.

**There is one who is idle and gains:** This is a person **who did not work the entire week and he did not** even **work on Erev Shabbat** from *minchah* onwards. Even though it was purely as a result of his laziness that he refrained from work late on Erev Shabbat, nevertheless, he receives reward for it.

This is due to the principle which the Gemara will soon state: “A person should always involve himself in Torah and mitzvot, even if not for their own sake. For through doing them not for their own sake, he will come to do them for their own sake”.

**And there is one who is idle and loses:** This is a person **who did not work the entire week and worked on Erev Shabbat** from *minchah* onwards.

\*

**Said Rava:** The women of *Mechoza* (Rava’s town), who do not work on Erev Shabbat from *minchah* onwards, **even though** the reason **they do not work on Erev Shabbat** is **because they are pampered**, as we see that **they also do not work every day—**

**Even so,** they receive reward for this. They are called one who is **idle and gains**.

c c õ d d

## Perek 4 – 50B

**Rava posed a contradiction** between the following two verses:

**It is written** (*Tehillim*<sup>12</sup> 57:11), “**As great until the heavens is Your kindness**”, which implies that Hashem’s kindness (*chesed*) is only until the heavens and no further.

**And it is written** (*Tehillim* 108:5), “**As great above the heavens is Your kindness**”, which implies that it is even above the heavens.

**How is this?**

**Here**, in the second verse, it **is when they do mitzvot for its own sake**, i.e. one’s intention in doing the mitzvah is only for the sake of the mitzvah itself. They have no ulterior motives. In such a case, their reward (i.e. the kindness they receive from Hashem) exceeds even the heavens.

**And here**, in the first verse, **is when they do mitzvot not for its own sake**. Then their reward is only until the heavens but no further.

However, they receive some reward since they did a meritorious act. **And this is in accordance with** what **Rav Yehudah said in the name of Rav**.

**For said Rav Yehudah in the name of Rav: A person should always involve himself in Torah and mitzvot, even though he does them not for its own sake. For from doing them not for its own sake, he will come to do them for its own sake.**

c c õ d d

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<sup>12</sup> Psalms

## Perek 4 – 50B

**The Rabbis taught** in a Baraita: **One who waits to be supported from the wage of his wife and one who waits to gain from millstones, will never see a sign of blessing!** The Gemara will now explain this.

For the wage of his wife, where he does not see a sign of blessing, is referring to **scales**. A person whose wife takes scales in her hand and walks in the market-place in order to hire them out to whoever needs them, she gains only a little and she is humiliated for only this small monetary gain.

For **millstones**, where he does not see a sign of blessing, is referring to **hiring out**. If he buys millstones in order to hire them out, he toils a lot but gains little. Whereas one who buys millstones in order to resell them is like any other type of business.

But **a woman who works and sells** the products of her hands, **the verse praises her. As it is written** (*Mishlei*<sup>13</sup> 31:24), **“She makes a cloak and sells”**.

\*

**The Rabbis taught** in a Baraita: **One who earns through** the work of **canes** (thin canes used for the production of fences and partitions) **and jugs, will never see a sign of blessing**.

The Gemara asks: **What is the reason?**

The Gemara answers: **Since their volume is great, the evil eye has power over them.**

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<sup>13</sup> Proverbs

## Perek 4 – 50B

**The Rabbis taught** in a Baraita: **Market sellers**, whom the evil eye has power over because of their high public presence—

**And people who breed small animals** e.g. goats or sheep, whom everyone screams at because of the damage they do—

**And people who cut down good trees**, whom all are displeased by and complain about—

**And** people who at the time that they divide something up with others, always **put their eyes on the nicer portion** and try to take it for themselves—

Each of these **will never see a sign of blessing!**

**What is the reason?**

It is because **people are displeased with them** and speak against them. This causes the evil eye to have power over them.

\*

**The Rabbis taught** in a Baraita: **Four perutot<sup>14</sup>** never contain a sign of blessing, as follows:

- 1) **Payment of scribes.**
- 2) **Payment of translators** who stand before the Sage on Shabbat and convey the lecture to the public.

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<sup>14</sup> Sing. *Perutah*. The smallest denomination of coin.

## Perek 4 – 50B

- 3) **And payment of orphans.** One who takes the money of orphans to use for business, in order to divide the profit equally with the orphans.
- 4) **And money that comes from distant lands.** This refers to a person who constantly sends his boats to a dangerous place to do business.

The Gemara raises a difficulty: **It is all right, that the payment of translators** does not contain blessing, **because it appears as if** the translator is taking **payment** for work done on **Shabbat**.

And similarly, the money of **orphans also**, the reason is because orphans **are not capable of relinquishing** monetary claims, and if he holds back their profit, he is stealing from them.

And similarly **money that comes from distant lands**, they do not have a sign of blessing, **since a miracle will not happen every day**. Since he constantly endangers his merchandise, he will ultimately come to financial loss.

But **payment of scribes, what is the reason** that they do not have a sign of blessing?

**Said Rabbi Yehoshua son of Levi:** The reason for this is that **the Men of the Great Assembly sat twenty-four fasts concerning the scribes** who write **Torah scrolls, tefillin and mezuzot, that they should not become rich.**

**For if they would become rich,** they would leave their trade and **would not write** these important scriptures.

\*

## Perek 4 – 50B

**The Rabbis taught in a Baraita: Scribes of Torah scrolls and tefillin and mezuzot—**

**They, their merchants<sup>15</sup>, and their merchants' merchants<sup>16</sup>, and all involved in Heaven's work—this is to include those who sell *techelet*<sup>17</sup> for tzitzit—they never see a sign of blessing in the money they receive.**

This is so that they will not become rich and forsake their work.

**And if they are involved in it for its own sake**, in order that all may fulfill those mitzvot, **they do see a sign of blessing!** Since they are involved in the mitzvah for its own sake, there is no concern that they will forsake it if they become wealthy.

c c õ d d

**The people of Baishan were accustomed to not going from Tyre to Sidon, on Erev Shabbat.**

Even though it was market day in Sidon they were stringent not to go, lest it interfere with making Shabbat preparations.

**Their sons came before Rabbi Yochanan and said to him: Our fathers** accepted on themselves this stringency because **they were able** to refrain from going to the market, since they were rich.

But **we, that we are not able** to lose the opportunity of going to the market in Sidon on Erev Shabbat, **what** is the law concerning our obligation to keep this custom?

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<sup>15</sup> Who sell the finished scriptures to individuals

<sup>16</sup> Who buy from the first merchants and sell to individuals

<sup>17</sup> Turquoise-colored thread

## Perek 4 – 50B

**He Rabbi Yochanan said to them: It is prohibited for you to deviate from the custom, as your fathers already accepted it upon themselves. As it is written (*Mishlei* 1:8), “Listen, my son, to the rebuke of your father and do not forsake the Torah of your mother”. “The Torah of your mother” refers to customs, which should not be forsaken. (*Rashi, Chulin* 93b)**

\*

**The people of *Chozai* were accustomed to separate *challah*<sup>18</sup> from rice.**

**They came and said this to Rav Yosef.**

**He said to them: Let a non-cohen eat it, in your presence,** in order to definitively demonstrate to them that it is not considered *challah* at all. For the mitzvah to separate *challah* is only on the five grains. This does not include rice.

**Abaye contradicted him, from a Baraita: Things that are permitted, and others behave with them as if they are prohibited, you are not allowed to permit them in front of them.**

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<sup>18</sup> A small portion separated from the dough and given to a cohen to be eaten in purity.

# Chavruta

## Pesachim – Daf Nun Al ef

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[The people of *Chozai* were accustomed to separate *challah*<sup>1</sup> from rice.

**They came and said this to Rav Yosef.**

**He said to them: Let a non-cohen eat it, in your presence,** in order to definitively demonstrate to them that it is not considered *challah* at all. For the mitzvah to separate *challah* is only on the five grains. This does not include rice.

**Abaye contradicted him,** from a Baraita: **Things that are permitted, and others behave regarding them as if they are prohibited, you are not allowed to permit them in front of them.]**

**He Rav Yosef said to him** in reply: **And was it not said** in a statement of Amoraim **about it** (the above Baraita) as follows?

**Said Rav Chisda:** That Baraita was only taught **regarding Cuthites**<sup>2</sup>, but not regular Jews. Only in front of Cuthites are we not allowed to permit what they have a custom to consider forbidden.

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Abaye objected to this answer: **With Cuthites, what is the reason** one may **not** permit before them what they forbid?

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<sup>1</sup> A small portion separated from the dough and given to a cohen to be eaten in purity.

<sup>2</sup> A group of gentiles who came to live in the Land of Israel after the destruction of the First Temple, whose conversion to Judaism is of questionable validity.

## Perek 4 – 51a

**Because** if you permit that, **the matter will extend** and they will come to permit other things that are absolutely forbidden. This is because they are not learned in Torah and will not be able to distinguish between their own customs and that which is truly forbidden.

Therefore, concerning **those people** of Chuza'a **also, the matter will extend** and lead to them permitting forbidden things, should we act against their custom. For they, too, are not learned.

\*

**Rather, said Rav Ashi: We should see** what is their situation: **if most of them eat rice** as the staple of their diet, **we will not give a non-cohen** the *challah* of rice **to eat in front of them**, because if we do, **perhaps the law of *challah* will be forgotten from them** and they won't even separate *challah* from the five grains should they happen to eat them.

But **if most of them eat grain** of the five species as a staple, **we will give a non-cohen** *challah* of rice **to eat before them**, and there is no fear that they might forget the mitzvah of *challah* because they regularly separate *challah* from the five grains.

And in this instance it is preferable to uproot their custom of separating *challah* from rice.

Because otherwise, **perhaps they will end up separating *challah* from** the dough of grain **which is obligatory, on that** dough of rice **which is exempt**, and the portion of *challah* will be *tevel* and the cohen who receives it will eat *tevel*<sup>3</sup>, which is forbidden. This is because the *challah* portion separated does not receive the status of *challah*, and remains untithed dough of the five grains.

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<sup>3</sup> Dough from which *challah* has not been separated.

## Perek 4 – 51a

Or, they may separate **from the** dough of rice, which is **exempt, on that** dough of grain **which is obligated** in *challah*, and here too, the dough of grain will remain *tevel*.

c c õ d d

Regarding the above-mentioned statement **itself**:

**Things that are permitted, and others behave regarding them as if they are prohibited, you are not allowed to permit them in front of them.**

**Said Rav Chisda:** Concerning this rule, **we are dealing only with Cuthites**, but not with regular Jews.

The Gemara asks in surprise: **And concerning everybody else—no**, it does not apply?

**But it was taught** in a Baraita:

1) **Two brothers may bathe together** and it is not regarded as something immodest that leads to immorality.

**But two brothers may not bathe together in Cabul** where the custom is to forbid it.

**And there is a story concerning Yehudah and Hillel, the sons of Rabban Gamliel, that they bathed together in Cabul, and the whole state spoke against them and said: In all our days we never saw such a thing!**

**And Hillel slipped out and went out to the outer room of the bathhouse, and did not want to say to them: You are in fact permitted to do this.** For it was something that they had the custom to forbid.

## Perek 4 – 51a

2) **One may go out with overshoes on Shabbat** and we are not concerned that because they are large, they might slip off one's feet and one may end up carrying them four *amot* in the public domain.

**But one may not go out with overshoes on Shabbat in Babiri** because there, the custom is to forbid it.

**And there is a story about Yehudah and Hillel, the sons of Rabban Gamliel, that they went out in overshoes on Shabbat in Babiri, and the whole state spoke against them, and said: We never saw such a thing!**

**And they removed them the overshoes and gave them to their servants, and they did not want to say to them the people, you are in fact permitted** to wear overshoes on Shabbat.

3) **And one may sit on the chairs of gentiles** on which they are selling merchandise **on Shabbat**, and one need not worry that people might suspect that one is doing business on Shabbat.

**But one may not sit on the chairs of gentiles in Acco** on Shabbat, because there, the custom is to forbid it.

**And there is a story about Rabban Shimon ben Gamliel that he sat on the chairs of gentiles on Shabbat in Acco, and the whole state spoke against him and said: We never saw such a thing.**

And **he Rabban Shimon ben Gamliel slipped off the chair and sat on the ground, and did not want to tell them: You are in fact permitted** to do this.

## Perek 4 – 51a

In short, we see that the law of acting against the local custom applies not only to Cuthites but to regular Jews as well.

The Gemara answers: **People of overseas countries, too, because the Rabbis are not always present with them, they are like the unlearned Cuthites** and will come to permit absolutely forbidden things if we act against their customs in front of them.

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The Gemara now discusses the cases of the Baraita just quoted:

**It is all right** to say that they forbade sitting on **chairs of gentiles** on Shabbat, **because it looks like** doing **business** if one sits there.

**Overshoes also**, we can understand that they forbade it **lest they slip off and one come to carry them four amot in the public domain.**

**But** two brothers **bathing** together, **what is the reason not** to do this?

The Gemara answers: **As it was taught** in a Baraita:

**A person may bathe with anyone except his father** because when he sees him he remembers he came from there and may have sinful thoughts. **And** similarly with **his father-in-law** because he remembers that his wife came from there, **and** so too with **the husband of his mother, and the husband of his sister**, because that too leads to forbidden thoughts.

**And Rabbi Yehudah permits** bathing **with one's father, because of the honor of one's father** – so that one can serve him in the bathhouse.

## Perek 4 – 51a

**And the same halachah applies to the husband of one's mother**, whom one is obligated to honor and serve.

**And they** the people of Cabul **came and decreed concerning two brothers** that they may not bathe together, **because** it is similar to bathing with **the husband of one's sister**.

\*

**It was taught** in a Baraita: **A disciple may not bathe with his master** because of his master's honor. **But if his master needs him** to serve him there, **it is permitted**.

c c õ d d

The Gemara relates a story connected with the previous discussions.

**When Rabbah bar bar Channah** came to Babylon from the land of Israel, **he ate *deitara*** (a fat found in the fold of the stomach) which the Sages in the land of Israel permit, but which people in Babylon have the custom not to eat.

**Rav Avira Saba and Rabbah the son of Rav Huna** came to him. **When he saw them, he covered it** the fat **from them**.

**They** Rav Avira and Rabbah **went and told Abaye** what they saw.

**He Abaye said to them: He** Rabbah bar bar Channah **treated you like Cuthites<sup>4</sup>** and did not want to permit in front of you what you have the custom to forbid.

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<sup>4</sup> The Gemara said earlier that this prohibition only applies to Cuthites.

## Perek 4 – 51a

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The Gemara points out that the above episode contradicts the teaching of our Mishnah:

**And does Rabbah bar bar Channah not hold of what is taught in our Mishnah?** For it is taught: Someone who goes place to place, **they place on him both the stringencies of the place from which he left and the stringencies of the place to which he went.** This being the case, why was Rabbah bar bar Channah not obligated to behave like the people of Babylon, who forbid this fat?

The Gemara answers: **Said Abaye: Those words** of the Mishnah apply if one goes **from** a place in **Babylon to** another place in **Babylon.**

**And from** one place in **the land of Israel to** another place in **the land of Israel. Or also, from** a place in **Babylon to** a place in **the land of Israel.**

**But** if someone goes **from the land of Israel to Babylon,** the Mishnah's rule does **not** apply. Because **since we** the people in Babylon **are subordinate to them** the people in the land of Israel, **we must do like them** whereas they need not do like us.<sup>5</sup>

**Rav Ashi said: Even if you** disagree with the above, and **say** that someone who goes **from the land of Israel to Babylon** does have to keep the stringencies of Babylon—

**Those words** that one must be stringent only apply **when one does not intend to return.**

**And Rabbah bar bar Channah had intent to return** to the land of Israel.

\*

## Perek 4 – 51a

The Gemara now discusses in general whether one should eat *deitara* fat or not.

**Said Rabbah bar bar Channah to his son: My son, even though I eat *deitara*, do not eat it in front of me, and also do not eat it not in front of me.**

**I, who saw Rabbi Yochanan that he ate it, may act leniently. For me, Rabbi Yochanan is worth relying on, both in front of him and not in front of him.**

**But you, who did not see him eat it, do not eat it. This applies both in front of me and not in front of me.**

\*

**And he Rabbah bar bar Channah contradicts himself, i.e. he contradicts another statement of his.**

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<sup>5</sup> Because in the land of Israel there is *semichah* (ordination), and in Babylon there is no ordination.

## Perek 4 – 51B

Because Rabbah bar bar Channah said on another occasion: Rabbi Yochanan ben Elazar told me: I once went after Rabbi Shimon ben Rabbi Yosi ben Lekunya to a garden during *Shemittah*.<sup>6</sup>

### **Ammud Bet**

And he Rabbi Shimon took *sefichim*<sup>7</sup> of cabbage, after the time of *bi'ur*,<sup>8</sup> and ate from them and gave to me as well.

And he said to me: My son, in front of me, eat such a thing.

But not in front of me, do not eat.

Because I who saw Rabbi Shimon ben Yochai who ate this, Rabbi Shimon ben Yochai is worth relying on, both in front of him and both not in front of him.

But you, who did not see Rabbi Shimon ben Yochai eating this, in front of me eat this, but not in front of me, do not eat this.

And this contradicts Rabbah bar bar Channah's earlier statement: "My son, even though I eat it, *do not eat it in front of me.*"

\*

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<sup>6</sup> The Sabbatical year.

<sup>7</sup> It is Rabbinically forbidden to eat *sefichim* (shoots - vegetables and grains that grew by themselves on *Shemittah*). This is the view of most Sages, with the exception of Rabbi Akiva who holds that they are forbidden by Torah law.

<sup>8</sup> The time when this type of produce is no longer available in the fields for wild animals. When the time of *biur* comes, one has to be *mafkir* [declare ownerless] any produce of that type that is in the house.

## Perek 4 – 51B

The Gemara inquires: **What** Baraita do we find, where **Rabbi Shimon** allows one to eat the *sefichim* of cabbage on *Shemittah*?

The Gemara answers: **For it was taught** in a Baraita: **Rabbi Shimon says: All *sefichim* are forbidden except the *sefichim* of cabbage, because there is nothing like them among all the vegetables of the field.**

Unlike other vegetables, the cabbage stalk lasts from year to year and puts out new leaves. Therefore it is like a tree which lasts from year to year, and to which the prohibition of *sefichim* does not apply.

**And the Sages say: All *sefichim* are forbidden** including cabbage.

\*

The Gemara now explains the disagreement between Rabbi Shimon and the Sages:

**And they both are according to** the view of **Rabbi Akiva** who forbids *sefichim* by Torah law.<sup>9</sup>

**Because it was taught in a Baraita:** The Torah writes: “And if you say, what will we eat in the seventh year, **indeed, we cannot sow and we cannot harvest our produce?**”

**Said Rabbi Akiva:** Why does the verse mention that one cannot harvest? **But** is it not obvious that **once one cannot sow, from where can one harvest?** So, why does the Torah mention not harvesting?

**From here** we learn concerning *sefichim* that grew by themselves without sowing them, **that they are forbidden from the Torah.**

And **what are they** Rabbi Shimon and the Sages **differing about?**

## Perek 4 – 51B

**The Sages hold that we decree on *sefichim* of cabbage** that they are forbidden, **because of regular *sefichim*.** For if we permit cabbage (which is like a tree) people will permit all *sefichim*.

**And Rabbi Shimon holds the view: We do not decree on *sefichim* of cabbage because of regular *sefichim*.**

c c õ d d

We learnt in our Mishnah: **One who goes from a place** where they do work before noon, to a place where they do not do work—

Or one who goes from a place where they do not do work to a place where they do work—

In either case, he should not do work.

They place on him both the stringencies of the place from which he left and the stringencies of the place to which he went.

Even if he comes from a place where they do work and thus he never obligated himself in this custom, nevertheless, a person should not deviate from the custom of the place where he is located, because of the fact that it gives rise to quarrel between people.

The Gemara inquires: **It is all right** to say that if someone who goes **from a place where they do work to a place where they not do work, they place on him the stringencies of the place he goes to, and a person should not deviate** from the local custom **because of quarrel, and therefore he should not do work.**

---

<sup>9</sup> The Sages disagree with Rabbi Akiva and hold that *sefichim* is a Rabbinical prohibition.

## Perek 4 – 51B

**But** if someone goes **from a place where they do not do work to a place where they do work**, how can the Mishnah say: “**A person should not deviate** from the local custom **because of quarrel?**”

For that reason, **should he do** work?

But **you** also **said** earlier in the Mishnah: “**They place on him the stringencies of the place from which he left, and the stringencies of the place to which he went!**”

Therefore he should keep the stringency of the place he comes from, and not do any work.

The Gemara answers: **Said Abaye:** The rule that “A person should not deviate because of quarrel” applies only **to the first clause** of the Mishnah, to the case of someone going to a place where they do not work. But not vice versa.

\*

**Rava said: In truth,** the rule of not deviating because of quarrel also applies **to the latter clause. And this is what it is saying:**

A person who goes from a place where they do not work to a place where they do work should refrain from work, **and this does not involve deviating** that leads to **quarrel.**

The Gemara explains why this does not lead to quarrel:

**What do you say** - that not doing work might lead to quarrel, since **someone who sees** him idle **will say** that this person disagrees with the local custom and holds **that work is forbidden?**

People will not say that, because instead **they will certainly say:** “**There are many idle people in the market**” who have no work to do.

## Perek 4 – 51B

c c õ d d

The Gemara now discusses what someone should do if he normally keeps one day of Yom Tov, as is done in the land of Israel, and he goes to a place where people keep two days of Yom Tov. (The second day of Yom Tov is kept only in the Diaspora, due to the uncertainty that exists there concerning which day the Sanhedrin in Jerusalem fixed as the beginning of the month.)

**And said Rav Safra to Rabbi Abba:** Regarding a person **like myself who knows the exact establishing of the month**—for I live so close to the Holy Land that messengers reach me before Yom Tov and tell me when Rosh Chodesh was—I do not have to keep two days of Yom Tov like other people in the Diaspora do.

Nevertheless, when I am **inside a settlement** where Jews keep two days of Yom Tov, **I do not do work, because of deviation** from the local custom which leads to **quarrel**.

# Chavruta

## Pesachim – Daf Nun Bet

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[**And said Rav Safra to Abaye:** Regarding a person **like myself who knows the exact establishing of the month**—for I live so close to the Holy Land that messengers reach me before Yom Tov and tell me when Rosh Chodesh was—I do not have to keep two days of Yom Tov like other people in the Diaspora do.

Nevertheless, when I am **inside a settlement** where Jews keep two days of Yom Tov, **I do not do work, because of deviation** from the local custom which leads to **quarrel.**]

But when I am in **the wilderness**, in a place where the messengers from the land of Israel would normally not reach in time, **what** is the Halachah? Do I have to keep two days or not?

**He Rabbi Abba said to him: This is what Rav Ami said:** Someone who goes from a place where they keep one day of Yom Tov to a place where they keep two days of Yom Tov, **in a settlement it is forbidden** to do work because of quarrel.

But **in a wilderness it is permitted**, because no one is there to resent it. This assumes that he indeed knows which day was fixed as Rosh Chodesh.

\*

The Gemara discusses how someone who desecrated the second day of Yom Tov was punished:

## Perek 4 – 52a

**Rabbi Natan bar Asya went from the house of his Torah teacher to Pumbedita, on the second day of Yom Tov, and Rav Yosef placed a ban (*shamta*) on him for going outside the *techum*.<sup>1</sup>**

**Abaye said to him Rav Yosef: And why did you, the master, not lash him Rav Natan with lashes?**

**He Rav Yosef said to him: I did a better, more severe punishment to him.**

**Because in the West, i.e. the land of Israel, they voted that the appropriate punishment is to lash a scholar who misbehaved, and they did not vote to ban such a person, because it detracts from the honor of Torah. Therefore they gave such a person the less severe punishment of lashing.**

\*

**Some people say a differing version of the above incident: Rav Yosef gave him Rav Natan lashes.**

**And Abaye said to him: You, the master should ban him instead. Because Rav and Shmuel both say: We ban for disregard of the two Yom Tavs of the places of exile.**

**He Rav Yosef said to him: These words, that we place a ban, apply to a regular person. Here, because he is a scholar, I did to him what was better for him, i.e. more lenient, and gave him lashes.**

**And proof that lashes are more lenient is that in the West, the land of Israel, they voted to lash a scholar who misbehaved, and they did not vote to ban such a person.**

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<sup>1</sup> The Shabbat and Yom Tov boundary outside which one may not go.

## Perek 4 – 52a

c c o d d

Our Mishnah states: **Another case like this**, of not deviating from local custom: One should act similarly concerning the law of removing the fruit of the Sabbatical year (*Shmittah*).

It is prohibited to keep *Shmittah* fruit in one's house after fruit of that type has ceased to be in the fields. Rather, one must remove it from his house and declare it ownerless.

The time that fruits cease to be in the field varies from place to place, and thus the fruits of each place have a specific time that they must be removed from the house.

Therefore, **one who takes *Shmittah* fruits** from a place that the fruits have already ceased to be in the field, to a place that they had not yet ceased.

Or he takes fruit from a place that they have not yet ceased in the fields, to a place that they have already ceased.

In both cases, he is obligated to remove them from his house, since he must conduct himself according to the stringencies of the place from which he came, as well as the stringencies of the place to which he went, because of concern over causing quarrel between people.

Rabbi Yehudah says: You may even go out and bring some for yourself!

The Gemara understands that he is arguing with the first Tanna and being lenient. The person who comes from a place where fruit has not yet ceased tells the people of the place he went to: You may go to where I came from, and bring of the same type, for yourself.

## Perek 4 – 52a

Based on this understanding, the Gemara asks in surprise: **But does Rabbi Yehudah not hold of what was taught in the Mishnah?** For it was taught: **“We place on him the stringencies of the place he left, and the stringencies of the place he went to.”**

\*

Therefore the Gemara offers interpretation #2 of Rabbi Yehudah’s statement:

**Said Rav Sheisha the son of Rav Idi:**

Rabbi Yehudah is not relating to what the first Tanna of the Mishnah said. **And Rabbi Yehuda is saying something else**, in reference to a Baraita.

**And this is what it** what that Baraita **says:**

Someone who takes fruit of *shemittah* from place #1 where they are not depleted to place #2 where they are depleted—

**Or from a place #1 where they are not depleted to a place #2 where they are not depleted, and then heard that they had depleted in his place** where he came from and need *bi’ur*<sup>2</sup>—

**He is obligated to make *bi’ur*.**

This is in spite of the fact that it is neither a stringency of the place #1 he left (because at the time he left the fruits were still permitted), nor a stringency of the place #2 that he went to.

---

<sup>2</sup> The time when this type of produce is no longer available in the fields for wild animals. When the time of *biur* comes, one has to be *mafkir* [declare ownerless] any produce of that type that is in the house.

## Perek 4 – 52a

**Rabbi Yehudah says:** He may eat his fruit, because he can say to the people of the place #1 he came from: I am not deviating from your custom because I went to place #2 where the fruit is not depleted.

And you, too, **go out and bring for yourselves from** this place #2 **where I have brought them to, for they have not depleted** from this place.

\*

The Gemara raises an objection to explanation #2 of Rabbi Yehudah: Do you mean **to say that Rabbi Yehudah said his view to be lenient?**

That is not the case, **because Rabbi Eliezer said: Rabbi Yehudah only said his view to be stringent.**

\*

Therefore the Gemara brings interpretation #3:

**Rather, say the other way around** in the Baraita we just quoted:

The first Tanna says: If someone brings produce from a place #1 where it is not depleted to a place #2 where it is not depleted, and then he heard that it was depleted in the place #1 that he came from, **he is not obligated to make *bi'ur*** because the place #1 he came from was not stringent at the time he left, and the place #2 he went to is not stringent even now.

**Rabbi Yehudah says:** He is obligated to make *bi'ur* because the people in the place #1

## Perek 4 – 52a

that he came from will say to him: **You also**, let us see if you can **go out** now **and bring them from** here, **the place #1 where you originally brought them** from.

**And** you cannot, **because they are already depleted** here. Therefore you must make *bi'ur* on them.

\*

Interpretation #4:

Abaye said: You do not need to say that Rabbi Yehudah in the Mishnah is referring to a case where a person brought from a place where produce was not depleted to a similar place where produce was not depleted.

**In truth, it is as the Mishnah says**, that we are speaking about taking produce to a place that is different.

**And this is what it is saying: Or** if someone brings produce **from a place #1 where it is not depleted to a place #2 where it is depleted, and** then **he returned them to their original place #1, and they were still not depleted there, he is not obligated to make *bi'ur*.**

**Rabbi Yehudah says:** The people of the place #2 that he went to and returned from, will say to him: **You also, go out and bring for yourself from** here, **where you brought them from, and** you cannot, because **they are already depleted** here. Therefore, because the produce was temporarily here in place #2 where it is already depleted, you must make *bi'ur* even now.

\*

## Perek 4 – 52a

Interpretation #5:

**Rav Ashi objected to it** interpretation #4, because why should Rabbi Yehudah forbid such produce?

**Indeed, did the back of the donkey** on which the produce was temporarily brought to place #2 **associate it** to that place? It did not grow there, and he is now taking it back to its original place.

**Rather, said Rav Ashi:** The first Tanna and Rabbi Yehudah are disagreeing **in the same argument as these Tannaim** in Tractate *Shvi'it*.

For it was taught in a Mishnah there: **Someone who pickles three** kinds of vegetables as **pickles, in one barrel**, and each kind is depleted from the field at a different time.

**Rabbi Eliezer says:** **One eats** all three **according to the first** one that requires *bi'ur* because the pickling makes them like one. Thus when the first time of *bi'ur* arrives, all must be removed from one's possession.

**Rabbi Yehoshua says:** One can eat all three **even** relying **on** the later time of *bi'ur* of **the last one**, because the pickling makes them all like one kind, and we go after the last one.

**Rabban Gamliel says:** **Whichever one that its kind depletes from the field, he should make *bi'ur* on its kind from the barrel**, because we judge every kind separately.

**And the Halachah is like his** Rabban Gamliel's **words**.

## Perek 4 – 52B

And this is the point of disagreement in our Mishnah, too. The first Tanna holds like Rabbi Yehoshua and says: Someone who brings various kinds of pickled vegetables in a barrel from a place where they were not depleted to a place where they were *all* depleted, must make *bi'ur*. But if only some of them were depleted, he does not have to make *bi'ur*.

And Rabbi Yehudah who holds like Rabban Gamliel. Thus he says that we tell the person: Go out and bring for yourself from *that kind* that has depleted, and you will not find it here. Therefore, you must remove that kind from your possession.

\*

Interpretation #6

**Ravina said:** The first Tanna and Rabbi Yehudah are differing **about the** same point as the **disagreement between these** following **Tannaim**.

**For it was taught** in a Mishnah: In the *Shmittah* year, **one may eat from all the dates** in Yehudah<sup>3</sup> (one of the districts of the land of Israel) **until the last date is depleted** for wild animals **from** the town **Tzoar** in Yehudah, where there are a lot of dates and they last longest. This is because all the wild animals in Yehudah can meanwhile eat from there.

### **Ammud Bet**

**Rabban Shimon ben Gamliel says:** **One may eat** the dates in one's house, relying on dates **on the branches of palms** where animals can get to them.

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<sup>3</sup> Judea

## Perek 4 – 52B

**But one may not eat** dates in one's house, relying **on** dates **of between the thorns** at the bottom of the palms where the animals cannot reach them.

And in our Mishnah, too, the first Tanna holds that one may eat dates even if they are only found between the thorns. Whereas Rabbi Yehudah objects: "Go and bring for yourself from a place where one can take them from"—and in fact, animals cannot reach dates that are between the thorns, thus one cannot take dates from there.

**c c õ d d**

The Gemara now defines exactly when one has to make *bi'ur* in different districts of the land of Israel.

**It was taught** in a Mishnah **there**: There are **three** main **districts** in the land of Israel **for** *bi'ur* : **Yehudah, the far side of the Jordan, and the Galilee.**

**And there are three** sub-districts **in each one** of these main districts.

**And** if there are nine sub-districts altogether, **why** i.e. for what halachah **did they say** **that there are** only **three districts** for *bi'ur* and not nine?

**So that people may eat in each one** of these three main districts, **until it** the produce **depletes from the last** of the three sub-districts **in it** the main district.

\*

## Perek 4 – 52B

The Gemara inquires: **From where** do we have a source for **these words**, that the three main districts are regarded as exclusive of one another, while the sub-districts of each one allow the consumption of produce in one another?

**Said Rav Chama bar Ukva said Rabbi Yosi bar Chanina: The verse said: “And for your domesticated animals and for the wild animals that are in the field, all its produce shall be for food.”**

**All the time that the wild animal eats from the field, you may feed a domesticated animal from that same kind of produce, from that which is stored in the house.**

When **it** that kind of produce **depletes for wild animals in the field, you must deplete (remove) for your animals from the house.**

**And we have learnt** from a passed-down tradition **that an animal in Yehudah does not grow (live) on produce in the Galilee**, because it is too far off. But an animal will go for food from one sub-district of Yehudah or Galilee to another sub-district.

c c õ d d

Now the Gemara discusses how to do *bi'ur* on produce that was taken out the land of Israel.

**The Rabbis taught: Fruit of *Shemittah* that left the land of Israel to abroad, and the time came for *bi'ur*, it may be made *bi'ur*<sup>4</sup> in every place, and it does not have to be returned to the Land for that purpose.**

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<sup>4</sup> Removed from one's possession in accordance with the halachot of *bi'ur*.

## Perek 4 – 52B

**Rabbi Shimon ben Elazar says: It should return to its place, to the Land, and undergo *bi'ur* there. Because it says concerning *bi'ur*: “For the wild animal *in your land*.”**

The Gemara objects: **But note that we already utilized it**, the phrase “in your land”, as a source for the law that we do not rely on the produce of Yehudah in the Galilee, as we said above.

The Gemara answers: **Read it**, the phrase, in increments—utilizing each part for a different teaching: “**in the land**” (*ba'aretz*), providing one teaching, and then: “**in your land**” (*be'artzecha*), providing another teaching. For the verse could have been written simply as *ba'aretz*, thus we may derive both halachot from the verse.

**Or also** we could explain the double teaching as follows: it is because the verse writes “*mei'asher be'artzecha*,” “**from that which is in your land**,” instead of just writing “*mei'artzecha*,” “from your land.”

\*

The Gemara reports an incident connected to the previous discussion:

**Rav Safra went out from the land of Israel to abroad. He had with him a barrel of wine of *shemittah* whose time of *bi'ur* arrived.**

**Accompanying him were Rav Huna the son of Rav Ika, and Rav Cahana**, who were disciples of Rabbi Abahu.

**He Rav Safra said to them: Is there someone who heard from Rabbi Abahu whether the Halachah is in accordance with Rabbi Shimon ben Elazar**, who says the produce must be taken back to the Land, **or not?**

## Perek 4 – 52B

**Rav Cahana said to him: This is what Rabbi Abahu said: The Halachah is in accordance with Rabbi Shimon ben Elazar.**

**Rav Huna the son of Rav Ika said to Rav Safra: I disagree. This is what Rabbi Abahu said: The Halachah is not in accordance with Rabbi Shimon ben Elazar.**

**Said Rav Safra: Take this rule of Rav Huna in your hand,** i.e. we should rely on his version that the Halachah is not in accordance with Rabbi Shimon ben Elazar.

**Because he Rav Huna is particular when he learns Halachah from the mouth of his master to report precisely what he hears, like is Rechava of Pumbedita.**

**Because said Rechava said Rav Yehudah: The Temple Mount was a double colonnade (*stav*), a colonnade within a colonnade.**

Although the Mishnah calls the colonnade an *itztebah*, he called it a *stav* because that is the word his master used.

**Rav Yosef sardonically recited regarding him** (Rav Safra, who accepted the lenient view of Rav Huna) **the verse: “My nation asks [advice] of its stick, and its staff (*maklo*) tells it [how to act].”** Rav Yosef gave this verse the following interpretation: **Whoever is lenient (*meikal*<sup>5</sup>) for him, he asks him so that he tells the answer to his question.**

c c õ d d

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<sup>5</sup> Similar to *maklo*

## Perek 4 – 52B

The Gemara discusses another law relating to *Shemittah* produce.

**Rav Ila'i cut down unripe *Shemittah* dates.**

The Gemara objects: **How could he do this?**

For it is written: “And the [produce of] the Shabbat of the land shall be for you for food.”  
**“For food,” the Torah said** it is to be used—and **not to destroy** it! So how could Rav Ila'i cut down the unripe fruit, which is not yet edible?

**And if you say that these words** that one may not destroy the fruit is only **where it has reached** the stage of being considered proper **fruit**—

**But where it has not reached** the stage of being considered proper **fruit**, cutting is **not** forbidden—

**But** you cannot answer that, **because said Rav Nachman said Rabbah bar Avuha:** **Those protective peels** that grow around the dates **of *orlah*<sup>6</sup> are forbidden** to benefit from. **Since they function as protection for the fruit**, they are considered like the fruit itself.

**And when do they** the peels **guard the fruit? With immature dates**, and afterwards the peels fall off.

**And** nevertheless, **he** Rav Nachman **calls them fruit.**

So how could Rav Ila'i cut down immature dates?

---

<sup>6</sup> Fruit of a tree less than three years old, that is forbidden to benefit from.

## Perek 4 – 52B

The Gemara answers: **Rav Nachman** ruled strictly, that immature fruit is considered fruit, since he holds **like Rabbi Yosi**.

**For it was taught** in a Mishnah: **Rabbi Yosi says: *Semadar*** (immature grapes immediately after the blossom falls off, which are equivalent to immature dates) **is forbidden** as *orlah* **because it is considered fruit**.

**And the Rabbis disagree with him** and hold that *semadar* and immature dates are not considered fruit. And Rabbi Ilai holds like the Rabbis.

\*

The Gemara raises a difficulty with the above explanation:

**Objected Rav Shimi of Nahardea: Do the Rabbis really disagree with him** Rabbi Yosi **concerning other trees** besides grapevines? They only disagree concerning grapevines!

**For it was taught** in a Mishnah: **From when may we not cut down trees on *Shemittah*?**

**Beit Shammai say: All trees are forbidden from when they bud** their leaves in spring.

**And Beit Hillel say: Carobs are forbidden from when they make chains** of immature fruit.

**And vines from when they, the grapes, grow a bit and are called *giru'a*.**

# Chavruta

## Pesachim – Daf Nun Gimel

Translated by: *Rabbi Eliezer Zev Reinitz*  
Edited by: *R. Shmuel Globus*

[**And vines from when they**, the grapes, grow a bit and **are called *giru'a***.]

**And** the fruit of **the olive trees** may not be cut down **from** the time **when it blossoms**.

**And all other trees**, from **when they bring forth their fruits**.

**And Rav Asi said** in explanation of the term *giru'a* mentioned in the Mishnah: ***Boser* is the same as *giru'a* which is the same as a white bean**.

The Gemara clarifies the statement of Rav Asi:

**A white bean—do you really think** that is what Rav Asi meant? But note that the Mishnah is speaking of grapes, not beans!

**Rather, I will say that he means that its measurement is that of a white bean**.

Rav Shimi of Nahardea now brings out the point:

**And whom have you heard saying** in the Mishnah that grapes at the *boser* stage **are** considered fruit, while a **grape-bud is not** considered a fruit? It is **the Rabbis**, and not Rabbi Yossi. For Rabbi Yossi, in the Mishnah of *Orlah*, holds that a grape-bud is indeed considered a fruit.

Thus we see that the Mishnah here is expressing the view of the Rabbis who disagree with Rabbi Yossi. And **it** the Mishnah **states that all other trees** may not be cut down **from when they bring forth fruits**. Immediately when the fruit is given forth, it is

## Perek 4 – 53a

considered a fruit. This shows that even according to the Rabbis, very small fruit that has just been given forth is considered fruit.

Thus, the difficulty raised on the previous *ammud* is not yet resolved: How could Rav Ila'i have cut the date palms, and not worried about destroying fruits of *shmitah*<sup>1</sup>?

The Gemara answers:

**Rather Rav Ila'i cut a male palm tree** whose fruits never truly ripen on the tree itself, and therefore there was no destruction of fruits. For these fruits are in any case ripened after they are picked, by being wrapped up.

c c õ d d

The Gemara continues its discussion of the point at which one is obligated to remove from one's house the fruit of the *shmitah* year, in fulfillment of the mitzvah of *bi'ur*. This point is when the fruit of that kind is gone from the field.

**Our Rabbis taught** in a Baraita: During the *shmitah* year **we may eat those grapes** that have grown and been gathered in the house that year, **until the racks of grapes** in the place called **“Ochel” have been depleted**<sup>2</sup> and are no longer able to provide for the animals in the fields. At that point, we are prohibited from eating the grapes from the *shmitah* year that we have in our house, and we are obligated to remove them from our house and relinquish ownership of them.

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<sup>1</sup> The Sabbatical year

<sup>2</sup> Ochel was a place which had many vineyards. By specifying “Ochel” the Baraita means to say that if the grape crop has diminished there, it has certainly diminished everywhere else as well. This is also true for the other places the Baraita will go on to specify.

## Perek 4 – 53a

However **if there are other** racks of grapes that provide grapes **later than these** grapes of Ochel, **we may eat** the grapes in our house **on account of them** until their supply becomes depleted as well.

We may eat **olives** that have grown and been collected during *shmitah* **until the last** olive tree accessible to animals in the fields **of Tekoa** has been depleted.

**Rabbi Eliezer said:** we may eat from the olives that have grown and been collected in the house during *shmitah* until the last olive tree accessible to animals in the fields of **Gush Chalav has been depleted.**

The Baraita explains the point at which the olive trees are considered “depleted”.

The olive trees are considered depleted at the point **when a poor person will go out** to look for olives, **and not be able to find** in the **branches or the main parts** of the olive trees **a rova<sup>3</sup>** of olives.

**We may eat dried figs** that have grown and been collected in the house during the *shmitah* year **until the figs of Beit Hini have been depleted.**

An objection is raised to using the figs of *Beit Hini* to indicate when we must remove our *shmitah* fruits that have been collected in the house:

**Rabbi Yehudah said:** The figs of *Beit Hini* which are very small **were only mentioned in the study hall as having the status of fruit with regards** to the obligation to take **tithes** from them in order to render them fit to eat. They were not, however, considered fruit with regards to other laws such as *shmitah* and the obligation to remove *shmitah* fruit. In addition, it is stated expressly in a Baraita that the **figs of Beit Hini and the dates of Tovyannah** are considered fruit only with regards to **tithing.**

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<sup>3</sup> A *rova* is a measurement of volume, approximately 16 – 20 fluid ounces.

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The Gemara now discusses a Mishnah which was quoted on the previous *daf*:

In the *Shmittah* year, **one may eat from all the dates** in Yehudah<sup>4</sup> (one of the districts of the land of Israel) **until the last date is depleted** for wild animals **from the town Tzoar** in Yehudah, where there are a lot of dates and they last longest. This is because all the wild animals in Yehudah can meanwhile eat from there.

**Rabban Shimon ben Gamliel says: One may eat** the dates in one's house, relying on dates **on the branches of palms** where animals can get to them.

**But one may not eat** dates in one's house, relying on dates **of between the thorns** at the bottom of the palms where the animals cannot reach them.

The Gemara presents a seeming contradiction to the Mishnah:

**And they** the scholars of the study hall **posed a contradiction** from a Baraita: During the *shmittah* year **we may eat the grapes** that have grown and been collected during the year **until Pesach, the olives** of the *shmittah* year **until [Shavu'ot], the dried figs** of the *shmittah* year **until Chanukah**, and the **dates** of the *shmittah* year **until Purim**. Each of these holidays represents the time when the supply of each respective fruit is depleted and the obligation to remove that fruit from our home begins.

**And** with regards to this Baraita, **Rav Bibi said: Rabbi Yochanan** would **switch the last two** statements of the Baraita to read: “the dried figs of the *shmittah* year may be eaten until Purim, and the dates of the *shmittah* year may be eaten until Chanukah.

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<sup>4</sup> Judea

## Perek 4 – 53a

Regardless of how you read the last two statements in this Baraita, the ruling regarding dates seemingly contradicts that which was stated in the Mishnah. The Mishnah held that we may only eat the dates of the *shmitah* year until the last date palm in Tzoar is depleted whereas the Baraita allowed us to eat them until either Chanukah or Purim.

The Gemara presents two ways to reconcile the contradiction:

1) **This** time measurement and **that time** measurement are actually **one** and the same time **measurement**.

2) **And if you wish, I will say** an alternative answer: It is clear that there is no absolute time assigned in these Tannaic sources, **for it is taught expressly: “If there are other grapevines whose depletion occurs later than them, we may eat on their account”**. The same may be said of our contradiction. The two times given – although different from one another – are actually 2 possible times that the dates in various places may indeed be depleted.

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Another teaching on the subject of trees:

**It was taught** in a Baraita: **Rabban Shimon ben Gamliel says, a distinguishing trait of the mountains is the gallnut tree**, since it is the only tree that can grow in a mountainous area. **A distinguishing trait of the valleys is the date palm. A distinguishing trait of a stream is the presence of reeds. A distinguishing trait of a plain is the sycamore tree.**

The Baraita elaborates on the last statement regarding sycamore trees:

## Perek 4 – 53a

**And even though there is no absolute proof** for the last **thing** that was stated regarding sycamore trees, there is an allusion to it in Scripture, **as it says<sup>5</sup>: “And the king put silver in Jerusalem as if it were stones, and he put cedars in abundance, like sycamores in the plains”**. This verse shows that sycamore trees generally grow in plains, but it is not an absolute proof.

The Gemara explains the practical significance of the distinguishing traits mentioned above.

Rabban Shimon ben Gamliel said above in the Baraita: **“A distinguishing trait of the mountains is the gallnut tree. A distinguishing trait of the valleys is the date palm.”** A practical difference in Halachah **comes out from this, with regards to the mitzvah of the first fruits (*bikkurim*)<sup>6</sup>, as we learned** in a Mishnah<sup>7</sup>: **We only bring first fruits from the seven species of fruit for which the land of Israel is praised in the Torah, and we do not bring first fruits from the date palms that are in the mountains** since they are inferior to those date palms in the valleys. Therefore we are only obligated to bring the first fruits of the date palms in the valleys.

**And we do not** bring the first fruits from the fruit of **the grain crops that are in the valleys**. This is because rain water that collects in the valleys causes the grains to rot.

The Gemara explains Rabban Shimon Ben Gamliel’s third statement:

**‘A distinguishing trait of a stream is the presence of reeds’**: A practical difference in Halachah **comes out from this, with regards to identifying the ‘raging stream’ (*nachal***

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<sup>5</sup> Kings I 10:27

<sup>6</sup> The Torah commands us to bring the first fruits of our yearly crop to the Temple in Jerusalem and offer them to Hashem. See Exodus 23:19 and Deuteronomy 26:5.

<sup>7</sup> *Bikkurim* 1:3

## Perek 4 – 53a

*eitan*) needed for the *Eglah Arufah* procedure<sup>8</sup>. A stream is not considered to be an appropriate stream for the *Eglah Arufah* unless there are reeds growing at its banks.

The Gemara now explains Rabban Shimon Ben Gamliel's final statement:

**'A distinguishing trait of a plain is the sycamore tree'**. A practical difference in Halachah **comes out from this**, with regards **to buying and selling**. If someone agrees to sell his friend a "plain", that land must include sycamore trees or else the sale is Halachically invalid.

The Gemara concludes:

**Now that you have come to this** final explanation regarding sycamore trees, we may say that **all of them** (i.e. the other distinguishing traits listed by Rabban Shimon Ben Gamliel) find their practical significance **with regards to buying and selling**.

## **MISHNAH**

*Introduction:*

It is forbidden for a Jew to lend or rent a large farm animal to a gentile, since a Jew must see to it that his animals rest on Shabbat (see *Devarim*<sup>9</sup> 5:14), and large animals are used for work. The Sages were concerned lest the gentile work the animal on Shabbat, thus involving the Jewish owner in this transgression.

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<sup>8</sup> The Torah tells us (Deuteronomy 23:1-9) that if a dead body is found between two towns, the elders of the closer town must break the neck of a heifer near a raging stream. There are various views as to the exact meaning of the words "Nachal Eitan". We have followed the view of the Rambam (*Hilchot Rotzeiach* 9:2) who explains it as a raging stream.

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Our Sages decreed that a Jew may not even sell such an animal to a gentile. The Gemara (*Avodah Zarah* 15a) gives two reasons for this decree. The first is so that a Jew will not come to rent or lend his animals to a gentile. The second is a concern that the Jew will sell the animal to the gentile on Friday afternoon close to nightfall, and then encourage the animal to walk when called by its new master. The subsequent movement of the animal on account of the Jew's encouragement will be a transgression of the Torah's prohibition on working animals on Shabbat.

This Rabbinic prohibition to sell animals to gentiles does not apply to small farm animals since they are not capable of substantial work. There are, however, places that took upon themselves not to sell even small animals to gentiles, so as not to come to sell large ones. Our Mishnah explains that this additional practice is not binding in all places.

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**In a place where they are accustomed to sell small farm animals to gentiles, we may sell them. And in a place where it is not customary to sell small animals to gentiles, we may not sell. And in every place, we may not sell large farm animals to gentiles.** This latter halachah is not dependent on common practice, but rather it is a Rabbinic decree (as explained above).

We may not sell a large animal, whether it is **calves or foals, healthy or broken**. Even though young or maimed animals are not capable of doing work, we may not sell them, so as not to confuse others into selling mature and healthy ones to a gentile.

**Rabbi Yehudah allows selling in the case of the broken animal.** Since the animal is unfit for work, the gentile will surely slaughter the animal right away and so there is no reason to worry that other Jews will get confused as a result of the sale.

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<sup>9</sup> Deuteronomy

## Perek 4 – 53a

**Ben Beteira permits** selling an animal to a gentile **in the** case of a **horse**. Since the main use of a horse is riding and not actual work, the Sages did not extend their decree to the sale of horses to gentiles.

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The Mishnah discusses another custom:

There are places where roasted meat is not eaten on the first night of Pesach. This is because it looks as if we, who are outside of Jerusalem, are partaking of the Pesach sacrifice itself (which was also roasted). And the Pesach sacrifice may be eaten only in Jerusalem.

**In a place where it is customary to eat roasted meat on the first night of Pesach, we may eat. And in a place where it is not customary to eat roasted meat on the first night of Pesach, we may not eat.**

## **GEMARA**

**Rav Yehudah said in the name of Rav: It is forbidden for a person to say: “This meat is for the Pesach,” because he looks like one who is consecrating his animal for use as a sacrifice, and afterwards when he eats it he looks like one who is eating consecrated meat outside of Jerusalem.**

**Said Rav Pappa:** Rav’s ruling applied **specifically to meat, but for wheat, it does not** apply since someone who says “This wheat is for the Pesach” is really **saying that** the

## Perek 4 – 53a

wheat **will be guarded for Pesach** matzot. It does not sound like he intends to consecrate the wheat to sell it and use the money to buy a Pesach offering.

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The Gemara challenges Rav's ruling:

Is it really so that **meat may not** be designated as being “for the Pesach”? **They** the scholars of the study hall **contradicted this**, from a Baraita: **Rabbi Yossi said: Todos of Rome<sup>10</sup> instituted a custom for the Jewish people of Rome to eat kids roasted** in the manner of *mekulasim* (i.e. roasted with their legs placed beside them, as the meat of the Pesach sacrifice was roasted) **on the first night of Pesach.**

The Sages **sent him** the following message: **‘If you were not Todos we would decree excommunication on you since you are feeding the Jewish people consecrated meat outside** of Jerusalem.

The Gemara clarifies:

Did **consecrated meat** really **enter your mind**, that they were eating such a thing? Why, these goats were never actually designated for the Pesach offering, so why would the Sages reprimand Todos in such a way?

**Rather, I will say** that this is the message that the Sages sent to Todos:

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<sup>10</sup> Todos was a prominent Jew in Rome

## Perek 4 – 53B

### **AMMUD BET**

You are **close to feeding consecrated meat to the Jewish people outside** of Jerusalem.

The Gemara now brings out the point: From this story of Todos and the Sages it seems that a kid roasted in the manner of *mekulasim*—**yes**, it is forbidden. This because it closely resembles the Pesach offering. However, a kid that was not roasted in the manner of *mekulasim*—**no**, it is not forbidden. This poses a difficulty to Rav who forbade designating any meat as “meat for Pesach”. This shows that according to Rav, meat does not have to be *mekulasim* to resemble a Pesach offering.

The Gemara answers: **They said** in the study hall to answer the difficulty for Rav: With regards to a kid roasted in the manner of *mekulasim*, **there is no difference** if the owner explicitly **said** “this meat is for Pesach” and **there is no difference** if **he did not** explicitly **say** it, for the meat will always be forbidden.

With regards to a kid **that was not** roasted in the manner of *mekulasim*, about this Rav spoke. He ruled that if one **explicitly says** “this meat is for Pesach”, then the meat **is indeed** forbidden. But if **he does not explicitly say** the meat is for Pesach, the meat **is not** forbidden.

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The Gemara discusses the aforementioned Baraita about Todos:

**Rav Acha taught this Baraita** as being said **by Rabbi Shimon** (and not Rav Yossi as we have it above).

**Rav Sheishet challenges this** version of Rav Acha: **It is all right according to the one who teaches** the Baraita as being according **to Rabbi Yossi, it is fine. But according to**

## Perek 4 – 53B

**the one who teaches the Baraita as being according to Rabbi Shimon, is it fine** to say such a thing?

**But note that we learned** in a Mishnah<sup>11</sup> that the only voluntary offering of grain that one may bring is made of wheat flour. If a person vows to bring a voluntary grain offering from barley, he must bring an offering of wheat flour in its place<sup>12</sup>. **Rabbi Shimon** disagrees and **exempts** such a person from having to offer anything at all, **since he did not pledge** a free-will offering **in the way of the pledgers** of free-will offerings<sup>13</sup>. Since part of his statement did not fit with Halachah, his entire vow is void.

We see that Rabbi Shimon holds that one's words must be fully fitting with Halachah if they are to have significance. Yet in our Baraita regarding Todos, the designation of the meat for Pesach did not take place until they were already roasting the kid. If they had truly intended for the meat to be used for the Pesach offering, they should have designated it as such before they slaughtered the animal.

According to Rabbi Shimon's view, Todos's meat is not problematic at all, since any attempt to designate meat as an offering at the time of roasting is invalid. How, then, can Rav Acha attribute the Baraita of Todos to Rabbi Shimon?

The Gemara now challenges the first version of the Baraita as well:

**Ravina said to Rav Ashi: And according to the one who teaches the Baraita of Todos according to Rabbi Yossi, is it fine** to say such a thing? **But note that Rava said that Rabbi Shimon said** his ruling in the Mishnah<sup>14</sup> **according to the view of Rabbi Yossi**

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<sup>11</sup> *Menachot* 103a

<sup>12</sup> The reason for this ruling is that we assume that the person's main focus and intent was on the first part of his vow ("I accept upon myself to bring a voluntary grain offering..."), which was a legitimate statement. We therefore ignore the meaningless second part of his vow ("...of barley"), and instead assume that he meant to bring a grain offering as it should be brought.

<sup>13</sup> Rabbi Shimon holds that a person has intent also for the second part of his vow. In this case he vowed to bring an offering that does not exist and therefore his vow is null and void.

<sup>14</sup> In the Mishnah quoted above, he disqualified a verbal designation unless it fits fully with Halachah.

## Perek 4 – 53B

who says that a person is bound even by the end of his words. **Does it not** make sense to say **that since Rabbi Shimon holds like Rabbi Yossi** regarding the significance of the last part of a person's statement, that **Rabbi Yossi also holds like Rabbi Shimon?** Thus, Rabbi Yossi holds that if a designation is not made in the proper way, it is considered meaningless.

According to this, Rabbi Yossi's view could not accord with the Baraita of Todos, which spoke of an improperly made declaration.

The Gemara answers: **No**, it is not so. **Rabbi Shimon holds like Rabbi Yossi** regarding the significance of the last part of a person's statement, **but** there is **no** reason to say that **Rabbi Yossi holds like Rabbi Shimon** that an improperly made declaration is null and void. Therefore, we may indeed say that the Baraita of Todos follows Rabbi Yossi's view.

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**They** the scholars of the study hall **posed an inquiry:** Was **Todos of Rome a great man**, and because of his honor, the Sages refrained from excommunicating him? **Or was he a man of power**, and he was not excommunicated because the Sages feared he would take retribution against the Jewish community?

**Come hear** a proof from a Baraita that he was a great man: **This, in addition, expounded Todos from Rome: Why did Chananyah, Mishael and Azaryah see fit to deliver themselves, for the sanctification of Hashem's Name, into Nebuchadnezzar's fiery furnace?** Generally, one is not obliged to give up his life for the sake of fulfilling a Torah commandment.

**They drew a *kal vachomer*<sup>15</sup> regarding themselves from the frogs** in Egypt, as follows: **Regarding frogs, which are not commanded in the sanctification of**

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<sup>15</sup> A fortiori reasoning

## Perek 4 – 53B

**Hashem's Name, it is still written about them that they cooperated with the Divinely ordained plague of frogs: “And they shall go up and come into your house...and into your ovens and into your kneading bowls”.**<sup>16</sup> **And when are kneading bowls found next to an oven? I would say at the time when the oven is hot.** We thus see that the frogs gave up their lives by jumping into hot ovens, to fulfill the word of Hashem. **If so, we (Chananyah, Mishael and Azaryah) who are commanded in sanctifying Hashem's Name, all the more so should we give up our lives for this purpose.**

More about the greatness of Todos:

**Rabbi Yossi Bar Avin said: Todos would put merchandise into the pouches of Torah scholars for them to sell and earn a living. From this we see that Todos was a great man. For Rabbi Yochanan said: Anyone who puts merchandise into the pouches of Torah scholars, will merit to sit in the yeshiva above (i.e. in Heaven), as it is stated<sup>17</sup>: “For the shelter of wisdom is the shelter of money”.**

## **Mishnah**

**In a place where they have a custom to kindle a lamp so that it will burn on the nights of Yom Kippur, we should kindle one. In a place where they have a custom not to kindle a lamp, we may not kindle one. And we may always kindle one in synagogues and study halls and in dark alleys and above the sick.**

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<sup>16</sup> Exodus 7:28

<sup>17</sup> Ecclesiastes 7:12

## Perek 4 – 53B

### **Gemara**

**It was taught** in a Baraita: **Whether they said to kindle** a lamp to shine on the night of Yom Kippur or **whether they said not to kindle**, both views **had one intention** – to prevent forbidden things<sup>18</sup>.

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The Gemara now discusses a tangential point:

**Rav Yehudah said in the name of Shmuel: We only recite a blessing over fire at the conclusion of Shabbat, since that was the time it was first created. A certain elder – and some say it was Rabbah bar bar Channah - said to him to Rav Yehudah: Well said. And so said Rabbi Yochanan**, that we only recite a blessing over fire at the conclusion of Shabbat.

**Ula was riding along on a donkey, and Rabbi Abba was walking along on his right and Rabbah bar bar Channah was on his left. Rabbi Abba said to Ula: Is it true that you said in the name of Rabbi Yochanan: We may only recite a blessing over fire at the conclusion of Shabbat *since that was the time it was first created?***

**Ula turned and looked at Rabbah bar bar Channah angrily**, because he thought that Rabbah bar bar Channah must have quoted Rabbi Yochanan as saying “since that was the time it was first created” is the reason for blessing over fire after Shabbat has concluded.

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<sup>18</sup> There is a prohibition of marital relations on Yom Kippur. The disagreement is whether kindling a lamp will encourage or discourage such relations. Those who kindled one, did so because one is not allowed to have relations by the light of a lamp. Thus, the lamp discourages relations. Those who did not kindle one, did so because if there is light, the husband will see his wife and consequently desire relations.

## Perek 4 – 53B

Whereas in truth, Rabbi Yochanan did not hold of this reason. And in fact, Rabbi Yochanan held that we bless over fire even after Yom Kippur has concluded, although fire was not created after Yom Kippur.

**He Rabbah bar bar Channah said to him Ula: I did not say anything** in the name of Rabbi Yochanan **regarding this issue** of blessings over fire. **Rather, it was regarding the following that I said** something in his name. **For a “tanna”** i.e. someone who regularly recited Tannaic teachings **taught** the following Baraita **in front of Rabbi Yochanan: Rabbi Shimon ben Elazar says that when Yom Kippur falls on Shabbat, even in a place where they said not to kindle** a lamp for Yom Kippur night, **we kindle one, because of the honor of Shabbat.**

**And Rabbi Yochanan responded after him: But the Sages prohibit** kindling in such a case.

**Ula said to him** Rabbah bar bar Channah: **Let it be so!** (I.e. I agree that this is something that Rabbi Yochanan did indeed say).

# Chavruta

## Pesachim – Daf Nun Dal ed

Translated by: *Chavruta staff of scholars*  
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**Rav Yosef** illustrates the point with a **verse**: (*Mishlei*<sup>1</sup> 20:5) “**Deep wellsprings are insight in the heart of man, and a man of understanding will draw them up.**” “**Deep wellsprings are insight in the heart of man**”—this is **Ula**, who inferred from Rabbi Abba’s comment that Rabbah bar bar Channah had misled him, but kept it “in the heart” by glaring at him rather than scolding him. “**And a man of understanding will draw them up**” — **this is Rabbah bar bar Channah**, who understood what was “in the heart of” Ula, by his glare.

The Gemara asks: **And** Ula and Rabbah bar bar Channah—**they**, who disagree with Rabbi Abba’s explanation that the blessing is made after the departure of the Shabbat because that is when fire was originally created, **who do they hold like?**

The Gemara answers: They hold **like that which Rav Binyamin bar Yefet said in the name of Rabbi Yochanan, that we recite the blessing on the flame after the departure of Shabbat, and on after the departure of Yom Kippur as well.**

**And that is the common custom.**

**They** the scholars of the study hall **contradicted** Rav Binyamin bar Yefet, from a Baraita:

**We only recite the blessing on the flame after the departure of the Shabbat, since that is when it was first created; and the blessing is recited immediately upon seeing the flame after the departure of the Shabbat, and one should not wait until he recites the blessing of Havdalah over a cup of wine. Rabbi Yehudah** disagrees and **says that** we

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<sup>1</sup> Proverbs

## Perek 4 – 54a

wait, and **arrange them**, these blessings, together with the other blessings, **over the cup** of Havdalah.

**And**, furthermore, **Rabbi Yochanan** himself **said that the Halachah is in accordance with Rabbi Yehudah!**

We see that the Baraita teaches that the blessing on the flame is recited only after the departure of the Shabbat. This poses a difficulty to Rabbi Yochanan and Ula who hold that the blessing is recited after the departure of Yom Kippur as well.

The Gemara replies that **this is not a difficulty: here**, according to Rabbi Yochanan, we recite a blessing after the departure of Yom Kippur **with a flame that rested**. I.e. it remained lit the entire day, and thus “rested” from forbidden work.

In other words, it was either lit before Yom Kippur or it was lit on Yom Kippur in a permitted way, for instance, for a dangerously sick person.

Since the entire day we were forbidden to benefit from the flame by using it to light another flame, until the departure of Yom Kippur when we are allowed again, we recite a blessing over this newly permitted form of benefit.

**And here**, according to the Baraita, we are dealing **with a flame that was lit from wood or rocks** after the departure of the day. Since it is newly created, and did not rest over the course of the day, there is no newly permitted benefit. Rather, it is an entirely new flame. Therefore we recite the blessing over it only after the departure of the Shabbat, since that is when the flame was originally created on the six days of Creation.

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**One Baraita states that** after the day’s departure, **we recite the blessing even over a**

## Perek 4 – 54a

**flame produced by wood and rocks**, and we do not require a flame that rested.

**And one other Baraita states that we do not recite the blessing** over a flame produced by wood and rocks. Rather, we require a flame that rested. These two Baraitot appear to contradict each other.

The Gemara replies that **it is not a difficulty: here**, in the first Baraita, it is speaking of **after the departure of the Shabbat**, thus we recite the blessing over a newly created flame.

**And here**, in the second Baraita, it is speaking of **after the departure of Yom Kippur**. Since that is not when the flame was originally created, we recite the blessing only over a flame that rested and now provides a newly permitted form of benefit.

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**Rabbi** i.e. Rabbi Yehudah HaNasi recites the blessings **separately** after the departure of the Shabbat, by immediately blessing over the flame upon first seeing it. He would recite the blessing over the fragrances separately, later, upon acquiring them.

**Rabbi Chiyya** waits to say all of the blessings **together**, over the cup of Havdalah wine.

**Said Rabbi Yitzchak bar Avdimi: even though Rabbi** recites the blessing **separately**, **he repeats it again over the cup** of Havdalah wine **in order to fulfill for his children and household their obligation** to recite the blessing over the fragrance and the flame.

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We learned earlier that the blessing over the flame is recited after the departure of the Shabbat, since that is when it was originally created.

## Perek 4 – 54a

The Gemara raises a difficulty: Could it be that **the flame was created after the departure of the Shabbat?**

On the contrary, **this following Baraita teaches** that it was created *before* Shabbat: **Ten things that were created before the Shabbat at twilight. They are:**

1. Miriam's **well**, a rock which spew forth water for the Jews in the Wilderness.
2. **the mannah** that fell forty years in the Wilderness.
3. **the rainbow.**
4. **the** chisled shape of the **letters** in the Tablets of the Covenant.
5. **and the writing tool** (pen and chisel) that engraved them.
6. **the Tablets** themselves.
7. **Moshe's<sup>2</sup> grave.**
8. **and the cave that Moshe stood in** when the presence of Hashem passed by and was revealed to him, **and** that the Prophet **Eliyahu<sup>3</sup>** also went to and slept in.
9. **the opening of the mouth of Bilaam's donkey.**
- 10 and the opening of the mouth of the earth to swallow up the evildoers**, Korach and his congregation.

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<sup>2</sup> Moses

## Perek 4 – 54a

**Rabbi Nechemiah says in the name of his father: also the flame and the mule.** The mule, which is bred from two different species, the horse and the donkey, must have been created at the beginning, since there is nothing new under the sun. The first mule was perforce created from the earth, and was not a product of interbred species.

**Rabbi Yoshiah says in the name of his father: also Avraham's ram,** which was sacrificed in place of his son Yitzchak<sup>4</sup> on Mt. Moriah, was created before the Shabbat, **and also the *shamir*,** a worm which can eat through anything, and was used to split the rocks for the Temple's Altar, and to engrave the letters on the precious stones of the cohen gadol's<sup>5</sup> breastplate (*choshen*).

**Rabbi Yehudah says: Also the first iron tongs.** The Gemara explains: **He holds that since tongs can only be made using other tongs** to hold them while the blacksmith works on the iron, **the first ones must have been created originally, by the hand of Heaven,** before Shabbat at twilight.

Rabbi Yoshiah, who disagrees and holds that the first tongs were not made at the beginning, **replied to him that it is possible to make them in a mold, pre-formed,** like silver and copper **is formed.** This being the case, the tongs were **definitely made by the hand of man,** and not during the six days of Creation.

In any case, from the Baraita we see that the flame was created before the Shabbat at twilight. So how can we say that it was created after the departure of the Shabbat?

The Gemara replies that **it is not a difficulty: our flame** was created after the departure of the Shabbat. But **the flame of *gehinnom*,** Hell, was created before the Shabbat.

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<sup>3</sup> Elijah

<sup>4</sup> Isaac

<sup>5</sup> High Priest

## Perek 4 – 54a

The Gemara raises another difficulty: **Was the flame of gehinnom really created only on the eve of the Shabbat?** It was created before the world itself!

**For it is taught** in a Baraita: **These are the seven things that were created before the creation of the world: Torah, repentance, the Garden of Eden, Gehinnom, the Heavenly Throne of Glory, the Temple, and the name of the Messiah.** The Gemara explains:

**Torah, as it is written** about it (*Mishlei*<sup>6</sup> 8): **“Hashem’s acquisition [i.e. creation] of me is the beginning of His ways”** i.e. Torah was created before all other things in the world.

**Repentance, as it is written** about it (*Tehillim*<sup>7</sup> 90): **“Before mountains were born”** You created repentance, **and it is written** afterwards: **“Man should return until he is pure in his heart and you will say: ‘Return, son of man.’”** We see that repentance precedes Creation.

**The Garden of Eden, as it is written:** (*Breishit*<sup>8</sup> 2) **“Hashem planted a garden in Eden from before”** the creation of the world.

**Gehinnom, as it is written:** (*Yeshayahu*<sup>9</sup> 30) **“Your seduction [i.e. Gehinnom, where those who are seduced by their evil inclinations are sent] was prepared yesterday,”** i.e. before the world.

**The Throne of Hashem’s Glory and the Temple, as it is written:** (*Yirmiyahu*<sup>10</sup> 17) **“The Throne of Glory is exalted in the Aravot [the loftiest place in the heavens], from the beginning [before the creation of the world, along with] the location of our**

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<sup>6</sup> Proverbs

<sup>7</sup> Psalms

<sup>8</sup> Genesis

<sup>9</sup> Isaiah

<sup>10</sup> Jeremiah

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sanctity,” i.e. the Temple.

**And the name of the Messiah, as it is written: (*Tehillim* 72) “His name should precede the sun forever, ‘Yinon’ is his [the Messiah’s] name,”** before the creation of the sun.

We see here that Gehinnom was created before the world, so how can we say that it was created on the eve of the Shabbat?

The Gemara answers: We can say that the chasm of Gehinnom was created before the creation of the world, but its flame was created on the eve of the Shabbat.

\*

The Gemara poses another difficulty: **Was the flame of Gehinnom really created on the eve of the Shabbat?** It was created on Monday, the second day,

**For it is taught** in a Baraita: **Rabbi Yosi says that the flame that the Holy One created on Monday will never be extinguished, as it is written: (*Yeshayahu* 66:24) “And they went out and saw the corpses of these people that were wanton with me, for their worms will never die, and their *fire* will never be extinguished.”**

**And so said Rabbi Bana’ah the son of Rabbi Ula: Why does it not say: “for it was good” regarding the second day of the week, in the six days of Creation? Because the flame of Gehinnom was created on it.**

**And Rabbi Eliezer said: Even though it does not say ‘for it was good’ regarding it, the second day, it was subsequently included in the word “good” that was written regarding the sixth day, as it is written regarding it (*Breishit* 1:31): “Hashem saw all that He had done, and behold, it was very good.”** Even Gehinnom is called ‘good,’

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since the evildoers are punished in it.

We see here that Gehinnom was created on the second day, and not on the eve of the Shabbat.

The Gemara answers: **Rather, the chasm of Gehinnom was created before the creation of the world, and its flame was created on the second day of Creation, and our flame, of this world, was created after the departure of the Shabbat.**

And it was also taught in a Baraita that the fire was created on the eve of the Shabbat. They are both true, for **on the eve of the Shabbat its creation was thought of, but it was not actually created until after the departure of the Shabbat.**

**For it is taught in a Baraita: Rabbi Yosi says that on the eve of the Shabbat, the creation of two things were thought of, but they were not created until after the departure of the Shabbat.** They are: the flame and the mule.

**After the departure of the Sabbath, the Holy One gave to *Adam Harishon*, the first man, knowledge that was comparable to Heavenly knowledge. And the man brought two rocks, and banged them together, and a flame emerged from them.**

**And so too, the man then brought two animals from different species, and bred them together, and a mule emerged from them.**

\*

**Rabban Shimon ben Gamliel said that there was a mule in the days of Annah.** He was the first to breed two species and produce the mule, **as it is written: “He is Annah that found the *yeimim* in the wilderness.”** The *yeimim* are the mules that were created from interbreeding the horse and the donkey. They are called *yeimim*, “foreboding ones,”

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because all creatures feared them.

**Those who explain difficulties** (seemingly indecipherable verses) **used to say** that **Annah** was of an **invalid** lineage (i.e. he was a bastard). **Therefore he brought something invalid**, the mule, **to the world**. For the mule, too, is a product of forbidden interbreeding.

**As it is written:** “**These are the sons of Seir the Chori**, dwellers of the land: Lotan and Shoval and Tziv’on, and Annah.” We see that Tziv’on and Annah are brothers.

**And afterwards it is written:** “**These are the sons of Tziv’on: and Aya and Annah.**” Here we see that Annah is the son of Tziv’on!

How could this be?

**Rather, it teaches us that Tziv’on had conjugal relations with his mother, and Annah was born from her.** So Tziv’on is both the father and the brother of Annah.

The Gemara proposes an alternative: **Maybe there were two Annahs.** One of them is the son of Tziv’on, and the other one is the brother.

**Said Rava: I will say something that even Shevor Malka did not say,** to prove they are the same Annah.

**And who is it?** Who is “*Shevor Malka?*”

**It is Shmuel.** He is referred to as *Shevor Malka* because of his expertise in civil law, where the Halachah always follows his view, as if he was the king. *Shevor Malka* was the name of the Persian king at that time.

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**There are those who say** that it was, in fact, **Rav Pappa** who **said: I will say something that even *Shevor Malka* did not say. And who is it?** Who is “*Shevor Malka?*” It is **Rava**. For the Halachah follows his view as if he was the king.

He said that it could not be that there were two Annahs, for the **verse states: “He is Annah.”** This means that **he is** the very same **Annah** that was **previously** mentioned, who is the son of Seir.

\*

**The Rabbis taught** in a Baraita: **These are the ten things that were created on the eve of the Shabbat, at twilight: the well, and the mannah, and the rainbow, the letters, and the writing tool, and the tablets, and Moshe’s grave, and the cave that Moshe and Eliyahu stood in; the opening of the mouth of the donkey, and the opening of the mouth of the earth to swallow up the evildoers.** These were explained previously.

**And there are those who say that Aaron’s staff, with its almonds and flowers, was also** created on the eve of the Shabbat. This staff budded and flowered as a sign that Aaron was chosen for the Priesthood.

**And there are those who say that the harmful spirits (*mezikin*) were also** created then.

### **Ammud Bet**

**And there are those who say that the garment of the first man, Adam, was also** created on the eve of the Shabbat at twilight. This is the leather garment that Hashem made for Adam and Eve.

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**The Rabbis taught in a Baraita: There are seven things that are hidden from people. They are: 1. The day of death, 2. and the day of consolation, when each person will be consoled from his worries, 3. the depth of the Heavenly judgement of man's actions, for most have a shallow approach to what they think Heaven expects of them, thus they fall short of their obligations, 4. A man does not know what is in his fellow's heart, 5. and a man does not know how he will profit, 6. and he does not know when the kingdom of the House of David will return, 7. and when the wicked Roman empire will expire.**

\*

**The Rabbis taught in a Baraita: These three things to be mentioned were thought of to be created, and were indeed created. And even if they had not been thought of to be created, it is fitting that they should have been thought of, for without them, it would be impossible for man to survive in this world.**

They are: **that the dead should rot;** for if they did not, then their relatives would store them instead of burying them, and be anguished by their presence; **that the dead should be forgotten; and that produce should spoil.** For if it did not, then its owners would store it all rather than bringing it to market, leading to widespread famine.

**And there are those who say also that the coin should circulate** as currency, with which one can buy anything. For if it did not, then the landless poor would go hungry, having no fields or orchards to provide food.

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### **MISHNAH**

In a place where the custom is to do work on the ninth of Av, one is permitted to do it.

And in a place where the custom is not to do work then, one is not permitted to do it, since it is forbidden to violate local customs.

And in all places, Torah scholars should refrain from doing work on that day, even though others are doing work.

Rabbi Shimon ben Gamliel says that everyone should make himself as if he was a Torah scholar, in this respect, and refrain from doing work. I.e. any person is permitted to behave in this way, for it is not considered as haughtily acting above one's station, even though he is not really a scholar.

### **GEMARA**

Shmuel said that there is no fully stringent public fast day in Babylon other than the ninth of Av alone.

Since Babylon, with its many rivers, is not dependent on rain, fasts are not decreed when rain fails to fall. Thus, even when a fast is decreed as a result of a different cause, it does not bear the full stringencies of a public fast, such as the forbidding of work, and beginning the fast at sunset of the preceding day.

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Only the ninth of Av has the stringencies of a public fast, even in Babylon.

The Gemara raises a difficulty: **This is saying that Shmuel holds that on the ninth of Av it is forbidden to eat already at twilight** of the preceding day.

**But this contradicts what Shmuel said: On the ninth of Av it is permitted to eat at twilight!**

**And if you will say** in response that there is an uncertainty whether twilight is day or night, and the Halachah is lenient in cases of Rabbinic prohibitions, thus Shmuel holds that **it is permitted to eat during twilight on all public fast days—**

That is not plausible, for **we learned** in a Baraita that **eating and drinking** are permitted on the eve of a public fast only **during the day** preceding the fast.

**Does this not exclude** eating and drinking during **twilight**? If so, how could Shmuel rule against a Baraita?

The Gemara replies that, in truth, it is permitted to eat during twilight on the eve of all public fast days.

And regarding what we learned in a Baraita that eating and drinking are permitted on the eve of a fast only during the day, that only **excludes nightfall**, when it is certainly night, and the fast has unquestionably begun.

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The Gemara suggests: **Let us say that** the following Baraita **supports** Shmuel's view that it is permitted to eat during the twilight preceding the ninth of Av:

## Perek 4 – 54B

**The only difference between the ninth of Av and Yom Hakippur is that this one's uncertain cases are forbidden, and that one's uncertain cases are permitted.** (This Baraita is addressing only what is permitted and forbidden, not the punishment incurred for transgressing.)

The Gemara asks: **What** is the meaning of “its (the ninth of Av's) **uncertain cases are permitted?**”

**Is it not the twilight** which is permitted, since it is then uncertain whether the fast day has begun?

We are uncertain whether twilight of evening is considered daytime and therefore part of the previous day, or considered night and therefore part of the coming day. Thus eating should then be permitted, according to the Baraita's ruling regarding cases of uncertainty on the ninth of Av.

The Gemara rejects this: **No**, the Baraita does not mean to permit eating during twilight. It refers to something else entirely, **like what Rav Shisha the son of Rav Idi said**, that there are uncertainties involving the **fixing of the new moon**:

If someone doesn't know whether the previous month was declared on the 31st day or the 30th day, and is therefore uncertain which day is Yom Kippur, he should fast on both days. If he has the same uncertainty about the ninth of Av, since we are lenient in matters of Rabbinic law, he only fasts one day.

**Here, as well**, the Baraita is referring to uncertainty involving the **fixing of the new moon**.

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## Perek 4 – 54B

**Rava expounded: Pregnant women and nursing mothers fast on the ninth of Av the entire day, just like they fast all day on Yom Kippur.**

**And at twilight is it forbidden** to eat, not like Shmuel said.

**They also said in the name of Rabbi Yochanan** that eating during the twilight preceding the ninth of Av is forbidden.

The Gemara raises a difficulty: **Did Rabbi Yochanan really say this?**

**Rabbi Yochanan said that the ninth of Av is not like a public fast day! Was this not said regarding the prohibition to eat during twilight?**

The Gemara replies: It was **not** said about **twilight**, rather about **work**. On the ninth of Av it is not forbidden to work, whereas on public fast days this is forbidden.

The Gemara raises a difficulty: Does Rabbi Yochanan really need to tell us that **work** is permitted?

It is expressly **taught** in our Mishnah: In a **place where the custom is to do work on the ninth of Av**, one is permitted to **do** it.

**And in a place where the custom is not to do** work then, one is **not** permitted to **do** it.

**And even Rabbi Shimon ben Gamliel only meant** one may desist from work if one so wishes. **Since he is simply resting and not doing** anything in particular, **he does not appear haughty** and acting above his station. But the work itself **is certainly not forbidden**.

The Gemara replies: **Rather, what** did Rabbi Yochanan mean by saying that the ninth of

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Av is not like a public fast? He was referring to the *ne'ilah* prayer. On a public fast there is an additional prayer at the end of the day, called *ne'ilah*, like there is on Yom Kippur. But on the ninth of Av there is not.

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The Gemara raises another difficulty: **But Rabbi Yochanan said: “If only that people would pray continuously the whole day long.”** In his view it is permitted to add any number of extra prayers, in addition to the three that the Sages instituted. If so, one could add the *neilah* prayer on any day, even if it is not a public fast.

The Gemara replies: **There**, on a public fast, the *neilah* prayer is **obligatory**; **here**, on the ninth of Av and on all other days, it is **optional**.

**If you wish, I could say** an alternative answer: that **when** Rabbi Yochanan said that the ninth of Av is **not like a public fast**, it was regarding the **twenty-four** blessings of the Amidah prayer. On a fast day, we add six blessings to the eighteen regular ones, but on the ninth of Av, we do not.

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**Rav Papa said** a different solution to the difficulty with Rabbi Yochanan's statement: In truth, Rabbi Yochanan was indeed speaking of the twilight when he said that the ninth of Av is not like a public fast day, like we originally thought, but it does not contradict his other statement that eating during the twilight preceding the ninth of Av is forbidden.

**When** Rabbi Yochanan said that the ninth of Av is **not like a public fast**, he meant not to be lenient but on the contrary, to add a stringency: that it is **not like the earlier** fasts, **but** rather, **like the later ones**, and it is **forbidden** to eat on it during twilight.

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We learned in a Mishnah that if by the beginning of Kislev the rains have not yet fallen, the Rabbinical Court decrees that the entire community should fast three days. On these first three fast days, one is permitted to eat at night, until the morning. If, upon the completion of these three fasts, still no rain has fallen, an additional three fasts are decreed. On these later three fast days, eating is prohibited even the night before.

Rabbi Yochanan meant to tell us that on the eve of the ninth of Av, all eating must cease at twilight, like the later fast days.

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**They** the scholars of the study hall **contradicted this**, from a Baraita: **The only difference between the ninth of Av and Yom Hakippur is that this one's uncertain cases are forbidden, and that one's uncertain cases are permitted.**

**Is it not** that “this one's uncertain cases” refers to **its twilight?**

Thus the Baraita implies that during the twilight it is permitted to eat. This poses a difficulty for Rava and Rabbi Yochanan, who forbid eating during the twilight of the eve of the ninth of Av.

**Said Rav Shisha the son of Rav Idi:** The Baraita is **not** referring to this.

Rather, it means to permit an uncertainty regarding the **fixing of the moon**. If we do not know on which day the new moon was declared, and are uncertain which day is really the ninth of Av, we do not need to fast two days.

\*

The Gemara makes another inference from this Baraita:

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Since the Baraita teaches that the only difference between the ninth of Av and Yom Hakippur is in cases of uncertainties, it stands to reason **that in all other aspects they are the same.**

If so, this Baraita **supports** the following statement of **Rabbi Eliezer: Rabbi Eliezer said that it is forbidden for a person to put his finger in water on the ninth of Av, just as it is forbidden to put his finger in water on Yom Hakippur,** since this is also a forbidden form of washing.

This fits with the Baraita, which, with the exception of cases of uncertainty, equates them completely.

**They contradicted this** stringent ruling, from a Baraita: **The only difference between the ninth of Av and a public fast is that** on **this** one, the public fast, it **is forbidden to do work, and** on **that** one, the ninth of Av, it is **permitted to do work, in places where it is customary** to do work.

We may infer that the only difference between them is whether work is allowed or not: **In all other aspects, they are the same!**

**Whereas regarding public fasts, we learned** in a Baraita **that when they said that it is forbidden to wash, they only meant** washing one's **entire body, but** it is **not** forbidden to wash one's **face, hands, and feet.**

If so, it should be permitted to wash one's face, hands, and feet even on the ninth of Av. This poses a difficulty to Rabbi Eliezer, who forbids washing even a finger on the ninth of Av.

**Said Rav Papa: The Baraita is only teaching the leniencies.**

# Chavruta

## Pesachim – Daf Nun Heh

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

**Rav Papa said: The Tanna taught them leniency by leniency.**

The statements that taught “There is no difference between...” were all the words of a single Tanna. He chose to mention only the rulings that present a leniency, whether this be in the case of an uncertainty, permission to do work, or the differences between the ninth of Av and a normal public fast day.

Whereas stringencies, such as the law of washing, were not taught here.

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We learned in the Mishnah: **And in all places, Torah scholars** should refrain from doing work on the ninth of Av, even though others are doing work.

Rabbi Shimon ben Gamliel says that everyone should make himself as if he was a Torah scholar, in this respect, and refrain from doing work. I.e. any person is permitted to behave in this way, even though he is not really a scholar.

The Gemara considers: Does this mean **to say that Rabbi Shimon ben Gamliel holds that we are not concerned about haughtiness** and that is why he permits a person to be stringent upon himself and act like a Torah scholar? **And the Rabbis** (i.e. the first view in the Mishnah, which stated that only a Torah scholar should be idle from work) **hold that we are indeed concerned about haughtiness**, thus ordinary people should not take upon themselves to act as if they were Torah scholars?

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**Surely we have heard the opposite from them,** Rabbi Shimon ben Gamliel and the Rabbis, with regard to the concern about haughtiness:

The Mishnah states that a bridegroom is exempt from reciting Shema on the first night of his marriage, given that he assumedly would be distracted by matters connected to the mitzvah of consummating the marriage, and thus unable to concentrate properly.

**And it was taught** in a Mishnah: **A bridegroom, if he wishes to recite the “Shema” on the first night** of his marriage, he may **recite** it. If he does not wish to refrain from the acceptance of the yoke of Heaven that is contained within the Shema, then he is permitted to recite it. In such a case we are not concerned about haughtiness, in that he thereby shows himself to be an exceptionally pious person.

**Rabbi Shimon ben Gamliel says: Not all who wish** to show that they are unwilling to refrain from acceptance of the yoke of Heaven, **and to take** for themselves **the title** of a pious person, may **take** it. Thus the bridegroom is not permitted to recite the Shema as this would appear haughty.

Here we see the views of Rabbi Shimon ben Gamliel and the Rabbis reversed. Because there, regarding the ninth of Av, it was Rabbi Shimon ben Gamliel who permitted one to act as if he were a Torah scholar.

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**Rabbi Yochanan said: The views were reversed.** The Tanna who arranged the views of Rabbi Shimon ben Gamliel and the Rabbis, both here and over there, mixed up their views in one of the Mishnayot.

**Rav Shishah son of Rav Idi said:** In truth, **do not reverse** their views, and nonetheless the two Mishnayot will not be contradictory.

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The apparent contradiction between the view of **the Rabbis** in one Mishnah **against the** view of the **Rabbis** in the other Mishnah is **not a difficulty**. The Rabbis hold that **here**, in the case of the ninth of Av, an ordinary person who is not a Torah scholar should not be idle from work. **Because everyone performs work** on this day, **and if he would not do so, he would appear haughty**.

**But there** regarding Shema, **since everyone else recited** Shema, being that they are not bridegrooms, if **he also recited** it this would **not appear haughty**. For he would not be deviating from normal practice.

And the apparent contradiction between the view of **Rabbi Shimon ben Gamliel** in one Mishnah **against** the view of **Rabbi Shimon ben Gamliel** in the other is also **not a difficulty**.

Because **there** in the case of Shema, the reason that the bridegroom may not recite it is **that it requires concentration. And we may be certain<sup>1</sup> that he will not be able to concentrate** properly in **his mind**. Therefore if the groom were to recite Shema, he would project the image that he was able to concentrate even such circumstances, when an ordinary person would be unable, and this **would appear haughty**.

**But here** regarding the ninth of Av, by not working, one **would not appear haughty**. Because anyone who saw him idle **would say: He has no work** to do. They would not attribute his idleness to haughtiness, rather they would say: **Go out and see how many idle people there are in the marketplace** who have not found work.

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<sup>1</sup> Lit. We are witnesses

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### Mishnah

At the beginning of the chapter, we learned that the prohibition of performing work on the morning of Erev<sup>2</sup> Pesach is dependent upon custom. This Mishnah returns to that theme:

**And the Sages say: In Judea they would perform work on Erev Pesach until midday.** However **in the Galilee they would not perform any work at all** on Erev Pesach.

On **the evening** of the fourteenth of Nissan, the night before Pesach, **Beit Shammai prohibit** people from performing work even then.

**And Beit Hillel permit** one to perform work **until sunrise**.

### Gemara

We learned in the Mishnah: On the evening before Pesach, Beit Shammai prohibit people from performing work, and Beit Hillel permit it.

The Gemara deliberates: **In the beginning** of the chapter, the Mishnah **taught** the subject of prohibiting work in terms of a **custom**. As the Mishnah there said: “In a place where they are *accustomed* not to do work at this time, one may not do so.”

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<sup>2</sup> The Eve of

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**And at the end**, in our Mishnah, **it taught** the subject in terms of a **prohibition**. As our Mishnah states: “Beit Shammai prohibit”.

**Rabbi Yochanan said:** It is **not a difficulty**.

**This** Mishnah at the beginning of the chapter is expressing the view of **Rabbi Meir**, who holds that the prohibition on work on Erev Pesach in the morning is only a custom.

**And that**, our Mishnah, is the view of **Rabbi Yehudah**, who holds that it has the force of a full-fledged prohibition.

**For it was taught** in a Baraita: **Rabbi Yehudah said: In Judea they would perform work on Erev Pesach until midday. And in the Galilee they would not perform work on Erev Pesach at all.**

**Rabbi Meir said to him: What is the relevance of Judea and Galilee here?** This law is not dependent on these specific locations.

**Rather**, in any **place where they are accustomed to perform** work on Erev Pesach, **one** may **perform** work. And in any **place that they are accustomed not to perform** work, **one** may **not perform** work. The prohibition is thus entirely dependent upon the local custom.

**And from** the fact **that Rabbi Meir said** that it is a **custom**, we may **infer that Rabbi Yehudah was saying** that it is a regular **prohibition**.

If we were to say that even according to Rabbi Yehudah it is merely a custom, and that he was merely reporting that in the Galilee the custom was not to perform work, over what point would he and Rabbi Meir be disagreeing?

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Since it is clear that they disagree, we must say that Rabbi Yehudah holds that there is a genuine prohibition, and this was the difference between Judea and Galilee. I.e. the Rabbis of Judea ruled that one is permitted to work until midday, while the Rabbis of Galilee forbade this. Thus our Mishnah, which speaks in terms of “prohibition” as opposed to “custom”, follows the view of Rabbi Yehudah.

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The Gemara raises a difficulty: **And does Rabbi Yehudah hold that on the Fourteenth** of Nissan, the **performance of work is permitted** for the residents of Judea?

**Surely it was taught** in a Baraita to the contrary: Any grain that took root after the sixteenth of Nissan, the day that the *omer*<sup>3</sup> offering was brought, is classified as *chadash*<sup>4</sup> and thus forbidden until the following year’s *omer* offering is brought.

**Rabbi Yehudah says:** Concerning **one who weeded** his grain field **on the thirteenth** of Nissan, **and** while doing so, a stalk of grain **was uprooted in his hand**. If he wishes to replant that stalk he must **plant it in a muddy place** in order that its roots should take before the sixteenth.

But **he may not plant it in a dry place**, given that the stalk would not quickly take root there. And if it did not take root by the sixteenth, he would have to wait until the following year in order to eat the produce.

The Gemara infers: It is specifically **on the thirteenth** of Nissan that we say: **yes**, one may weed the field and replant the stalk. However **on the fourteenth**, one may **not** do so.

This implies that on the fourteenth, one is forbidden to perform work, consequently there is no weeding of one’s produce.

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<sup>3</sup> An offering of barley brought on the second day of Pesach.

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And Rabbi Yehudah's reference to the thirteenth could not be because otherwise the stalk would not take root in time: **Now that we have heard Rabbi Yehudah who said elsewhere: Any graft that does not take in three days will not take any more.**

From Rabbi Yehudah's own words, we see that three days should be sufficient for the stalk to take root again. And between the fourteenth of Nissan and the time of the *omer* offering on the sixteenth there would be three (albeit partial) days.

The Gemara brings out the point: **And if you would think that on the fourteenth of Nissan, the performance of work is permitted, why do I specifically need to replant the stalk on the thirteenth of Nissan?**

Surely I could plant it even on the fourteenth, **because** from then until the time that the *omer* offering is brought, **there is** part of **the fourteenth and the entire fifteenth day and part of the sixteenth.**

**Rava said:** The reason that Rabbi Yehudah did not permit one to weed his produce on the fourteenth was because this Baraita **was taught in Galilee.** And the Galileans forbade one from performing work even on the morning of the fourteenth.

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The Gemara raises a further difficulty: **Surely there is the night** of the fourteenth<sup>5</sup>, when Beit Hillel permit one to work. Thus, one could weed the field then. If so, why did Rabbi Yehudah specifically mention the thirteenth?

**Rav Sheshet said:** That Baraita is **according to** the view of **Beit Shammai**, who forbade one from working even on the night of the fourteenth.

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<sup>4</sup> "New" produce. One is forbidden to eat such produce until the sixteenth of Nissan in the following year.

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**Rav Ashi said: In truth,** Rabbi Yehudah’s ruling goes also **according to** the view of **Beit Hillel**. And the reason that he referred to weeding on the thirteenth of Nissan was **because it is not the normal manner of people to weed at night**.

**Ravina said: In truth,** Rabbi Yehudah **even** said his ruling **about Judea**.

And the reason that he referred specifically to the thirteenth was not because of a prohibition against work on the fourteenth, rather because of the prohibition of *chadash*.

Though the Gemara previously assumed that in the three days from the fourteenth until the sixteenth there would be sufficient time for a stalk to take root, this is in fact not so.

Because there would not be three *full* days for the stalk to take root. Rather, one would have only part of the fourteenth, the whole fifteenth and part of the sixteenth.

**And for taking root,** we only say “**part of a day is like all of it**” **once**. Thus we could consider a stalk planted at the end of the thirteenth as having three days to take root, namely the fourteenth, fifteenth and part of the sixteenth.

However, **we do not say** “**part of a day is like all of it**” **twice**. Thus we may not consider part of the fourteenth and part of the sixteenth as making up two of the three days required for the stalk to take root.

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<sup>5</sup> I.e. the night preceding the day of the fourteenth.

## Perek 4 – 55a

### **Mishnah**

**Rabbi Meir says: Any work that a person began before the fourteenth of Nissan may be completed on the fourteenth,** even if he lived in a place where they are not accustomed to perform work then.

**But one may not begin his work at the beginning of the fourteenth even though one could finish it** before midday.

**And the Sages say: Three craftsmen may perform their work on Erev Pesach until midday. And they are: The tailors, the barbers and the launderers.** The Gemara will explain the reason.

**Rabbi Yosi bar Yehudah says: Even shoemakers may work until midday.**

### **Gemara**

We learned in the Mishnah: Any work that a person began before the fourteenth of Nissan may be completed on the fourteenth.

**They** the scholars of the study hall **posed an inquiry:** Did the Mishnah **teach** specifically regarding work that was **needed for the festival**, that it may be completed? **But** if it was **not needed for the festival**, the Mishnah would **not even permit one to finish** work that he had already started.

## Perek 4 – 55a

**Or perhaps** the Mishnah **taught** that even work **that is not needed for the festival** may be completed on the fourteenth. **But** in the case of work that was **needed** for the festival, one may **certainly** even **begin** that work on the fourteenth. And even in a place where they were accustomed not to work on the fourteenth of Nissan, this custom only applied to work that was not required for the festival.

**Or perhaps, whether** it were work that was **required for the festival**, or **whether** it were **work that** was **not required** for the festival, it is specifically in the case where one had already begun that we say: **yes, one** may **finish**. However **to begin** one's work would **not** be permitted in any circumstance.

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The Gemara answers: **Come and hear** a proof that work not needed for the festival may not even be completed on the fourteenth: **But do not begin** to perform work **on the fourteenth**. And do not **even** make a **small belt**, or **even a small headscarf**.

The Gemara deliberates: **What does** the additional clause “**even** a small belt, etc.” come to teach us?

Is it **not** that **even** regarding **these** items, **which are needed for the festival**, we say: **yes, one** may **finish** them. But **to begin** to make them would **not** be permitted.

And **from** this **rule** we may infer that it is specifically work that is required for the festival that one may complete on the fourteenth. However, work **that is not needed for the festival** may **surely not even be completed**.

The Gemara rejects this: There is **no** proof from there.

## Perek 4 – 55B

Because **in truth**, it could be that **we may surely also complete** work **that is not needed** for the festival. And the belt and headscarf mentioned were not required for the festival, thus it was forbidden to begin working on them.

**And what** do we learn from the clause which said: “**even** a small belt etc.”?

That one may not **even** begin to make **these** items, **which are small**.

**Because you would think to say** that in the case of such small items, **the beginning of their** production **is** also considered **the completion of their work**. Thus, **one** may **also begin** to make them. Therefore, this clause **informs us** that even with small items, one is only permitted to complete their production, not begin it.

\*

The Gemara attempts a different proof. **Come and hear** a proof that work not needed for the festival may not even be completed on the fourteenth: **Rabbi Meir says: Any work that is needed for the festival** may be **finished on the fourteenth**.

### **Ammud Bet**

**And when** may it be completed? **In a circumstance where one began it before the fourteenth**.

However if **one did not begin it before the fourteenth**, one may not begin it on the **fourteenth**.

## Perek 4 – 55B

**And even a small belt and even a small headscarf** may not be started on the fourteenth of Nissan.

The Gemara infers: Specifically if it were **needed for the festival**, then we say: **yes**, Rabbi Meir would permit one to complete the work. But if it were **not needed for the festival**, we would say: **no**, one may not complete it.

The Gemara rejects this: There is **no** proof from here. Because it could be that both cases **have the same law**, and **even** if it was **not needed** for the festival **one** would **also** be permitted to **finish** the work. And the reason that Rabbi Meir taught that it was needed for the festival was in order to teach an additional law: **And it informs us that even** if the work were **needed** for the festival, we say: **yes**, **one** may **finish** one's work. But we also say: **no**, **one** may not **begin** it.

\*

The Gemara attempts a different proof: **Come and hear** a proof that work not needed for the festival may not even be completed on the fourteenth: **Rabbi Meir says: Any work that is needed for the festival** may be **finished on the fourteenth**. **And** concerning work **that is not needed for the festival**, one is **forbidden** even to complete it.

**And one** may **perform work on Erev Pesach until midday**, in a place that this is the custom.

The Gemara infers: It is specifically in a **place that they are accustomed** to work, there we say: **yes**, one may complete one's work. But in a place where **they are not accustomed** to work, we say: **no**, one may not complete it.

## Perek 4 – 55B

**And** we may **hear from here** a proof that it is specifically work that is **needed for the festival** that we say: **yes**, one may complete one's work. But if it were **not needed for the festival**, then we say: **no**, one may not complete it.

The Gemara concludes: One may indeed **hear from here** a proof that work not needed for the festival may not even be completed on the fourteenth.

c c õ d d

We learned the Mishnah: **And the Sages say: Three craftsmen** may perform their work on Erev Pesach until midday.

**It was taught** in a Baraita: **Tailors** may perform work on Erev Pesach, **because the nonprofessional sewer may sew in his normal manner even on the intermediate days of the festival** (*chol hamo'ed*).

Though many forms of work were prohibited on the intermediate days of a festival, nonprofessionals were not forbidden to sew. And given this leniency regarding sewing, tailors were permitted to do their work on Erev Pesach.

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**And the barbers and the launderers** may perform their work on Erev Pesach. This is **because** on the intermediate days of a festival, **one who arrives from abroad, and one who comes out of prison**, may **cut** their hair **and launder** their clothes **on the intermediate days of a festival**.

These people are permitted to do so, given that they did not have the opportunity before hand.

## Perek 4 – 55B

And since there is a leniency associated with these actions, the Sages permitted even barbers and launderers to do their work on Erev Pesach.

\*

**Rabbi Yosi son of Rabbi Yehudah says: Even shoemakers** are permitted to do their work, **because those who make the pilgrimage** to Jerusalem<sup>6</sup> may **fix their shoes on the intermediate days of a festival**. Again, given that there is a leniency associated with this action, on Erev Pesach it was permitted completely.

The Gemara deliberates: **Over what point are** Rabbi Yosi son of Rabbi Yehudah, and the Sages (who did not permit a shoemaker to work), **disagreeing?**

The Gemara explains: One **master, Rabbi Yosi, holds** that **we learn** the permission to **begin** the **work** of making shoes on Erev Pesach **from** fixing shoes on the intermediate days, which is itself the **completion** of **work**. Just as completion is permitted on the intermediate days, so beginning is permitted on Erev Pesach.

**And** the other **Master, the Sages, hold** that **we do not learn** the permission to **begin work** on Erev Pesach **from** the permission to **complete work** on the intermediate days. For beginning work is treated more severely.

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<sup>6</sup> To fulfill their obligation of coming to the Temple on each of the three pilgrimage festivals.

## Perek 4 – 55B

### **Mishnah**

**1. One may set up chicken-coops for chickens on the fourteenth** of Nissan. Meaning to say that one may place eggs beneath the chickens in order that the chickens should warm them up and cause them to hatch. This action was not included amongst the forms of work that one may not do on Erev Pesach.

**And concerning a chicken that** was sitting on its eggs and **flew** away from them, **one may return it to its place** on Erev Pesach.

**And if** the chicken that was sitting on the eggs **died, one may place another chicken in its place.**

**2. One may rake out the manure from beneath the feet of an animal on the fourteenth** of Nissan. One would also be permitted to remove it from the cowshed.

But **during the festival** itself, which is treated more strictly than Erev Pesach, one would not be permitted to remove the manure. But one may rake it **and move it away to the sides.**

**3. One may take utensils** to the house of a craftsman on Erev Pesach, for him to repair them. **And one may bring them back from the house of a craftsman.** This is true **even though they are not needed for the festival.**

## Perek 4 – 55B

### **Gemara**

We learned in the Mishnah: And concerning a chicken that flew away, one may return it to its place.

The Gemara is puzzled: **Now** that one may **place** the chicken on the eggs in the first place, as the first clause of the Mishnah taught, does the Tanna of the Mishnah **need** to tell us in the latter clause that one may **return** a chicken to its place? Surely this is obvious.

**Abaye said: The latter clause** of the Mishnah **referred to the intermediate days of the festival**. Given that the intermediate days are treated more strictly, one would be forbidden to place the chickens on the eggs in the first place, though one would be permitted to return them. Whereas the first clause referred specifically to Erev Pesach.

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**Rav Huna said: We only learned** that one may return the chickens during the festival when this was done **during** the first **three** days **of its flight** from the eggs. **Because** within this time **its desire** to brood would **not** have **left it**.

**And** similarly, one may only return them if they flew **after three** days **of sitting** on the eggs. **Because** after having sat there for three days, the eggs would have already undergone change. And if the chicken was not returned, **the eggs would be lost entirely**, not being fitting for anything.

**But after three days** have passed since it **flew** away, one may not return the chicken. Because **its desire** to brood would have already **left it**. In such a case the chicken would

## Perek 4 – 55B

actively resist being replaced on the eggs, and returning it would involve an excessive effort that would be prohibited of the festival.

And similarly, if it flew away **within three days of sitting** on the eggs, **when** the eggs would **still** not have undergone change. **The eggs would not be lost entirely**, still being suitable for food, thus **one** may **not return** the chicken to its place.

**Rabbi Ami said: Even within three days of a chicken's sitting** on the eggs, **one** may still **return** it to its place, given that the eggs would have already changed somewhat. They would only be suitable for a person who was not particular about his food and would thus have to be sold for a lower price. Due to the monetary loss involved, one would be permitted to return the chicken to its place.

The Gemara deliberates: **Over what point are they disagreeing?**

The Gemara answers: One **master, Rav Huna, holds that they** the Sages **were concerned over a large monetary loss** to a Jew, and consequently were lenient. But **they were not concerned over a small loss**. And given that only a small loss is involved if the chicken had not sat on the eggs for three days, the Sages did not permit one to return the chicken.

**And the other master holds that they were also concerned over a small loss**. Thus one would be permitted to invest effort on Yom Tov to prevent this loss.

c c õ d d

We learned in the Mishnah: **One** may **rake out** the manure **from beneath** the feet of an animal.

## Perek 4 – 55B

**The Rabbis taught** in a Baraita: Concerning **the manure that is in a courtyard, one may move it away to the sides.**

And concerning the manure **that is in the cowshed and in the courtyard, one may remove it to the refuse pile.**

The Gemara is puzzled: **This Baraita is inherently difficult.**

Because in the first clause **it said**, “concerning **manure that is in a courtyard, one may move it away to the sides.**”

**And it went back and taught** in the latter clause, “concerning the manure **that is in the cowshed and in the courtyard, one may remove it to the refuse pile.**”

**Abaye said:** It is **not a difficulty.**

**Here** in the latter clause it refers **to the fourteenth** of Nissan, and on that day one may also remove the manure to the refuse pile.

But **here** in the first clause it refers **to the intermediate days of the festival**, when one is only permitted to move it to the sides.

**Rava said:** Both **this and that** refer **to the intermediate days of the festival.** And in truth, one is only permitted to move the manure to the sides. **And this is what** the latter clause of the Baraita **is saying:** **If** there was so much manure that **the courtyard became like a cowshed** and there was no longer any room left to move it to the sides, **one** may even **remove it to the refuse pile** on the intermediate days of the festival.

c c õ d d

## Perek 4 – 55B

We learned in the Mishnah: **One may take utensils, and one may bring them back, from the house of a craftsman.**

**Rav Papa said:** Rava tested us using this Mishnah:

**It was taught:** One may take utensils and one may bring them back from the house of a craftsman, even though they are not needed for the festival.

**And one may pose a contradiction:** It was taught in a Baraita: **One may not bring utensils from the house of a craftsman. And if one is concerned about them lest they be stolen from them, one may move them to a different courtyard** close to that of the craftsman. However, one may not move them to a house that is distant from the craftsman, due to the effort involved.

We thus see that the Mishnah and the Baraita contradict each other.

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**And we replied:** It is **not a difficulty:** **Here** in the Mishnah it refers **to the fourteenth** of Nissan. **And here** in the Baraita it refers **to the intermediate days of the festival**, which are treated more strictly.

**And if you wish, I could say an alternative answer:** Both **this and that** are referring **to the intermediate days of the festival.** **And** it is **not a difficulty.** **Here** in the Baraita it refers **to** a case where one **trusts** the craftsman not to sell the utensils to another person. **And here** in the Mishnah it refers **to** a case where one does **not trust him.** Therefore the Sages allowed one to take the utensils on the intermediate days.

## Perek 4 – 55B

And we could bring a proof for this: **For surely it was taught** in a Baraita: On the intermediate days **one may bring utensils from the house of a craftsman. Such as a jug from the house of a potter and a cup from the house of the glazier**, given that these might be needed for the festival.

**But one may not bring wool from the house of a dyer and one may not bring utensils from the house of a craftsman** given that they are not needed for the festival.

**And if the craftsman does not have anything to eat**, and thus requires his payment, **one may give him his payment and leave the utensil with him** until after the festival.

**And if one does not trust him** and is concerned that he might sell the utensil, one may take it and **leave it in a house that is close to the craftsman**.

**And if one is concerned that perhaps they may be stolen** from there, **one may bring them discreetly into his house**.

Thus we see from this Baraita that in a case where one does not trust the craftsman, one is permitted to move the utensils in order that one should not come to a loss.

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The Gemara responds: We may still pose a difficulty to this second answer. Although we have **answered** the contradiction to the part of the Mishnah that taught “**One may bring utensils**” from the house of a craftsman, nevertheless, the latter clause of the Mishnah—

## Perek 4 – 55B

“**one** may **take** them to the house of a craftsman”—still poses a **difficulty**. For surely the Baraita **taught**: “**one** may **not bring** utensils from the house of a craftsman” unless a potential loss is involved. **And** therefore, **all the more so one** should **not take** utensils to a craftsman in the first place. This is because delaying their repair until after the festival does not endanger the utensils; thus no loss is involved.

The Gemara concludes: **Rather, the correct answer is how we learned initially**: the Mishnah refers to Erev Pesach whereas the Baraita refers to the intermediate days of the festival.

### **Mishnah**

**Six things were done by the people of Jericho. About three of these the Sages protested and about three they did not protest.**

**And** the three things that the Sages **did not protest** about **are**:

1. **They** would *markiv* (graft or add a mixture to) **date palms** for **the entire day** of Erev Pesach, because they thought that this was not a substantial form of work and thus it was permitted.

2. **And they** would “**wrap up**” **the Shema**. The Gemara will explain this later.

## Perek 4 – 55B

3. **And they** would **harvest**<sup>7</sup> **and pile up** the grain crop, **before the *omer*** offering was brought. They were not concerned that one might come to eat the grain before the *omer*, thus transgressing the prohibition of *chadash*<sup>8</sup>.

**And** the things that the Sages **protested** about **are**:

1. **They** would **permit** deriving benefit from the **branches of consecrated** trees.

One would ordinarily cut down branches from carob and sycamore trees once every seven years. The wood was used for building purposes. In previous generations the people of Jericho had consecrated these trees to the Temple, and the present residents made use of the newly grown branches for themselves.

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<sup>7</sup> Rashi's text did not read "harvest", because there would be no concern of transgression from merely harvesting.

<sup>8</sup> "New" grain. The grain crop may be eaten only after the *omer* is offered on the second day of Pesach.

# Chavruta

## Pesachim – Daf Nun Vav

Translated by: *Rabbi David Schallheim*

Edited by: *R. Shmuel Globus*

2. **And** they would **eat** the fruit that fell off the trees **under the shedding** trees, for example, date palms that shed their fruit, **on Shabbat**. The Gemara will explain why this is prohibited.

3. **And** they would **give *pe'ah***, the edge of the field set aside for the poor, even **from green**, leafy **vegetables**. Actually, one isn't obligated to set aside *pe'ah* from greens. This causes the poor to transgress, because real *pe'ah* is exempt from *ma'aser*,<sup>1</sup> and the poor, being accustomed to eating *pe'ah* without taking *ma'aser*, would eat the *pe'ah* from the greens without taking *ma'aser* and transgress the prohibition of eating *tevel*.<sup>2</sup>

**And** concerning these three customs the **Sages protested against them**.

### Gemara

**The Rabbis taught** in a Baraita: **King Chizkiyahu<sup>3</sup> did six things**. The Sages **agreed with him on three** of the cases, and **on three of them** the Sages **did not agree**.

These are the cases: 1). **He dragged the bones** of Achaz, **his father, on a bier of ropes**. He did not give him an honorable burial with a couch and a proper bier, because he wanted Achaz to have atonement. In addition, there was a *kiddush Hashem*, sanctification of G-d's name, for Achaz was disparaged for his wickedness, and the wicked would see and be rebuked.

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<sup>1</sup> Tithes

<sup>2</sup> Un-tithed produced.

<sup>3</sup> Hezekiah

## Perek 4 – 56a

2). He **ground** the **copper snake** made by Moshe<sup>4</sup>, because Jews were misled by it and worshipped it as an idol.

3). He **hid away** the **Book of Healing**, because the people could be cured immediately using this Book, and they wouldn't humble themselves to Hashem when they were sick.

**And** the Sages **agreed with him** on these three cases.

**And on these three the Sages did not agree with him:**

1). He **cut down** the **doors** of the **Sanctuary** and **sent them** to the **King of Ashur**<sup>5</sup> as an appeasement, to avert a war, **and** the Sages **did not agree with him**.

2). He **sealed** the **waters** of the **upper Gichon** spring. He wanted to prevent the kings of Ashur from besieging Jerusalem by removing the water supply. **And they did not agree with him** because he should have trusted in G-d, Who promised him: “And I will protect this city to save it” (*Melachim*<sup>6</sup> II, 19:34).

3). He **added** the month **Nissan** as a month to the calendar year **in Nissan**, making it Adar II, after the month of Nissan had already begun. He did this to delay Pesach's arrival, because most of the people were still impure from the idol worship they were accustomed to during the reign of his father, Achaz, and were not able to bring the pesach-offering at its appointed time. Therefore, Chizkiyahu added a month to the year, delaying Pesach for thirty days, giving Israel time to purify for the pesach-offering.

**And they did not agree with him** about this. The reason is because one may not add a month to the calendar year after the beginning of Nissan, as it is written: “This month

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<sup>4</sup> Moses

<sup>5</sup> Assyria

<sup>6</sup> Kings

## Perek 4 – 56a

shall be for you the beginning of the months” (*Shmot*<sup>7</sup> 12:2). The Sages derive from here that there must be no other Nissan after Nissan has already begun, because the verse says: “this month,” i.e. Nissan alone shall be the beginning of the months, and there should not be another “Nissan” after Nissan.

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We learnt in our Mishnah: **They would *markiv*** (graft or add a mixture to) **date palms the entire day** of Erev<sup>8</sup> Pesach, the 14<sup>th</sup> of Nissan.

The Gemara asks: **How did they do this?**

**Rav Yehudah said: They brought a moist myrtle branch, beer** from the fruit of the **bay (*dafnah*) plant**, and **barley flour** that had been **resting** in a **container less than forty days** since being milled. They **boiled all** the ingredients together and poured it onto the **heart of the date palm**. This mixture was beneficial for the date palm.

**And every tree that stood within four *ammot*<sup>9</sup>** of the date palm that received this mixture, **if they did not give the mixture to it as well**, it would **dry up immediately**.

**Rav Acha the son of Rava said:** This was not the case of the Mishnah. Rather, they would **place a male branch onto a female** date palm. They would graft the branch of a male date palm, which bears fruit, onto the female date palm that does not bear fruit.

\*

We learnt in our Mishnah: They would **“wrap up” the Shema** together with something else.

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<sup>7</sup> Exodus

<sup>8</sup> The Eve of

<sup>9</sup> 1 ammah = 18.7 in., 48 cm.

## Perek 4 – 56a

The Gemara asks: **How did they do this?**

**Rav Yehudah said:** They would say “**Hear O Israel, Hashem is our G-d, Hashem is One,**” and they **would not pause** before saying immediately the following verse: “And you shall love...”

One should extend the word “One”, *Echad*, in order to make a pause between the first verse of Shema, in which we generally accept the yoke of Heaven’s sovereignty, and the second verse, which was said in the form of a particular commandment.

**Rava said:** They **did pause** between Shema and “And you shall love.”

**Rather, they would say “today upon your heart,”** without pausing between the word “today” and the words “upon your heart.” This would **imply** that only **today** these words shall be **upon your heart**, and **tomorrow** they would **not be upon your heart**.

**The Rabbis taught in a Baraita:** How would the people of Yericho<sup>10</sup> “**wrap up**” the Shema? They would say, “**Hear O Israel, Hashem is our G-d, Hashem is One**” (*Shema Yisrael Hashem Elokeinu Hashem Echad*) and they **would not pause** afterwards. Rather, they begin to recite “And you shall love”, *Ve’ahavta*, immediately – These are the **words of Rabbi Meir**.

**Rabbi Yehudah says:** They **did pause** between Shema and “And you shall love.” **Rather, they would not say** after the first verse: “**Blessed is the Name of His glorious kingdom for all eternity**” (*baruch shem kvod malchuto le’olam va’ed*).

The Gemara asks: **And we, what is the reason we say it?**

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<sup>10</sup> Jericho

## Perek 4 – 56a

The Gemara answers: The reason for saying it is **like** the way **Rabbi Shimon ben Lakish expounded** a verse.

**For Rabbi Shimon ben Lakish said:** It is written: “**Yaakov**<sup>11</sup> **called for his sons and said, ‘Gather and I will tell you** what will happen to you at the end of *yamim* (days)”” (*Breishit*<sup>12</sup> 49:1).

**He Yaakov attempted to reveal to his sons the end of “the *yamin* (right)”**. (*Yamim*, days, is similar to *yamin*, right.). I.e. how G-d will return His right hand to be in front of Him, after he turned it away and held it behind Him in face of the enemy. (Holding one’s right hand behind one’s back is symbolic of restraining oneself from taking powerful action.)

**And the Shechinah**<sup>13</sup> **withdrew from him**, thus he was deprived of the prophetic spirit necessary to reveal this matter to them.

**He said: Perhaps there is in my bed** (in my sons) **a blemish, G-d forbid, as was the case with Avraham who gave birth** to a wicked son, **Ishmael, and my father Yitzchak, who gave birth** to a wicked son, **Eisav**<sup>14</sup>—and that is why the Shechinah withdrew from me!

**His sons said to him: “Hear O Israel, Hashem is our G-d, Hashem is One!”**

They addressed their father and **said to him:** Hear O Israel (their father Yaakov’s second name is Israel): **just as you believe in only one G-d in your heart, so it is that we believe in only one G-d in our heart**, and there is no blemish in us.

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<sup>11</sup> Jacob

<sup>12</sup> Genesis

<sup>13</sup> Divine Presence

<sup>14</sup> Esau

## Perek 4 – 56a

At that moment **Yaakov our forefather began** to give thanks to Hashem for this, **and said: “Blessed is the Name of His glorious kingdom for all eternity.”**

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**The Rabbis said** i.e. asked: **What should we do?**

If **we say** “Blessed is the Name of His glorious kingdom for all eternity” while fulfilling the mitzvah of reciting the daily Shema, it would not be proper, because **Moshe our master did not say it** in the Torah passage of “Shema.”

If **we do not say it**, this would also not be proper, because **Yaakov our forefather did say it**.

Therefore, **they decreed that they should say it** in a **hidden** way, a whisper.

**Rabbi Yitzchak said**, and some **say it** in the name of the **House of Rabbi Ami**: To what **may this be compared?** – To a **king’s daughter** who **smelled a pot** of spiced and minced meat **scraps** roasted in a pot, which have a tasty aroma, and she desired it. If **you shall say** to give it to her, since she desires it, this is problematic: eating the remnants of a pot **disgraces her**, since she is the king’s daughter. But if **you shall not say** to give it to her, **she has bodily pain** due to her great desire for it.

**Her servants began to bring it to her in hiding**, so she could eat the roasted scraps without disgrace. This is a parable describing the fact that we recite *baruch shem kvod malchuto le’olam va’ed*, which is an immensely desirable praise of Hashem, yet does not compare to the exalted status of what is written expressly in the Torah.

**Rabbi Abahu said**: Now, the Rabbis **decreed that it** (*baruch shem kvod malchuto le’olam va’ed*) should **be said out loud**. This is **because of the heretics’ comments**. We

## Perek 4 – 56a

do not want them to say that the reason we are whispering is because we are adding something improper in the mitzvah of reciting the Shema.

**In Neharda'a, where there are no heretics, until today they say it in a hidden way, i.e. in a whisper.**

**The Rabbis taught in a Baraita: The people of Yericho did six things. Three of these things were according to the will of the Sages. And three of them were against the will of the Sages.**

And these three were according to the will of the Sages:

1) **They would *markiv* (graft or add a mixture to) date palms the entire day** of Erev Pesach, the fourteenth of Nissan.

2) They would **“wrap up” the Shema.**

3) They would **harvest grain before the *omer*-offering** was brought in Jerusalem.<sup>15</sup> There is no Torah prohibition to harvest before the time of the *omer*-offering, in a field that was unacceptable for the *omer*. The grain of Yericho was unacceptable for meal-offerings because it was the produce of a valley. Additionally, the Sages were not concerned they might come to eat from the harvested grain, which was prohibited because of *chadash*, the prohibition against eating grain before the *omer* was offered. This was because people are generally careful not to eat *chadash*, which is prohibited the entire year, and so they are already used to staying away from it and they will not transgress.

**And these three were against the will of the Sages:**

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<sup>15</sup> The barley offering brought on the second day of Pesach, the 16<sup>th</sup> of Nissan.

## Perek 4 – 56a

1) They would **heap** the grain in the fields **before the omer**-offering. This was prohibited because one might come to eat from the grain and transgress on the prohibition of *chadash*. However, concerning the harvesting on the 14<sup>th</sup> the Sages did not make such a Rabbinic prohibition, since this could cause a loss of produce if they would have to wait to harvest until after the *omer*-offering. But the Sages prohibited heaping the grain in the fields, since there would not be any loss if they waited until after the *omer*.

2) They **made openings** in the fences **of their gardens** and fruit **orchards** in order to **feed the shedding** (fruit that fell off by itself from the trees) **to the poor, in the years of drought**, making it available **on Shabbatot and Yomim Tovim**. On these days it is prohibited to eat the fruit that fell off the trees, as will be explained further on.

3) And they **permitted** to derive benefit from **branches of consecrated<sup>16</sup> carob and sycamore** trees, i.e. they treated the wood which grew after the consecration as if it was ordinary, non-consecrated wood. These are the **words of Rabbi Meir**.

**Rabbi Yehudah said to him: If they did** the first three things **with the agreement of the Sages, then let every man do them!** And yet we hold as an established halachah that these things are prohibited.

**Rather, these and those were done against the will of the Sages. On three of them the Sages protested, and on three of them they did not protest.**

**And these** are the things upon which **the Sages did not protest:** 1) **They grafted the palms all day.** 2) **They would “wrap up” the Shema.** 3) **They would harvest and heap** the grain **before the omer.**

**And these** are the things which **the Sages did protest:**

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<sup>16</sup> Their value was consecrated to be used by the Temple treasury

## Perek 4 – 56a

- 1) They **permitted** to benefit from **branches of consecrated trees, of carob and sycamore**.
  
- 2) They **opened openings** in the fences **of their gardens** and fruit **orchards** in order to **feed the shedding to the poor in the years of drought, on Shabbatot and Yomim Tovim**.
  
- 3) **And** they would **give *pe'ah***, the edge of the field set aside for the poor, even **from greens**.

**And in these** three things **the Sages protested**. But also the first three things were against the will of the Sages, they just did not protest.

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The Gemara poses a difficulty: Did Rabbi Yehudah really hold that harvesting before the *omer* was against the will of the Sages?

But note that **it was taught** in a Mishnah: The **men of Yericho** would **harvest** their grain **before the *omer*-offering, according to the will of the Sages**. They would **heap** the grain in their fields **before the *omer*, against the will of the Sages**. But **the Sages did not protest**, even on the heaping.

## Perek 4 – 56B

### **Ammud Bet**

The Gemara now analyzes the Mishnah. **Who have you heard that he says** all six things were against the will of the Sages, but that three of them they **protested**, and on three they did **not protest**?

It was **Rabbi Yehudah** that said it.

Therefore this Mishnah must be like Rabbi Yehudah, **and yet we learnt** in it: “They would **harvest** their grain **before the omer-offering, according to the will of the Sages.**” So how could Rabbi Yehudah list in the Baraita that one of the six things that was *against* the will of the Sages was harvesting before the *omer*?

The Gemara resolves the difficulty, by changing the text of the problematic Baraita mentioned earlier: Even **according to your reasoning**, that the Baraita must be in error when it says that Rabbi Yehudah held that all six things, including harvesting, were against the will of the Sages, there is still a difficulty within the Baraita itself.

How could it be that Rabbi Yehudah said that on *three* things they did not protest?

**These** things listed in the Baraita **are four!** 1) They grafted the palms all day. 2) They would “wrap up” the Shema. 3) They would harvest. 4) They would heap the grain before the *omer*.

**Rather**, we must **erase from them “harvesting,”** and remove it from the text of the Baraita. Harvesting is not one of the six things mentioned in the Baraita, because it indeed was done according to the will of the Sages.

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## Perek 4 – 56B

We learnt in a Baraita above: They **permitted** to benefit from **branches of consecrated trees, of carob and sycamore**.

The Gemara explains: They would do so, because they **said our forefathers only consecrated the beams** of the trees, made from the trunks, for at the time they consecrated them they were not any significant branches on the trunk.

Therefore, **we will permit the branches of consecrated trees, of carob and sycamore**, for the branches were never consecrated.

**And with growth that came afterwards**, after the consecration, **are we dealing**. The men of Yericho **held according to the view that said**: “**There is no** problem of **misuse** (*me'ilah*) of consecrated property **concerning the growth** of consecrated property.” They held that later growth does not become consecrated property.<sup>17</sup>

**And the Sages**, who protested against the men of Yericho, **held that although there is no** problem of **misuse** of consecrated property concerning the later growth, but **in any case, it is prohibited** to have benefit from the growth.

\*

We learnt in a Baraita above: They **made openings** in the fences of their gardens and fruit orchards in order to feed the shedding (fruit that fell off the trees) to the poor, in the years of drought, on Shabbatot and Yomim Tovim.

**Ula said** in the name of **Rabbi Shimon ben Lakish**: The **disagreement** between the Sages and the men of Yericho was concerning the fruit falling **from the fronds** of the date palms. The date palm has tightly packed fronds near the top which form a sort of

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<sup>17</sup> *Rashbam, Bava Batra 79a.*

## Perek 4 – 56B

receptacle, and dates that fall off the palm itself collect inside of them instead of falling immediately to the ground.

**The Sages held** that since they are high, and one must climb the date palm to collect them, they are prohibited by Rabbinic decree on Shabbat and Yom Tov. This is because **we must make a decree, lest one climb** the date palm **and cut off** fruit attached to the tree, thereby performing the work of Harvesting, which is prohibited by Torah law.

**And the men of Yericho held** that we do **not** need to **make a decree lest one climb** the date palm **and cut off** fruit.

**But** the fruit that fell into the place **of the arches**, which are lower down on the date palm, **all the views agree it is permitted** on Shabbat and Yom Tov.

One need not climb the tree to take these. And in the arches there are no attached fruit, so there is no concern he would climb the date palm and cut off fruit.

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**Rabbah said to him** Ula: Although the above decree is not relevant to the fruit of the arches, they are still prohibited. **For they are *muktzeh*!**<sup>18</sup> On Erev Shabbat, between sunset and nightfall, the fruits were still attached. Thus they became *muktzeh* due to the fact that it was prohibited to cut them off the tree. Since they were *muktzeh* at that point in time, between sunset and nightfall, they became *muktzeh* for the entire Shabbat.

**And if you shall say** that the fruits which fall off the trees on Shabbat did not become *muktzeh* between sunset and nightfall **since** at that time they **were fitting** as food **for ravens**, even though they were still attached to the tree—

## Perek 4 – 56B

This is not plausible: **Now**, something that is **prepared for man** to eventually use **is not prepared for dogs'** use. (Dogs are mentioned merely as an example of animals that are fed by man.)

Since it was not considered prepared for animals, it is prohibited as a type of *muktzeh* called “unprepared.”

**As the following Mishnah** demonstrates. The Mishnah discusses an animal that, while it was alive, was considered “prepared” for human consumption—since it was set aside for that purpose and not for feeding to dogs. Only if it became a *neveilah*<sup>19</sup> would it be fed to dogs. And in fact, it became a *neveilah* on Shabbat.

**Rabbi Yehudah says: If it was not a *neveilah* already on Erev Shabbat – it is prohibited to feed it to the dogs on Shabbat, because of “unprepared.”**

Since it was not prepared for dogs' use at the time when Shabbat commenced, but was then still set aside for human consumption, it is *muktzeh* concerning the use for dogs.

This shows that even a thing prepared for man is *muktzeh* because of its lack of preparation concerning dogs. And preparation for human use is a high degree of preparation.

And if so, could one possibly say that a thing that was **prepared only for ravens would be considered prepared even for humans?**

**Ula said to him: Yes.**

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<sup>18</sup> Lit., set aside. Items which by Rabbinic decree may not be moved on Shabbat and Yom Tov are called *muktzeh*.

<sup>19</sup> Carcass, an animal of a kosher species that died without kosher slaughter.

## Perek 4 – 56B

It is true that a thing which is **prepared for man is not prepared for dogs**. That is because **anything that is fitting for a man's** consumption, **will not be set aside in his mind** for the use of dogs, rather, he sets it aside in his mind only for his own use.

But, **something that was prepared for ravens is prepared even for man**, because **anything that is fit for human consumption – his mind is on it!** Therefore, even though it was fit only for ravens on Erev Shabbat, a person still has in mind that if it turns out in the end that it will be fitting even for him, he will eat it.

Thus, the dates which dropped into the “arches” are considered prepared for man as well.

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**When Ravin came, he said** in the name of **Rabbi Shimon ben Lakish**: The **disagreement** between the Sages and the men of Yericho was about fallen fruit **in the “arches.”**

The Sages held that the fruits are prohibited because of *muktzeh*. The reason is because what is **prepared for ravens is not prepared for man**.

**And the men of Yericho held that something that was prepared for ravens is prepared even for man**, and is not *muktzeh*.

But concerning fallen fruit on the upper fronds, everyone agrees they are prohibited. This is because **we must make a decree lest one climb the date palm and cut off** fruit attached to the tree.

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We learnt in our Mishnah: **And they would give *pe'ah* even from greens**.

## Perek 4 – 56B

The Gemara poses a difficulty: **And do the men of Yericho not hold of that which we learnt in a Mishnah?** For it is stated: The Sages said a general rule concerning *pe'ah*: **Anything** which is **food**, i.e. fitting to be eaten, **and** is not ownerless, rather it is **kept** by the owners, **and it grows from the earth, and is picked** all at **once** i.e. all the crop is picked at more or less the same time, **and** the owners **bring it into lasting** storage – then it is **obligated in *pe'ah***.

The Gemara explains the Mishnah:

**Anything** which is **food** – this comes to **exclude the wild growth of woad<sup>20</sup> or thorns**, which are difficult to eat, therefore they are exempt from *pe'ah*.

**And is kept** by the owners – **excluding ownerless** fruit which is exempt.

**And it grows from the earth** – **excluding fungus and mushrooms!** They have no root in the soil; they grow from the air and not the ground.

**And is picked** all at **once** – **excluding figs**, which are not all picked at the same time, rather each fig is plucked at the time it ripens.

**And** the owners **bring it into lasting** storage – **excluding greens**, i.e. leafy vegetables that wilt and do not keep for a long period, therefore they are not put into lasting storage.

The Mishnah taught clearly that greens are exempt from *pe'ah*. Why, then, did the men of Yericho give *pe'ah* from them?

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<sup>20</sup> A plant producing a deep blue, indigo dye.

## Perek 4 – 56B

**Rav Yehudah said in the name of Rav: Here, regarding the practices of the men of Yericho, we are dealing with the leafy turnip heads.**

The leaves do not keep by themselves, but when they are attached to the turnip head they keep in storage for a long period along with the turnip root.

**And** they are disagreeing over a thing **that is brought into storage by means of another thing.**

**The one master**, i.e. the men of Yericho, held that a thing **that is brought into storage by means of another thing is considered stored.** Therefore, since the turnip heads keep along with the roots, they gave *pe'ah* from them.

**And the other master**, i.e. the Sages, **held** that a thing that is brought into storage by means of another thing **is not considered stored.** Therefore, they exempted the turnip heads from *pe'ah*.

\*

**The Rabbis taught** in a Baraita: **In the beginning, they would give *pe'ah* from the leafy heads of turnips and from cabbage.**

**Rabbi Yossi says:** Even from leeks they would give *pe'ah*.

**And it was taught in another Baraita:** In the beginning, **they would give *pe'ah* from the leafy heads of turnips and from leeks.**

**Rabbi Shimon says:** Even from cabbage they would give *pe'ah*.

# Chavruta

## Pesachim – Daf Nun Zayin

Translated by: *Rabbi Dov Zimmel*  
Edited by: *R. Shmuel Globus*

[**The Rabbis taught** in a Baraita: **In the beginning, they would give *pe'ah***, the edge of the field set aside for the poor, **from the leafy heads of turnips and from cabbage.**

**Rabbi Yossi says:** Even from leeks they would give *pe'ah*.

**And it was taught in another Baraita:** In the beginning, **they would give *pe'ah* from the leafy heads of turnips and from leeks.**

**Rabbi Shimon says:** Even from cabbage they would give *pe'ah*.]

The Gemara inquires: **Shall we say** that there are **three** disparate views among the **Tannaim?** (1) the first Tanna, who disagreed with Rabbi Yosi (2) the first Tanna who disagreed with Rabbi Shimon (3) Rabbi Yosi and Rabbi Shimon both holding that *pe'ah* was given from all three species.

The Gemara responds: **No, it is only two** views among the **Tannaim.**

**And** the view of **the first Tanna** who disagreed **with Rabbi Shimon**, and said that they would give *pe'ah* from the leaves of turnips and leeks, **this is** identical with the view of **Rabbi Yosi.**

**And** the view of **the first Tanna** who disagreed **with Rabbi Yosi**, and said that they would give *pe'ah* from the leaves of turnips and cabbages, **this is** identical with the view of **Rabbi Shimon.**

## Perek 4 – 57a

The Gemara poses a difficulty: **But** if this is so, **what** did Rabbi Yosi and Rabbi Shimon mean when they said the word “**even**”? This word implies that they held that *pe’ah* was given even from the third species they mentioned. But if so, then both Rabbi Yosi and Rabbi Shimon would be disagreeing with the first Tanna of both Baraitot – for those Tannaim held that *pe’ah* was given only from two species.

The Gemara resolves the difficulty: They were only **referring to the first one**, to the first item mentioned by the Tanna.

In the Baraita of Rabbi Yosi where the first Tanna spoke of turnips and cabbages, Rabbi Yosi held they took *pe’ah* from the leaves of turnips, but not of cabbages. And he added that he held they took *pe’ah* “even” from the leaves of leeks.

And similarly in the Baraita of Rabbi Shimon where the first Tanna spoke of turnips and leeks, Rabbi Shimon held they took *pe’ah* from the leaves of turnips, but not from the leaves of leeks. And he added that he held that they took *pe’ah* “even” from the leaves of cabbages.

Therefore there are only two views being expressed in the two Baraitot:

- (1) That they gave *pe’ah* from the leaves of turnips and cabbages – this is the view of Rabbi Shimon and also of the first Tanna who differed with Rabbi Yosi.
- (2) That they gave *pe’ah* from the leaves of turnips and leeks – this is the view of Rabbi Yosi and also of the Tanna who differed with Rabbi Shimon.

But there is no view that held that they gave *pe’ah* from all three species.

**c c õ d d**

## Perek 4 – 57a

**The Rabbis taught** in a Baraita: **The son of Bohayan gave *pe'ah* from green, leafy vegetables. And then his father came and found that there were poor people laden with these green vegetables, and they were standing by the gate of the garden ready to leave.**

**He said to them: “My children, throw down those green vegetables, and I will give you twice this amount from green vegetables from which I have already taken tithes.**

And I am **not** saying this to you **because I am** being **stingy** concerning what you took.

**Rather it is because the Sages said: One should not give *pe'ah* from green, leafy vegetables!”**

The Sages prohibited giving *pe'ah* from such vegetables for the following reason. Produce which is *pe'ah* is exempt from tithes. But this only applies to produce from which the Torah truly requires one to give *pe'ah*. Green, leafy vegetables, because they rot quickly and thus are not stored, are exempt from *pe'ah*<sup>1</sup>. Therefore, the poor who receive such vegetables as if they were *pe'ah* must take tithes from them.

Yet the poor are not always aware of this distinction between various types of vegetables, and might not take tithes. This led them to eat what was forbidden, and in addition it caused a loss to the Levites (who lost those potential tithes). Therefore the Sages decreed not to give *pe'ah* from green, leafy vegetables.

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The Gemara is puzzled: **Why did Bohayan say to the poor people, “I am not saying this to you because I am being stingy”?**

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<sup>1</sup> Mishnah *Peah* (1: 4)

## Perek 4 – 57a

Since he offered them twice as much produce in exchange for returning the vegetables, it is obvious that his request was not because of stinginess.

The Gemara answers: He said this to them, **in order that they should not say** to themselves: **he is just pushing us off**. I.e. he is not really intending to give us alternative produce.

c c õ d d

**The Rabbis taught** in a Baraita:

**Originally they would place** the hides that were flayed **from the most holy offerings** (*kodshei kodoshim*) **in the chamber** called '*Beit Haparvah*', which was built in the Courtyard of the Temple. And **in the evening they would divide them up between the members of the clan** (*beit av*)<sup>2</sup> who had served that day.

But **there were** cohanim who were **strong-arms** and **took** more than their share of **these** hides **by force**.

Therefore it was **instituted that they would divide them up every Erev**<sup>3</sup> **Shabbat**. For in this way, **all the** members of the *mishmarot*<sup>4</sup> **came and took together**. This would prevent these strong-arms from grabbing the hides, since they now had to contend with the whole *mishmar*.

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<sup>2</sup> There was a rota system in which the cohanim divided up their periods of service. There were twenty-four 'watches' - *mishmarot* – each one serving for two weeks during the year. Each *mishmar* was divided into six 'clans', who each served for one weekday. Each clan received the hides of that day they served.

<sup>3</sup> The Eve of

<sup>4</sup> Watches

## Perek 4 – 57a

**But still, there were distinguished cohanim that took them by force** i.e. they exploited their status to receive more than their share. Therefore the cohanim in general, who were the joint **owners** of these hides, **went and consecrated them to Heaven** i.e. to the ownership of the Temple treasury. Now, even the distinguished cohanim would not take them by force.

Consequently, the revenue of the Temple treasury was increased. **They said: There did not pass even a few days until it was seen that they had covered the entire Sanctuary with plates of gold which were one *ammah*<sup>5</sup> in length by one *ammah* in width, with a thickness like that of a golden *dinar*<sup>6</sup>.**

**And at the time of a festival, they would fold up these plates, and place them by the staircase which was on the Temple Mount. This was done in order that the ones who go up for the festival would see the beauty with which it had been made, and that there was no blemish in it.**

c c õ d d

**It was taught** in a Baraita: **Abba Sha'ul says: In Jericho there were trunks of sycamore trees, and strong-arms came and took them away by force** from their owners. **The owners therefore went and sanctified them to Heaven** i.e. to the ownership of the Temple treasury, so that these strong-arms would not take them for themselves.

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<sup>5</sup> 1 ammah: 18.7in, 48cm.

<sup>6</sup> A type of coin.

## Perek 4 – 57a

**Regarding them** (these strong-arms) **and those similar to them, Abba Sha'ul ben Bitnit said in the name of Abba Yosef ben Chanin:**

**I am distressed because of the clan of Baitus** (who was a *Cohen Gadol*<sup>7</sup>) - **I am distressed because of their sticks.** The servants of Baitus would steal, using sticks to intimidate their victims.

**I am distressed because of the clan of Chanin** (who was also a *Cohen Gadol*) – **I am distressed because of their murmurings** for they would give bad advice.

**I am distressed because of the clan of Katros** (who was also a *Cohen Gadol*) – **I am distressed because of their pens** which they would use to write letters which had evil intent.

**I am distressed because of the clan of Yishmael ben Piachi** (who was also a *Cohen Gadol*) – **I am distressed because of their fists.**

**Because all of them were *Cohanim Gedolim*, and their sons were treasurers of the Temple, and their sons-in-law were administrators of the Temple.**

**But their servants would hit the people with sticks.**

c c õ d d

**The Rabbis taught** in a Baraita: **The Courtyard of the Temple screamed out four times.**

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<sup>7</sup> High Priest

## Perek 4 – 57a

**The first screaming was: “Go out from here you sons of Eli, for you have defiled the Temple of Hashem”!**<sup>8</sup>

**And a further screaming by the Temple Courtyard was: “Go out from here Yisaschar of the village of Barkai, for he gives honor to himself and desecrates the holy offerings belonging to Heaven”!**

**For** Yisaschar was a cohen who **would wrap his hand in silk and** then go to **do the Temple service**. This is forbidden, for there must be nothing intervening between the hand of the cohen and the offerings he brings. Yisaschar claimed that he was honoring the Temple service by donning silk. But in fact, he was honoring only himself: he did not want to soil his hands with the blood and fat of the sacred offerings.

**And a further screaming by the Temple Courtyard** was the following: **“Gates of the Temple – lift up your heads, and then Yishmael ben Piachi, the disciple of Pinchas, may come in and serve in the High Priesthood!** Even though the Baraita cited above taught that his clan was corrupt, he himself was fitting to be the *Cohen Gadol*.

**And a further screaming by the Temple Courtyard** was the following: **Gates of the Temple – lift up your heads, and then Yochanan ben Nerbai, the disciple of Pinkai, may come in to serve as *Cohen Gadol*, and fill his stomach with sacred offerings to Heaven”!**

**They said about Yochanan ben Nerbai that he would ‘eat’ three hundred calves, and drink three hundred barrels of wine, and eat forty *se’ah*<sup>9</sup> of pigeons, as an appetizer!** I.e. he raised many cohanim in his home, and to feed them all called for large amounts of food and drink.

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<sup>8</sup> See *Shmuel I*, ch. 2.

## Perek 4 – 57a

**They said:** In all the days of Yochanan ben Nerbai being *Cohen Gadol*, there was never found a case of *notar*<sup>10</sup> in the Temple. For he would make sure that all of the meat of the offerings was consumed completely.

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The Baraita stated that Yisaschar from Barkai desecrated the holy offerings of Hashem. The Gemara now asks: **What happened in the end to Yisaschar of the village of Barkai?**

**They said:** The king and queen from the Hasmonean dynasty were once sitting together, and the king said to the queen: “I think the meat of a goat kid is nicer than the meat of a lamb.”

**And the queen said:** “I think the meat of a lamb is nicer than the meat of a goat kid.”

**They the king and queen said:** Who can prove which one of us is correct in this matter? Surely the *Cohen Gadol*, for he brings animal offerings each day!

So Yisaschar from Barkai (the *Cohen Gadol* at that time) came before them.

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<sup>9</sup> 1 *Se'ah*: 2.2 gallons or 8.3 liters.

<sup>10</sup> Left-over meat. There is a time-span within which an offering must be eaten. Meat which has not been eaten by that time is called '*notar*'. It must be burnt.

## Perek 4 – 57B

### **Ammud Bet**

When they asked him about this matter **he gestured** flippantly **with his hand** and said: Certainly the meat of a lamb is nicer, for it is offered up each day as the *tamid* offering. Because **if** the meat of a goat **kid is nicer**, surely **it would be offered up as the *tamid* offering!**

**Said the king:** Not only did he fail to support my assertion, but he even rejected it in such a flippant way! **Because he did not have** the proper **reverence for the King, they should cut off his right** hand.

Yisaschar **gave a bribe** to the king's appointee **and he cut off his left** hand in place of his right hand.

**The king heard** about what had happened, **and also cut off his right** hand.

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**Said Rav Yosef: Blessed is the Merciful One who took Yisaschar of the village of Barkai, and gave him his punishment in this world!** For if he would be punished in the World to Come it would be a much more severe punishment.

**Said Rav Ashi: Yisaschar of the village of Barkai did not learn Mishnayot or Baraitot,** and because of this he replied ignorantly that the meat of a lamb is nicer.

**For it was taught** in a Mishnah: **Rabbi Shimon says:** Offering up **sheep precedes** offering up **goats in every case**, because in the verses which speak of these offerings, the verses mention sheep before goats.

## Perek 4 – 57B

**One might think** the reason the verse mentions sheep first is **because they are a superior species** of animal to goats.

Therefore Scripture, referring to the sin offering, **comes to teach** that this is not correct. For the verse (*Vayikra*<sup>11</sup> 4:28) states: “He should bring for his offering a she-goat”, and only afterwards (*ibid*, verse 32) does it state: “**If he should bring a sheep as his offering**”. This teaches that both of them are equal to each other.

**Ravina said:** He Yisaschar **did not even read verses** in the Torah! **For it is written** (*ibid* 3:7) concerning the *shelamim*<sup>12</sup> offering, “**If he brings an offering of a sheep**”, and it is written afterwards (*ibid*, verse 12), “**And if his offering is a goat**”. This shows that there is no preference of a sheep over a goat, and therefore, **if you wish, you may bring a sheep, and if you wish, you may bring a goat.**

## **Hadran Alach Makom Shenahagu**

**We Will Return to You,  
Perek Makom Shenahagu**

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<sup>11</sup> Leviticus

<sup>12</sup> Peace

# Chavruta

## Pesachim – Daf Nun Chet

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

### Perek Tamid Nishchat

#### Mishnah

This and the coming chapters until the end of the ninth chapter are discussing the laws of the Pesach offering.

It is a positive Torah mitzvah to sacrifice the Pesach offering during the day of the fourteenth of Nisan, after noon. As it is written (*Shmot*<sup>1</sup> 12:6), “And all of the congregation of the assembly of Israel shall slaughter it in the afternoon”. Its correct time is after the sacrifice of the afternoon *Tamid*<sup>2</sup> offering.

One may sacrifice the Pesach from sheep or goats. It must be a male and less than a year old, as it is written (*ibid*, verse 5), “An unblemished male lamb or kid within its first year shall be to you; you shall take from the sheep or from the goats”.

A Pesach offering may be brought in partnership with others. And in fact this is the normal procedure. However, one must be appointed as participating in a particular animal before its slaughtering, as it is written (*ibid*, verse 4), “Each man according to his eating shall be appointed on the lamb or kid”. Whoever was not appointed on the animal before its slaughtering does not fulfill his obligation of eating from the Pesach offering on the night of Pesach, and is actually prohibited to eat from the offering.

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<sup>1</sup> Exodus

<sup>2</sup> Daily

## Perek 5 – 58a

It is a positive Torah mitzvah to eat from the meat of the Pesach offering on the night of the fifteenth of Nisan, as it is written (*ibid*, verse 8), “And they shall eat the flesh on that night, roasted over fire.”

The order of its sacrifice is as follows:

1) It is slaughtered. The slaughterer may be either a cohen or a non-cohen.

A cohen receives its blood and carries the blood to the Altar. He then pours the blood once, above the foundation of the Altar.

2) They flay it and remove its parts to be burned (*eimurim*) and burn them on the Altar.

3) Afterwards, they roast its flesh. And that night, they eat at least an olive's amount (*kazayit*) from the roasted meat.

\*

**The afternoon *Tamid*<sup>3</sup> offering is slaughtered** on an ordinary day **at eight and a half** hours from sunrise.<sup>4</sup>

High noon is the end of the sixth hour. The hour of “eight and a half” is therefore two and a half hours after high noon.

**And it is sacrificed at nine and a half** hours. I.e. its sacrificing is completed at that time. An hour is required for its flaying, chopping its limbs, washing its innards and legs, and burning its parts to be burned (*eimurim*) on the Altar.

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<sup>3</sup> Daily

## Perek 5 – 58a

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But on the fourteenth of Nisan, when they would sacrifice the Pesach offering, they would slaughter the *Tamid* offering earlier.

The Pesach offering must be brought only after the *Tamid* offering, as will be explained in the Gemara. Since there were a very large number of Pesach offerings and they would need to slaughter them and pour the blood on the Altar before sunset, more time was required. Therefore they slaughtered the *Tamid* offering earlier.

Thus **on Erev<sup>5</sup> Pesach, it the *Tamid* is slaughtered at seven and a half hours and finished to be sacrificed at eight and a half.** This applies **whether** Erev Pesach fell **on a weekday** or **whether** it fell **on Shabbat**.

\*

And if **Erev Pesach fell on Erev Shabbat**, they would need to slaughter the *Tamid* even earlier. For they would need time also to roast its flesh before sunset, since roasting the Pesach offering does not supercede the prohibition of Shabbat.

Therefore, the *Tamid* is **slaughtered at six and a half hours and finished to be sacrificed at seven and a half, followed by the Pesach offering.**

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<sup>4</sup> According to a different way of calculating, the hours are counted from the break of dawn.

## Perek 5 – 58a

### Gemara

The Gemara asks: **From where** do we have a source for **these words**, that the time of the slaughtering of the *Tamid* on a regular day is at eight and a half hours?

**Said Rabbi Yehoshua ben Levi: As the verse stated** concerning the *Tamid* offering (*Bamidbar*<sup>6</sup> 28:4), **“The one lamb, you shall do in the morning and the second lamb, you shall do in the afternoon (*bein ha'arbayim*)”**.

The word “*Erev*”, “evening”, refers to the entire second half of the day (i.e. from noon until nightfall).

Thus if the phrase “*bein ha'arbayim*” (lit. “between the evenings”) was to inform us that the time of the sacrifice of the *Tamid* is during that entire period, it should have simply written “*erev*”.

Thus it is explained as follows:

**We shall divide the afternoon into two parts.**

Give **two and a half hours to here**, to the first half of the afternoon before the time of the *Tamid* offering.

And give **two and a half hours to here**, to the second half of the afternoon, after the time of the *Tamid* offering.

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<sup>5</sup> The Eve of

<sup>6</sup> Numbers

## Perek 5 – 58a

**And give one hour for performing its service**, i.e. one hour in between for sacrificing the *Tamid*.

Thus it emerges that the time of the *Tamid* starts two and a half hours after noon, i.e. eight and a half hours from sunrise.

\*

**Rava contradicted** this, from our Mishnah:

**On Erev Pesach, it the *Tamid* is slaughtered at seven and a half hours and finished to be sacrificed at eight and a half.** This applies **whether** Erev Pesach fell **on a weekday** or **whether** it fell **on Shabbat**.

**And if you would think** that we derive **from the Torah** that the time of the *Tamid* offering is **at eight and a half, how could we advance** the *Tamid* offering to seven and a half hours, just to save time?

**Rather, said Rava:** Both the time of eight and a half hours and the time of six and a half hours are mere Rabbinic decrees.

From the Torah, the beginning of **the mitzvah of the *Tamid* is from** the time **that the evening shadows** start to **lean** to the east, i.e. from six and a half hours, when the sun moves slightly to the west.

**What is the reason?**

**As the verse stated, “*bein ha’arbayim*”:** From the time that the sun begins to turn to evening.

## Perek 5 – 58a

**Therefore on the other days of the year, when there are** offerings brought as **vows and donations**, and they need to be sacrificed specifically after the morning *Tamid* and before the afternoon *Tamid*, **as the Torah states** (*Vayikra*<sup>7</sup> 6:5) concerning the morning *Tamid*: “And he shall burn **after it the fats of the ‘peace offerings’** [literally: ‘the offering of completion’]”.

**And the master said** (58b) that we derive from this verse: **After it** (the morning *Tamid*), “**complete**” the sacrificing of **all of the offerings!**

This tells us that we are not to complete the offerings after the afternoon *Tamid*. By the time of the afternoon *Tamid*, we must already have completed all of them.

Thus on an ordinary day **we delay it** (the afternoon *Tamid*) **by two hours**, in order to provide enough time for the other offerings to be completed before the afternoon *Tamid*.

**And we perform it**, the service of the afternoon *Tamid*, **at eight and a half** hours.

But the Sages did not wish to delay it further, in order that it not be offered too close to sunset. (*Tosafot*)

Therefore **on Erev Pesach, when there is** also the **Pesach** offering to sacrifice, which its time is specifically **after** the afternoon *Tamid* offering,<sup>8</sup> and there is a very large amount of Pesach offerings to be completed before sunset, **we advance it** (the *Tamid*) **by one hour, and we perform its service at seven and a half** hours from sunrise.

And if **Erev Pesach fell on Erev Shabbat, when there is also its roasting** (of the Pesach offering) that needs to be done, **which does not supersede Shabbat, we put it** (the time of the afternoon *Tamid*) **according to its most basic law** as ordained by the Torah, and we slaughter it **at six and a half** hours from sunrise.

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<sup>7</sup> Leviticus

## Perek 5 – 58a

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**The Rabbis taught** in a Baraita: **Like its procedure** (of the *Tamid* offering) **on a weekday is the procedure on Shabbat. These are the words of Rabbi Yishmael.**

**Rabbi Akiva says: Like its procedure on Erev Pesach.**

The Gemara asks: **What is it** (the Baraita) **saying?**

**Said Abaye: This is what it is saying: Like its procedure** (of the *Tamid* offering) **on a weekday Erev Pesach**, when it is slaughtered at seven and a half hours, **so is its order on Shabbat Erev Pesach.** Also then, it is slaughtered at seven and a half hours. **These are the words of Rabbi Yishmael.**

**Rabbi Akiva says: Like its procedure** (of the *Tamid* offering) **on Erev Pesach that falls on Erev Shabbat**, when it is slaughtered as early as possible, at six and a half hours, **so is its order** on Erev Pesach that falls **on Shabbat** itself. Also then, the *Tamid* is slaughtered at six and a half hours from sunrise.

Since people do not sacrifice offerings of vows and donations on Shabbat, there is no need to delay the *Tamid* as is done on a weekday. And since the Pesach offering follows it, they advance it to the beginning of its time, at six and a half hours.

And according to this, **the Mishnah that taught** that the *Tamid* is slaughtered on Erev Pesach at seven and a half hours, **whether** on Erev Pesach that falls **on a weekday** or **whether** Erev Pesach falls **on Shabbat, it is Rabbi Yishmael.**

\*

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<sup>8</sup> In exception to the rule of other offerings. The reason for this exception will be explained.

## Perek 5 – 58a

The Gemara asks: **Over what point do they** Rabbi Yishmael and Rabbi Akiva **differ?** Surely Rabbi Akiva's reasoning seems eminently acceptable.

The Gemara clarifies: **They disagree over the *Musaf*<sup>9</sup>** offerings of Shabbat, whether **they precede** the service of the **censers (*bazichim*)** of the show-bread (*lechem hapanim*). These censers contained frankincense that was offered on Shabbat.

One hour was required for the burning of the frankincense and the subsequent division of the bread among all the cohanim.

**Rabbi Yishmael held that the *Musaf* offerings precede** the removal and burning of **the censers.**<sup>10</sup>

Therefore **they would perform the *Musaf* offerings at** the beginning of the **sixth** hour from sunrise, as it was written about them “on the day” rather than “in the morning”, which teaches to delay them. Therefore, they would begin the service of the *Musaf* offerings at the beginning of the sixth hour and the service would continue throughout the sixth hour.

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<sup>9</sup> Additional

<sup>10</sup> In any place that the verse states “morning”, it connotes preceding, that one should advance it and perform it at the beginning of the day.

And any place that the verse states “day”, its implication is after the beginning of the day at a later hour.

Therefore, they were accustomed to sacrifice the *Musaf* offerings at the sixth hour as concerning them it states the word “day”.

On one occasion concerning the *Musaf* offerings, the verse states “in the day”, but concerning the censers, the verse states twice “on the day of Shabbat, on the day of Shabbat”. This implies that one should delay them until after the offerings for which the verse stated “in the day” only once.

Therefore, they delay the burning of the frankincense for which the verse twice stated “on the day” until after the *Musaf* offerings for which the verse only once stated “on the day”.

## Perek 5 – 58a

**And censers**, about which the words “on the day” were written twice, their time is after the *Musaf* offerings. They would begin their service **at the** beginning of the **seventh** hour and its service would continue throughout the seventh hour.

**And they perform the** service of the *Tamid* **at seven and a half** hours, i.e. half an hour after the seventh hour concluded. (It could have been performed half an hour earlier, but they did not wish to deviate from the usual time.)

**Rabbi Akiva held that the censers precede the *Musaf* offerings.**<sup>11</sup>

Therefore the service of the **censers is at five** hours, i.e. at the beginning of the fifth hour, and their performance continues throughout this hour.

**And *Musaf* offerings** at the beginning of the **sixth** hour.

**And they perform** the service of **the *Tamid* at six and a half** hours.

\*

**Rava challenged this: And did Rabbi Akiva teach “Like its procedure on Erev Pesach that falls on Erev Shabbat”?**

**Surely he taught “Like its procedure on Erev Pesach”, without further specification!**

**Rather, said Rava, this is what it the Baraita was saying:**

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<sup>11</sup> He learns this from the *gezeirah shavah* of “*chukah*” “*chukah*” from the “Pan” meal-offering of the High Priest. Its time is before the *Musaf* offering, as it states, “*Olah* and meal-offering”, that the meal-offering is offered in close proximity to the morning *Tamid* offering.

## Perek 5 – 58a

**Like its procedure** (of the *Tamid*) **on a regular weekday**, when the *Tamid* is slaughtered at eight and a half hours, **so is its procedure on Shabbat that is on Erev Pesach**. Even then, the *Tamid* is slaughtered at eight and a half hours and finished to be sacrificed at nine and a half hours. **These are the words of Rabbi Yishmael.**

He holds that since the roasting of the Pesach meat does not supersede Shabbat and it is impossible to roast it until the night, they should not advance the time of the Pesach's slaughtering, lest the meat start to spoil. And since they do not advance the time of the Pesach, there is no need to advance the *Tamid* either.

**Rabbi Akiva says: Like its procedure on Erev Pesach** that falls on a weekday, when they advance the *Tamid* to seven and a half hours; so too when Erev Pesach falls on Shabbat, they advance the *Tamid* to seven and a half hours. This is to allow enough time to sacrifice the many Pesach offerings.

**And** according to this explanation, **that Mishnah which taught:** “On Erev Pesach it is slaughtered at seven and a half hours, **whether** on Erev Pesach that falls **on a weekday** or **whether** Erev Pesach falls **on Shabbat**”, **it is following the view of Rabbi Akiva.**

\*

The Gemara asks: **Over what point are they** Rabbi Yishmael and Rabbi Akiva **differing?**

The Gemara answers: **They are differing over** the concern of **the meat becoming warmed.**

**Rabbi Yishmael held we are concerned for the meat becoming warmed** while it sits on Shabbat afternoon, and possibly spoiling.

## Perek 5 – 58B

**And Rabbi Akiva held that we are not concerned for the meat becoming warmed.**

### **Ammud Bet**

The Gemara challenges this explanation: **If** according to Rabbi Akiva **we are not concerned** for warming of the meat, **let us perform it** (the service of the *Tamid*) **at six and a half** hours!

Surely on Shabbat, there is no need to delay it because of offerings of vows and donations. Thus we should advance the afternoon *Tamid* because of the many Pesach offerings that will follow it.

The Gemara answers: **He** Rabbi Akiva **held that the *Musaf* offerings precede the censers (*bazichim*).**

Therefore, **one performs the *Musaf* offerings at the sixth** hour (as explained above), and the service of the **censers at the beginning of the seventh** (i.e. during seventh hour). **And one performs the *Tamid* at the conclusion of seven and a half** hours.

\*

**Rabbah bar Ula challenged this:**

**And did it the Baraita teach: “Like its procedure on a weekday, so is the procedure on Shabbat Erev Pesach. These are the words of Rabbi Yishmael”?**

**Surely it taught “Like its procedure on Shabbat”, without further specification.**

## Perek 5 – 58B

**Rather, said Rabbah bar Ula:** Rabbi Yishmael and Rabbi Akiva are not disagreeing as to the time of the slaughtering of the afternoon *Tamid* on Erev Pesach. Instead, they disagree about the procedure on an ordinary Shabbat.

And according to this, **this is how it was taught: Like its procedure** (of the *Tamid*) **on a regular weekday**, that it is slaughtered at eight and a half hours, **so is its procedure on a regular Shabbat** throughout the year. On Shabbat, too, it is also slaughtered at eight and a half hours. **These are the words of Rabbi Yishmael.**

Even though on Shabbat there is no need to delay it because of offerings of vows and donations, the Shabbat procedure was modeled after that of the weekday. This is because if they would advance it on Shabbat to six and a half hours, we are concerned they will come to do this on a weekday as well, and disqualify the offerings of vows and donations that are sacrificed after this.

**Rabbi Akiva says: Like its** (the *Tamid's*) **procedure on a regular Erev Pesach**, when the *Tamid* is slaughtered at seven and a half hours, **so is its order on a regular Shabbat.**

**And** according to this, **the Mishnah that taught** “The *Tamid* is slaughtered on Erev Pesach at seven and a half hours, **whether** on Erev Pesach that falls **on a weekday** or **whether** Erev Pesach that falls **on Shabbat,**” **it is the words of everyone** (i.e. both Rabbi Yishmael and Rabbi Akiva agree to this).

For Rabbi Yishmael and Rabbi Akiva disagree only over a regular Shabbat. But on Erev Pesach, both agree that they advance the *Tamid* to seven and a half hours.

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## Perek 5 – 58B

The Gemara asks: **Over what point do they Rabbi Yishmael and Rabbi Akiva differ?**

The Gemara answers: **They differ over the decree due to offerings of vows and donations.**

**Rabbi Yishmael held that we do make a decree for Shabbat due to a weekday, as explained.**

**And Rabbi Akiva held that we do not make a decree.**

\*

The Gemara raises a difficulty: **If Rabbi Akiva holds that we do not make a decree for Shabbat due to a weekday, then there is no reason to delay the afternoon *Tamid* on Shabbat at all. Thus we should advance it as much as possible, since one should never delay the performance of a mitzvah unless there are other considerations.**

Therefore **let us perform it at six and a half** hours, at the beginning of its time by Torah law.

The Gemara answers: **He Rabbi Akiva held that the *Musaf* offerings precede the censers.**

Therefore, they sacrifice the *Musaf* offerings **at** the beginning of the **sixth hour and** burn the frankincense of the **censers at** the beginning of the **seventh, and perform** the service of **the *Tamid* at** the conclusion of **seven and a half** hours.

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## Perek 5 – 58B

A summary of the various views:

- 1) According to Abaye and Rava: Rabbi Yishmael and Rabbi Akiva disagree in a case of Erev Pesach that falls on Shabbat:

According to Abaye, Rabbi Yishmael holds that the *Tamid* is slaughtered at seven and a half hours like every Erev Pesach, and Rabbi Akiva holds that it is at six and a half hours like Erev Pesach that occurs on Erev Shabbat.

According to Rava: According to Rabbi Yishmael, the *Tamid* is slaughtered at eight and a half hours as on a weekday that is not Erev Pesach. And according to Rabbi Akiva, it is slaughtered at seven and a half as on Erev Pesach that falls on a weekday.

- 2) According to Rabbah bar Ula: They disagree over regular Shabbatot during the course of the year.

According to Rabbi Yishmael, the *Tamid* is slaughtered at eight and a half hours as on every weekday, and according to Rabbi Akiva at seven and a half hours.

And according to this approach, on Erev Pesach all agree that the *Tamid* is slaughtered at seven and a half hours, both on Erev Pesach that falls on a weekday and when it falls on a Shabbat.

\*

**They** the scholars of the study hall **contradicted him** (Rava) from a Baraita:

The afternoon *Tamid*, during the course of **the entire year, is sacrificed according to its standard law: It is slaughtered at eight and a half hours and finished to be sacrificed at nine and a half hours.**

## Perek 5 – 58B

**And on Erev Pesach, it is slaughtered at seven and a half hours and finished to be sacrificed at eight and a half hours.**

**If it (Erev Pesach) fell on Shabbat, the time of the *Tamid* is the same as if it fell on a Monday** (i.e. it is slaughtered at seven and a half hours). **These are the words of Rabbi Yishmael.**

**Rabbi Akiva says: Like its procedure on Erev Pesach.** This will be explained further on.

**It the Baraita is all right according to Abaye; it is fine.** For the view of Rabbi Yishmael is cited in this Baraita as Abaye explained it. And as for Rabbi Akiva's view, this Baraita poses no contradiction to what Abaye said.

But according to Rava, who explained Rabbi Yishmael as saying that when Erev Pesach falls on Shabbat, the afternoon *Tamid* is slaughtered at eight and a half hours like on an ordinary weekday, **it the Baraita is a difficulty.**

For the Baraita cites Rabbi Yishmael as saying that its law is the same as Erev Pesach that occurs on a weekday, i.e. it is slaughtered at seven and a half hours!

The Gemara resolves the difficulty: **Rava would say to you: Do not say** in the words of Rabbi Yishmael: **“As if it (Erev Pesach) fell on a Monday”**, when it is slaughtered at seven and a half hours.

**Rather say: “Like a regular Monday”**, when it is slaughtered at eight and a half hours.

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## Perek 5 – 58B

**They** the scholars of the study hall **contradicted him** (Abaye) from a Baraita:

**If it** (Erev Pesach) **fell on Shabbat**, the *Tamid* is performed **like its procedure** throughout **the entire year**. This is to say, it is slaughtered at eight and a half hours and finished to be sacrificed at nine and a half hours. Only after this did they begin to slaughter the Pesach offerings. **These are the words of Rabbi Yishmael.**

**Rabbi Akiva says: Like its procedure on a regular Erev Pesach**, at seven and a half hours.

**It is all right according to Rava; it is fine.**

**But according to Abaye it is a difficulty**, for both Rabbi Yishmael and Rabbi Akiva are explained in this Baraita in accordance with Rava's view!

**Abaye would say to you: Do not say “Like its procedure the entire year”.**

**Rather, say: “Like its procedure all of the years”**, when Erev Pesach occurs on a weekday. I.e. in most years, the *Tamid* is slaughtered on Erev Pesach at seven and a half hours, and so it is even when it falls on Shabbat. **These are the words of Rabbi Yishmael.**

**Rabbi Akiva says: Like its procedure on Erev Pesach that occurs on Erev Shabbat**, when the *Tamid* is slaughtered at six and a half hours.

c c õ d d

## Perek 5 – 58B

There is a mitzvah to arrange a new pile of firewood on the Altar every morning, and to burn on it the limbs of the burnt offerings and the fats of all the sacrifices, as it is written (*Vayikra* 6:5), “And the cohen shall burn on it firewood every morning, and arrange on it the burnt offering, and burn on it the fats of the peace (*hashlamim*) offerings”.

Based on this, the following was taught:

**The Rabbis taught** in a Baraita: **From where** do we have a source **that there should not be anything** burned on the new pile of wood **before the morning Tamid?**

**The verse teaches** (*ibid*), “And the cohen shall burn on it firewood every morning [i.e. there is a mitzvah to arrange a woodpile, and immediately afterwards:] **and arrange on it the burnt offering...**”

This teaches that the first sacrifice in the morning to be burnt on the new woodpile is the *Tamid* offering.

The Gemara raises a difficulty: **What is the basis for this teaching?** How does the verse imply that it is referring specifically to the *Tamid* offering, and no other burnt offering?

**Said Rava**, since it is written “**the burnt offering**”, it refers to the most important of the burnt offerings, which is the *Tamid*. For it is the **first burnt offering** mentioned in the Torah passage treating public sacrifices in *Parashat Pinchas* (*Bamidbar*<sup>12</sup> ch. 28).

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**And from where** do we have a source **that nothing is to be sacrificed after the afternoon Tamid?**<sup>13</sup>

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<sup>12</sup> Numbers

<sup>13</sup> With the exception of the Pesach offering

## Perek 5 – 58B

The verse teaches (*ibid*), “And he shall burn **after it** [after the morning burnt offering] **the fats of the ‘peace offerings’** [literally: ‘the offering of completion’]”.

**What is the basis for this teaching?** How does the verse imply it?

**Said Abaye:** The verse should be read as follows: “And he shall burn **after it**,” after the morning *Tamid*, “the fats of the **peace offerings**”—**and he shall not burn such fats after its “companion”** sacrifice, i.e. the afternoon *Tamid*. This teaches that he shall not offer **peace offerings** or other offerings after the afternoon *Tamid*.

\*

**Rava challenged this:** According to this interpretation, which is based on the premise that the word “*hashlamim*” denotes the peace offerings, **I will say** that it is specifically the **peace offerings that we may not sacrifice** after the afternoon *Tamid*.

But **surely burnt offerings, we may still sacrifice** after it!

**Rather, said Rava:** We should read the word *hashlamim* differently, as *hashlimeim* (“complete them”) **after it**. This teaches that specifically after the morning *Tamid* we are to **complete** the offering of **all of the sacrifices**. But not after the afternoon *Tamid*.

c c õ d d

**The Rabbis taught** in a Baraita: **The afternoon *Tamid* sacrifice is offered before the Pesach sacrifice.**

**The Pesach sacrifice is offered before the afternoon incense.**

**The incense is offered before the kindling of the lamps** of the Menorah.

# Chavruta

## Pesachim – Daf Nun Tet

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

The Gemara brings a view (#1) that the Pesach sacrifice is offered before the afternoon kindling of the lamps of the Menorah, and before the afternoon burning of the incense on the Golden Altar.

**The Rabbis taught in a Baraita: The afternoon *Tamid* (daily) sacrifice is offered before the Pesach sacrifice.**

**The Pesach sacrifice is offered before the afternoon incense.**

**The incense is offered before the kindling of the lamps of the Menorah.**

Why in this order?

Because **something** (i.e. the Pesach sacrifice) **concerning which it is said** both “**in the afternoon**” (*ba’erev*)<sup>1</sup> and “**between the afternoons**” (*bein ha’arbayim*)<sup>2</sup> **should be after something** (i.e. the *Tamid*) **concerning which it is not said** “**in the afternoon,**” **but only “between the afternoons.”**

The Gemara raises a difficulty: **If so, incense and lamps too should precede the Pesach sacrifice**, for a similar reason. Because we should say:

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<sup>1</sup> “Slaughter the Pesach in the afternoon” (*Devarim* 16).

<sup>2</sup> “And all the congregation of the community of Israel shall slaughter it between the afternoons” (*Shmot* 12).

## Perek 5 – 59a

**Something** (i.e. the Pesach sacrifice) **concerning which it says “in the afternoon” and “between the afternoons” should be after the thing** (i.e. incense and lamps) **concerning which it is only said “between the afternoons.”**<sup>3</sup>

So why does the Baraita say that the Pesach is brought first?

The Gemara answers: **It is different there** concerning incense and lamps, **because the Torah excluded** lamps by writing “**it**”, thus teaching that nothing may be sacrificed after them. How this teaching is derived will be explained in the following Baraita. And incense is juxtaposed to lamps. Therefore the Pesach precedes both lamps and incense.

**Because it was taught** in a Baraita: The Torah writes concerning the lamps: “**From** [the end of the] **afternoon until morning**” (*Shmot*<sup>4</sup> 27), which means: **Give it** oil **according to its measure so that it can burn from** the end of the **afternoon to morning**.<sup>5</sup>

**Another interpretation** (this is the section of the Baraita that the Gemara wishes to cite as a source): **There is no other** Temple **service which it is valid** to perform, **from** the end of the **afternoon until morning, except this** service of kindling the lamps.

**What is the reason?** Because **the verse** (*Shmot* 27) **says: “Aharon<sup>6</sup> and his sons shall arrange it** (the Menorah’s lamps) **from** [the end of the] **afternoon until morning.” “It”** is **from** the end of the **afternoon until morning, and nothing else is** permitted to start to perform as a Temple service after the lamps, **from** the end of the **afternoon until morning**.

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<sup>3</sup> Because the verse says concerning the Menorah and the incense: “And when Aharon kindles the lamps between the afternoons, he shall burn it [the incense]”. (*Shmot* 27)

<sup>4</sup> Exodus

<sup>5</sup> Each lamp is given a half *log* of oil which is sufficient for the longest night of the year.

<sup>6</sup> Aaron

## Perek 5 – 59a

**And incense is juxtaposed to lamps**<sup>7</sup> to teach that no other service may be done after burning the incense either, except for kindling the lamps. Therefore, the Pesach sacrifice has to precede the lamps and incense.

\*

The Gemara now brings a conflicting view (#2) that the Pesach is sacrificed *after* the incense and lamps:

**And it is taught** in a Baraita **in accord with** what was argued in **our difficulty** which we raised above, that the Pesach sacrifice should be brought only after the incense and lamps.

It was taught: **The *Tamid* afternoon sacrifice is brought before the incense, and incense precedes the lamps** (the reason for this order is explained in *Yoma* 31a).

**And lamps precede the Pesach** sacrifice.

Because **something** (i.e. the Pesach) **concerning which it says** both **“In the afternoon”** and **“between the afternoons”** is **later than a thing** (i.e. the incense and lamps) **concerning which it only says “between the afternoons.”**

\*

The Gemara raises a difficulty with this second Baraita: **But it is written “it,”** which apparently teaches that nothing may be brought after the lamps are kindled?

The Gemara answers: **We need this** word **“it”** **to exclude** only **service** that is performed **inside** the Temple’s Sanctuary (*Heichal*), such as the kindling of the Menorah’s lamps.

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<sup>7</sup> As it says, “When Aharon arranges the lamp between the afternoons, he shall burn it [the incense].”

## Perek 5 – 59a

**And what is it**, this excluded service? It is the **incense** which is burnt on the Golden Altar. But it does not exclude the Pesach sacrifice which is brought outside, in the Temple’s Courtyard where the main Altar is located.

**You may have thought to say** as follows: **Since it is written, “And when Aharon arranges the lamps between the afternoons, he shall burn it** [the incense],” thus I will say **that we kindle the lamps first and then burn the incense**, according to the order that appears in the verse.

Therefore, **the verse excludes** this by writing **“it”**—to teach that no service inside the Sanctuary may be performed after the kindling of the lamps.

\*

The Gemara raises a difficulty: **But if so, why do I have** the wording of the rest of the verse, which says, “And when Aharon kindles the lamps **between the afternoons, he should burn it** [the incense]”—which seems to imply that one kindles the lamps *before* burning the incense?

The Gemara answers: **This is what the verse is saying: At the time that you kindle the lamps, the incense should already be burning.**

c c õ d d

The Gemara now discusses which Temple services are done first in the morning and last at night:

**The Rabbis taught** in a Baraita: **There is nothing** among burnt offerings in the Temple **that precedes the Tamid morning sacrifice, except the incense.**

## Perek 5 – 59a

**Because it says concerning it the incense, “In the morning, in the morning.”**

**And therefore incense, something of which it says “in the morning, in the morning,” as it says: “And Aharon shall burn on it [the golden Altar] incense of spices, in the morning, in the morning,” precedes the thing (i.e. the *Tamid* morning sacrifice) concerning which it only says one time “morning.”**<sup>8</sup>

**And there is nothing that is delayed and brought after the *Tamid* of the afternoon, except incense and lamps and the Pesach sacrifice, as discussed earlier.**

**And also, other sacrifices brought after the afternoon *Tamid*, are sacrifices of someone who is lacking atonement<sup>9</sup> on the day before Pesach (explained in footnotes)<sup>10</sup>, who immerses a second time<sup>11</sup> after the sacrifices are offered on his behalf, and then he may eat of the meat of his Pesach sacrifice in the evening.**

**Rabbi Yishmael the son of Rabbi Yochanan ben Beroka says: Even someone who is lacking atonement on other days of the year (explained in footnote)<sup>12</sup> may bring his atoning sacrifices after the *Tamid* afternoon sacrifice, and immerse a second time and eat his peace offerings in the evening.**

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<sup>8</sup> “And the first lamb, do in the morning.”

<sup>9</sup> For example, a *zav* or *metzora* who counted seven days of purity and immersed in a *mikveh*, he is still forbidden to eat sacrifices until he brings special atoning sacrifices on the eighth day. If this eighth day falls on the day before Pesach, he can bring these atoning sacrifices even after the *Tamid* afternoon sacrifice, in order to enable him to eat the Pesach sacrifice that night.

<sup>10</sup> Even though someone who brings a sacrifice after the *Tamid* afternoon sacrifice violates a positive Torah mitzvah, this is superseded by the positive Torah mitzvah to eat the Pesach sacrifice which carries the severe penalty of *karet* (spiritual excision) if it is violated.

<sup>11</sup> Even though he immersed on the seventh day, the Rabbis decreed that he must immerse a second time after bringing his atoning sacrifices on the eighth day.

<sup>12</sup> If a *zav* or *metzora* brought a peace offering after counting seven days of purity, he may bring his atoning sacrifices after the *Tamid* afternoon sacrifice, in order to be able to partake of the meat of the peace offering. This is because the positive Torah mitzvah of eating the meat of the peace offering (learnt from the verse: “They [the cohanim and owners] shall eat them that they be atoned with them” [*Shmot* 29]) supersedes the positive Torah mitzvah of not bringing any sacrifices after the *Tamid* afternoon sacrifice.

## Perek 5 – 59a

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The Gemara discusses the above disagreement between the first Tanna and Rabbi Yochanan ben Beroka:

It is **all right for the first Tanna** who allows the *zav* or *metzora* to bring his atoning sacrifices after the *Tamid* afternoon sacrifice in order to eat the Pesach sacrifice.

Because **the positive mitzvah of eating the Pesach sacrifice, which involves *kareit*** (spiritual excision)<sup>13</sup>, **comes and supersedes the positive mitzvah of *hashlamah*** (“completing” all the day’s sacrifices after the morning *Tamid*, and *not* after the afternoon *Tamid*)<sup>14</sup>, **which does not have the punishment of *kareit*.**

**But according to Rabbi Yishmael the son of Rabbi Yochanan ben Beroka**, who allows it even in order to eat peace offerings the whole year, **what is the preference of this positive mitzvah** of eating the meat of peace offerings, over and **above that positive mitzvah** of not bringing any sacrifice after the afternoon *Tamid*?

\*

Answer #1:

**Said Ravina said Rav Chisda: Here we are dealing with bringing a fowl as a sin offering** (this sacrifice is brought by a poor *metzora*<sup>15</sup>), **that the Altar only receives its blood.** There are no fats or other parts of this sacrifice that are burnt. Thus its blood may

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<sup>13</sup> As it says, “And the person who is pure and holds back from doing the Pesach, shall be cut off” (*Bamidbar* 9)

<sup>14</sup> This positive command is learnt earlier (58a) from the verse that says: “And he shall arrange the (*Tamid* morning) burnt offering on it (the Altar), and burn on it *chelvei hashlamim* (the fat of the peace offerings).” The Rabbis read the end of the verse as if it says, “*Aleha hashleim kol hakorbanot*” – Complete all the sacrifices after the morning sacrifice (and bring no more sacrifices after the afternoon *Tamid*).

<sup>15</sup> Someone who had the impurity imparted by the skin disease called *tzara’at* (often identified with leprosy, although this is widely disputed).

## Perek 5 – 59a

be applied to the Altar even after the afternoon *Tamid*—since the prohibition is only when a sacrifice is to be burnt upon the Altar.<sup>16</sup>

\*

Answer #2:

**Rav Papa said: Even if you say** that the case is **concerning** bringing **an animal** as a **sin-offering**, whose fats generally would be burnt on the Altar, Rabbi Yishmael the son of Rabbi Yochanan ben Beroka still allows it to be offered. But not to burn its fats, only to slaughter it and throw its blood on the Altar. This suffices to validate the offering and allow the person to eat his peace offering that night.

And the cohen does not burn the animal's fats and other parts normally burned, but **he brings it** (these parts) **up and leaves it overnight on top of the Altar**. This prevents it from becoming disqualified due to the passage of the night, and it may be burnt the next day, after the morning *Tamid*.

\*

The Gemara challenges answer #1 that we are dealing with a fowl as a sin offering:

**But** with a *metzora*, **there is** also **the *asham*** (guilt) sacrifice that he must bring, to allow him to eat his peace offerings at night. And the fats and other parts of the *asham* have to be burnt. This would be forbidden after the afternoon *Tamid*.

This is **all right according to** answer #2, of **Rav Pappa, that** the procedure **will be that he leaves it** the parts to be burnt **overnight** on top of the Altar, as we said before.

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<sup>16</sup> Because the verse where the positive command is learnt from says, “And *burn* on it the *chelvei*

## Perek 5 – 59a

**But according to answer #1, of Rav Chisda, what can one say?**

The Gemara answers: **Say that** the case is that **he** already **sacrificed his *asham*** before the afternoon *Tamid*, and only had left to bring a fowl as a sin offering.

\*

The Gemara raises another difficulty with answer #1, of Rav Chisda:

**But** with the sacrifices of a *metzora* **there is also a burnt offering (*olah*)**. And even a poor *metzora*, who brings a fowl as his burnt offering, has to burn it on the Altar.

**And if you will say that** failing to bring a **burnt offering does not prevent** him from eating his peace offering at night, that is not so.

**But it was taught** in a Baraita: **Rabbi Yishmael the son of Rabbi Yochanan ben Beroka says: Just as** failing to bring **his *chatat*** (sin offering)<sup>17</sup> **and his *asham*** (guilt offering)<sup>18</sup> **prevent him** from eating sacrifices, **so** failing to bring **his burnt offering prevents him**.

**And if you will say** that here, **he already brought his burnt offering** before the *Tamid* afternoon sacrifice was offered—

**But** that cannot be. Because **may the burnt offering be sacrificed, first before the sin offering?**

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*hashlamim.*”

<sup>17</sup> Because is written concerning the sin offering of a *yoledet* (a woman who gave birth), “And he shall sacrifice it before Hashem and atone for her,” thus allowing her to eat from sacrifices.

<sup>18</sup> Because the blood of the *asham* is put on the thumbs and big toes of the *metzora*, and without that, he may not eat from sacrifices.

## Perek 5 – 59a

**But it was taught** in a Baraita that it cannot: Because it is written (concerning the sacrifices brought by a poor person who broke an oath or committed other sins mentioned in *Vayikra*<sup>19</sup> ch. 5): “**And he shall sacrifice the one [brought] as a sin offering first.**”

**Why does the verse say this?**

**If to teach that the sin offering precedes the burnt offering** in this case, **but it already says, “And the second one he shall make a burnt offering according to the law.”** So obviously the sin offering is first.

**Rather, this came to establish a principle for all sin offerings** mentioned in the Torah, **that they should precede all the burnt offerings that come with them.**

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<sup>19</sup> Leviticus

## Perek 5 – 59B

And we have established a rule<sup>20</sup> that even the fowl brought as a **sin offering precedes the animal** brought as a **burnt offering**,<sup>21</sup> although an animal sacrifice is generally more important.

The Gemara answers: **Said Rava, the burnt offering of a *metzora* is different.** It may be brought before the sin offering.

### **Ammud Bet**

**Because the verse said**, after mentioning that the *metzora* brings a sin offering:

**“And the cohen offered (*he’elah* – in the past tense) the burnt offering,”** which implies that **he already offered** it, before bringing the sin offering.

So according to answer #1, we may say that only the fowl as a sin offering (of which nothing is burnt on the Altar) is brought after the *Tamid* afternoon sacrifice. Whereas the guilt and sin offerings were brought before the afternoon *Tamid*.

\*

The Gemara now discusses the answer #2 of Rav Pappa:

**Said Rav Shemen bar Abba to Rav Pappa: According to you, that you said: “One takes it up and leaves it overnight at the top of the Altar,”** a difficulty arises.

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<sup>20</sup> The Gemara in *Zevachim* 90a says that this is the only reason we need this extra verse.

<sup>21</sup> This combination of sacrifices would occur when a wealthy woman gives birth and brings an animal as *olah* and a fowl as *chatat*.

## Perek 5 – 59B

**Do we go and do something with the cohanim that might lead them to a mishap?**

**For they might think that it** (these parts of the sacrifice brought to the top of the Altar after the afternoon *Tamid*) **are of** sacrifices that were slaughtered earlier **during the day**, before the *Tamid*, which are to be burnt that afternoon or night. (The Gemara later explains why this is allowed).

**And** the cohanim might **come to burn** the *metzora's* sin offering that afternoon or night, and violate the positive Torah mitzvah of *hashlamah*.

The Gemara answers: **He Rav Pappa said to him: Cohanim are zealous** i.e. they are very meticulous about matters pertaining to the Temple service. The one who brings these parts up will warn the others to be careful not to burn them until tomorrow morning.

\*

The Gemara further challenges answer #2:

**Said Rav Ashi to Rav Cahana, and some say it was Rav Huna the son of Rav Natan** who said **to Rav Pappa:**

**But so long as one does not burn the *eimurim*** (parts to be burnt) of the sin offering, **the cohanim may not eat** its meat and the owners do not receive the atonement that enables them to eat from peace offerings!

The Gemara proves that this is so:

**Because it was taught** in a Baraita: **You might** think that **cohanim are permitted** to eat **the breast and thigh** of peace offerings,<sup>22</sup> **before the burning of the *eimurim*.**

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<sup>22</sup> These portions go to them, whereas most of the rest of the meat goes to the owner of the sacrifice.

## Perek 5 – 59B

To teach that this is not so, **the verse says: “And the cohen shall burn the fat on the Altar,”** and only **then** is it written, **“the breast will be for Aharon and his sons.”**

**And** there is a rule that **so long as the cohanim may not eat the meat, the owners are not yet atoned** and may not eat from their peace offerings.

**Because it was taught** in a Baraita: The Torah writes concerning the dedication of the *Mishkan*<sup>23</sup> (*Shmot*<sup>24</sup> 29): **“And they shall eat them, [so] that they become atoned by them.”** This teaches that the cohanim eat the meat of sacrifices, and the owners are atoned.

So according to answer #2, that the parts to be burnt are merely brought up to the top of the Altar but not burnt until tomorrow, how may the former *metzora* eat of his peace offering that night?

\*

The Gemara answers: **He said to him: Since it is impossible** to burn these parts now, due to the mitzvah of *hashlamah*, **they** the Sages **consider them as** having the same law as **if they became impure or lost**, in which case the cohanim may eat the meat of the sin offering even though the parts were not burnt.

**Because it was taught** in a Baraita: **You might** have thought **that if they** (the *eimurim*) **became impure or lost, that the cohanim would not be entitled to the breast and thigh.**

To teach that this is not so, **the verse says: “And the breast shall be for Aharon and his sons,”** in any case—even if the *eimurim* are lost or burnt.

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<sup>23</sup> Tabernacle

## Perek 5 – 59B

c c õ d d

The Gemara now proceeds to pose various contradictions concerning the burning of *eimurim* of sacrifices.

**Rav Cahana posed a contradiction** between two verses.

**It is written, “Do not leave the fat (i.e. *eimurim*) of My festival sacrifice (*chagigah*) until morning.”**

This implies that **until the morning, one may not leave it.**

**But the whole night, one may leave it** placed in the Temple Courtyard, so long as one brings it up to the Altar and burns it before morning. Consequently, this may be done even after one burnt the *eimurim* of the afternoon *Tamid*.

**But it is written** in another verse: **“And he shall burn after it** (after the morning *Tamid*) **the fat of the peace offerings** (*chelvei hashlamim*).”

And this verse is interpreted as if it was written: **After it** the morning *Tamid*, **complete** (*hashleim*) **all the sacrifices.** But do not complete them after the afternoon *Tamid*. This teaches that it is a positive Torah mitzvah not to burn any sacrifices after the afternoon *Tamid*. (The Gemara already discussed this mitzvah earlier). This contradicts the previous verse.

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<sup>24</sup> Exodus

## Perek 5 – 59B

The Gemara answers: **He Rav Cahana posed it this contradiction, and he resolved it:**

The first verse speaks of **when they** the *eimurim* **remained** unburnt from a sacrifice that was slaughtered, and its blood thrown on the Altar, before the afternoon *Tamid*.

Since its *eimurim* were fit to be burnt at that time, before the afternoon *Tamid*, it is considered as if it was completed after the morning *Tamid* (and before the afternoon *Tamid*). Thus, the positive mitzvah of *hashlamah* is not violated.

Whereas the second verse is speaking about when the sacrifice was slaughtered after the afternoon *Tamid*. In that case, the *eimurim* of the sacrifice may not be burnt.

c c õ d d

The Gemara poses another, similar contradiction:

**Rav Safra posed a contradiction** between verses, **to Rava:**

**It is written: “Do not leave the (*eimurim* of the) sacrifice of the festival of Pesach until morning.”**

This implies that **until the morning, one may not leave** its *eimurim*.

**But the whole night, one may leave** the *eimurim* placed in the Temple Courtyard, so long as one brings them up to the Altar and burns them before morning.

**But on the other hand it is written, “The burnt offering [i.e. the *Tamid*] of Shabbat [is burnt] on its Shabbat,”** from which we derive: **but not the burnt offering of a weekday on Shabbat, and not the burnt offering of a weekday on Yom Tov.**

## Perek 5 – 59B

If so, how can the *eimurim* of the Pesach sacrifice—which is offered on Erev<sup>25</sup> Pesach, which is a weekday—be burnt on Pesach night, which is Yom Tov?

**He Rava said to him: Rav Abba bar Chiya already posed this contradiction to Rabbi Abahu.**

**And he Rabbi Abahu answered him: Here, we are dealing** not with burning the *eimurim* of a Pesach sacrifice that was offered on an ordinary Erev Pesach, but of a Pesach sacrifice that was offered **on the fourteenth** of Nissan **that fell on Shabbat.**

**Because the fats** of a sacrifice brought on **Shabbat may be offered on Yom Tov.**<sup>26</sup>

The Gemara objects: **He Rav Safra said to him Rava: Just because the fats of the Shabbat Tamid sacrifice may be offered on Yom Tov, will we go and say to him that this verse is written concerning the fourteenth** of Nisan **that fell on Shabbat?**

**He Rava said to him** in reply: **Leave aside the** objection you made against our interpretation of the **verse. For it** the verse **itself forces** us to **set it up** as having the interpretation I gave it—because of the contradiction that you pointed out between the two verses.

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<sup>25</sup> The Eve of

## Perek 5 – 59B

### Mishnah

If the Pesach sacrifice was slaughtered not for its sake (*shelo lishmah*), for example the cohen said: I am slaughtering it as a peace offering—

Or if he received the blood in a vessel, or went with the blood to the Altar, or threw the blood on the Altar, not for its sake (Case #1)—

Or if he did these things for its sake (*lishmah*) and also not for its sake (Case #2)—

Or not for its sake and also for its sake (Case #3)—

In all these cases, the sacrifice is **invalid**.<sup>27</sup>

What is considered a case of **for its sake and also not for its sake**? When he said: **for the sake of the Pesach** sacrifice— and then he said: **for the sake of a peace offering**.

What is considered a case of **not for its sake and also for its sake**? When he said: **for the sake of a peace offering**— and then he said: **for the sake of the Pesach** sacrifice.

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<sup>26</sup> The Gemara (*Shabbat* 114a) learns this from the verse, “the *olah* of Shabbat on its Shabbat” which seems to imply that the *olah* of Shabbat may be burnt the next Shabbat. The Gemara explains that it really means that the *olah* of Shabbat may be burnt on a Yom Tov that falls the next day.

<sup>27</sup> It is derived that slaughtering must be for the sake of the Pesach and not for the sake of some other sacrifice, from the verse: “And you shall say, *it* is the Pesach sacrifice” (*Shmot* 12). The Gemara (*Zevachim* 7b) learns that the other three acts of receiving the blood in a vessel, taking the blood to the Altar, and throwing it on the Altar, also must be done for the sake of the Pesach. This is derived from other verses.

## Perek 5 – 59B

### Gemara

**Rav Pappa<sup>28</sup> posed an inquiry:** When the Mishnah speaks of performing a sacrifice for its sake and also not for its sake, **is the Mishnah teaching** this as applying **in a single service?** For example, he had both intents while performing the service of slaughtering.

**Or is it the Mishnah teaching it** as applying **in two different services?** For example, he said: “for the sake of a Pesach sacrifice” while slaughtering. And while receiving the blood in a vessel, he said: “not for the sake of a Pesach sacrifice.”

\*

This inquiry touches on a disagreement between Rabbi Yosi and Rabbi Meir concerning someone who states two conflicting phrases.

According to Rabbi Yosi, there is Halachic strength to both phrases, provided that it is possible to at least partially fulfill both phrases.<sup>29</sup>

Applied to our case of someone who slaughters an offering *lishmah* and not *lishmah*, it is possible to partially fulfill both intentions, because it is possible for the offering to contain both *lishmah* and not *lishmah* elements.

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<sup>28</sup> The *Maharshal's* version of the text changes this to: “Rava posed an inquiry.”

<sup>29</sup> For example, one that says concerning his animal “this is in exchange of a burnt offering, in exchange for a peace offering”. It is not possible for both things to be fulfilled in their entirety because they contradict one another. One animal cannot be a complete burnt and a complete peace offering simultaneously.

However, since it is possible to fulfil both phrases partially – half the animal could be sanctified with the holiness of a burnt offering and the other half could be sanctified with the holiness of a peace offering – both the exchange of the burnt and the exchange of the peace offerings take effect within the animal.

Being that it is not possible to offer this animal up as such – it may be left to pasture until a blemish befalls it. Then it will be fitting for redemption and half the proceeds would go toward a new burnt offering and the other half toward a new peace offering.

## Perek 5 – 59B

Consequently the offering will be invalid because it now contains an element of not *lishmah*. And regarding offerings which require *lishmah*, even a little amount of not *lishmah* is enough to invalidate it.

Whereas according to Rabbi Meir there is Halachic strength only to the first phrase that one states.<sup>30</sup> Applied to our case of someone who slaughters an offering *lishmah* and not *lishmah*, it would depend on which intention came first.

\*

Based on this, Rabbi Pappa clarifies his inquiry:

Perhaps **it was taught** regarding **a single service**, and the Mishnah invalidates the sacrifice because both intentions took effect. **And** therefore, the Mishnah is like the view of **Rabbi Yosi - because he said that a person is even held** accountable for **his final words** (and the part of the statement that the sacrifice is not *lishmah* took effect and invalidated the sacrifice).

**Because if** the Mishnah is the view of **Rabbi Meir** – the sacrifice would not be invalidated because **he** disagreed with Rabbi Yosi and **said** that only **one's initial phrase takes effect**. According to this view, if he intended *lishmah* and not *lishmah*, only his initial words take effect, rendering it totally *lishmah* and a fully valid sacrifice. But the Mishnah stated that the sacrifice in such a case is invalidated. Therefore the Mishnah cannot be the view of Rabbi Meir.

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<sup>30</sup> Therefore according to him, one who says, “this animal is in exchange for a burnt offering, is in exchange for a peace offering” – it is an exchange for a burnt offering only.

# Chavruta

## Pesachim – Daf Samech

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[Perhaps **it was taught** regarding a **single service**. And the reason the Mishnah said it is invalid is because both intentions took effect. **And** the Mishnah is therefore the view of **Rabbi Yosi - because he said that a person is even held** accountable for **his final words** (and the part that is not *lishmah* took effect and invalidated the sacrifice).

**Because if** the Mishnah is the view of **Rabbi Meir – note that he said only one’s initial phrase takes effect**. According to this view, if he intended *lishmah* and not *lishmah*, only his initial words take effect, rendering it totally *lishmah* and a fully valid sacrifice. But the Mishnah stated that the sacrifice is invalidated. Therefore the Mishnah cannot be the view of Rabbi Meir.]

**Or perhaps it** the Mishnah **was taught** regarding someone who had two intentions **during two** separate **services**. For example, he slaughtered *lishmah*<sup>1</sup> and he received the blood not *lishmah*.

**And even according to Rabbi Meir who said** that **one’s initial phrase**, i.e. what one first said, **takes effect**. **These words** of Rabbi Meir are regarding two intentions **during one service**.

When he states (or thinks) both a proper intention and an invalidating intention during a single service, these intentions contradict one another. And when there is a contradiction between the beginning of his words and the end of his words, Rabbi Meir holds that his initial words take effect.

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<sup>1</sup> For its sake—i.e. with the proper intention

## Perek 5 – 60a

**But** when someone has two intentions **during two** separate **services** (for example, he slaughtered *lishmah* and he received the blood not *lishmah*) then even Rabbi Meir **agrees that** the offering is **invalidated**.

\*

The Gemara now inquires which part of our Mishnah the above inquiry related to:

**They** the scholars of the study hall **said: About which** of the two cases of our Mishnah did the Gemara make the above inquiry?

**If we say** it was **about** the case of someone who said first “**not *lishmah***” **and** then “***lishmah***,” our inquiry would make no difference.

**Because** if he said this **whether in a single service** or **whether in two** different **services**, **whether according to Rabbi Meir** or **whether according to Rabbi Yosi**, **it** the Pesach sacrifice **will be invalidated due to the first** statement that it is “not *lishmah*”, i.e. not for the sake of a Pesach sacrifice.

**Because** even **according to Rabbi Yosi** who holds that a person’s second statement takes effect when he makes two contradictory statements during a single service, nevertheless **he holds that a person is *even* held** accountable for **his final words**, and he agrees that the initial statement also takes effect. Thus the sacrifice would be judged as partially “not *lishmah*”, and invalid.

Therefore the Gemara concludes: **Rather**, you must say that our inquiry is **about** the case of someone saying first *lishmah* **and** then **not *lishmah***. And here, it will make a difference whether he said this during a single service or during two services, as explained above.

## Perek 5 – 60a

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**What** is the answer to our inquiry? Is the Mishnah speaking of a single service, or two different services?

Answer #1:

**Come and hear** a proof from our Mishnah that it is speaking of a single service: **The Pesach sacrifice that one slaughtered “not *lishmah*,” and<sup>2</sup> received** the blood, **and went** with the blood, **and threw** it on the Altar “**not *lishmah*”**, it is invalidated. (Case #1)

**What is it**, this case?

**If we say** it is literally **as taught in the Mishnah**, that he did *all* the four services not *lishmah*—

**Why do I need** the Mishnah to say **until he thinks** “not *lishmah*” **for them all?**

**From the first** service that was done “not *lishmah*”, **it is already invalidated!**

**Rather no**, you must say that **this is what is taught in the Mishnah:**

**The Pesach sacrifice that was slaughtered “not *lishmah*,”** while the other services were done “for its sake.”

**Or also**, continues the Mishnah, **if one slaughtered it “*lishmah*,” and received** the blood, **and took and threw** the blood “**not *lishmah*.”**

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<sup>2</sup> The Hebrew prefix *Ve*, which here is rendered “and”, can mean either “and” or “or”. Although it was rendered “or” on the previous *daf*, in line with the Gemara’s conclusion, here it is rendered “and”, since this reading is the premise on which rests the Gemara’s proof. In fact, “and” is its primary meaning.

## Perek 5 – 60a

**Or also,** continues the Mishnah, **if one slaughtered it and received and took** the blood “*lishmah,*” and threw it “**not *lishmah.***”

**That** means that case #1 of our Mishnah **is** when he had two intents in **two** separate services.

And this being so, says the Gemara, now bringing out the point: **I will say** what is written in **the latter clause** (case #2) of the Mishnah: “*Lishmah*” and “**not *lishmah.***”

**How is this?** How did the person have these two intents?

**If you say** it is **in two** separate services, that in one service he said “*lishmah*” and in another service he said “not *lishmah,*” that would be problematic. Because **that** means that case #2 **would be** the same as **the first clause** (i.e. case #1).

**Rather no,** you must say that case #2 is speaking about having both thoughts **in a single service.**

**And it is** like **Rabbi Yosi who said:** A person is even held accountable for **his final words.**

And thus we have resolved Rav Pappa’s inquiry: The Mishnah includes a case of having both thoughts in one service, and is thus in accordance with Rabbi Yosi, and not with Rabbi Meir.

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## Perek 5 – 60a

The Gemara rejects this answer:

**No, in truth** we could say that the latter clause (case #2) is also speaking about two different services. **And** if you object, as above, that it is then teaching the same as the first clause (case #1), I will point out an important difference.

**Because the first clause** is speaking of a case **where he is involved with slaughtering, and he thinks about** this act of **slaughtering** that it is “not *lishmah*”. And afterwards, while he is involved with the other three services, he thinks about them that they are “*lishmah*”.

**Or also,** continues the Mishnah, **that he is involved with throwing** the blood on the Altar, **and he thinks about throwing** the blood that it is “not *lishmah*”. And while he is involved with the other three services, he thinks about them that they are “*lishmah*”.

But in **the latter clause** of the Mishnah (case #2), the case is different:

The case under discussion is **that he was involved with slaughtering, and,** while still slaughtering, **thought about throwing** the blood on the Altar. It emerges **that he said: “I hereby slaughter the Pesach sacrifice *lishmah*,”** and at the very same time he thought: **“in order to later throw its blood not *lishmah*.”**

Thus, there is no contradiction between his intentions even in case #2. Because after all, he is having a separate intent for two separate services (even though he is thinking of them during one service). Therefore, all views (even Rabbi Meir) would agree that both intentions are fulfilled and the sacrifice is invalidated.

**And it** the Mishnah **is teaching us that “one can think** an invalidating intention **from one service** done now, applying it **to a service** that one will do later.” The invalidating

## Perek 5 – 60a

intention takes effect, it will not matter if one subsequently does the later service with correct intent.

**And this** question is in fact the subject of **an inquiry of Rav Pappa** in Tractate *Zevachim* (10a), whether one can think an invalidating thought during an earlier service, relating it to a later service.

\*

The Gemara now brings a second proof that our Mishnah is speaking of a person having both intentions during one service:

**Come and hear** a proof from later on (case #3) in our Mishnah:

**Or** if the person thought **not *lishmah* and *lishmah***, it is **invalidated**.

**What is** the case?

**If we say** that he had these two intentions **during two services**—

That cannot be the case. Because **now, you just said** in the preceding case of the Mishnah that during two services, saying “***lishmah* and not *lishmah***” (case #2) **is invalidated**, even though the first thought was valid.

**Do we then need** to say a case of “**not *lishmah* and *lishmah***” (case #3), where the invalid thought was right from the start? Surely the sacrifice cannot be made valid afterwards.

The Gemara concludes: **Rather no**, the case (#3) must be **with a single service**.

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**And because the latter clause** (case #3) **is speaking about one service, the beginning too** (#2) **is also with one service.**<sup>3</sup>

\*

The Gemara rejects proof #2:

**No, in truth** even the end of the Mishnah (case #3) is speaking **about two different services.**

**And** as you pointed out, **properly speaking it was not necessary** for the Mishnah to mention case #3.

But **since the Mishnah taught** the case of **“*lishmah* and not *lishmah*”** (case #2), which informs us that one can effectively state, during an earlier service, an invalidating intention that relates to a later service (as we said in the previous segment), **it taught also** the case of **“not *lishmah* and *lishmah*”** (case #3). This last case was taught merely for the sake of symmetry in the Mishnah’s structure, enabling the Mishnah to be easier committed to memory.

\*

Proof #3 that the Mishnah is speaking about a single service.

**Come and hear** a proof from the Mishnah later (61a): **If one slaughtered** the Pesach sacrifice, saying that it would be **for the sake of people who cannot eat it**<sup>4</sup>—

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<sup>3</sup> Thus neither case in the Mishnah would be superfluous. “*Lishmah* and not *lishmah*” would teach that a person is held accountable even for his final words (as Rabbi Yosi holds, and not like Rabbi Meir), and the end of the Mishnah (“not *lishmah* and *lishmah*”) would teach, as Rabbi Yosi says, that a person is *even* held responsible for his first words.

<sup>4</sup> For example, an old or sick person who is incapable of eating an olive’s volume of its meat, and the verse writes: “Each person according to his *eating*” (*Shmot* 12).

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**Or for the sake of people not appointed to eat it<sup>5</sup>—**

**Or for non-circumcised people<sup>6</sup>—**

**Or for impure people<sup>7</sup>—**

In all these cases, the Pesach sacrifice is **invalidated**.

**Here it is obvious** that we are dealing with a case that the person had this thought **in a single service**, because he had only *one* invalidating thought. He never thought a valid thought at all.

**And because the latter clause** (i.e. this later Mishnah) is speaking **about a single service, the first clause** (our Mishnah) **is also speaking about a single service**—and nevertheless, the case in our Mishnah is judged to be invalid. Therefore, our Mishnah must be like Rabbi Yosi and not Rabbi Meir.

\*

The Gemara rejects proof #3:

**Is this a proof?**

One could say to refute it: **Here it is like it is, and here it is like it is**. Each Mishnah could well be speaking about different scenarios.

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<sup>5</sup> A certain group of people was appointed to eat it, but he slaughtered it for the sake of another group.

<sup>6</sup> Even if they were uncircumcised because their brothers had died of circumcision, and they were thus exempt from performing the mitzvah of circumcision, they still may not eat of the Pesach sacrifice—because the Torah writes: “*Every* uncircumcised person shall not eat of it.”

<sup>7</sup> Who incur *kareit* (spiritual excision) if they eat it.

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**The latter clause** (the Mishnah later) could be dealing **with a single service**.

And **the first clause** (our Mishnah) could be dealing **either with a single service or with two services**. Thus, the inquiry remains unresolved.

\*

Proof #4:

**Come and hear** a proof from another point in the later Mishnah (61a):

If one slaughtered the Pesach sacrifice **for those who can eat it and also those who cannot eat it** (some of the group's members were capable of eating an olive's volume and others were not), it is **valid**.

The Gemara clarifies: **What is** the case?

**If we say** that he thought these two thoughts **in two** different **services**: for example, he slaughtered for people who can eat, having in mind that he would later throw the blood for people who cannot eat—

**And the reason** it is valid is because **he thought** the invalidating thought only about **throwing** the blood. And it failed to invalidate the Pesach sacrifice **because there is no** invalidity involved with a **thought of** invalidated **eaters when throwing** the blood—

In other words, such a thought invalidates only the service of slaughtering<sup>8</sup>, and not the service of throwing the blood—

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<sup>8</sup> Because the verse writes, “Each person should *slaughter (tachosu)* according to his eating.”

## Perek 5 – 60B

And this being the case, it would be implied as follows by the Mishnah: **But** if one had these two thoughts **in a single service such as slaughtering, where thought of invalidated eaters does** invalidate the Pesach sacrifice, it will be **invalidated**.

**But** this cannot be so, because **we have established** the Halachah (61a) that slaughtering for the sake of only *some* invalid **eaters does not invalidate** the Pesach sacrifice! As long as there are at least some valid members in the group for which it was slaughtered, it is valid.

### **Ammud Bet**

**Rather no**, that Mishnah must be speaking **about** intention for both “people who can eat and also for people who cannot eat” during **a single service**, and even that is not invalid.

**And because the latter clause** (the later Mishnah) is dealing **with a single service, the first clause** (*lishmah* and not *lishmah*) must also be speaking **about a single service**. Thus the Mishnah, which invalidates this case, is perforce holding like Rabbi Yosi and not like Rabbi Meir.

\*

The Gemara rejects proof #4:

### **Is that a proof?**

One could say to refute it: **Here it is like it is, and here it is like it is**. Each Mishnah could be speaking about different scenarios.

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**The latter clause** (the Mishnah later) could be dealing **with a single service**.

And **the first clause** (our Mishnah) could be dealing **either with a single service or with two services**. Thus the inquiry remains unresolved.

In conclusion, all the proofs have been rejected and we do not know if our Mishnah is speaking about one service (and is like Rabbi Yosi), or whether it is speaking about two services (and is even like Rabbi Meir).

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**They** the scholars of the study hall **posed an inquiry: If someone slaughtered a Pesach sacrifice on the other days of the year**. He slaughtered it with intention for *lishmah* (i.e. for the sake of a Pesach sacrifice – which makes it invalidated because the Pesach sacrifice may be brought only on Erev Pesach) **and also not *lishmah*** (rather, for the sake of a regular peace offering, which makes it valid the whole year). **What** is the halachah in such a case?

**Does the “not *lishmah*” come and remove it from the invalid thought of “*lishmah*”—and make it valid? Or does it not?**

**When Rav Dimi came** from the land of Israel, **he said: I said the following statement in front of Rabbi Yirmeyah**, arguing that the inquiry can be resolved as follows:

**Since** slaughtering “*lishmah*” **makes it** the Pesach sacrifice **valid in its time** on the 14<sup>th</sup> of Nissan, **and** slaughtering “**not *lishmah*” makes it valid not in its time**, if one slaughters it the whole year round—

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Thus one can argue: **Just as “*lishmah*”, which makes it valid in its time, does not remove it from** the invalidating intention of **“not *lishmah*”**—and if someone says: “not *lishmah* and *lishmah*,” the Pesach sacrifice remains invalid—

So **also** the whole year round, the same logic should apply. Therefore: **“Not *lishmah*”, which makes it valid not in its time, does not remove it from the invalidity of “*lishmah*”, and it the Pesach sacrifice is judged invalid.**

**And he** Rabbi Yirmeyah **said to me: No**, this proof is unconvincing.

**It is all right if you say that** an intention of **“not *lishmah*”** cannot be uprooted by **“*lishmah*”** on the 14<sup>th</sup> of Nissan, **because it (“not *lishmah*”) is relevant to all sacrifices.**<sup>9</sup> Therefore it more powerful than the intent of **“*lishmah*.”**

But **will you say** the same **for** the invalidity of **“*lishmah*”** (of the Pesach sacrifice on regular days of the year), **which is not relevant to all sacrifices** the whole year round, **but only to the Pesach** sacrifice on regular days of the year? Perhaps this limited application makes it less powerful, and the intention of **“not *lishmah*”** can overpower it and render the Pesach sacrifice valid!

\*

The Gemara inquires: **What was** the final decision **concerning it**, the above inquiry?

**Said Rava: A Pesach** sacrifice **that one slaughtered in the other days of the year “*lishmah*” and “not *lishmah*” is valid.**

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<sup>9</sup> For the Pesach sacrifice and the sin offering, such an intention completely invalidates them. For other sacrifices, they are invalid in that the owners receive no atonement and must bring another sacrifice in its place (although its blood may be thrown on the Altar, and its other services may be performed as well).

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**Because** if one thinks nothing in particular while slaughtering a Pesach sacrifice, **it is generally assumed to be intended “*lishmah*”**. (This is because a sacrifice slaughtered without any particular intent is considered as if slaughtered “for its sake”). **And even so, if one slaughters it** the Pesach sacrifice “**not *lishmah*”** the whole year round, it is **valid**.

**So we see** that the whole year round, “**not *lishmah*”** comes and removes it from its assumed status of “*lishmah*.”

Therefore, **also when one slaughters it** expressly “*lishmah*” and “**not *lishmah*,**” “**not *lishmah*”** will come and remove it from “*lishmah*”, rendering it valid.

\*

The Gemara refutes Rava’s proof:

**Said Rav Ada bar Ahava to Rava: Perhaps it is different where one** expressly says “*lishmah*”, **from when one does not say** it expressly but it is only assumed.

And the proof of this distinction is: **Because** if someone slaughters the Pesach sacrifice “**for its eaters**” (the people appointed to eat it) **and** also “**not for its eaters**” (people not appointed to eat it), it is **valid**.

**But whenever one slaughters it “not for its eaters” alone,** it is **invalidated**.

**And why? But it is generally assumed as intended for “its eaters”,** and it should be as if the person said “for its eaters” and “not for its eaters?”

**Rather, we see that it is different where one says** expressly “for its eaters”, **from where one does not say** so expressly.

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**Here too, concerning Rava's proof, it is different where he said, from where he did not say.**

\*

Rava responds to this refutation by demonstrating that the assumption that a sacrifice is being brought for its sake is a very powerful assumption. It is more powerful than the mere assumption that a Pesach sacrifice is being brought for the people appointed to eat it:

**He Rava said to him** Rav Ada bar Ahava: **Is that a proof**<sup>10</sup> against my logic?

**It is all right there** concerning sacrifices in general, that they are assumed as being “for its sake.” Thus, **so long as one did not uproot it** (the Pesach sacrifice) **with** an act of **slaughtering** with an invalid intention, **it is assumed to certainly be “lishmah”**. (This is because once the animal has been consecrated as a Pesach sacrifice, this intention cannot be uprooted and invalidated by words alone, but only by an act of slaughtering it with the intent that it is not *lishmah*).

**But here, is it** automatically **assumed that it** a Pesach sacrifice **is intended for its appointed eaters?**

**Perhaps these** first people appointed to eat from it **will pull out, and others will come and be appointed on it** in their place, to eat from it.

**For it was taught** in a Mishnah: **New people may be appointed** to eat from a Pesach sacrifice, **and** people already appointed may **pull out from it, until it is slaughtered.**

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<sup>10</sup> Rashi substitutes a different text for these two words: *Hachi hashta* – “Indeed now!”

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Therefore an intention of “not for its eaters” invalidates the Pesach sacrifice, even though it is ordinarily assumed to be for its eaters. This is because people can easily change their mind and pull out. Whereas if one expressly says: “for its eaters” and “not for its eaters”, it is valid.

But concerning intention that a Pesach sacrifice is “not *lishmah*” the whole year round, it is different. Here, it makes no difference whether the previous “*lishmah*” was expressly stated or merely assumed. (For *lishmah* is a powerful assumption which can be uprooted only by an action. Thus, its assumption is as strong as an express statement.) Therefore the Pesach sacrifice slaughtered “*lishmah* and not *lishmah*” the whole year round will be valid, as if one only said “not *lishmah*”—as Rava had argued.

The Gemara thus concludes that Rava is correct.

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The Gemara makes an inquiry similar to the above:

**They posed an inquiry: A Pesach sacrifice that they slaughtered on the other days of the year.** It was slaughtered *lishmah*, i.e. for the sake of a Pesach sacrifice (which would invalidate it). But there was an additional factor: it was slaughtered **with a change of owners**. In other words it was slaughtered for Shimon, instead of for its rightful owner, Reuven. **What** is the halachah in such a case?

Do we say that **change of owners is like changing its sanctity** (i.e. it is like slaughtering it for the sake of a peace offering instead of for a Pesach sacrifice)? And slaughtering it for a peace offering is an intention **which makes it valid** the whole year round. Is it judged this way, **or not?**

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**Said Rav Pappa: I said the following statement before Rava,** in which I argued that we can answer this inquiry through a comparison:

**Because “change of sanctity”** (slaughtering the Pesach sacrifice for the sake of a peace offering) **invalidates it in its time**, on the 14<sup>th</sup> of Nissan. **And change of owners**, similarly, **invalidates it in its time**.

Therefore one can argue: **Just as changing of sanctity which invalidates in its time, makes it** the Pesach sacrifice **valid after its time** the whole year round—

**So too with change of owners, which invalidates it in its time, will make it valid after its time.**

**And he Rava said to me: No,** the proof is unconvincing.

**If you say this concerning change of sanctity,** it is logical that such a change makes the Pesach sacrifice valid the whole year round. This is **because:** 1) **its invalidity is intrinsic** i.e. the invalid intent relates to the sacrifice’s basic identity) **and 2) it applies in all four services.** The intent to bring a sacrifice “not *lishmah*” invalidates the sacrifice during any one of the four basic services applying to a sacrifice: slaughter, receiving the blood in a vessel, bringing the vessel containing the blood to the Altar, and throwing the blood upon the Altar.<sup>11</sup>

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<sup>11</sup> The halachah that slaughtering must be for the sake of the Pesach and not for the sake of some other sacrifice is derived from the verse, “And you shall say, *it* is the Pesach sacrifice” (*Shmot* 12). The Gemara (*Zevachim* 7b) learns that the other three services, too, must be done for the sake of their particular sacrifice, from other verses.

# Chavruta Pesachim – Daf Samech Alef

Translated by: *Chavruta staff of scholars*  
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[If you say this **concerning change of sanctity**, it is logical that such a change makes the Pesach offering valid the whole year round. This is **because**: 1) **its invalidity is intrinsic** i.e. the invalid intent relates to the sacrifice's basic identity) **and** 2) **it applies in all four services**. The intent to bring a sacrifice “not *lishmah*” invalidates the sacrifice during any one of the four basic services applying to a sacrifice: slaughter, receiving the blood in a vessel, bringing the vessel containing the blood to the Altar, and throwing the blood upon the Altar.]

3) **And it applies after death**. If a person who was obligated to bring a sacrifice dies, his heir must bring the sacrifice from property of the deceased. If the sacrifice was slaughtered with intention for another sacrifice, it becomes invalid. The heir must continue to bring the sacrifice from the deceased's property until it is offered correctly.

4) **And it applies with public sacrifices like** it does with **individual** sacrifices. For a change of sanctity also renders public sacrifices invalid.

But **will you** also say the same **about a change of owners** which is more lenient in many ways than is a change of sanctity?

This leniency can be seen in the following ways:

1) **Its invalidation does not** stem from an intention which is **intrinsic** to the sacrifice, rather from an intention regarding its ownership.

2) **And it does not** invalidate a sacrifice **regarding** all the **four services**, only regarding the throwing of the blood. This is because the question of who owns a sacrifice is relevant only to determine who achieves atonement from the sacrifice. And the atonement is

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achieved through the throwing of the blood on the Altar. The other services therefore do not render the sacrifice invalid, if there is intention for another owner.

3) **And it does not** invalidate a sacrifice **after death** of the owner. For after death, the owner's name is no longer connected to the sacrifice, and therefore intent for a different owner does not invalidate the sacrifice.

4) **And it does not invalidate public** sacrifices **like** it invalidates **individual sacrifices**. For regarding public sacrifices, all of Israel are owners, and therefore invalid intent regarding ownership is not applicable. And similarly, if it is slaughtered with intention that gentiles should be owners, the sacrifice is not rendered invalid. Because a change of ownership only invalidates if the other owner has an atonement obligation. And since gentiles are not obligated to receive atonement, the sacrifice does not become invalid.

The Gemara explains further: **And even though two** of the above four arguments **are not precise, two, however, are precise**.

The Gemara explains which of the arguments are not precise:

**For what is different about a change of owners, that its invalidation is not intrinsic** to the sacrifice? It is **because its invalidation** is brought about by **mere intention**.

According to this, **a change in sanctity** should **also** not be an intrinsic invalidation in the sacrifice, when **its invalidation** is brought about by **mere intention**.

**And furthermore, that which was said that a change of owner does not invalidate after death**, this is not according to all views. For it is the subject of a disagreement among Amoraim, in Tractate *Zevachim* on daf 4b and daf 7b.

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**For according to the view of Rav Pinchas brei d’Rav Ami, who said that a change of owner does invalidate after death of the owner, what is there to say?** I.e. how can the Gemara above bring this as a difference between a change of owner and a change of sanctity?

And the Gemara concludes: **Two** of the arguments, **however, are precise**. Thus they refute the view of Rav Pappa who attempted to prove on the previous daf that a Pesach offering is rendered valid if it was offered during the rest of the year with intention for a change of owner.

And the Gemara concludes: **Rather, Rava said: a Pesach offering that someone slaughtered during the rest of the year with intention for a change of owner is considered as if it did not have an owner in its time**. I.e. it is considered as if it was slaughtered at the correct time but without intention for its owner, **and it is invalid**.

## **MISHNAH**

Eating from the meat of the Pesach offering is a basic aspect of this type of sacrifice. In this way it is unlike other sacrifices. Although some other sacrifices are eaten, there is no requirement that they be slaughtered with specific intention for their potential eaters. Just as all sacrifices are required to have an “owner” as regards its atonement, with the Pesach offering it is required to have an “owner” as regards its eating. (The term “owner”, *ba'alim*, when used regarding sacrifices, does not bear its ordinary monetary sense. In many cases, the consecrated animal used for the sacrifice is considered to belong to the Temple, and is no longer the property of the “owner”. Yet, the atonement that results from it is still associated to the owner. So too with the Pesach offering, the rights to eat from it are associated to its owner or owners.)

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Therefore, the Pesach offering must be slaughtered on behalf of those who are “owners as regards eating it”, besides the necessity to slaughter it on behalf of those who are “owners as regards its atonement”.

\*

1. If a **person slaughtered it**, a Pesach offering, with intention that its meat will be eaten by those **who** in fact **cannot eat it**. For example, for the elderly or for sick people who are unable to consume a *kazayit*<sup>1</sup> of meat.

Or similarly, if he slaughtered it with intention that its meat will be eaten by those **who are not appointed on it** i.e. who were not registered as part of the group assigned to this Pesach offering, at the time it was slaughtered. Such people may not eat from its meat.

Or similarly, if he slaughtered it **for non-circumcised or impure people**, to eat.

In all these cases, **it is invalid**. For a Pesach offering must be slaughtered on behalf of people who are able to eat it.

\*

But if he slaughtered it for both **those who can it eat and for those who cannot eat it**—

Or similarly, if he slaughtered it with intention **for those who are appointed on it and those who are not appointed on it**—

Or **for those who are circumcised and those who are uncircumcised**—

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<sup>1</sup> *Kazayit*: 0.9 fluid oz. or 28 cu. cm.

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Or for those who are impure and those who are pure—

In all these cases, **it is valid**. Since some of them are able to eat it, the sacrifice does not become invalid, and this will be explained in the Gemara.

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2. If **one slaughtered it**, a Pesach offering, **before midday** on Erev<sup>2</sup> Pesach, **it is invalid**. Because it says: (*Shmot*<sup>3</sup> 12:6), “The entire congregation of the assembly of Israel shall eat it **in the afternoon**”, which means only after midday.

3. But if **one slaughtered it before the afternoon *Tamid*** offering, nevertheless **it is valid**. This is so, even though the preferred time for the Pesach offering is after the afternoon *Tamid*.

**And** in this case, the proper procedure would be to delay the following services of the Pesach offering. Thus: **as long as** the blood of the Pesach offering is not thrown on the Altar immediately, but rather **that someone else should stir its blood** to prevent it from congealing, **until he** a cohen **throws** first the blood of **the *Tamid***. And only then the cohen may throw the blood of the Pesach offering.

**But** nevertheless, **if** the blood of the Pesach offering **was thrown** on the Altar before the blood of the *Tamid* was, **it** the Pesach offering **is still valid**.

Although on daf 59a, the Gemara derived from verses that the afternoon *Tamid* offering must precede the Pesach offering, a reversed order of the offerings does not invalidate them, after the fact.

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<sup>2</sup> The Eve of

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### GEMARA

The Rabbis taught in a Baraita: **What is** the case of a Pesach offering slaughtered on behalf of “those **who cannot eat it**”?

One who slaughters **on behalf of a sick person or on behalf of an elderly person**, who are unable to eat a *kazayit* of meat.

**What is** the case of a Pesach offering slaughtered on behalf of those **who are not appointed on it**?

**Some people were appointed in this particular group’s** Pesach offering, **and he slaughtered it on behalf of a different group.**

\*

The Gemara asks: **From where** do we have a source for **these words**—that a Pesach offering is invalid if it was slaughtered for those who cannot eat it, or for those who were not appointed on it?

The Gemara answers: **Because the Rabbis taught** in a Baraita: it says regarding the Pesach offering (*Shmot* 12:4), “And he and his neighbor who is near his house shall take **according to the number** of people (*bemichsat nefashot*).” And the expression “according to the number” implies that the eaters of the offering are to be appointed upon it.

And in the continuation of the passage, it says “and they shall slaughter it.”

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<sup>3</sup> Exodus

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**This teaches that a Pesach offering is only slaughtered for those appointed on it,** because the expression “and they shall slaughter it” is connected to the expression “according to the number of people”.

**One might have thought** that if **he slaughtered it on behalf of those who were not appointed on it**, he would only be **considered** to be **transgressing the positive mitzvah** of “according to the number of people”—**but** the sacrifice would still be **valid**, after the fact.

To preclude this, **the verse** repeats itself.

First it says: “**According to the number of people.**”

Later in that verse it says: “Everyone in proportion to his eating, **shall you be counted** for the kid.” Also the expression “shall you be counted” means being appointed.

**The verse repeats itself** regarding the mitzvah of being appointed, to teach us that failure to fulfill it **prevents** the offering from being valid.

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**Rabbi**, i.e. Rabbi Yehudah HaNasi, **says** a different source for connecting appointment on the offering specifically to the time of its slaughtering: How do we know that this mitzvah is said specifically in connection with the slaughtering of the offering? Perhaps it is said in connection with a different service, such as the throwing of the blood upon the Altar?

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To answer this, the verse states: “Everyone in proportion to his eating, shall you be counted (*tachosu*) for the kid.” And the expression “shall you be counted” (*tachosu*) is a **Sursian term** which is an Aramaic dialect.

It is **like a person who says to his friend: “slaughter (*chos*) this kid for me.”** The verse thus implies that the rule of “those appointed on it” is in connection to the time of slaughtering.

\*

The Gemara asks: **We have found** a source that a Pesach offering is invalid if it was slaughtered **for those who were not appointed on it. From where do we** have a source that it is invalid if it was slaughtered **for those who cannot eat it?**

The Gemara answers: **The verse says, “Everyone in proportion to his eating, shall you be counted.”**

This implies those who are able to eat at least a minimum amount.

And we learnt earlier that the phrase “shall you be counted” teaches that the Pesach offering may be slaughtered only for those who are appointed on it.

Based on this, the Torah **makes a comparison** in this verse **between those who are able to eat and those who are appointed.** This shows that just as the Pesach offering is rendered invalid if it was slaughtered for those who are not appointed on it, so too it is rendered invalid, if it was slaughtered for those who are unable to eat from it.

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### **AMMUD BET**

It was stated in the Mishnah that a Pesach offering is invalid if it was slaughtered on behalf of uncircumcised or impure people, who are not allowed to eat from it.

If someone **slaughtered it for circumcised people** to eat, but also slaughtered it **in order that uncircumcised people should gain atonement with it through throwing** the blood on the Altar, **Rav Chisda says it is invalid** and **Rabbah says it is valid**. This is so, whether or not they are appointed on this sacrifice.

The Gemara now explains the disagreement.

**Rav Chisda says it is invalid**, because he holds that **there is** a Halachic effect to having **thoughts**, during slaughtering, that the **throwing** of the blood will be on behalf of **uncircumcised people**.

**Rabbah says it is valid**, because he holds that **there is not** a Halachic effect to having **thoughts**, during slaughtering, that the **throwing** of the blood will be on behalf of **uncircumcised people**.

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**Rabbah said: From where do I have a source to say my view?**

**Because it was taught** in a Baraita, regarding what is written regarding the Pesach offering (*Shmot* 12:48): “And all uncircumcised males shall not eat of it.” And it is

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explained in the Mishnah that if one slaughtered the Pesach offering on behalf of an uncircumcised person, it is invalid.

This being the case, regarding someone who slaughters the Pesach offering in order that both circumcised and uncircumcised people should eat it, the Baraita states: **One might have thought that he the uncircumcised person should invalidate the entire group that came with him**, and the sacrifice should be invalid.

**However, it may be derived** from a *binyan av*<sup>4</sup> this is not so. **Since** being slaughtered for someone **uncircumcised invalidates** the Pesach offering, **and** being slaughtered for someone who has **impurity** also **invalidates** the Pesach offering, one can make an analogy between these two Halachot, as follows:

**Just as** with slaughtering for someone with **impurity**, the Torah **did not consider part** of the group having **impurity to be like all** of the group having **impurity—so too** regarding someone **uncircumcised**, the Torah **did not consider part** of the group being **uncircumcised to be like** all of the group being **uncircumcised**.

The Baraita now questions its own reasoning:

**Or** perhaps we should **go this way** and derive the opposite: **Since** slaughtering for someone **uncircumcised invalidates** the Pesach offering, **and** slaughtering with intention that it should be eaten beyond the prescribed **time** also **invalidates** it, we can make an analogy between these two Halachot as follows:

**Just as** with “beyond the prescribed **time**,” the Torah **considered** having intention to eat only **part** of the offering beyond the prescribed **time to be like** intention for eating **all** of it beyond the prescribed **time—so too** with someone **uncircumcised**, the Torah

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<sup>4</sup> Prototype

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**considered** slaughtering it for a group composed **partially** of **uncircumcised** people **to be like** slaughtering it for a group composed **all** of **uncircumcised** people.

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The Baraita continues:

Since uncircumcised people may be compared either to impurity or to “beyond the prescribed time”, **let us see to which** of these it is more **similar**:

Uncircumcised people and impure people are similar in that their invalidity is unique to the Pesach offering. These people could bring any other type of sacrifice, since they could send it via an agent. Their inability to eat from the sacrifice would not invalidate it, since eating from the meat of the sacrifice is a basic requirement only with the Pesach offering.

Therefore **we should derive** the Halachah applying to uncircumcised people, which is **something that does not apply to all** other **sacrifices**, **from** the Halachah of impurity, which also is **something that does not apply to all** other **sacrifices**. The result will be as follows:

Just as slaughtering a Pesach offering for a group containing some impure people does not invalidate the Pesach offering, so too, slaughtering it for a group containing some uncircumcised people does not invalidate it.

**And** slaughtering for “beyond the prescribed **time**” **cannot prove** the opposite, **because** “beyond the prescribed time” **is applicable to all sacrifices**. Thus it is more stringent than the disqualification of being uncircumcised, and cannot serve as a source for the Halachah applying to uncircumcised people.

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The Baraita now questions its own reasoning:

**Or** perhaps we should **go this way** and derive the opposite – that being uncircumcised is more similar to “beyond the prescribed time” than it is to impurity:

The Torah never permits a sacrifice to be eaten if it was slaughtered with intention that it be eaten beyond its prescribed time, or with intention that it be eaten by an uncircumcised person.

However, the Torah does permit a sacrifice to be eaten if it was slaughtered with intention that it be eaten by impure people. For example, if the majority of the congregation of Israel are impure at the time. Thus, there is an exception to the rule of impurity.

Therefore, **we should derive** the Halachah of being uncircumcised, which is **something for which there is no exception to its rule**, from the Halachah of “beyond the prescribed time,” which is also **something for which there is no exception to its rule**.

**And** slaughtering for people in a state of **impurity cannot prove** the opposite, **because** impurity does have **an exception to its rule**, as explained above.

Since the Torah is more lenient regarding impurity, it cannot serve as source for the Halachah applying to someone who is uncircumcised.

So far, the Baraita has presented two conflicting sources regarding the Halachah of a Pesach offering slaughtered for a group of people, some of whom are uncircumcised.

The Baraita now concludes: **The verse says** (*Shmot* 12:43), “***This*** is the law of the Pesach offering.” And it says later in that passage (*ibid* 48), “And all uncircumcised males shall not eat of it.”

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The Baraita did not spell out what is to be derived from the word “this”.

Rabbah thus asks: **What** does the word “**this**” teach us?

**If we say** the Baraita means that the word “this” teaches us that the Pesach offering is **invalid** only if he slaughtered it with intention **that all** who eat from it are **uncircumcised**, but **it is valid** if he had intention that only **part** of the group are **uncircumcised**, then the logic of the Baraita does not seem to follow. How does the word “this” teach us that an uncircumcised person does not invalidate the group?

Rather, **that** Halachah of an uncircumcised person not invalidating the whole group is not learnt from the word “this.” It is **learnt from** the “all”, in the verse: “**And all uncircumcised** males shall not eat of it.” This implies that the Pesach offering is invalid only if “all” the group is uncircumcised.

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**Rather**, Rabbah reasons, there are some words missing from the Baraita, and **surely this is what it**, the word “this”, **is teaching**:

First, the Baraita searched for the source that a Pesach offering is valid if slaughtered for a group only part of whom are uncircumcised. And about this, the Baraita said: **The verse says**: “**And all uncircumcised** males shall not eat of it”. I.e., intention for a group **all** of whom are **uncircumcised** renders the offering **invalid**, but intention for a group only **part** of whom are uncircumcised does **not** render it **invalid**.

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Furthermore, intention for uncircumcised people is invalid only if the intention was for them to *eat* the sacrifice. However, if the intention was them to gain *atonement* through the blood of the offering being thrown on the Altar, the offering is valid.

And according to Rabbah's addition to the Baraita's text, the Baraita continues: **And you might say that the same Halachah applies for throwing** the blood on the Altar: namely that if he has intention **that all** who thus gain atonement **are uncircumcised**, then this intention **will invalidate** the offering.

To teach otherwise, **the verse says "this"**. The word "this" limits the disqualification.

Thus it is only **regarding slaughtering**, which is the first of the services, that intention that it will be eaten by a group **all** of whom are **uncircumcised will invalidate** the offering. **However** regarding intention pertaining to **throwing**, even if he had this intention while slaughtering the sacrifice, is **not invalid—even** if the intention is that **all** who gain atonement from the sacrifice through throwing its blood on the Altar **are uncircumcised**.

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**And you might say: What** is the already-known **leniency regarding throwing**, due to which we interpret the word "this" as excluding throwing from the rule?

The answer is: throwing has the leniency that **as concerns throwing, there is not** a Halachic effect to having **thoughts about the eaters**.

Such intention only applies to slaughtering, as explained above.

Thus, the Baraita serves as a source for Rabbah's view that a Pesach offering is valid even if it was slaughtered with intention that its blood will be thrown on behalf of

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uncircumcised people. And the Baraita seems to contradict Rav Chisda, who holds that the offering is indeed invalid.

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**And Rav Chisda** rejects Rabbah's proof:

**On the contrary**, one can explain the Baraita **the other way**. I.e. that throwing is more stringent than slaughtering. And regarding throwing, even if only part of the group is uncircumcised, the sacrifice is invalid.

And the Baraita may be explained as follows:

The Baraita searched for a source that a Pesach offering is valid if slaughtered on behalf of a group containing both circumcised and uncircumcised people.

And about this, the Baraita said: The verse says, “**And all uncircumcised** males shall not eat of it”, to teach that only when **all** who eat from it are **uncircumcised**, then the Pesach offering is **invalid**. But intention for a group only **part** of whom are uncircumcised does **not** render it **invalid**.

**However**, regarding **throwing**, **even** having intention for a group only **part** of whom are uncircumcised renders the sacrifice **invalid**.

And according to Rav Chisda's explanation, the Baraita continues: **And you might say** that **the same Halachah applies for throwing**, that the Halachah should be the same as for slaughtering. Namely, **that** the offering **is not invalid until there is** intention that **all** who gain atonement from the sacrifice through throwing **are uncircumcised**.

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About this the Baraita says: **The verse says** “this”. The word “this” implies a limitation of the lenient rule. Only regarding “this”, i.e. **slaughtering**, is it true **that only part of the group** being uncircumcised does not **invalidate** the Pesach offering. **But** concerning **throwing**, even if only **part of the group** are uncircumcised, it **invalidates** the offering.

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The Baraita continues: **And you might say:** How do we know that the word “this” limits the lenient rule to slaughtering?

The answer is: since there is an already-known stringency regarding throwing, it stands to reason that the Torah was more stringent with regards to throwing. Therefore, intention for a group some of whom are uncircumcised would invalidate the offering.

And **what** is the **stringency regarding throwing**? That **“pigul”** (intention to eat of the meat beyond the prescribed time) **only becomes finalized at the** time of **throwing** the sacrifice’s blood on the Altar.

If, after a *pigul* intention, the cohen has a different type of invalid intention (such as intention that the sacrifice be eaten outside of the prescribed *area*) the sacrifice will not become judged as *pigul*.

Therefore if one slaughtered a sacrifice with a *pigul* intention, there is still no certainty that the sacrifice will become *pigul* in actuality. This is because he might still have a different kind of invalid intention during one of the other three services. And this would prevent the *pigul* from becoming finalized. In such a case, the one who eats from the meat of the sacrifice will not receive *kareit*.

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*Pigul* thus becomes finalized only once the blood has been thrown, since throwing the blood is the last of the four services. Only at that point can we say with certainty that no other services were performed with a different kind of invalid intention.

And this is the Baraita's intent when it says that throwing is more stringent than slaughtering: *pigul* becomes finalized only at the throwing.

According to this explanation, the Baraita provides support for the view of Rav Chisda, that a Pesach offering is invalid if there was intention to throw its blood on the Altar on behalf of a group consisting wholly of uncircumcised people.

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**Rav Ashi challenged it**, the explanations of both Rabbah and Rav Chisda:

**From where** is your proof **that this** verse “**And all uncircumcised males**” **implies** a Pesach offering slaughtered for a group consisting **all** of uncircumcised people?

**Perhaps that** verse “**And all uncircumcised people**” **implies** a group consisting **partially** of uncircumcised people Thus a sacrifice slaughtered for a group that has only one uncircumcised person would be invalid. For instead of rendering the verse as “all uncircumcised people”, it could be rendered as “any uncircumcised person”

And the Torah thus **wrote** the word “**this**”, which implies a complete unit, to teach us that **until there are all uncircumcised** people in the group, the offering is **not invalid**.

This interpretation is preferable, since we are not compelled to say that the Baraita is missing words.

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And according to this, **there is no difference between slaughtering and throwing**, and regarding both, the offering would be invalid only if there was intention for a group containing *only* uncircumcised people.

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**Rather, Rav Ashi said:** In truth, there is no difference between slaughtering and throwing. And the Pesach offering is invalid only if it was slaughtered in order that a group containing only uncircumcised people should gain atonement. But if some are circumcised and some are uncircumcised, it is valid.

And Rabbah and Rav Chisda both concur on all these points.

# Chavruta

## Pesachim – Daf Samech Bet

Translated by: *Rabbi Avraham Rosenthal*  
Edited by: *R. Shmuel Globus*

[**Rather, Rav Ashi said:** In truth, there is no difference between slaughtering and throwing. And the Pesach offering is invalid only if it was slaughtered in order that a group containing only uncircumcised people should gain atonement. But if some are circumcised and some are uncircumcised, it is valid.

And Rabbah and Rav Chisda both concur on all these points.]

If so, about what do Rabbah and Rav Chisda disagree?

The case where one slaughters a Pesach offering in order to throw its blood on behalf of people who are not appointed on it, and those people are uncircumcised.

Had he slaughtered the Pesach offering in order to throw its blood on the Altar on behalf of circumcised people who were not appointed on it, it would certainly be invalid. However, now that he intended to throw its blood on behalf of uncircumcised people who were not appointed on it, there is a disagreement.

And Rav Chisda and Rabbah **differ over** the interpretation of **this verse**, regarding the atonement provided by a sacrifice:

**“And acceptance will be gained for him, to atone for him.”** (*Vayikra*<sup>1</sup> 1) **“For him” – and not for his friend.** This verse teaches us that a change of intention regarding the “ownership” of the sacrifice invalidates the sacrifice. In other words: If it is offered having in mind someone who is not its rightful owner, that this other person should attain the atonement afforded by the sacrifice, the sacrifice is thereby invalidated.

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<sup>1</sup> Leviticus

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**Rabbah holds** the view: A change regarding owners only invalidates the sacrifice when one intends to throw the blood for the sake of **his friend** who is **similar to himself**. **Just as he is** capable of attaining **atonement** through this sacrifice, since he is obligated in it and is fitting to offer it, **even his friend who is** capable of attaining **atonement** constitutes the type of change regarding ownership that invalidates the sacrifice.

But if he intends to throw the blood for the sake of his friend who is *not* capable of attaining atonement, this intention does not invalidate it.

This rule is not the view of Rabbah alone. Rather, everyone agrees to it.

But Rabbah holds that this rule is applicable also here, **to exclude this uncircumcised** person, **who is not** capable of attaining **atonement**, as he is not fit to offer the Pesach offering. Therefore, the intention to throw the blood on his behalf does not invalidate the Pesach offering.

**And Rav Chisda holds** the view: **This uncircumcised** person **also, since he** potentially **has the obligation** to bring the Pesach offering, **he is** considered capable of attaining **atonement**. For he is not truly exempt from the offering. He is merely prevented from partaking in it because of his uncircumcised state. Thus, **“due to the fact that”** (*ho'il*) **if he wanted, he could rectify himself** through undergoing circumcision, he is considered as having a obligation to bring it.

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It is evident from here that Rav Chisda holds of the principle of *ho'il*, “due to the fact that”. This principle is debated in several places in the Talmud.

The Gemara raises a difficulty: **And does Rav Chisda really hold of “due to the fact that”?**

**But note that it was said** in a statement of Amoraim: Regarding **one who bakes on Yom Tov for the weekday**. He does not need the bread he is baking for Yom Tov use. Rather, he bakes it for weekday use.

**Rav Chisda said: He receives lashes** for baking on Yom Tov. Although baking on Yom Tov is generally permitted because of “*ochel nefesh*,”<sup>2</sup> this is only when it is for a Yom Tov meal. But for the weekday, it is forbidden.

**Rabbah said: He does not receive lashes.**

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The Gemara explains their disagreement.

**Rabbah said: He does not receive lashes** because we say, “**due to the fact that**” if he **had guests** who were expected to arrive, **it would be fitting for him**, i.e. what he baked could be served on Yom Tov to his guests. **Now also**, although he does not have guests, **it is fitting for him**. For theoretically speaking, guests could unexpectedly arrive. The baking can be considered a Yom Tov need **and** therefore **he does not receive lashes**.

**Rav Chisda said: he receives lashes**, because **we do not say “due to the fact that.”** Thus, the baking is not considered a Yom Tov need and it is forbidden.

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This contradicts what Rav Chisda said earlier, that someone who is uncircumcised is capable of attaining atonement through the Pesach offering, based on the principle of “due to the fact that.”

Seemingly, this contradicts Rabbah as well. For regarding Yom Tov, Rabbah applies “due to the fact that”, whereas regarding one who is uncircumcised on Pesach, he does not apply it.

However, the contradiction only affects Rav Chisda:

For **it is all right** that one statement **of Rabbah as regards** the other statement **of Rabbah is not a difficulty**, because there is an important difference between the cases:

**Here**, regarding the one who is uncircumcised, **he is lacking an action**. He has to do the act of circumcision in order to make himself fit, and we cannot apply the principle of “due to the fact that” when he will become fit only through an action.

This is not true **there**, regarding baking on Yom Tov. It is already considered fit because **it is not lacking an action**. He does not need to do an action in order to create the theoretical possibility that guests could arrive.

**Rather**, one statement **of Rav Chisda as regards** the other statement **of Rav Chisda is a difficulty**.

If he does not apply “due to the fact that” regarding baking on Yom Tov, even though it is not lacking an action, certainly he should not apply “due to the fact that” regarding one who is uncircumcised on Pesach, where he is indeed lacking an action.

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<sup>2</sup> Although in most ways Yom Tov has the same prohibitions of Shabbat, the Torah permits many forms of

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The Gemara answers: **They say: Where does Rav Chisda not hold of “due to the fact that”?** Where it is **to be lenient**, i.e. to exempt him for baking on Yom Tov.

But **to be strict**, and consider someone uncircumcised as capable of attaining atonement through the Pesach offering, and therefore to invalidate the offering that was slaughtered with the intent that the blood will be thrown on his behalf, **he Rav Chisda applies** “due to the fact that.”

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The Gemara returns to explain the Baraita on 61B.

**Said Mar Zutra the son of Rav Mari to Ravina: It was taught** in the Baraita: **Since** being slaughtered for someone **uncircumcised invalidates** the Pesach offering, **and** being slaughtered for someone who has **impurity** also **invalidates** the Pesach offering, one can make an analogy between these two Halachot, as follows:

**Just as** with slaughtering for someone with **impurity**, the Torah **did not consider part** of the group having **impurity to be like all** of the group having **impurity—so too** regarding someone **uncircumcised**, the Torah **did not consider part** of the group being **uncircumcised to be like** all of the group being **uncircumcised**.

Mar Zutra asks: **This impurity** that the Tanna speaks of, **what is the case?**

**If you say** that it refers to **the impurity of people**, that impure people were appointed to eat from the sacrifice—

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labor on Yom Tov that are used for food preparation.

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**And** according to this, **what** is the meaning of “The Torah **did not consider part** of the group having **impurity to be like all** of the group having **impurity**”?

**That if there are** in the group **four or five people** who are **impure, and four or five people** who are **pure**, and he slaughtered the Pesach offering for the sake of all of them, the **impure** ones **do not invalidate** the offering **for the pure** ones, when he intended for them as well.

If this is so, why did the Baraita need to derive the Halachah for part of the group being uncircumcised, from the Halachah for part of the group being impure?

But note **that also regarding** being **uncircumcised**, it is expressly stated that a part of the group being uncircumcised **does not invalidate**.

**For it was taught** in a Mishnah: One who slaughters the Pesach offering **for the circumcised and for the uncircumcised, it is valid**.

It is not plausible to say that the Mishnah knows this only because we learn an uncircumcised state from impurity, since both are learned from the same verse, as it is written, “Everyone in proportion to his eating.” This excludes someone who is not fitting to eat, whether because of impurity or because of an uncircumcised state.

Therefore, **what is the difference** regarding **impurity, that its Halachah is obvious to him**, the Tanna of the Baraita, **and what is the difference** regarding being **uncircumcised, that he has a doubt** regarding its Halachah?

**Rather**, we must say that the Baraita speaks about **the impurity of the meat**.

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**And** according to this, **what is** the meaning of: “The Torah **did not consider part** of it having **impurity to be like all** of it having **impurity?**”

**If it were** that **one of the limbs** of the Pesach offering **became impure**, and that is what is called “part of it having impurity,” its law is:

**That limb which became impure, we burn it. And the rest** of the meat which is pure, **we eat it.**

This is not true with “all of it having impurity,” where we burn all of it.

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Mar Zutra continues to ask: **With what case did we set it the Baraita up? With impurity of meat.**

Now **I will say the latter clause**, where it was taught:

**We should derive** the Halachah applying to uncircumcised people, which is **something that does not apply to all other sacrifices, from** the Halachah of impurity, which also is **something that does not apply to all other sacrifices.**

Therefore, part being uncircumcised does not invalidate the Pesach offering.

**And** slaughtering for “beyond the prescribed **time**” **cannot prove** the opposite, **because** “beyond the prescribed time” **is applicable to all sacrifices.** Thus it is more stringent than the disqualification of being uncircumcised, and cannot serve as a source for the Halachah applying to uncircumcised people.

**And what is the impurity** which is spoken about in this latter clause?

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**If we say impurity of meat, why is it not applicable to all sacrifices?** Any sacrifice whose meat becomes impure requires burning.

**Rather, it is obvious** that this latter clause is speaking of **impurity of people**.

**And** according to this, **what is** the meaning of “**does not apply to all other sacrifices**”?

**Whereas with all other sacrifices**, impurity of people does not invalidate the sacrifice. For **one who is uncircumcised or who is impure may send their sacrifices** to the Temple by means of an agent, and the cohanim will offer it for them. Thus with all other sacrifices, the owners do not need to be fitting to eat the meat.

**Whereas with the Pesach offering**, impurity of people invalidates it. This is because one who is **uncircumcised or impure may not send their Pesach** offerings to the Temple by means of an agent, since the owners need to be fitting to eat of its meat, as it is written: “Everyone in proportion to his eating, shall you be counted for the kid [of the Pesach offering].”

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Mar Zutra, having developed his explanation of the Baraita, now raises a difficulty : Shall we say that **the first clause speaks about impurity of meat, but the latter clause speaks about impurity of people?**

Since the first clause asks whether we should learn an uncircumcised state from the impurity of *meat*, how can the latter clause answer that we indeed learn an uncircumcised state from the impurity of *people*? The answer does not seem to relate to the question.

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**He Ravina said to him** Mar Zutra: **Yes!** Indeed, the Baraita is saying that since an uncircumcised state is similar to impurity of people, its Halachah may be derived from impurity of meat. This is because both of them are invalid because of impurity.

From the **concept** of **impurity** in general, the Baraita **is arguing** that an uncircumcised state is similar to the various cases of impurity, thus its Halachah may be derived from them.

This is because an uncircumcised state is similar to at least one of the cases included in concept of impurity. Namely, it is similar to the impurity of people.

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**And if you wish, I will say** an alternative answer: The **latter clause also** speaks about **impurity of meat**.

**And what is** the meaning of “**does not apply to all other sacrifices?**” The Gemara had pointed out earlier the Halachah of impurity of meat indeed seems to apply to all sacrifices, since all sacrifices whose meat becomes impure require burning.

Rather, this is what it means: It applies in a limited way to all sacrifices, but its law is not as strict with all the sacrifices as it is with the Pesach offering.

**Whereas with all the sacrifices, whether the fat becomes impure** before throwing the blood **and the meat remains intact**, or **whether the meat became impure** before the throwing **and the fat remains intact**, **he** the cohen still **throws the blood** on the Altar.

**And whereas with the Pesach** offering, only if **the fat became impure** before the throwing, **and the meat remains intact**, then **he** throws the blood.

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But if the **meat becomes impure** and only the **fat remains intact**, **he does not throw the blood.**

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The Gemara raises a difficulty: **With what case did you set up** the latter clause, according to this alternative explanation? **With impurity of meat.**

**I will say the latter clause** i.e. the next section of the Baraita, where it is taught:

**We should derive** the Halachah of being uncircumcised, which is **something for which there is no exception to its rule**, from the Halachah of “beyond the prescribed time,” which is also **something for which there is no exception to its rule.**

**And** slaughtering for people in a state of **impurity cannot prove** the opposite, **because** impurity does have **an exception to its rule.**

**With what** case of impurity shall we set up this clause?

**If you say...**

### **AMMUD BET**

**...with impurity of meat**, there is a difficulty – **where is its exception** to the rule?

Although the laws of impurity are waived when the majority of the Jewish people are in a state of impurity, this only permits an impure cohen to offer a public sacrifice. Thus, this is a case of impurity of people.

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But if the meat of a public sacrifice becomes impure, it is not permitted to eat it. Therefore, there is no exception to the rule as regards impurity of meat.

**Rather, it is obvious** that this latter clause is speaking **about impurity of people**.

**And where is the exception to its rule?**

**In public**, where the majority of the Jewish people becomes impure, the impure cohen may offer a public sacrifice.

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Now the Gemara brings out the point: Shall we say that **the first clause** is speaking about impurity of meat, whereas **the latter clause** is speaking **about impurity of people?**

According to this, the answer provided by the latter clause does not relate to the question raised by the first clause.

The Gemara answers: **Yes**. Indeed, the first clause is speaking about impurity of meat and the latter clause is speaking about impurity of people.

Nevertheless, the Baraita **argues** based on the **concept of impurity** in general. Since we find that the concept of impurity has an exception to its rule regarding one of its cases—the impurity of people—this constitutes a leniency in the entire concept of impurity.

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**And if you wish, I will say** an alternative answer: **The entire** Baraita is speaking **about impurity of meat**. Even the latter clause which says impurity has an exception to its rule, also speaks about impurity of meat.

**And where** the **exception** to the rule regarding impurity of meat?

**With the impurity of the Pesach** offering. With other public sacrifices offered in impurity, it is forbidden to eat of their meat in impurity. But with the Pesach offering, this is permitted!

**As it was taught** in the Mishnah (76B): **The Pesach** offering **which comes in impurity**, when most of the people are impure, **is eaten in impurity**. Even though eating in impurity is not permitted with public sacrifices, the Pesach is different, since **it only came in the first place for eating**.

The main purpose of bringing a Pesach offering is to eat of it on Pesach night, as it says, “according to its eating.” Since the Torah permits bringing it when the people are impure, this is in order to eat of its meat.

**c c õ d d**

We concluded in the earlier discussion that Rav Chisda holds of the principle of *ho'il*, “due to the fact that”, when it is to be stringent.

**Rav Huna the son of Rav Yehoshua contradicted** this, from a Baraita:

Regarding a lamb less than a year old, which they set aside for **the Pesach** offering, **whose year passed**. After they set it aside, it became one year old, and is now invalid, as it says regarding the Pesach offering: “a male in its first year.”

## Perek 5– 62B

The rule is that a Pesach offering whose year has passed is offered as *shlamim*.<sup>3</sup>

**And he slaughtered it in its time**, on the fourteenth of Nisan, **for the sake** of the Pesach offering, thus acting incorrectly since it should have been offered as *shelamim*.

**And similarly, one who slaughters other sacrifices for the sake of the Pesach offering in its time**, on the fourteenth of Nisan.

**Rabbi Eliezer invalidates** them. This is because he holds that just like if a person slaughters a Pesach offering in its time but not for the sake of Pesach, that it is invalid, so too, other sacrifices slaughtered for the sake of the Pesach offering on the fourteenth of Nisan are invalid. For in every case, mistaken intention of Pesach is a cause for invalidation.

**And Rabbi Yehoshua validates** them. This is because all sacrifices slaughtered not for their own sake are valid, aside from a Pesach offering and a sin offering. It makes no difference whether he slaughtered them for the sake of the Pesach, or for the sake of a different sacrifice. In any case, they are valid.

We infer as follows from the words of Rabbi Eliezer, who said that one who slaughters other sacrifices for the sake of the Pesach in its time, it is invalid:

**The reason** of Rabbi Eliezer, who invalidates, is because the person slaughtered other sacrifices **in its time**, on the fourteenth of Nisan which is the time of the Pesach offering.

But **note** that if the person slaughters them **not in its time, it is valid**. In this case it would be considered as if he slaughtered it for the sake of *shelamim*, since a Pesach offering itself, not in its time, is brought as *shlamim*.

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<sup>3</sup> Peace offering.

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Rav Huna the son of Rabbi Yehoshua now brings out the point.

**And why** is this true, that if one slaughters other sacrifices for the sake of the Pesach, not in its time, it is valid?

It is problematic for Rav Chisda, who holds that we apply the principle of “due to the fact that”, when it is to be stringent.

Therefore, according to Rav Chisda, **let us say: “due to the fact that” in its time it is invalid, therefore not in its time, it is also invalid.** This is because he can wait until its time and slaughter it, and it will then be invalid.

\*

**Said Rav Pappa**, to resolve the contradiction: It is **different there**. The case where one slaughters other sacrifices for the sake of the Pesach offering is different, because there is a verse that implies that in such a case, we do not say “due to the fact that.”

**For the verse said** (*Shmot* 12:27), “**And you will say, zevach Pesach hu**” – it is a Pesach offering.

The Sages explicate: “**Hu**” – the offering must be exactly **as it is** meant to be. This invalidates the following cases: 1) **Not it**, the Pesach offering, **for the sake of other** sacrifices. 2) **And not other** sacrifices **for its sake**, for the sake of the Pesach offering.

These two cases are thus connected.

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It emerges that only **during its time, when it**, the Pesach offering, **is invalid** if he slaughtered it **for the sake of other** sacrifices, only then do we say that **other** sacrifices **are invalid** if he slaughtered them **for its** the Pesach's sake.

But **not in its time—when it**, the Pesach offering, **is valid** if he slaughtered it then **for the sake of other** sacrifices<sup>4</sup>, then also **other** sacrifices **are valid** if he slaughtered them **for its** the Pesach's sake.

c c õ d d

The Gemara now cites an incident, at the end of which contains an explanation of our Mishnah.

**Rabbi Simlai came before Rabbi Yochanan.**

**He** Rabbi Simlai **said to him** Rabbi Yochanan: **The Master should teach me *Sefer Yuchsin***. This is a Baraita discussing the Book of *Divrei Hayamim*.<sup>5</sup>

**Said to him** Rabbi Yochanan: **From where are you?**

**Said to him** Rabbi Simlai: **From Lod.**

Rabbi Yochanan asked him: **And where do you live now?**

Rabbi Simlai answered: **In Nahardea.**

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<sup>4</sup> Since it then has the status of *shelamim*, and a *shelamim* slaughtered not for its sake is valid

<sup>5</sup> Chronicles

## Perek 5– 62B

Rabbi Yochanan did not want to teach him *Sefer Yuchsin*, **and he said to him**, to Rabbi Simlai: **We do not teach *Sefer Yuchsin* to Lodians, nor to Nahardeans, and certainly not to you, since you are from Lod and you live in Nahardea.** Rabbi Yochanan's intent was to push off his request. (Some say we do not teach *Sefer Yuchsin* to these people because they do not have proper lineage.)

Rabbi Simlai **pressured** Rabbi Yochanan by pleading, and **he agreed**.

**Said Rabbi Simlai to him** Rabbi Yochanan: **Teach it to me in three months.**

**He** Rabbi Yochanan **took a clump of earth** and **threw it** towards Rabbi Simlai, to show he was angry at him.

**He** Rabbi Yochanan **said to him**: **And what** will you say about **Beruriah the wife of Rabbi Meir**, who was **the daughter of Rabbi Chanina ben Tradyon**? **For** she would **learn three hundred topics in one day, from three hundred scholars.** **And nevertheless**, even though she was so intelligent, **she was unable** to learn *Sefer Yuchsin* **in three years!**

**And you say:** Teach it to me **in three months?**

\*

The incident continues:

**When he** Rabbi Simlai **turned to go**, **he** Rabbi Simlai **said to him** Rabbi Yochanan: **What** is the difference **between** the case of an offering whose service was performed **for its sake and also not for its sake**, which we learned in an earlier Mishnah (59B) that it is invalid, and the case of slaughtering it **for its eaters and also for its non-eaters**, which we learned in our Mishnah that it is valid?

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**He** Rabbi Yochanan **said to him** Rabbi Simlai, in answer: **Since you are a Torah scholar, come and I will tell you** the answer: the invalidation of “not for its sake” is stricter than the invalidation of “for its non-eaters.” Therefore, even though the Torah validated where it is for both its eaters and its non-eaters, nevertheless, it is not possible to learn from here to be lenient also regarding “not for its sake.” This is for the following reasons:

1. **For its sake and not for its sake** is stricter since **its invalidation is intrinsic**, in identity of the sacrifice itself.

Whereas the intention of **for its eaters and for its non-eaters** is a lighter invalidation, since **its invalidation is not intrinsic**. He merely intended to feed it to someone who cannot eat it.

2. **For its sake and not for its sake** is stricter since **it is not possible to change its prohibition**. Once he slaughtered the sacrifice with the intent that it should be for a different kind of sacrifice, the designation for that particular sacrifice cannot be changed.

Whereas **for its eaters and for its non-eaters** is more lenient, because **it is possible to change its prohibition**. It is possible to clarify his intention after the fact. If he feeds it only to those whom are fitting to eat it, his intent is nullified retroactively.

3. **For its sake and not for its sake** is stricter because it **applies to all four services** performed with the sacrifice’s blood: slaughtering, receiving the blood in a vessel, transporting it to the Altar, and throwing it on the Altar. If during any of these, he intended not for its sake, the sacrifice is invalid.

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Whereas **for its eaters and for its non-eaters** is more lenient since it **does not** invalidate **in all four services**, but only the slaughtering. This is because intention for eaters has no effect as regards the throwing of the blood, as was explained earlier.

4. **For its sake and not for its sake** is stricter since it **applies to a public** sacrifice **like to** the sacrifice of an **individual**.

Whereas **for its eaters and for its non-eaters** is more lenient, since it **does not** apply to **a public** sacrifice **like to** the sacrifice of an **individual**. Specifically regarding the Pesach offering, which is the sacrifice of an individual, eating is required—as it says, “Everyone in proportion to his eating.” But with public sacrifices, eating is not necessary.

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**Rav Ashi said: “Its invalidation is intrinsic” and “it is not possible to change its prohibition” are the same thing.**

**For what is the reason that he said that “not for its sake,” its invalidation is in its body,** whereas “for its non-eaters,” it is not intrinsic?

**Because** regarding “not for its sake,” **it is not possible to change its prohibition** afterwards and to nullify it. This is because the sacrifice itself has already been changed to another sacrifice. This is not true regarding “for its non-eaters,” where the time of its eating has not yet come. By feeding it only to those who are fitting to eat it, his intent to feed it to others is nullified, therefore it is not considered as if the sacrifice itself has changed.

c c õ d d

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Since the Gemara cited the incident of Rabbi Simlai and the *Sefer Yuchsin*, the Gemara continues to discuss it.

**Said Rami bar Rav Yuda: From the day that *Sefer Yuchsin* was put away, the strength of the Sages has been weakened, and the vision of their eyes has been dimmed.**

**Said Mar Zutra:** It says in *Divrei Hayamim* (I 8:9), “And to Eztel, six sons,” and it lists his children. At the end of the passage, it says “These are the sons of Etzel.”

**And between “Etzel” and “Etzel”** they explicated many teachings, so much so that **they loaded four hundred camels with teachings.** It was possible to fill the load capacity of four hundred camels with these teachings.

c c õ d d

The following topic will be explained according to the commentaries of *Tosafot* and *Rabbeinu Chananel*.

It was stated in the Mishnah: One who slaughters for both circumcised and uncircumcised, it is valid.

The Gemara discusses a case where the one who slaughters the Pesach offering says at the time of slaughtering: “I am slaughtering this Pesach offering for Reuven and Shimon, who are uncircumcised, and also for Levi and Yehudah, who are circumcised.

The question is as follows: when he first says that he is slaughtering for those who are not circumcised, does the invalidation immediately take effect, and when he then says that he is slaughtering also for those who are circumcised, the offering is already disqualified?

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Or do we judge his entire statement as one—and he said that he is slaughtering for both, thus the offering is valid.

\*

**It was taught** in a Baraita: **The others<sup>6</sup> say**: If he said **the circumcised before the uncircumcised**, i.e. he said that he is slaughtering for Reuven and Shimon who are circumcised, and also for Levi and Yehudah who are not, **it is valid**.

But if he said **the uncircumcised before the circumcised, it is invalid**.

The Gemara asks: **What is the difference** where he said **the circumcised before the uncircumcised, which is valid?** It is because in order to render it invalid, **we require the entire offering to be for the uncircumcised, and it is not**.

If so, if he said **the uncircumcised before the circumcised, also** here, in order to render it invalid, **we should require the entire offering to be for uncircumcised, and it is not**.

Why did the Baraita state that it is invalid?

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<sup>6</sup> Rabbi Meir is referred to as “the others”.

# Chavruta

## Pesachim – Daf Samech Gimel

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[The Gemara asks: **What is the difference** where he said **the circumcised** before **the uncircumcised, which is valid?** It is because in order to render it invalid, **we require the entire** offering to be for **the uncircumcised, and it is not** entirely for the uncircumcised.

If so, if he said **the uncircumcised before the circumcised, also** here, in order to render it invalid, **we should require the entire** offering to be for **uncircumcised, and it is not** entirely for the uncircumcised. Why did the Baraita state that it is invalid?]

The Gemara answers: **Let us say that the “others”**, i.e. Rabbi Meir, who made the statement in the Baraita that is under discussion, **hold** in general **that slaughter is only** judged as such **at the end** of the act of slaughter.

Thus, only the completion of the process is considered “slaughter”. And whether the intention in the slaughtering of the Pesach offering was for the circumcised or for the uncircumcised is a question that applies only to the completion of slaughter. And since the completion of slaughter takes place over a very short period of time, it would be impossible to have two different intentions at this stage. As a result, only the initial intention would be applied.

It emerges that the Pesach offering was slaughtered for the uncircumcised alone, and that is why it is invalid.

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But in order to explain the Baraita in this way, the Gemara must deal with a further point: the fact that the person who slaughtered the offering stated his intention *before* the act of

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the slaughtering. In such a case, will we still say that the first intention takes effect, and not the second one?

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Regarding this point, the Gemara explains: **And** this Baraita goes **according to** the view of **Rava**.

**For Rava said:** If one stated “At midday this animal will be in exchange (*temurah*) of a burnt offering; in exchange (*temurah*) of a peace offering”, its status would **still be** the subject of a **disagreement** between Rabbi Meir and Rabbi Yosi. Even here, Rabbi Meir would say that only the first status mentioned goes into effect.

Thus according to Rabbi Meir (also called “the others”), only the first status that was mentioned—“burnt offering”—would be applied. This is in spite of the fact that the animal will not to receive this status until later (at midday).

**Therefore,** in our case as well, the animal would also receive the first status mentioned: that it was intended for the uncircumcised. This is true even though it would not receive this status until the time that the slaughter was completed.

This is because the completion of slaughter takes place over a short period of time, and in this time it is impossible for the animal to receive both statuses. As a result, if the intention for the **circumcised preceded** the intention for the **uncircumcised**, the original intention for the **circumcised** would be **applied**. And the intention for the **uncircumcised** would **not be applied**.

And if intention for the **uncircumcised preceded** intention for the **circumcised**, the intention for the **uncircumcised** would be **applied**. And the intention for the **circumcised**

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would **not** be **applied**. This is because we say that the offering receives only the first status mentioned.

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In conclusion, we may learn two points from the Baraita: Firstly, that “slaughter is only at the end”. And secondly, that even if one makes a statement that will not go into effect until a later time, Rabbi Meir would still hold that we apply only the first version of his statement. This represents the view of Rava.

Thus the Baraita poses a difficulty to Abaye, who holds that “slaughter is from beginning to end.”

**Rabbah said**, in order to resolve this difficulty: **No**, there is no proof from here that slaughter is only at the end.

**In truth, the “others” hold that slaughter is from the beginning until the end**, like the view of Abaye.

As to the question that was raised regarding the Baraita, namely: why, if intention for the uncircumcised preceded intention for the circumcised, is the slaughter of the Pesach offering invalid?

Rabbah answers: **And here with what case are we dealing?**

**For example where one decided in his heart upon both of them, both for the circumcised and for the uncircumcised. But he stated verbally that it was for the uncircumcised, and did not have time to say that it was also for the circumcised until the slaughter** under his declaration that it was **for the uncircumcised had already been completed**.

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Since at the time of slaughter he mentioned only the uncircumcised, his mere thought about the circumcised did not take effect.

**And in this** matter, the “others” (Rabbi Meir) **disagree** with the Sages:

**For Rabbi Meir holds that we do not require one's mouth**, i.e. his statement, **and one's heart**, i.e. his thoughts, to be **the same**. Since he only stated for the uncircumcised, it is invalid in spite of his thoughts for the circumcised.

**And the Rabbis hold that we require his mouth and his heart** to be **the same**. And in this case, where his words differed partially from his thoughts, the verbally stated intention is not applied.

\*

The Gemara is puzzled: **And does Rabbi Meir really hold that we do not require his mouth and his heart** to be **the same**?

We may **pose a contradiction** to this position, from the following Mishnah.

We learned in Tractate *Trumot*<sup>1</sup>: Concerning **one who thought to say** that certain fruits were **trumah**<sup>2</sup>, **and** instead **said** that they were **ma'aser**<sup>3</sup>. Or alternatively, if he thought to say that they were **ma'aser and** instead **said** the word **trumah**.

**Or** if one thought to articulate a vow **that “I will not enter this house”** and mistakenly **said “that [other] house”**.

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<sup>1</sup> Perek 3, Mishnah 1

<sup>2</sup> A small portion separated from agricultural produce in the Land of Israel, and given to cohanim for their personal consumption. It may be eaten only in purity.

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And similarly if one thought to make a vow **that “I will not** provide any **benefit for this** person” and **mistakenly said “that person”**.

**He has not said anything** effective **until his mouth and his heart are the same**.

Thus we see that where one’s verbal statement contradicts one’s thoughts, we do not follow the verbal statement.

\*

**Rather, Abaye said** a different way to explain the Baraita as holding that “slaughter is from the beginning until the end”.

**The first clause** of the Baraita, which stated that if one mentioned the circumcised before the uncircumcised, the Pesach offering is valid, spoke about the following case:

One who slaughters an animal must cut the majority of the two ‘*simanim*’ in the neck, namely the trachea and the esophagus. The Baraita refers to a case **where one said** at the time when he cut the **first *siman*** that the animal was **“for the circumcised”**. **And** at the time when he cut the **second *siman***, he added to his original statement by saying that it was **“even for the uncircumcised”**.

It emerges that the entire first *siman* was cut in a valid manner—for the circumcised. **And at** the time when he cut **the second *siman***, even though the animal was intended for the uncircumcised, **the circumcised were also ‘mixed in’**, also being included in his intention. Therefore, the animal was slaughtered for both the circumcised and the uncircumcised, and is valid.

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<sup>3</sup> The tithe given to the Levites.

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However **the latter clause** of the Baraita, which stated that if one mentioned the uncircumcised before the circumcised, then the slaughter would be invalid, was speaking about a different case:

**Where one said**, at the time of cutting the **first *siman***, that the animal was “**for the uncircumcised.**” And at the time of cutting the **second *siman***, one said that it was “**for the circumcised**”.

Here it emerges **that at** the time of the cutting of the **first *siman*, the circumcised were not ‘mixed in’**. Therefore the first *siman* was cut with sole intention for the uncircumcised.

Although Abaye holds that slaughter is “from the beginning until the end”, Rabbi Meir would hold (according to Abaye’s explanation) that the cutting of each *siman* is considered an individual act of slaughter on its own. Thus, given that the entire slaughter of the first *siman* was performed with an invalid intent, the slaughter is invalid.

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**And Rabbi Meir goes according to his reasoning** elsewhere, **where he said** that “**We apply the status of *pigul*<sup>4</sup> even when the invalid intention of *pigul* was for only half of the service**”.

**And** how shall we explain the view of **the Rabbis**, who disagree with Rabbi Meir in the Baraita, and hold that a Pesach offering slaughtered for both the uncircumcised and the circumcised is valid?

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<sup>4</sup> An invalidity caused when, at the time of performing one of the sacrifice’s four services, he intended to eat it after its allotted time.

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The answer is that they, too, go **according to their reasoning**. **For they say that we do not** apply the status of *pigul* when the invalid intention of *pigul* was **for only half of the service**. Therefore, if he had intention for the uncircumcised when cutting just one *siman*, which is just half of the slaughter, the animal would still be valid.

### **Mishnah**

The Torah states: “Do not slaughter, upon chametz, the blood of My offering”.<sup>5</sup>

From here we learn that one may not slaughter the offering while chametz is still in one's possession. The Tannaim in our Mishnah disagree over exactly which offerings the verse refers to.

According to the Sages: **One who slaughters the Pesach offering ‘upon’ chametz has transgressed this negative prohibition**. According to the Sages, the verse refers to the Pesach offering alone.

**Rabbi Yehudah says: Even the** afternoon *Tamid*<sup>6</sup> offering brought on Erev<sup>7</sup> Pesach is included in this prohibition, and may not be slaughtered while chametz is still present. The Gemara will explain his reasoning.

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<sup>5</sup> *Shmot* ch. 24

<sup>6</sup> Daily

<sup>7</sup> The Eve of

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**Rabbi Shimon says:** After the time chametz becomes forbidden, all sacrifices fall under this prohibition. However, there is a distinction between the Pesach offering and the others. Similarly, there is a distinction between slaughtering these sacrifices on Erev Pesach and slaughtering them on Pesach itself:

Concerning **the Pesach offering** that was slaughtered **on the fourteenth** of Nissan, if it was slaughtered **for the sake** of being brought as a Pesach offering, then it is valid. Thus if one were to slaughter it while chametz was present, one would be **liable** for transgressing the prohibition of “Do not slaughter, upon chametz, the blood of My offering.”

**And** if one slaughtered it then, but it was **not for the sake** of the Pesach offering, then it would be invalid. For a Pesach offering in its time is entirely invalid if not slaughtered for its sake.

Therefore, if one slaughtered it while chametz was still present, he would be **exempt**. This is because an act of slaughter that is not suitable for the sacrifice is not termed “slaughter”. Consequently, he has not transgressed the prohibition of “Do not *slaughter*.”

**And for all of the other sacrifices** that were slaughtered ‘upon’ chametz on Erev Pesach, **whether** it was done **for the sake** of the sacrifice **or whether** it was **not done for the sake** of the sacrifice, he is **exempt**. This would be true even if the offering was still valid. For according to Rabbi Shimon, the prohibition of slaughtering ‘upon’ chametz, *on Erev Pesach*, applies only to the Pesach offering.

**And on the festival** of Pesach itself, the law is as follows:

A Pesach offering that was slaughtered **for its sake** would be invalid, given that the time to bring it was on Erev Pesach. Therefore if it were slaughtered upon chametz, one would

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be **exempt**, because the slaughter was invalid, and would thus not be termed ‘slaughter’ as regards this prohibition.

**And** if it were slaughtered **not for its sake**, rather with the intention that it be for a peace offering (*shlamim*), he would be **liable**. For at other times of the year, an animal designated for the Pesach offering is treated as a peace offering. Thus, one who slaughtered it while having chametz in his possession has transgressed the prohibition of slaughtering it ‘upon’ chametz. (This would be in addition to having transgressed the prohibitions of “shall not be seen” and “shall not be found”, through his possession of the chametz.)

**And** in the case of **all other sacrifices**: if one slaughtered them during Pesach, upon chametz, the law is as follows. **Whether** it was **for their sake** or **whether** it was **not for their sake**, one would be **liable**, given that these sacrifices are valid.

For according to Rabbi Shimon, the prohibition of slaughter upon chametz applies also to other sacrifices, if they are offered during the festival of Pesach itself.

**Except for a sin offering that was not slaughtered for its sake**, given that it would be completely invalid<sup>8</sup>. Here one would not be liable for slaughter ‘upon’ chametz, given that the slaughter did not result in a valid sacrifice.

## **Gemara**

**Rabbi Shimon ben Lakish said:** Although the Torah states “Do not slaughter upon chametz the blood of My offering” without any indication as to which chametz it refers,

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<sup>8</sup> See Mishnah, beginning of Tractate *Zevachim*.

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**in truth one is not liable** if the chametz belongs to someone disconnected to this particular Pesach offering. Even if the chametz was in the Temple Courtyard at the time of the slaughter, in full view of those performing the slaughter, it does not fall under this prohibition. For the prohibition applies only if the chametz belongs to someone associated to the Pesach offering now being slaughtered, as will be explained.

They are not liable **unless the chametz belonged to the slaughterer, or to the thrower.** This is because the phrase “Do not slaughter...” implies that the chametz belonged to the person who actually slaughtered the animal. And the phrase “...the blood of My offering” comes to include the person who applied the blood to the Altar.

### **Ammud Bet**

**Or,** similarly, if the chametz belonged **to one of the members of the group** who were appointed to eat from this Pesach offering. The reason for this is explained in the Gemara.

**And** one would not be liable **unless** the chametz was **with him in the Temple Courtyard.** The Gemara will explain the reason further on.

**Rabbi Yochanan said: Even though** the chametz **was not with him in the Courtyard,** he would still be liable.

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The Gemara deliberates: **Over what point do they disagree?**

**If one will say that they disagree** as to whether “**upon**” means “**next to**”—

## Perek 5 – 63B

Such as where the Torah states<sup>9</sup> “And upon him, the camp of Menashe”, where “upon” meant “next to”—

**That** regarding this point, **Rabbi Shimon ben Lakish holds** that any place where the Torah states **upon**, this means **next to**. In his view, “Do not slaughter *upon chametz*” would mean that there was chametz close by in the Temple Courtyard.

**And Rabbi Yochanan holds** that **we do not have the requirement**, where the Torah states “**upon**”, that the chametz be specifically “**next to**” him. Rather, one would be liable if one owned chametz even if it were in a distant location.

However, is not plausible that this is the subject of their disagreement.

Because why would we have to mention the disagreement between Rabbi Shimon ben Lakish and Rabbi Yochanan here? **Surely they have** already **disagreed about this point once** before.

**For it was taught** in a Mishnah<sup>10</sup>, concerning one who slaughters a thanksgiving offering (*todah*):

Regarding **one who slaughters a thanksgiving offering inside, in the Temple Courtyard. And** when he did so, **its loaves** of bread, which accompany the offering, **were outside the walls. The loaves do not become consecrated** as part of the offering.

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The Gemara asks: **What** is meant by “**outside the walls**”? To which walls does the Mishnah refer?

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<sup>9</sup> *Bamidbar* Ch. 2

## Perek 5 – 63B

**Rabbi Yochanan said: Outside the walls of the ‘House of Pagi’**, which was the outermost part of the city of Jerusalem. Because the loaves were outside Jerusalem at the time of the slaughter of their offering, they do not become consecrated as part of the offering. This was because the loaves were outside the area permitted to the thanksgiving offering. Thus, if they had become consecrated as part of the offering, they immediately would have become invalid.

**However** if the loaves were within the walls of Jerusalem at the time, although they were **outside the walls of the Temple Courtyard**, they indeed would become **consecrated**. **And** even though the Torah states<sup>11</sup>: “Upon loaves of chametz bread, he shall bring his offering, *upon* the slaughtering of his thanksgiving peace offering”, **we do not have the requirement** of “**upon**” in the sense of “**next to**”. Therefore, the loaves become consecrated as part of the offering in spite of the fact that they are not “next to” the offering at the time of its slaughter.

**Rabbi Shimon ben Lakish said: Even outside the walls of the Temple Courtyard**, the loaves would **not become consecrated** as part of the offering. For the Torah states: “*upon* the slaughtering of his thanksgiving peace offering”, and Rabbi Shimon ben Lakish understands “upon” to mean “next to”.

**Therefore** it is clear that according to Rabbi Shimon ben Lakish **we have the requirement**, where the Torah states “**upon**”, that the loaves be specifically “**next to**” the offering.

In light of the fact that Rabbi Yochanan and Rabbi Shimon already disagreed about this matter with the regard to the thanksgiving offering, it is clear that this is not the subject of their disagreement in our case.

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<sup>10</sup> *Menachot* 78b

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**Rather, they are disagreeing about an uncertain warning.**

When someone transgresses a Torah prohibition, the punishment is usually lashes. But for a person to be liable for this punishment, he must be forewarned.

With the prohibition of slaughtering the Pesach offering upon chametz, the warning is inherently uncertain. For at the time the warning is issued, it is possible that the warned party no longer owns any chametz. His chametz could already have been eaten, burned, or destroyed by others. Thus the warner cannot issue a definite warning, telling the warned party that if he slaughters his offering in the present state, he will surely be liable for lashes.

Rabbi Shimon ben Lakish holds that an uncertain warning is not a valid warning. That is why he requires the chametz to be in the Temple Courtyard, in full view at the time of the warning.

Whereas Rabbi Yochanan holds that an uncertain warning is valid. Although the chametz was in the warned party's house, and might already have been destroyed, the warning is valid. He would then receive the lashes if the chametz was subsequently found to be in his home.

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The Gemara raises a difficulty: Surely **in this** matter, too, of an uncertain warning, they have **also disagreed once** before.

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<sup>11</sup> *Vayikra* 7:13

## Perek 5 – 63B

**For it was said** in a statement of Amoraim: If someone took **an oath that “I will eat this loaf today,”** and witnesses warned him that he was obliged to eat it. **And the day passed and he did not eat it.**

**Rabbi Yochanan and Rabbi Shimon ben Lakish both say** that the Rabbinical Court does **not administer lashes.** However, they disagree as to the reason for this.

**Rabbi Yochanan said** that they do **not administer lashes because it is a negative prohibition in which there is no physical action.**

By passively refraining from eating the loaf, he did not perform any physical action.

**And for any negative prohibition in which there is no action, we do not administer lashes.**

The Gemara infers from Rabbi Yochanan’s words: **But an uncertain warning is indeed called a warning.**

The warning that he was obliged to eat the loaf was by definition an uncertain warning, because at the time that it was issued, the warner could not be sure that he would fail to eat the loaf later on in the day. This would be true even if the warning was issued at the end of the day, given that one cannot discern this time accurately enough in order to give the warning immediately beforehand.

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**And Rabbi Shimon ben Lakish said** that one does **not administer lashes because it is an uncertain warning, and a uncertain warning is not called a warning.**

## Perek 5 – 63B

The Gemara infers: **But for a negative prohibition in which there is no action**, one does indeed **administer lashes**. Given that his reasoning for exemption was not because of the lack of action, it is clear that he would hold one liable for such a transgression.

This is the difficulty the Gemara is raising: Why would Rabbi Yochanan and Rabbi Shimon disagree in our case of the Pesach offering regarding an uncertain warning, if they had already stated their disagreement in the case of an oath?

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The Gemara replies: Let us **say: In truth, they disagree about** whether **“upon”** means **“next to”**. And even though they previously disagreed in this matter, in the case of the thanksgiving offering, it is **necessary** to restate the disagreement here.

**Because if they disagreed in the matter of chametz alone, I would have said that in this matter Rabbi Yochanan said that we do not require**, where the Torah states **“upon”**, that it specifically be **“next to”** one. This is **because** there already **is a prohibition** against one keeping chametz in one's possession at that time. **And whenever there is** chametz in one's possession, **there** should also **be** a prohibition of slaughtering the offering ‘upon’ chametz. And that is why the prohibition of **“Do not slaughter upon chametz the blood of My offering”** does not require the chametz to be **“next to”** him.

**But in the matter of consecrating** the loaves of the thanksgiving offering, one might say that the **loaves** may **only be consecrated inside** the Temple Courtyard. And **I would say** that here, Rabbi Yochanan **concedes to Rabbi Shimon ben Lakish** that we would require the offering to be **“next to”** the loaves. And **that if** the loaves **were with him** inside the Courtyard then they would be **consecrated** as part of the offering, but **if** they were **not**, then they would **not be consecrated**.

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And the reason that we would say that the loaves must be in the Courtyard in order to be consecrated, is because their law is **like the service utensils** that were used in the Temple. From the moment that one places flour offerings or wine libations in these utensils, the flour or wine attains the status of an offering. However, this is true only if the utensils are inside the Temple Courtyard. Thus one might make an analogy to our case, and say that the loaves of a thanksgiving offering are consecrated only if they are within the Courtyard.<sup>12</sup>

Therefore it was **necessary** to have both cases.

**And if we heard** that they disagree **in the matter of consecrating the loaves** alone, **I would have said that** specifically **in this case, Rabbi Shimon ben Lakish said that we require**, where the Torah states **“upon”**, that it be **“next to”** him. Thus we say **that if** the loaves **are with him** then they are **consecrated**, but **if** they are **not** then they are **not consecrated**.

**But in the matter of chametz** where there is no reason to differentiate between chametz that is in one's house and chametz that is in the Temple Courtyard, I would have said that Rabbi Shimon ben Lakish **concedes to Rabbi Yochanan that we do not require**, where the Torah states **“upon”**, that it specifically be **“next to”** him. **Because** there is a **prohibition** against one keeping chametz in one's possession. **And whenever there is** chametz in one's possession, **there** should also **be** a prohibition of slaughtering upon this chametz.

Therefore it was **necessary** to have both cases.

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<sup>12</sup> *Tosafot*. See also *Rashi*

## Perek 5 – 63B

**Rav Oshyiah posed an inquiry to Rabbi Ami:** If the slaughterer does not have chametz in his possession, **but one of the members of the group** appointed to eat from the Pesach offering **has** chametz in his possession, **what is** the Halachah? Has he transgressed the prohibition of “Do not slaughter upon chametz the blood of My offering”?<sup>13</sup>

Rabbi Ami **said to him:** Did the Torah write “**Do not slaughter upon your chametz**”, which would imply that the prohibition specifically applies to the chametz of the slaughterer?

Surely the Torah wrote “**Do not slaughter upon chametz**”, which would also include chametz owned by others.

Rav Oshyiah **said to him:** If so, even if someone at the end of the earth owned chametz, and that chametz was in the Temple Courtyard, the slaughterer would **also** transgress this prohibition!

Rabbi Ami **said to him:** The verse said “**Do not slaughter** upon chametz the blood of My offering, **and do not leave over** until morning the offering of the Pesach festival”. What was the reason that these two prohibitions were juxtaposed?

To tell you: **Do not slaughter upon chametz.** Which chametz? That chametz which is owned by **those who are liable** for the prohibition of “**do not leave over**”.

We learn from a different verse, “Do not leave over from it until the morning”, that all the members of the group are included in the mitzvah to eat the Pesach offering before morning. Thus, by extension, their possessing chametz would also be grounds to transgress the prohibition of “Do not slaughter upon chametz”.

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<sup>13</sup> The answer to this inquiry was obvious to Rabbi Shimon ben Lakish, above. However to Rav Oshyiah it

## Perek 5 – 63B

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**Rav Papa said:** Now that we have said that the prohibition of “Do not slaughter” refers to those who are included in the prohibition of “do not leave over,” we can say the following:

**Therefore, a cohen who burned fats** on the Altar while he had chametz in his possession, even though none of the members of the group owned chametz at the time of the slaughter, would **transgress a negative prohibition**. This is **because he is included in the ruling** prohibiting the **leaving over of fats** until the morning.

The Torah writes in another place<sup>14</sup>: “Do not slaughter upon chametz the blood of My offering and do not leave over the *fat* of my festival [offering] until morning”. From here we learn that a cohen, also, is obliged not to neglect the burning of the fats until the morning.

**It was taught** in a Baraita **in accordance with** the view of **Rav Papa: One who slaughters the Pesach offering upon chametz, transgresses a negative prohibition**.

**When** is this so?

**When it**, the chametz, is owned by **the slaughterer or by the thrower** of the blood **or by another one of the members of the group** who brought the sacrifice.

But if the chametz **belonged to someone at the end of the earth, one is not bound by him**. His ownership of chametz does not create a prohibition on someone else slaughtering a Pesach offering in the Temple.

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was not.

<sup>14</sup> *Shmot* 23

## Perek 5 – 63B

**And the one who slaughtered** the sacrifice, **the one who threw** the blood, **and the one who burned** the fats, are all **liable** for this prohibition.

**But** in the case of all other sacrifices which were slaughtered upon chametz, such as: **One who nips (*molek*)** the neck of a **bird on the fourteenth** of Nissan, he **does not transgress any prohibition at all.**

\*

**And they posed a contradiction** to this Baraita:

For it was taught in another Baraita: **One who slaughtered the Pesach offering upon chametz transgresses a negative prohibition.**

**Rabbi Yehudah says:** **Even** one who slaughters **the *Tamid*** offering upon chametz transgresses this prohibition.

**They said to him:** **They only said** this prohibition **for the** Pesach offering.

**When** is this so? **When the slaughterer or the thrower** of the blood **or one of the members of the group have** chametz in their possession.

But if **there was** chametz in the Temple Courtyard that belonged **to someone at the end of the earth** who was not part of the group, they **are not bound by him.**

**And the one who slaughters, the one who throws** the blood, **the one who nips** the neck of a bird offering **and the one who sprinkles** the blood of a bird offering, are all **liable.**

**But** one who **takes a handful (*kometz*) from the flour offering,** to burn it upon the Altar, does **not transgress a negative prohibition.**

## Perek 5 – 63B

And similarly, a cohen who **burns the fats** of the offering does **not transgress a negative prohibition**.

# Chavruta

## Pesachim – Daf Samech Dal ed

Translated by: *Rabbi Dov Grant*  
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[For it was taught in another Baraita: **One who slaughtered the Pesach offering upon chametz transgresses a negative prohibition.**

**Rabbi Yehudah says:** Even one who slaughters the *Tamid* offering upon chametz transgresses this prohibition.

**They said to him:** They only said this prohibition for the Pesach offering.

**When is this so? When the slaughterer or the thrower of the blood or one of the members of the group have chametz in their possession.**

But if **there was** chametz in the Temple Courtyard that belonged **to someone at the end of the earth** who was not part of the group, they **are not bound by him.**

**And the one who slaughters, the one who throws the blood, the one who nips the neck of a bird offering and the one who sprinkles the blood of a bird offering, are all liable.**

**But one who takes a handful (*kometz*) from the flour offering, to burn it upon the Altar, does not transgress a negative prohibition.**

And similarly, a cohen who **burns the fats** of the offering does **not transgress a negative prohibition.]**

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## Perek 5 – 64a

A) The Gemara assumes that both of the Baraitot of the previous *daf*, the second of which is cited above, are dealing with someone who does *melikah*<sup>1</sup> (nips the neck of a bird offering) on the fourteenth of Nissan.

The case of *melikah* in the first Baraita is a difficulty to the case of *melikah* in the second Baraita. For the Tanna of the second Baraita considers *melikah* to be an act of *shechitah*<sup>2</sup>, of slaughter. Therefore he, unlike the Tanna of the first Baraita, holds that a person possessing chametz has transgressed “Do not slaughter upon chametz the blood of My offering” if he performs *melikah* to a bird offering.

B) The case of **burning** fats of offerings on the Altar in the first Baraita is a difficulty to the case of **burning** fats of offerings on the Altar in the second Baraita. For the first Baraita holds that a person possessing chametz has transgressed the prohibition if he burns fats on the Altar. Whereas the second Baraita states that he does not transgress.

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The Gemara now examines the contradiction between the two Baraitot.

**But according to your** understanding, that the second Baraita is dealing with the fourteenth of Nissan, **you ought to have a difficulty within it**, that Baraita, **itself**.

**For it was taught** in the first part of the Baraita: “**They only said** this prohibition **for the** Pesach offering.” Whereas a person possessing chametz is not liable for slaughtering other offerings.

**And afterwards it teaches** in the latter part of the Baraita that one is indeed liable in a case that can apply only to *other* offerings: “**And the one who slaughters, the one who**

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<sup>1</sup> This is the proper method of slaughter of a bird offering. The cohen cuts the back of the bird's neck with his thumbnail.

<sup>2</sup> The kosher slaughter of an animal.

## Perek 5 – 64a

**throws** the blood, **the one who nips** the neck of a bird offering **and the one who sprinkles** the blood of a bird offering are all liable.”

For *melikah* (nipping the neck of a bird offering) and sprinkling are sacrificial acts that do not apply to the Pesach offering. They are acts that are performed only with a bird offering! Thus we see that a person possessing chametz is indeed liable for slaughtering other offerings.

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The Gemara now resolves the internal difficulty in the Baraita, as well as the contradiction between the two Baraitot.

**Rather**, we must say that both **this Baraita and that Baraita** follow the view of **Rabbi Shimon**. For he holds that on the fourteenth of Nissan, one is liable only for slaughtering the Pesach offering while possessing chametz. And during the festival itself, one is liable for slaughtering other offerings.

Thus *melikah*, of the first Baraita **is not a difficulty to melikah** of the second Baraita. For **here**, in the first Baraita, the case is dealing **with the fourteenth** of Nissan. Therefore one is not liable for *melikah* of the bird offering. **But here**, in the second Baraita, the case is dealing **with chol hamoed**, the intermediate days of the festival. Then the Torah forbids someone in possession of chametz to slaughter any offerings (this is in addition to the basic prohibition on having the chametz during Pesach). Thus, one is liable for doing the *melikah* of the bird offering.

**And both Baraitot are Rabbi Shimon.**

## Perek 5 – 64a

**Also, burning** of the first Baraita **is not a difficulty to burning** of the second Baraita. For **it is a disagreement between Tannaim** as to what Rabbi Shimon holds regarding this issue.

**For there is one Tanna who makes a comparison**, based on the verse in *Shmot*<sup>3</sup> 34:25, **between burning and slaughtering**. He is the Tanna of the first Baraita. According to his view, just as slaughtering an offering while in possession of chametz falls under the prohibition, so does burning its fats on the Altar.

**And there is someone** i.e. another Tanna **who does not make a comparison**. He is the Tanna of the second Baraita. According to his view, burning fats on the Altar is not comparable to slaughtering an offering.

### c c õ d d

We learnt in the Mishnah: **Rabbi Yehudah says: Even the** afternoon *Tamid*<sup>4</sup> offering brought on Erev<sup>5</sup> Pesach is included in this prohibition, and may not be slaughtered while chametz is still present.

The Gemara discusses this: **What is the reason of Rabbi Yehudah?**

The Gemara answers: **He would say to you:** The verse (*Shmot* 34:25) states: “Do not slaughter, over chametz, the blood of *My* offering”. These words imply the “**offering that is especially for Me**”. This would refer to an offering that is entirely consumed by fire upon the Altar, thus ascending totally to Hashem, rather than being eaten by people. **And**

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<sup>3</sup> Exodus

<sup>4</sup> Daily

<sup>5</sup> The Eve of

## Perek 5 – 64a

**what offering is that?** Not the Pesach offering. For that is consumed by its owners. Rather, it is the *Tamid* offering.

c c ã d d

We learnt in the Mishnah: **Rabbi Shimon says:** A person who possesses chametz is liable if he slaughters, with intention for its sake, **the Pesach offering on the fourteenth** of Nissan. If he slaughters without intention for its sake, he is exempt. If he then slaughters other offerings, regardless of intention for their sake, he is exempt. Furthermore, he is exempt if he slaughters the Pesach offering with intention for its sake, during the festival. If he then slaughters it without intention for its sake, he is liable. If he then slaughters other offerings, regardless of intention for their sake, he is liable.

The Gemara discusses this: **What is the reason of Rabbi Shimon?** Why does he distinguish between the fourteenth of Nissan and the days of the Pesach festival itself?

**Because it is stated** (*Shmot* 23:18): “Do not slaughter, over chametz, the blood of **My offering (zivchi)**”. And it repeated this in (*Shmot* 34:25): “Do not slaughter upon chametz the blood of **My offering (zivchi)**”. Thus the words occur **twice**. This is explicated as follows:

Take away the letter *yud* (the last ‘i’) from one ‘*zivchi*’, and **read it ‘zevach’**, i.e. an offering. This refers to the Pesach offering.

Put this *yud* on the second ‘*zivchi*’ and read it ‘*zevachai*’. This plural form implies “all the offerings”.

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And this leads us to a question, the answer to which clarifies this exposition: **For** the teaching of **what Halachah** did **the Torah** see fit to **divide them**, the verses, **from each other? And** why did it **not write ‘zevachai’** all in one verse, which would be sufficient to imply *all* offerings, including the Pesach?

One must answer that the Torah is coming **to say** the following: Someone who is in possession of chametz is liable only for slaughtering the Pesach offering, **at a time that there is** the ‘zevach’ of Pesach, i.e. on the fourteenth of Nissan. But **he is not liable for ‘zevachai’**, other offerings at that time.

But **at a time that there is no ‘zevach’** of Pesach, i.e. on the festival itself, **one is liable for ‘zevachai’**, other offerings.

### c c õ d d

We learnt in the Mishnah: **And** a person who possesses chametz and slaughters the Pesach offering **on the festival**, with intention **for its sake, is exempt**. (The reason is that he has not actually performed a valid act of slaughtering. For a Pesach offering with intention for its sake, that is not offered in the right time, is completely invalid.) But if he slaughtered it then with intention for the sake of a *shlamim*<sup>6</sup> offering, he is liable.

The Gemara now makes an inference from our Mishnah, and uses it to resolve a Halachah discussed in Tractate *Zevachim* 7b.

The Gemara there states that a Pesach not offered in its right time (the fourteenth of Nissan) is ordinarily offered up as a *shlamim*.

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<sup>6</sup> peace

## Perek 5 – 64a

The question is: Does the owner of the animal have to expressly state that it is no longer a Pesach offering, and then intend it to be a *shlamim* when he slaughters it? This is called “uprooting” its previous designation. Or can it be considered a *shlamim* even if he slaughtered the animal without any specific intention?

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The Gemara here wishes to resolve this question, by making the following inference from our Mishnah:

Our Mishnah stated that a person possessing chametz is liable for slaughtering on the festival an animal designated as a Pesach offering, intending that it will not be a Pesach offering. He is liable since the offering is valid. This implies **that the reason** why the offering is valid is **because** he slaughtered it expressly **not for its** original **designation** as a Pesach. Rather he slaughtered it as a *shlamim*.

And this further implies **that** if he slaughtered the animal **with no specific intention, he is exempt**, since the offering is completely invalid. And the offering is invalid because it is considered to be a Pesach offering that had not been slaughtered in its right time.

The Gemara asks rhetorically: **Why** is he exempt? Surely **it** should be **considered** like a **Pesach** offering that had been slaughtered **on the other days of the year**, whose slaughter is valid when offered as *shlamim*! And the one who makes a valid slaughter, while possessing chametz, is liable!

Should we therefore **learn from this** Mishnah that a **Pesach** that is slaughtered **on the other days of the year requires a** positive **uprooting** of its previous designation? Or perhaps there is another way to understand our Mishnah.

## Perek 5 – 64a

The Gemara concludes: **Rabbi Chiya bar Gamda said: It** the Halachah that it does *not* need positive “uprooting” **emerged from the mouth of the group** of scholars. I.e. it was agreed upon by everyone, contrary to the attempted proof from our Mishnah.

**And they said** that there is a special reason why, in the Mishnah, the Pesach slaughtered during the festival, with no specific intention, is invalid.

For our Mishnah **is dealing with a case** where **the owners** of the Pesach offering **had** suddenly **contracted impurity from** contact with **a dead body**. Therefore they were unable to offer the Pesach in its proper time, **and are pushed off to *Pesach Sheni***<sup>7</sup>. I.e., they are to bring their Pesach offering a month later, on the “second Pesach”, when their offering will indeed be considered a valid Pesach offering. In such a case, **the unspecified status** of this offering, **designated on the fourteenth** of Nisan as a Pesach offering, is **to be for *Pesach Sheni***.

Thus, a positive “uprooting” of its designation as Pesach offering is required. This is by intending to slaughter it as a *shlamim*.

## **Mishnah**

A) **The Pesach offering was slaughtered in three groups.**

It is a mitzvah for the people who come to offer the Pesach offering to divide into three groups. They would then slaughter their offerings, one group after the other. And this

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<sup>7</sup> Which falls on the fourteenth of Iyar

## Perek 5 – 64a

would be the procedure, even if the people would be so few in number that they could all easily enter the Temple Courtyard and slaughter at the same time.

**For it states (*Shmot* 12:6): “And all the assembly of the congregation of Israel shall slaughter it [the Pesach offering]”.**

And the Sages explicated this wordy description of the people of Israel to refer to three groups, one after the other: **“Assembly”, and “congregation”, and “Israel”.**

And this was the procedure:

**The first group entered until the Courtyard filled up. Then they locked the doors.**

**They the cohanim then blew a *tekiah* sound, and a *teruah* sound and a *tekiah* sound.**

B) **The cohanim would stand, row after row, from the place of slaughter of the Pesach offering, up to the Altar. They did this in order that the vessels containing the blood could be passed from hand to hand up to the Altar, where it would be thrown.**

**And in their hands were large silver beakers and large gold beakers for receiving the blood.**

**A row that was completely silver contained only silver beakers.**

**And a row that was completely gold contained only gold beakers.**

**They were not mixed up** with each other.

**And the beakers were wide at the top, but did not have wide bases. Instead the bases were pointed, out of concern that perhaps they the cohanim will come to rest them on**

## Perek 5 – 64a

the ground, until they receive the blood from another offering. Then, due to the multitude of offerings, the cohanim could end up forgetting some of the beakers placed on the ground, **and then the blood in them will congeal**, invalidating the blood from being thrown on the Altar.

C) **A non-cohen slaughtered** it himself, if he wanted to. For the slaughtering of a sacrifice does not have to be done by a cohen. **But the cohen received** the blood from the cut in the neck of the animal. The cohen must perform the service, from “receiving” onwards.

The cohen receiving the blood **gives it to his colleague** standing next to him, in the row leading to the Altar. **And then, his colleague** subsequently passes it **to his colleague**.

**And he** each cohen **receives the full one**, i.e. the beaker full of blood, from his fellow standing closer to the slaughter. **And** at the same time **he returns** to that fellow **the empty one** that had been passed down from the cohen who had thrown the blood on the Altar.

The **closest cohen to the Altar throws it**, the blood, with **one throw**, onto the wall of the Altar that is **facing**, i.e. above, **the ledge of the base**. The *amah*-high<sup>8</sup> base protruded an *amah* from the Altar all along its western and northern sides. It also protruded along the other two sides of the Altar but only for an *amah*'s length.

D) **The first group left and the second group entered. The second left and the third entered.**

**Just like the act of the first one, so was the act of the second and the third one.**

And while the Pesach offering was slaughtered, **they** the Levites **recited the Hallel**.

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<sup>8</sup> 1 ammah: 18.7 in., 48 cm

## Perek 5 – 64a

Sometimes it occurred that a great number of people came to slaughter their Pesach offerings. **If** in such a circumstance **they** the Levites **finished** Hallel before everybody had finished slaughtering, then **they repeated** the recitation of the Hallel. **And if they** had **repeated** it, but still the slaughtering had not been completed, then **they did it a third time.**

The Sages formulated the Halachah this way, **even though it did not ever** happen that **they recited a third time**, due to the swiftness of the cohanim's service.

**Rabbi Yehudah says: The third group never reached** the point in Hallel where it says, **“I love, for Hashem hears”** (*ahavti ki yishma Hashem*), **since its people were few** in number. This third group was always small. Thus they finished the slaughtering of their offerings in a short time.

E) **Just like the** above-described **act** of the Pesach offering was performed **on a weekday**, so was **its act** performed **on Shabbat**. **However**, the fact **that the cohanim rinsed the Courtyard** on Shabbat was **not with the consent of the Sages**. (The Gemara will explain why.)

F) **Rabbi Yehudah says: He** a cohen **would fill a cup from the blood of the mixture** of Pesach offerings whose blood had spilt on the Courtyard floor. **And then he would throw it once upon the Altar**, for the reason stated in the Gemara. **But the Sages did not agree with him.**

G) The Mishnah now explains the procedure for flaying the skin from the Pesach offering, and burning the parts that are to be burnt on the Altar:

**How did they hang** the Pesach **and flay** its hide?

## Perek 5 – 64B

**Iron hooks were fixed into the walls** of the Courtyard **and into the** eight low **pillars** of the butchery, **on which they hung and flayed** the carcass.

**Anyone that did not have place to hang and flay** on the hooks, used the **thin, smooth rods** that were there in the Courtyard. **He placed** a rod **on his shoulder and on the shoulder of his fellow**. **And** then **he hung** the Pesach from the rod **and flayed** it.

### **Ammud Bet**

**Rabbi Eliezer says:** If the **fourteenth** of Nissan **fell on Shabbat**, they were not allowed to use the rods, since they were *muktzeh*<sup>9 10</sup>. The procedure was as follows: Instead of using a rod, **he placed his hand on the shoulder of his fellow, and the hand of his friend** would be **on his shoulder**. **And** then **he hung** the Pesach on their arms **and flayed** it.

**He tore it open and took out its eimurin**<sup>11</sup>, **put them in a bowl** and then burnt them **on the Altar**.

And when the fourteenth of Nissan fell on Shabbat, then when **the first group** finished slaughtering, they **left** the Courtyard **and settled down on the Temple Mount**, rather than returning home. Since the city of Jerusalem was a separate domain from the Temple Mount, it was forbidden to carry the slaughtered Pesach offering out to it on Shabbat.

**And** the **second** group went out to settle down **in the cheil**. This was the space behind a lattice fence that surrounded the wall of the Women's Courtyard, at the start of the ascent to the Temple Mount.

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<sup>9</sup> An item designated by the Sages as forbidden to move on Shabbat.

<sup>10</sup> According to the *Tzlach* and *Rashash*.

<sup>11</sup> The fats and organs of an offering that are burnt on the Altar.

## Perek 5 – 64B

**And the third group stood in its place.** After they finished slaughtering, they remained in the Courtyard.

When it became **dark**, and Shabbat departed, **they left and roasted their Pesach offerings.** For the roasting of the Pesach does not supersede the Shabbat prohibitions.

### ***Gemara***

**Rabbi Yitzchak said:** Preferably, **the Pesach is only slaughtered in three groups**, each of at least **thirty people**.

**What is the reason** that each group must consist of a minimum of thirty people?

The Mishnah had explained that **“assembly”, “congregation” and “Israel”** teach us that three groups are required for slaughtering the Pesach. And each of these terms implies the number ten. But **we are in doubt if** the Torah intends the slaughter by all three groups to take place **at the same time**. In which case, we would need thirty people to slaughter at the same time. **Or** the Torah intends that **one** group of ten should slaughter their Pesach offerings **after the other** group of ten has finished.

**Therefore**, due to the uncertainty, **we need three groups of thirty people each**. For if all thirty people must come **at the same time**, then **surely there is** a fulfillment of the Torah’s intent, since there are thirty people in each group.

## Perek 5 – 64B

**And if one** group is meant by the Torah to come **after the other**, then **surely there is** also a fulfillment of the Torah's intent, for there are three groups.

**Therefore**, because it is only due to the uncertainty that three groups of thirty are needed, **it is also sufficient** to fulfill the Torah's intent if the slaughtering takes place **with fifty people**, in the following way: **That thirty** people **enter** first **and do** i.e. slaughter their Pesach offerings. Afterwards, **ten** other people **enter** to slaughter, **and ten** of the original thirty that had already slaughtered **go out**. Then, the **ten** remaining people **enter** to slaughter **and** at the same time, **ten** of the thirty that had already slaughtered **go out**. Thus thirty people are always in the Courtyard at the time of slaughter. And there are three groups of ten, slaughtering one after the other.

**c c õ d d**

We learnt in the Mishnah: **The first group entered** until the Courtyard filled up and they locked the doors of the Courtyard.

**It was stated** in a disagreement between Amoraim: **Abaye said: It** the Mishnah **teaches** that the gates of the Courtyard **“were miraculously locked”** by themselves.

Whereas **Rava said: It teaches** that **“they locked** the doors”.

The Gemara asks: **What is** the Halachic difference **between them?**

**This is** the difference **between them:** Whether it is permissible **to rely on a miracle**. The Gemara explains.

## Perek 5 – 64B

**Abaye said that it the Mishnah teaches “they were locked”** by themselves: As long as the gates did not lock by themselves, **they let in** to the Courtyard **as many people as were able to go in**. They were not concerned that everyone would enter, leaving them without the three groups. **And** this is because **they relied on a miracle**, that the gates would close before everyone would enter.

**Rava said that it the Mishnah teaches “they locked”** the doors, **and they did not rely on a miracle**.

\*

**And that incident which it** (the following Mishnah in Tractate *Eduyot* 5:6) **teaches** about Akavya ben Mahalalel can be explained both according to Abaye and Rava:

He (Akavya ben Mahalalel) used to regularly say: The waters of the *sotah*<sup>12</sup> were not given to a woman who was a convert or a freed slave.

The Sages said to him: There was the case of a freed slave named Carcamit in Jerusalem. She was given the waters by Shemaya and Avtalyon, (the leading Sages of that generation).

Akavya said in reply: People similar to her gave her to drink. (Shemaya and Avtalyon, who were themselves children of converts, gave her to drink).

(According to the first Tanna, the Sages then) excommunicated him, (Akavya, since he had disgraced the honor of Torah scholars).

**Rabbi Yehudah said: Heaven forbid** that anyone should say **that Akavya ben Mahalalel was excommunicated!**

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**For the Courtyard never locked on any Jew who possessed wisdom and fear of sin as Akavya ben Mehalalel.** I.e. the Courtyard of the Temple, which virtually every Jew entered, never held as pious a person as Akavya.

The Gemara now explains how “never locked” can be explained according to Abaye and Rava.

**Abaye can explain it according to his view and Rava can explain it according to his view.**

**Abaye can explain it according to his view: The courtyard never became locked by itself on any Jew with the wisdom and fear of sin of Akavya ben Mehalalel.**

**Rava can explain it according to his view: They never locked the courtyard on any Jew with the wisdom and fear of sin of Akavya ben Mehalalel.**

\*

**The Sages taught** in a Baraita: **No one was ever crushed in the Courtyard** from the masses of people, **apart from** during **one certain Pesach that was in the lifetime of Hillel, when an old man was crushed. And they would call it “Pesach of the crushing”.**

\*

**The Sages taught** in a Baraita: **King Agrippas once wanted to check on the population of Israel** to estimate their size.

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<sup>12</sup> A women suspected of adultery was given these waters to drink, and they revealed whether she had

## Perek 5 – 64B

**He said to the Cohen Gadol<sup>13</sup>: Check i.e. count the Pesach offerings** in order to estimate the numbers of Jews.

**He** the Cohen Gadol **took a kidney from every one** of the offerings. **And** subsequently **six hundred thousand pairs of kidneys were found there**. This represents **double** the amount of **those men that left Egypt**.

And all this was **apart from those who were impure or were too far away** from the Temple to be able to slaughter the Pesach on the fourteenth of Nissan.

**And**, furthermore, **there is no Pesach offering that does not have more than ten people appointed on it**. At least ten people would eat from each offering. Thus many millions of Jews were present. **And** therefore **they would call it “The Thick Pesach”**.

\*

We learnt in the Baraita: **He** the Cohen Gadol **took a kidney**.

The Gemara raises a difficulty: **But surely it needs to be burnt** on the Altar!

The Gemara answers: It is dealing with **where he went back** afterwards **and burnt them**, the kidneys.

The Gemara raises a further difficulty: **But surely it states** (*Vayikra*<sup>14</sup> 3:11): **“He shall burn it”**, in the singular. This implies **that** each offering must be burnt by itself, and **he must not mix their fats** and other parts to be burnt **with each other**. So how could the Cohen Gadol have mixed all the kidneys together and then burnt them together?

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defiled herself or not.

<sup>13</sup> High Priest

<sup>14</sup> Leviticus

## Perek 5 – 64B

The Gemara answers: **When he went back** to collect the kidneys, **he burnt them one by one**.

The Gemara raises another difficulty: **But surely it was taught** in a Baraita: The Torah (*Vayikra* 3:16) uses the term “**And he shall burn them**”. The plural form implies that **all** parts to be burnt **of it**, the offering, **must be burnt together**. So how could the Cohen Gadol have collected all the kidneys, counted them, and then burnt them separately from the other parts of the offering?

The Gemara answers: It must be that the Cohen Gadol did not save and count the kidneys themselves, **rather**, he took them **merely to grasp** them.

This means **that he** temporarily **took** the kidneys **from them**, those people who were offering their Pesach. He would show each kidney to his assistant, and hold onto it **until he** the assistant **gave him something else**, like a stone or a bean, to count in its place. Afterwards, he collected together all the beans and stones and counted them.

**c c õ d d**

We learnt in the Mishnah: The **cohanim stood in rows** upon rows... A row completely of silver and a row completely of gold.

The Gemara asks: **What is the reason** that the silver and golden beakers could not be in the same row?

It would not be correct **if you** were to **say** it was because of the principle that “we always go upwards in holy matters, never down”. I.e., they were concerned **lest he** a cohen **take**

## Perek 5 – 64B

from his colleague a beaker **of gold** filled with blood, **and return** an empty beaker **of silver** in its place. And this would constitute “going downwards”.

For if we were to be concerned for that rule, we would encounter a problem even in a row that is completely silver or completely gold.

For **here also** we should also be concerned **lest he** the cohen **take** a beaker **worth two hundred zuz** from his colleague. **And give** to his colleague a beaker only **worth a hundred**. This also represents a lowering of holiness.

The Gemara answers: **Rather**, there is a different reason as to why the rows were separate. It is **because it is nicer** in appearance. And it is a beautification of the mitzvah to keep the rows all silver or all gold.

\*

We learnt in a Mishnah: **And the beakers did not have bases**.

**The Sages taught** in a Baraita: **None of the beakers in the Temple had a base, apart from the beakers for the frankincense of the *lechem panim*<sup>15</sup>**. For if they were made without a proper base, there was concern **lest they** the cohanim **would rest them** on the Table and lean them on the bread of the *lechem hapanim*, **and the bread will break**.

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We learnt in the Mishnah: **The non-cohen slaughtered<sup>16</sup>** his Pesach offering **and the cohen received** the blood.

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<sup>15</sup>The twelve loaves of show-bread placed on the Golden Table in the Temple.

<sup>16</sup> This phrase of the Mishnah is rendered slightly differently here, in line with the Gemara’s initial understanding of it.

## Perek 5 – 64B

The Gemara raises a difficulty: The Mishnah implies that only a non-cohen may slaughter the Pesach. Is it so that the slaughter is **not effective when he the slaughterer is not a non-cohen**, i.e. he is a cohen? Why should a cohen be prevented from slaughtering the Pesach sacrifice?

The Gemara answers: The slaughtering of a cohen is surely valid. But **it**, the Mishnah, in using the words “the non-cohen slaughtered”, **informs us** the rule **that the slaughter even of a non-cohen is valid.**

There are four stages in the service of an offering: Slaughter, receiving the blood, walking with it to the Altar, and throwing it there.

When the Mishnah states “**and the cohen received** the blood”, **this is what it informs us**: Every stage of the service **from the receiving** of the blood **and onwards is a mitzvah of the cohen** and not the non-cohen. For the verse (*Vayikra* 1:5) states, “he slaughtered the bull before Hashem”. At this point, the verse did not specify who must perform the service. And only afterwards does it specify the cohen: “and the sons of Aharon, the cohanim, brought the blood”. Thus the slaughter may be performed by an ordinary Jew, a non-cohen.

**c c õ d d**

We learnt in the Mishnah: **He gives it** the blood **to his colleague** and his colleague (passes it) to his colleague (until it reached the Altar).

The Gemara makes an inference: We may **learn from this** that if the service of “**walking** with it to the Altar” is done **without using one’s feet**, it is still termed “**walking**”, and is valid.

## Perek 5 – 64B

The Gemara rejects this inference: When the cohen in the row passed the blood on, **perhaps he moved his feet a little** towards his colleague.

The Gemara raises a difficulty with this.

**But then what does it** the Mishnah **come to inform us?** For when it states that they passed the blood along a line, and in fact they moved their feet slightly, we learn no new Halachah regarding this service of “walking”.

The Gemara answers: **This is what it informs us:** That we apply here the lesson of the verse (*Mishlei*<sup>17</sup> 14:28): **“The glory of the King is expressed amongst a great number of people”**. Thus, many cohanim stood in each row, in order that all could participate in the service of offering the Pesach. This affords greater glory to Hashem, the King.

\*

We learnt in the Mishnah: **He received the full beaker of blood and returned the empty one.**

The Gemara infers from this: This order is mandatory. **But in the reverse** order, the cohen is **not** permitted to do. He may not return the empty beaker before taking the full one.

This is a **support for** what **Rabbi Shimon ben Lakish** said.

**For Rabbi Shimon ben Lakish said: One must not pass over a mitzvah.** When the opportunity to perform a mitzvah presents itself, one must perform it rather than passing over it to do something else.

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<sup>17</sup> Proverbs

## Perek 5 – 64B

Thus the cohen must take the full beaker first. For this is on its way to the Altar for the mitzvah of “throwing”.

\*

We learnt in the Mishnah: The **cohen closest to the Altar** threw the blood once, opposite the base of the Altar.

In general, there are three ways that blood is applied to the Altar:

- A) “Throwing” the blood, from a distance, towards the Altar
- B) “Pouring” the blood, when close to the Altar, on its walls
- C) “Placing with a finger”. Dipping a finger into the blood and placing it on the Altar. Here, only part of the blood in the vessel is used. This is done only in the case of the sin offering.

The Mishnah stated that the “cohen closest to the Altar ‘threw’ the blood.” Thus we see that the method of “throwing” was employed in the case of the blood of the Pesach offering.

The Gemara raises a difficulty with this: **Who is the Tanna** who taught in our Mishnah the blood of the **Pesach is applied by the method of throwing?**

This is problematic, for there is a Baraita in Tractate *Zevachim* 37a: Rabbi Yishmael says: From where do we know (that the blood of) the animal tithe and of the Pesach (offering are placed on the Altar)? The verse (*Devarim*<sup>18</sup> 12:27) teaches: “and he shall *pour* the

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<sup>18</sup> Deuteronomy

## Perek 5 – 64B

blood of your offerings on the Altar”. Thus “pouring”, rather than “throwing”, is the method of applying the blood to the Altar!

**Rav Chisda said: It** our Mishnah **is** the view of **Rabbi Yosi Hagalili**.

**For it was taught** in a Baraita: **Rabbi Yosi Hagalili says:** Since it states (*Bamidbar*<sup>19</sup> 18:17): “But you shall not redeem the first-born of an ox, sheep or goat. They are holy. **You shall throw their blood on the Altar and burn their fats**”. And we make the following deduction: **It does not state “its blood”** i.e. the blood of the first-born. **Rather,** it states “**their blood**”. This implies that the blood of *other* offerings, apart from the firstborn, is also thrown. Similarly, **it does not state “its fats”**. **Rather,** it states “**their fats**”.

**It** the verse expressly **teaches about** the **first-born and** implicitly teaches about other offerings. What other offerings can the verse be alluding to? The animal **tithe and** the **Pesach** offerings. For the Torah does not teach the details of these two offerings anywhere else, in respect to the application of their blood and the burning of their fats. Therefore we may apply the verse to the animal tithe and Pesach offerings, **that they require placing** i.e. “throwing” **of blood, and** burning of **the innards, on the Altar**.

Thus we see that Rabbi Yosi Hagalili learns from the verse regarding the first-born, where the verse says specifically to “throw” the blood, that the blood of the Pesach offering is “thrown”.

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<sup>19</sup> Numbers

## Perek 5 – 64B

We learnt in the Mishnah that the cohen threw the blood opposite the base.

The Gemara asks: **From where do we know that they** the Pesach offerings **need** to have their blood applied to the **base**?

**Rabbi Elazar said: It comes** from a *gezeirah shavah*<sup>20</sup> regarding the mention of “**throwing**” in one verse and “**throwing**” in another verse. **It is written here** (*Bamidbar* 18:17) regarding the Pesach offering<sup>21</sup>: “**You shall throw their blood on the Altar**”. **And it is written there** (*Vayikra* 1:11) regarding the burnt offering: “**And the sons of Aharon, the cohanim, shall throw its blood on the Altar around**”.

This teaches the following: **Just as a burnt offering needs** to have its blood applied to the **base, so too the Pesach needs** its blood applied to the **base**.

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<sup>20</sup> An oral tradition that the subjects of two verses are connected in Halachah by means of a similar word in each verse.

<sup>21</sup> According to Rabbi Yose Hagalili in the deduction above

# Chavruta Pesachim – Daf Samech Heh

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[**This teaches the following:** Just as a burnt offering needs **to have its blood applied to the base**, so too **the Pesach needs its blood applied to the base.**]

The Gemara asks: **And the burnt offering itself, from where do we** have a source that its blood is administered to a place on the Altar where the base is underneath it?

The Gemara answers: **Said the verse** about the sin-offering of a king (*Vayikra*<sup>1</sup> 4:25): “And the cohen shall take on his finger from the blood of the sin-offering and place it on the corners of the Altar of the burnt offering, and he shall pour its blood **on the base** of the **Altar of the burnt offering**”.

Why did the verse repeat that it is the Altar of the burnt offering?

To teach us: “on the base of the Altar” you shall perform “the burnt offering”. We may **say from here that the burnt offering requires the base** of the Altar.

And through a *gezeirah shavah*<sup>2</sup>, we learn that the Pesach offering also requires the base of the Altar, as explained at the bottom of the previous *ammud*.

c c õ d d

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<sup>1</sup> Leviticus

<sup>2</sup> I.e. when different verses have a similar wording, they are often connected. This is *gezeirah shavah*, one of the means by which Scriptural verses are interpreted. There are many verses with similar wording, and a *gezeirah shavah* interpretation is only made when there is a tradition of the Oral Torah (as handed down from Mt. Sinai) that these two verses are indeed linked.

## Perek 5 –65a

It was stated in the Mishnah: **The first group left** and the second group entered. The second group left and the third group entered.

**It was taught** in a Baraita: **It the third group is called a lazy group.**

The Gemara raises a difficulty: **And is it** our fulfillment of the Torah's command **sufficient without it**, the third group? Surely it is impossible not to have this group, as there is a mitzvah to have three groups. If so, **what should they have done** better, seeing as they are acting in accord with the will of the Torah?

The Gemara answers: **Even so**, that there must be a third group, **they** each of its members **should have made themselves** more **zealous**. Each individual should try to be zealous in his mitzvah performance, and not wait until the end to bring his Pesach offering. Although the existence of the third group is necessary, who required these individuals to be the ones in it? They could have chosen a more meritorious group to join.

**As it was taught** in a Baraita: **Rabbi** i.e. Rabbi Yehudah HaNasi **says: The world cannot exist without a spice-maker** who produces good fragrances **and without a tanner** whose tannery makes bad smells. **Fortunate is the one whose trade is being a spice-maker and woe to the one whose trade is being a tanner.**

**And the world cannot exist without males and females.**

**Fortunate is the one whose children are males and woe to the one whose children are females.**

Similarly, all three groups must exist. But fortunate is a person who is in the first group and woe to a person who is in the third group.

c c õ d d

## Perek 5 –65a

It was stated in the Mishnah: **Just like the** above-described **act** of the Pesach offering was performed **on a weekday**, so was **its act** performed **on Shabbat**. **However**, the fact **that the cohanim rinsed the Courtyard** on Shabbat was **not with the consent of the Sages**.

The Gemara asks: **Not with the consent of whom?** Who are these Sages who were against washing the Temple Courtyard on Shabbat?

**Said Rav Chisda: It was not with the consent of Rabbi Eliezer.** Rabbi Eliezer holds that one who sweeps an earthen floor on Shabbat is liable to bring a sin-offering for having desecrated Shabbat. And rinsing the floor of the Courtyard is similar to sweeping an earthen floor. Thus it is forbidden, since the necessary offerings have already been offering.

**For if it** the view expressed in our Mishnah **is the Rabbis**, who disagree with Rabbi Eliezer, **surely they said it** sweeping an earthen floor **is** forbidden merely as a *shevut* (Rabbinic decree).

**And there is no shevut in the Temple.** Rabbinic decrees of Shabbat do not apply in the Temple.

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**What is it**, this disagreement between Rabbi Eliezer and the Sages?

**As it was taught** in a Baraita: **One who milks** an animal on Shabbat is liable for the work of “separating” (*mefarek*), in that he separates the milk from the udder of the animal. It is prohibited as a sub-category of Threshing, where one separates the wheat from the chaff (*Shabbat* 95a).

## Perek 5 –65a

**Or one who curdles** i.e. he stands the milk in the stomach of an animal in order to produce cheese, he is liable for the work of selecting (*borer*), as he selects the curds from the whey in the milk (*Shabbat 95a*).

**Or one who presses**, he gathers the small particles of cheese in order to make them a solid piece of cheese. According to the *Aruch* (an early commentator), he is liable for the work of Building (*Shabbat 95a*).

For all of these, the minimum amount to be liable for a sin offering is **like the size of a dried fig**.

**One who sweeps** the house **or one who settles the dust**, i.e. he throws water on the earthen floor in order to prevent the dust from rising up (*Rashi on Shabbat 95a*). **Or one who removes honeycombs** from the bee-hive. All of these are prohibited by the Torah.

And therefore, if he did them **inadvertently on Shabbat, he is liable for a sin-offering**.

**If he did them intentionally on Yom Tov, he receives forty lashes minus one. These are the words of Rabbi Eliezer.**

Rabbi Eliezer holds that one who sweeps and one who settles the dust is liable for the work of building. For he levels out the depressions in the earth.

**And the Sages say: Whether on this (Shabbat) or whether on that (Yom Tov), it is only prohibited to sweep, settle dust and remove from the bee-hive because of a shevut.**

The Sages agree concerning milking, pressing and curdling that their prohibition is from the Torah.

## Perek 5 –65a

Therefore, rinsing the Courtyard floor on Shabbat is prohibited according to Rabbi Eliezer from the Torah, because one is leveling depressions in the ground. (Despite the fact that the floor of the Temple was paved with marble, there were small cracks between each of the tiles. (*Tosafot*))

But the Rabbis hold that it is prohibited only Rabbinically, and there is no *shevut* in the Temple.

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**Rav Ashi said: You could even say** that the cohanim would rinse the Courtyard **not with the consent of the Sages** who disagreed with Rabbi Eliezer.

And our Mishnah **is** the view of **Rabbi Natan**.

**As it was taught** in a Baraita: **Rabbi Natan says: A *shevut* that is for a need** of the service of the sacrifices, **they permitted** it in the Temple.

**A *shevut* that is not for a need** of the service of the sacrifices, **they did not permit** it in the Temple. Therefore, rinsing the Courtyard is prohibited since it is not needed for the service of the sacrifices, which were already offered.

c c õ d d

It was stated in the Mishnah: **Rabbi Yehudah says: He** a cohen **would fill a cup** from the blood of the mixture of Pesach offerings whose blood had spilt on the Courtyard floor. And then he would throw it once upon the Altar. But the Sages did not agree with him.

## Perek 5 –65a

It was taught **in a Baraita: Rabbi Yehudah says: They would fill a cup from the blood of the mixture** of the Pesach offerings, whose blood had been spilled on the floor. This was in order **that if the blood of one of them** the Pesach offerings **was spilled**, and they did not throw it on the Altar, **it comes out that this cup** which they filled with the blood of the mixture **validated it** that offering. This is because the blood of that offering that was spilled is mixed in the blood of the mixture, and thrown on the Altar.

**They the Sages said to Rabbi Yehudah:** Only blood that was first received in a vessel and afterwards spilled on the ground is validated if they then gathered it and threw it on the Altar.

But blood that was spilled on the ground directly from the cut in the neck of the animal, without first being received in a vessel, is completely disqualified.

And surely the blood of the mixture **was not received in a vessel** before being spilled, and is disqualified!

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The Gemara asks: **From where did they** the Sages **know** that the blood of the mixture was spilled directly on the ground without first being received in a vessel?

The Gemara answers: **Rather, this is what they said to him** to Rabbi Yehudah:

What have you rectified by throwing a cup of blood from the mixture? Surely we must take into account that **perhaps the blood was not first received in a vessel**, but rather, it was spilled directly on the ground. If so, if he will fill the cup from the blood of the mixture, the cohen has not removed the doubt as to the validity of the offering, as perhaps the blood is completely disqualified. And it emerges that he throws unfit blood upon the Altar.

## Perek 5 –65a

**He** Rabbi Yehudah **said to them: Even I only said** that taking a cup from the mixture is effective **when it** the spilt blood **was first received in a vessel**. But we assume that the blood was indeed received in a vessel before it spilt.

\*

The Gemara asks: **And from where did he** Rabbi Yehudah **know** that the blood was first received?

The Gemara answers: **Cohanim are zealous** in their performance of Temple service! They are careful not to spill the blood before it was received in a vessel. It is unlikely that a cohen was so negligent as to slaughter an offering yet fail to catch at least some of the blood in a vessel before it fell to the floor.<sup>3</sup>

The Gemara raises a difficulty: **If they** the cohanim **are zealous**, and they are careful not to spill the blood before it is received in the vessel, **why was it spilled?** Why was Rabbi Yehudah concerned that the blood of one of the Pesach offerings was spilled after it was received in a vessel? Surely the cohanim must be careful even about this.

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<sup>3</sup> The question of the Sages and the answer for Rabbi Yehudah were explained according to the first explanation of *Rashi* that the Gemara is speaking about that sacrifice that had its blood spilled and we are coming to qualify it using the blood of the mixture. The Sages then questioned from where it is known that this blood was received in a vessel. *Rashi* wrote that this is the primary explanation.

However, *Rashi* brings additional explanation that the Gemara's question and its answer are speaking about the blood of the mixture. This is the explanation of the Gemara:

**Rather, this is what they** (the Sages) **were saying to him** (Rabbi Yehudah): The blood of the mixtures on the floor of the Temple...**Perhaps it was not entirely received in a vessel?**

**He said to them: Even I said only** to fill in a place that they know that **it was received in a vessel**. Further on, the Gemara will raise a difficulty in that surely disqualified blood, for example, "draining blood" was also mixed into this mixture...?

According to this explanation, the continuation of the Gemara is speaking about all of the mixture on the floor rather than only the blood of the sacrifice that had its blood spilled.

## Perek 5 –65a

The Gemara resolves the difficulty: **As a result of their zealotness**, since they run with the vessel in their hands to the Altar, the blood is sometimes **spilled** after it is already in the vessel.

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The Gemara raises a difficulty: **And surely** there was also **oozing (*tamtzit*) blood**, which does not gush out in the initial stage after slaughter, but oozes out later. Also this type of blood was surely spilled in significant amounts on the ground, from the many Pesach offerings. And this blood is not to be thrown on the Altar.

Thus, *tamtzit* blood **was mixed into it**, into the proper blood that spilled from one of the vessels. So what does it help to throw a cup of blood from the mixture? Surely the blood from the one or two vessels that spilled is a small percentage in the mixture on the Courtyard floor, and is nullified in the majority of other blood.

The Gemara resolves the difficulty: **Rabbi Yehudah follows his reasoning, as he said: “*tamtzit* blood” is proper blood.** It is indeed fit to be thrown on the Altar.

## Perek 5 –65B

**For it was taught** in a Baraita: Regarding *tamtzit* blood, one who eats it is not liable for the punishment of *kareit*<sup>4</sup>, since it is not proper blood. But he does, however, transgress a **negative Torah prohibition**, since a negative prohibition is stated five times in the Torah about eating blood. This teaches that there are five types of blood that are forbidden. One of them is *tamtzit* blood. (Tractate *Kritut* 21b).

**Rabbi Yehudah says:** For eating *tamtzit* blood, one is indeed **liable for *kareit***. Because the verse states “All blood”, with the word “all” coming to include *tamtzit* blood. (*Kritut* 4b)

\*

The Gemara raises a difficulty: **But surely Rabbi Elazar said:** Even though Rabbi Yehudah holds that eating *tamtzit* blood is liable for *kareit*, nevertheless, **Rabbi Yehudah agrees in the matter of atonement**, i.e. throwing the blood of sacrifices on the Altar, **that *tamtzit* blood does not atone. As it is written (*ibid*), “For it is the blood that atones for the soul (*nefesh*)”.**

### **Ammud Bet**

**This implies that only the blood through which the life (*nefesh*) of the animal departs**, i.e. the blood that gushes out at the first stage after slaughter, **atones. But blood through which the soul does not depart**, for example “*tamtzit* blood”, **does not atone.**

Thus, taking a cup from the mixture of blood on the floor of the Courtyard would not seem to be effective in validating an offering whose blood spilled.

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<sup>4</sup> Spiritual excision.

## Perek 5 –65B

The Gemara replies with a different explanation:

**Rather, Rabbi Yehudah follows his reasoning** in a different matter, **as he said: Blood does not nullify blood.** Therefore, the valid blood that was spilled from the vessel is not nullified in the mixture. And even if only a very small amount of it reached the Altar, it validates the offering.

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**It was taught** in a Baraita: **Rabbi Yehudah said to the Sages: According to your words,** that they would not take a cup from the mixture of blood on the floor of the Courtyard, **why do they plug up the hole** in the wall of the **Courtyard** on Erev<sup>5</sup> Pesach, to prevent what is on the floor from draining out?

Obviously, they would plug up the hole in order not to lose all of blood that had been spilled onto the floor. Then they would throw from this mixture.

**They said to him** to Rabbi Yehudah: **It is praiseworthy of the children of Aharon** i.e. the cohanim **that** when performing the Temple service, **they walk even up to their knees in blood** on Erev Pesach, as they are faithfully involved in the work of Hashem and are not disgusted by the blood. (*Chasdei David* on *Tosefta* 4:10) Therefore, they would plug up the Courtyard on Erev Pesach.

The Gemara raises a difficulty: How could the cohanim walk in the blood in the Courtyard?

**But surely it** the blood **intervenes** between their feet and the floor, and we have learned (Tractate *Zevachim* 15b) that nothing must intervene (*chatzitzah*). This is because it states

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<sup>5</sup> The Eve of

## Perek 5 –65B

in the verse concerning the Temple service (*Devarim*<sup>6</sup> 18:5), “to stand to serve,” from which it is derived that the cohanim must stand directly on the surface of the Temple floor.

The Gemara resolves the difficulty: Blood is **liquid and does not separate**.

**For it was taught** in a Baraita: Regarding someone who immerses in a *mikveh*<sup>7</sup>, and his body was soiled with **blood or ink or milk or honey**. If they were **dry, they intervene**. But if they were **wet, they do not intervene**.

Thus, the blood under the feet of the cohanim does not intervene between them and the Courtyard floor.

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The Gemara raises a difficulty: **But surely they dirty their** priestly **garments** from the blood that is up to their knees!

**And it was taught** in a Baraita: If **the garments** of the cohen **were dirty, and he served, his service is invalid**.

**And if you say that they would lift up** the hem of **their garments**, and tuck them in their belt to prevent them from becoming dirty—

**But note that it was taught** in a Baraita: It says (*Vayikra* 6:3), “And the cohen shall wear a linen tunic fitted to him (*mido*)”. And the Sages expounded “*mido*” is **according to his size**. The tunic must hang according to his size, i.e. down to the ground but without dragging. From here we learn **that it** (the size of the tunic) **cannot lack nor be in excess**.

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<sup>6</sup> Deuteronomy

## Perek 5 –65B

Thus it is prohibited for the cohen to lift up the tunic from the ground.

The Gemara answers: When the Sages said that it is praiseworthy for the cohanim to walk up to their knees in blood, they spoke **about taking the limbs** of the burnt offerings **to the ramp** of the Altar to be burned, an act **which is not considered “service”**. It is not included in the service of the sacrifices and therefore, it is permitted for the cohanim to roll up their clothes and lift them up from the ground at that time.

But during other parts of the service, the cohanim did not do this. The Gemara will continue to explain the way in which they performed other services.

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The Gemara is puzzled: **And is taking the limbs to the ramp not** included in the service of the sacrifices? **But surely since it requires cohanim to perform it, it is part of the service!**

**As it was taught** in a Baraita: It states (*Vayikra* 1:13), “He shall wash the innards and the legs in water, **and the cohen shall present it all** and burn it **on the Altar.**” What is this “presenting”? **This is taking the limbs to the ramp.** For the innards and the legs are among those parts that are taken to be burned.

And since taking the limbs to the ramp is considered to be part of the service, it is prohibited for the cohanim to roll up their clothes and lift them up from the ground at that time.

The Gemara gives a different answer: **Rather**, when the Sages said the cohanim walked up to their knees in blood, is speaking about **taking wood to the arrangement** of logs at

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<sup>7</sup> Purifying pool

## Perek 5 –65B

the top of the Altar, upon which the limbs were burnt. **It is not** considered to be part of the **service** (and may be done by non-cohanim).

Therefore, at that time, they would roll up their clothes and lift them from the ground and would walk up to their knees in blood.

The Gemara raises a difficulty: **Taking the limbs to the ramp and taking the blood** to the Altar, which are part of the service of the sacrifices, **however, how could they go** with all the blood on the floor?

The Gemara answers: **For they walked on platforms**. The Temple Courtyard contained platforms attached to the floor, thus they were considered to be the floor itself. The cohanim would walk on these platforms, thereby preventing their clothes from becoming dirtied by the blood.

c c ð d d

It was stated in the Mishnah: **How did they hang** the Pesach **and flay** its hide? Iron hooks were fixed into the walls of the Courtyard and into the eight low pillars of the butchery, on which they hung and flayed the carcass.... **He tore it open and took out its *eimurin*<sup>8</sup>, put them in a bowl** and then burnt them **on the Altar**.

The flaying of the Pesach sacrifice may be done even by a non-cohen, since the flaying of *Kodoshim Kalim* (sacrifices of lesser sanctity) is not mentioned in the Torah as a positive commandment. And even the flaying and slicing of the burnt offering, which is a positive commandment, may be done by a non-cohen.

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<sup>8</sup> The fats and organs of an offering that are burnt on the Altar.

## Perek 5 –65B

If so, the phrase taught in our Mishnah, “How did they hang the Pesach and flay its hide?” is speaking about even a non-cohen who is flaying. Similarly, “He tore it open and took out its *eimurin*” is speaking about even a non-cohen.

It is written after this: He would “put them in a bowl and burn them on the Altar”. This implies that the same non-cohen who flayed may also burn them on the Altar.

The Gemara is puzzled: **Would he himself burn them?** Surely its burning may only be done by a cohen!

The Gemara answers: **I will say** it reads as follows: “The non-cohen would place them in a bowl, for the cohen *to burn them on the Altar*”. This is to say that the correct text of the Mishnah should read “*to burn them*”, rather than “and burn them”.

c c õ d d

## Perek 5 –65B

It was stated in the Mishnah: **The first group left.**

**It was taught** in a Baraita: When they would go from the Courtyard to their homes, **each one would put his Pesach offering in its skin and roll it up behind him.**

**Said Rav Illish:** It was carried in the way of **Arab merchants.**

## **Hadran Alach Tamid Nishchat**

**We Will Return to You,  
Perek Tamid Nishchat**

## Perek 6 –65B

### **Perek Eilu Devarim**

#### **Mishnah**

**These following acts**, when Erev Pesach occurs on Shabbat, their performance **for the Pesach offering supersedes** the prohibition against work on Shabbat:

**Its slaughtering and the throwing of its blood** on the Altar, which must be done on the 14<sup>th</sup> of Nisan and cannot be done that night, after Shabbat.

**And draining its intestines** of the waste products within them. This cannot be postponed until after Shabbat as it will cause spoiling of the meat in the mean time.

**And burning of its fats** on the Altar. Although this could indeed be done after Shabbat, without invalidating the offering, it is praiseworthy to do a mitzvah at its correct time. And this is an intrinsic part of the mitzvah of the Pesach offering, which is specifically on the fourteenth of Nisan.

**But its roasting and the washing of its intestines do not supersede Shabbat**, since it is possible to do them after Shabbat, on the night of Pesach.

**The carrying** of the Pesach offering on one's shoulders through the public domain into the Temple Courtyard also does not supersede Shabbat. Even though there is no Torah prohibition to do this, since "a living being is considered to carry itself", thus the prohibition is only Rabbinic, it does not supersede Shabbat because it could have been done the day before.

## Perek 6 –65B

**And** similarly, **bringing it from outside the Shabbat boundary.**<sup>9</sup> Also this is prohibited despite its being merely Rabbinic.

**And** similarly, **cutting off its** a Pesach offering's **wart**. This is included in the work of Shearing. It is prohibited even if done in a way that is only Rabbinically prohibited, for example, with one's teeth or nails.

**All of these do not supersede** the prohibition of **Shabbat**, since they could have been done the day before, on a weekday.

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**Rabbi Eliezer says:** Also “preparations for the mitzvah” pertaining to the Pesach offering, for example carrying it to the Temple Courtyard, bringing it from outside of the Shabbat boundary, and cutting off its wart in an irregular way, **supersede** Shabbat—even though they could have been done before Shabbat.

But Rabbi Eliezer agrees that the things that could be done *after* Shabbat are delayed until then.

**Said Rabbi Eliezer: And surely it is logical** that these Rabbinically prohibited acts should supersede Shabbat, even if they could have been done before Shabbat.

**If slaughtering, which is stringent since it is a primary form of work, supersedes Shabbat** for the sacrifice of the Pesach offering—

**These acts, which are lenient since they are merely a shevut, should they not supersede Shabbat?**

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<sup>9</sup> The 2000 *ammah* (roughly 1km) limit to which one is allowed to walk outside of the city on Shabbat

## Perek 6 –65B

**Rabbi Yehoshua said to him:** The case of **Yom Tov will prove it**, that the Rabbinically forbidden acts do not supersede Shabbat. **For they** the Sages **permitted on it**, on Yom Tov, to slaughter and cook for a Yom Tov need, despite these actions **being** primary **forms of work**. In other words the Sages did not make a prohibition on these acts, which Torah law permits on Yom Tov. **And** nevertheless, the Sages decreed and said that **it is prohibited on it** on Yom Tov, **because of a shevut**, to bring food for Yom Tov use from outside the Shabbat boundary, since it could have been done before Yom Tov.

**Rabbi Eliezer said to him** Rabbi Yehoshua: **What is this** proof that you are bringing, **Yehoshua?**

**What is the** relevance of a **proof** from the case of bringing of a **non-obligatory** item from outside of the Shabbat boundary, which the Sages prohibited, **to** the case of bringing the Pesach offering from outside of the Shabbat boundary, which is a **mitzvah**. In this case, the Sages did not apply their prohibition, as it would prevent the fulfillment of a **mitzvah!**

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**Rabbi Akiva replied and said: Sprinkling** the purifying waters of the Red Heifer (*parah adumah*) on Erev Pesach which fell on Shabbat, onto someone who had impurity from touching a corpse, **it will prove it**—that Rabbinic prohibitions are not superseded. For this sprinkling is to purify a person and allow him to eat from the Pesach offering that evening.

**For it** this sprinkling **is because of a mitzvah**, since if he will not be sprinkled on, he will not be able to perform the Pesach offering.

## Perek 6 –65B

**And** yet I heard that **it is** Rabbinically prohibited on Shabbat, **because of a *shevut***. This is because such an act of rectifying a person's state resembles the repairing of a broken utensil.

And the Sages applied their prohibition even in a case of a mitzvah, **and** they said that sprinkling on a person who touched a corpse, even if his last day of purification fell on Erev Pesach, **does not supersede the Shabbat**.

If so, **even you should not be surprised** by the ruling **over there** in the cases mentioned in the Mishnah, **that even though they are because of a mitzvah, and they are prohibited only because of a *shevut*, nevertheless they will not supersede the Shabbat**.

(The Gemara will explain that the prohibition of sprinkling the purifying waters on Shabbat was heard by Rabbi Natan from his master Rabbi Eliezer. However Rabbi Eliezer forgot he had said this, and Rabbi Akiva attempted to remind him in an honorable way without informing him that he heard it from him.)

**Rabbi Eliezer said to him Rabbi Akiva: And it is on this** very point you mentioned **that I base my logic! And if slaughtering, which is prohibited on Shabbat because it is a primary form of work, supersedes the Shabbat, then sprinkling** the purifying waters, **which is only prohibited because it is a *shevut*, surely it should supersede the Shabbat!**

# Chavruta

## Pesachim – Daf Samech Vav

Translated by: *Chavruta staff of scholars*  
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**[Rabbi Eliezer said to him Rabbi Akiva: And it is on this very point you mentioned that I base my logic! And if slaughtering, which is prohibited on Shabbat because it is a primary form of work, supersedes the Shabbat, then sprinkling the purifying waters, which is only prohibited because it is a *shevut*, surely it should supersede the Shabbat!]**

**Rabbi Akiva said to him Rabbi Eliezer:** I heard from an authoritative source that sprinkling the purifying waters does not supersede Shabbat. (This “source” was in fact Rabbi Eliezer himself. However Rabbi Eliezer forgot he had said this, and Rabbi Akiva attempted to remind him in an honorable way without informing him that he heard it from him.)

Thus Rabbi Akiva suggested: **Or perhaps, is it the logic the reverse of how you presented it? And if sprinkling the purifying waters, which is prohibited on Shabbat merely because of a *shevut*, it does not supersede Shabbat, then slaughtering, which is prohibited from the Torah because of a primary form of work, surely it is logical that it should not supersede Shabbat!**

**Rabbi Eliezer said to him: Akiva!** How could you argue in such a way?

Surely through this logic **you have uprooted that which is written in the Torah**, that one may slaughter the Pesach offering even on Shabbat!

As it is written in the Torah (*Bamidbar*<sup>1</sup> 9:2), “And the Children of Israel performed the Pesach offering **at its time.**” We derive from the words “at its time” that one is obligated

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<sup>1</sup> Numbers

## Perek 6 – 66a

to perform the Pesach offering at its correct time on the fourteenth of Nisan, **whether** it occurs **on a weekday or whether** it occurs **on Shabbat**.

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**He** Rabbi Akiva **said to him** Rabbi Eliezer: **Master**, you are right that it is impossible to reverse the logic as I did, since the Torah said “at its time”.

However, I could still maintain that carrying the slaughtered Pesach offering on one’s shoulders, and bringing it from outside the Shabbat boundary<sup>2</sup>, do not supersede Shabbat.

For if you maintain that they do supersede Shabbat, can you cite a verse that states “**in its time**” **for these** acts, that there should be a fixed time to perform them, even on Shabbat, **like “in its time”** that the Torah fixed **for slaughtering**?

Yet these do not have a fixed time, as it is possible to perform them before Shabbat commences. Thus, how can you compare them to slaughtering the offering, whose time is fixed?

Similarly, we cannot use your logic to permit sprinkling the purifying waters. For there, too, it does not say “in its time”.

Although it is sometimes impossible to perform it before Shabbat (i.e. if the person’s seventh day and final day of purification fell on Shabbat), it still does not supersede Shabbat. This is because sprinkling the purifying waters is not among the actions performed to the Pesach offering itself. Rather, it is a mere preparation for bringing the offering. Thus the phrase “in its time” does not apply to it. (*Maharsha*)

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<sup>2</sup> The 2000 *ammah* (roughly 1km) limit to which one is allowed to walk outside of the city on Shabbat

## Perek 6 – 66a

**Rabbi Akiva said a general rule: Any form of work which is possible to do it before Shabbat, does not supersede Shabbat.**

However **slaughtering** the Pesach offering, **which cannot be done before Shabbat, it supersedes Shabbat.**

### **Gemara**

**The Rabbis taught** in a Baraita: **This halachah**, that the slaughtering of the Pesach offering supersedes Shabbat, **was forgotten by the sons of Beteira**, Sages who lived during the time of Hillel.

**Once, the Fourteenth** of Nisan **fell on Shabbat** after a long period of time in which this had not happened. **They forgot and they did not know whether or not the Pesach offering supersedes Shabbat.**

**They the sons of Beteira said: Is there somebody who knows whether or not the Pesach offering supersedes Shabbat?**

**They said to them: There is one person who ascended to here from Babel and his name is Hillel the Babylonian, who after he came to the land of Israel served two great people of the generation, Shmaya and Avtalion, and he knows whether or not the Pesach offering supersedes Shabbat.**

**They sent for and called him Hillel.**

## Perek 6 – 66a

**They said to him: Do you know whether or not the Pesach offering supersedes Shabbat?**

**He said to them: And do we have only one Pesach offering during the year that supersedes the Shabbat?**

**And surely we have many more than two hundred “Pesachim” during the year that supersede the Shabbat!** He was referring to the public sacrifices, which have the same law as that of the Pesach offering. I.e. there are the two *Tamid*<sup>3</sup> offerings, and the two lambs that are brought for the *Musaf*<sup>4</sup> offerings on fifty Shabbatot during the course of the year. In addition, there are the *Musaf* offerings that are brought for each of the festivals during the year.

**They said to him: From where do you know that the law of the Pesach offering is the same as that of these public offerings?**

**He said to them:** I learn it from a *gezeirah shavah*<sup>5</sup>: **It says “in its time” about the Pesach offering, and it says (*Bamidbar* 28:2) “in its time” about the *Tamid* offering.**

**Just as “in its time” that was said about the *Tamid* offering supersedes the Shabbat (the source of this will be explained), so too “in its time” that was said about the Pesach offering supersedes the Shabbat.**

**And furthermore, it is also a *kal vachomer*.<sup>6</sup>**

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<sup>3</sup> Daily

<sup>4</sup> Additional

<sup>5</sup> I.e. when different verses have a similar wording, they are often connected. This is *gezeirah shavah*, one of the means by which Scriptural verses are interpreted. There are many verses with similar wording, and a *gezeirah shavah* interpretation is only made when there is a tradition of the Oral Torah (as handed down from Mt. Sinai) that these two verses are indeed linked.

<sup>6</sup> A fortiori reasoning

## Perek 6 – 66a

**And if the *Tamid* offering, which is lenient in that is not punishable by *kareit*<sup>7</sup> if it was not brought, yet it supersedes the Shabbat, then it follows that the Pesach offering, which is stringent in that is punishable by *kareit* if it was not brought, it is only logical that it will supersede the Shabbat!**

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The Baraita continues: **Immediately they seated him Hillel at the head, and appointed him *Nasi* the leading Sage over them.**

**And he Hillel was sitting and expounding to them the entire day in the laws of Pesach, in the way of the *Nasi*.**

**He Hillel began to chide them, the sons of Beteira, with the words he said to them.**

**He said to them: What was the cause that I should ascend from Babel and that I should be your *Nasi*, if not that you showed laziness in that you did not serve the two great people of the generation, Shmaya and Avtalion!**

Since there was an element of haughtiness in the way Hillel spoke to them, he temporarily lost his wisdom and was not able to answer an additional question that they asked him.

**They said to him: Master, one who forgot and did not bring a slaughtering knife before Shabbat, what is the law concerning bringing it through a public domain on Shabbat, to be used for the Pesach offering?**

**He said to them: I heard this law but I forgot it.**

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<sup>7</sup> Spiritual excision

## Perek 6 – 66a

Hillel continued to say: **But leave it to the people of Israel. If they are not prophets, they are children of prophets.** Just observe how they behave tomorrow, on Shabbat, and you will have the answer to your question.

**The next day, whoever had a lamb as a Pesach offering, inserted it the knife into its wool. And whoever had a goat kid which does not have wool as a Pesach offering, inserted it between its horns.**

This does not transgress the mitzvah for one's animals to rest on Shabbat, since it is not considered to be carrying a load, as this is not the regular way to carry.

**He Hillel saw the incident, and remembered the halachah and said: This is what I received from the mouths of Shmaya and Avtalion, to do this way!**

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**The master i.e. the above Baraita said: It says “in its time” about the Pesach offering and it says “in its time” about the *Tamid*. Just as “in its time” that was said about the *Tamid* supersedes the Shabbat, so too “in its time” that was said about the Pesach offering supersedes Shabbat.**

The Gemara asks: **And the *Tamid* offering itself, from where do we know that it supersedes Shabbat?**

**If you say because it is written about it the *Tamid* offering, “in its time”—**

But concerning the **Pesach** offering **also, surely it is written about it “in its time”**. Nevertheless, Hillel did not derive directly from the verse that it supersedes the Shabbat. He derived it from a *gezeirah shavah* from the *Tamid* offering.

## Perek 6 – 66a

**Rather, “in its time”** said about the Pesach offering **does not imply, to his** Hillel’s understanding, that the Pesach offering supersedes Shabbat. It could be interpreted to apply when Erev Pesach falls on another day of the week.

If so, **here also** with **“in its time”** said about the *Tamid*, it **should not imply, to his** understanding, that it supersedes Shabbat.

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The Gemara answers: Hillel did not actually learn from “in its time”.

**Rather**, Hillel derived it from the following: **Said the verse** (*Bamidbar* 28:10), concerning the *Musaf* offering of Shabbat: **“The [*Musaf*] burnt offering of each Shabbat on its Shabbat, aside from the burnt offering of the *Tamid*”** which is also brought on Shabbat.

**This implies that** the burnt offering of the *Tamid* is offered on Shabbat.

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**The master** i.e. the above Baraita **said: And furthermore**, Hillel proved it from a *kal vachomer*: **And if the *Tamid* offering**, which is lenient in **that is not punishable by *kareit*** if it was not brought, yet it **supersedes the Shabbat**, then it follows that the **Pesach** offering, which is stringent in **that is punishable by *kareit*** if it was not brought, **it is only logical that it will supersede the Shabbat!**

The Gemara raises a difficulty: **One could refute** this logic by arguing just the opposite, that the *Tamid* is more stringent than the Pesach offering, as follows:

## Perek 6 – 66a

**Surely the *Tamid*, which is** stringent in that it is **regularly** offered **and** is burned **entirely** on the Altar, cannot serve as a source for the Pesach offering, which comes only once a year, and only its *eimurim*<sup>8</sup> are burned whereas its meat is eaten.

The Gemara replies: **He** Rabbi Akiva **said to them a *kal vachomer* in the beginning, and they refuted it** along the lines the Gemara just followed.

**And he went back and said to them a *gezeirah shavah*** connecting “in its time” of the *Tamid* to “in its time” of the Pesach offering. And the *Tamid* itself supersedes the Shabbat, as learned from the verse “the burnt offering of each Shabbat on its Shabbat, aside from the burnt offering of the *Tamid*.”

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The Gemara raises a difficulty: **And since he Hillel received, as an oral tradition, a *gezeirah shavah***—which must have been passed down to him from Sinai—**why do I need** for him to state **a *kal vachomer***, which comes from one’s own logic?

The Gemara answers: **Rather, he said it** so this halachah would be accepted even **according to their** the sons of Beteira’s **view:**

**It is all right concerning the *gezeirah shavah*; you did not receive it as an oral tradition, and a person does not expound a *gezeirah shavah* for himself.**

**But the *kal vachomer*, which a person expounds for himself, you should expound it,** i.e. accept it as a logical proof!

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<sup>8</sup> Certain fats and innards

## Perek 6 – 66B

**They said to him:** The *kal vachomer* that you expounded, **it is refutable**, since the *Tamid* is more stringent than Pesach, as explained.

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**The master** i.e. the above Baraita **said: The next day, whoever had a lamb as a Pesach offering, inserted it the knife into its wool. And whoever had a kid as a Pesach offering, inserted it between its horns.**

### **Ammud Bet**

The Gemara raises a difficulty: How is permitted to insert a knife into the wool of a sacrifice, or between its horns? **And surely he is using consecrated items for work**, and is thereby transgressing “and you shall not work the firstborn”. This prohibition applies to all sacrifices, not just that of the firstborn animal.

The Gemara answers: They were not using consecrated items for work, since they did **as Hillel** did. He would consecrate the animal only after it was already in the Temple, after he had brought the knife.

**As it was taught** in a Baraita: **They said about him, about Hillel, that in all of his days, no person benefited unlawfully from his burnt offering**, since there was not enough time to do this between its consecration and its sacrifice. **Rather, he would bring it the animal when it was not yet consecrated to the Temple Courtyard, and consecrate it there and immediately rest his hand on it as required and slaughter it.**

## Perek 6 – 66B

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The Gemara is puzzled: When we are speaking about the **Pesach** offering **on Shabbat**, **how could he consecrate it then?**

**But surely it was taught** in a Mishnah: **One may not consecrate nor may one make an *erech* pledge nor may one make a *cherem* nor may one separate *Terumah* and *Ma'asrot*. All of these, they spoke about Yom Tov. And all the more so that one may not do these things **on Shabbat!****

The Gemara answers: **These words**, that one may not consecrate on Shabbat, apply **to** types of sacrifices that are **obligations that do not have a set time**. Thus they are never slaughtered on Shabbat, and consequently one may not consecrate them on Shabbat either.

**But for obligations that do have a set time**, if the set time of the sacrifice is to be slaughtered on Shabbat, **one may consecrate** them even on Shabbat.

And it is as **Rabbi Yochanan said: A person may consecrate his Pesach offering on Shabbat, and his *Chagigah* offering on Yom Tov.**

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The Gemara raises a further difficulty: How is permitted to bring the knife using the animal? **But surely**, since he is leading the animal that is carrying this load, he is transgressing the prohibition of **donkey driving**. It is prohibited for a person to lead any animal that is carrying a load on Shabbat.

This is a prohibition, and is different from the positive mitzvah discussed earlier, to see to it that one's animals rest.

## Perek 6 – 66B

The Gemara resolves the difficulty: It is **donkey driving in an irregular way**, as it is not the regular way for a sheep or goat to carry a load.

The Gemara challenges this answer: Surely, **donkey driving in an irregular way is also prohibited. Although there is no Torah prohibition, there is however a Rabbinic prohibition.**

The Gemara replies: **This is what they** the sons of Beteira **asked of him** Hillel:

**A matter that is permitted by the Torah, and a matter of a Rabbinic prohibition is what prevents him** from doing it—is it permitted **to uproot it**, the Rabbinic prohibition, **in an irregular way, in a case** that is for the need **of a mitzvah? What** is the Halachah in such a case?

**He Hillel said to them: I heard this law but I forgot it.**

Hillel continued to say: **But leave it to** the people of **Israel. If they are not prophets, they are children of prophets.** Just observe how they behave tomorrow, on Shabbat, and you will have the answer to your question.

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**Said Rav Yehudah, said Rav: Whoever is haughty, if he is wise, his wisdom leaves him. If he is a prophet, his prophecy leaves him.**

**If he is wise, his wisdom leaves him:** We learned this **from** the case that happened to **Hillel.**

## Perek 6 – 66B

**As the master said** in the Baraita: **He began to chide them with words**, and since he behaved towards them in a haughty way, his wisdom left him, **and he said to them: I heard this law but I forgot it.**

**If he is a prophet, his prophecy leaves him:** We learned this **from Devorah<sup>9</sup>** the prophetess.

**As it is written** in the Song of Devorah (*Shoftim<sup>10</sup>*) 5:7: **“They stopped living in unwalled towns in Israel, they stopped; until I, Devorah, arose; I arose as a mother of Israel.”**

**And** since she said this in a haughty way, that she had saved Israel, her prophecy left her and she fell silent. For **as was written** (*Shoftim* 5:12), **“Give praise, give praise. Devorah. Give praise, give praise, speak words of song”**. This implies that she had fallen silent.

\*

**Reish Lakish said:** Any person who becomes angry, if he is wise, his wisdom leaves him. **If he is a prophet, his prophecy leaves him.**

**If he is wise, his wisdom leaves him:** We learned this **from Moshe<sup>11</sup>**.

**As it is written** (*Bamidbar* 31:14), **“And Moshe became angry with the officers of the army”**. And it is written (*Bamidbar* 31:21), **“And Elazar the Cohen said to the men of the army who were coming into battle: This is the law of the Torah that Hashem commanded Moshe”**.

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<sup>9</sup> Deborah

<sup>10</sup> Judges

<sup>11</sup> Moses

## Perek 6 – 66B

**This implies that it** the law of koshering the utensils of gentiles **was forgotten from Moshe.**

**If he is a prophet, his prophecy leaves him,** we learned this **from Elisha.**

**As it is written** when Yehoshafat King of Yehudah<sup>12</sup> joined with Yehoram King of Israel in a war against Moav<sup>13</sup>, and suffered a severe lack of water, they came to Elisha in order that he pray for them.

And when Elisha saw Yehoram King of Israel, he became very angry, and he said to him (*Melachim II*, 3:13), “What [dealings] is there between me and you? Go to the [false] prophets of your father or the [false] prophets of your mother!”

And in his anger, Elisha swore and said to Yehoram (verse 14), “As Hashem of H-sts lives, that I stand before Him, **were it not for the presence of Yehoshafat King of Yehudah**, that you came to me with him, whom **I honor, I would not look towards you nor would I see you.**”

**And it is written** (verse 15), “**And now, bring for me a musician. It happened that when the musician played and the hand of Hashem came upon him.**” This implies that before this, his prophecy had left him because of his anger, and it returned to him only through their playing music in front of him.

**Said Rabbi Manni son of Patish: Any person who becomes angry, even if in Heaven they had decreed greatness for him, they remove him** from this greatness.

**From where do we know this? From Eliav** the brother of David.

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<sup>12</sup> Judea

<sup>13</sup> Moab

## Perek 6 – 66B

As it says (*Shmuel*<sup>14</sup> I 17:28), “**And Eliav became angry at David** when he saw that he came to war with Goliath, **and he said to him: Why is it that you descended? Why did you leave behind the small amount of sheep in the wilderness?! I know your guilt and the evil of your heart, for you descended in order to see the war.**”

**And** therefore, **when Shmuel** the prophet **went to anoint him**, to choose as King of Israel either David or one of his brothers, Shmuel checked through all of them. **About all of them**, the brothers of David, **it is written** (*Shmuel* I 16:8-9) that Shmuel said: “**Not in this one did Hashem choose**”. This implies that they had never been chosen for this.

**And concerning Eliav, it is written** (*Shmuel* I 16:7), “**And Hashem said to Shmuel: Do not look to his appearance and his great height, as I have rejected him!**”

**This implies that He loved him** before this incident, and had chosen him. **Until now**, when he became furious with David. As a result, Eliav lost the kingdom and David was chosen in his place.

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Now the Gemara returns to explain what was said on the previous *ammud*, that the Pesach and *Tamid* offerings supersede Shabbat. As the Gemara said, this law cannot be derived solely from the phrase “in its time”, which is written about the Pesach and *Tamid* offerings.

As the Gemara explained, **we have found** a source that the *Tamid* and Pesach offerings **supersede Shabbat**.

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<sup>14</sup> Samuel

## Perek 6 – 66B

However, the fact **that they** the *Tamid* and Pesach offerings **supersede impurity, from where do we know this?**

**They said: Just as we derive** the law of the **Pesach** offering **from** the law of the *Tamid* offering **for the matter of Shabbat**, through a *gezeirah shavah*, **here also let us learn *Tamid* from Pesach, for the matter of impurity.** Just as the Pesach offering may be offered in impurity if the majority of the public is impure at the time, so this is true regarding the *Tamid* offering.

**Said Rabbi Yochanan: As the verse says** (*Bamidbar* 9:10), “**Any [individual] person, if he will become impure from a soul**”, his Pesach offering is postponed to *Pesach Sheni*, the Second Pesach. This day is thirty days after the regular Pesach, and constitutes a day on which one may make up one’s obligation to bring the Pesach offering.

The phrase “Any person” implies that only “**an [individual] person**” who became impure **is delayed until *Pesach Sheni*.**

**And** this does **not** apply to **the community** as a whole. When most of the public became impure, **they are not delayed until *Pesach Sheni*.**

**Rather, they perform** the Pesach offering **in impurity**, on the fourteenth of Nisan.

\*

**Rabbi Shimon ben Lakish said to Rabbi Yochanan: I will say** that the intent of the verse is otherwise: **An [individual] person is delayed until *Pesach Sheni***, but **the whole community** who became impure **have no solution, neither on the first Pesach nor on *Pesach Sheni*!**

## Perek 6 – 66B

**Rather, said Rabbi Shimon ben Lakish: From here** we learn that the Pesach offering supersedes impurity:

As it says (*Bamidbar* 5:2), “**And they shall send from the camp every person with *tzara’at*<sup>15</sup> and *zav*<sup>16</sup> and anyone impure from a corpse**”.

Instead, **let it** the verse **say** to send away **anyone impure from a corpse—and do not say *zav* and *tzara’at***. I.e. it will be self-understood, since their form of impurity is more severe.

**And I will** deduce it logically and **say: If those impure from a corpse are sent away** from the camp—then ***zav* and *tzara’at***, whose impurity is more, **all the more so** that they should be sent away!

Rather, the verse needed to write *zav* and *tzara’at* to teach us that they are sent to a different place than those who are impure from a corpse.

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<sup>15</sup> A spiritually caused skin disease. Although often identified with leprosy, this is widely disputed.

<sup>16</sup> A man who has a specific type of irregular seminal emission.

# Chavruta Pesachim – Daf Samech Zayin

Translated by: *Rabbi David Schallheim*  
Edited by: *R. Shmuel Globus*

**Rather, there is a time when *zavim*<sup>1</sup> and *metzora'im*<sup>2</sup>, who have a severe form of impurity, are sent away from the Temple Courtyard.**

**And at that same time, those who are impure from contact with a corpse, who have a lighter form of impurity, are not sent away from the Temple Courtyard.**

**And what time is that?**

**This is the time when the Pesach offering is brought in impurity.**

The verse cited by Rabbi Shimon ben Lakish at the end of the last *ammud*, “And they shall send from the camp every person with *tzara'at* and *zav* and anyone impure from a corpse,” is teaching us that when most of the congregation is impure from contact with a corpse, and the Pesach offering is brought in a state of impurity, the *zavim* and *metzora'im* are nevertheless excluded from bringing the Pesach offering. Only those impure from a corpse may bring their offering in impurity.

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The Gemara raises a difficulty:

**Abaye said: If so,** if we learn from this verse that the Pesach offering may be brought in a state of impurity, we should also learn that even the impurity of *zav* would be permitted,

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<sup>1</sup> *Zavim* are men who are impure due to a seminal-like emission.

<sup>2</sup> *Metzora'im* are people who are impure due to having contracted *tzara'at*, a spiritually caused skin disease. It is often rendered leprosy, although this is widely disputed

## Perek 6 – 67a

if most of the congregation had this form of impurity! For the verse cited by Rabbi Shimon ben Lakish does not specify which type of impurity is permitted.

Abaye continued: **Let us say as well** the following implication:

Let the verse **say** only that we should send from the camp the *zav* **and those impure from a corpse**, whose impurity is lighter than the impurity of *metzora*.

**And** it need **not mention** *metzora*. Since *metzora* is more severe, the verse does not need to inform us that such a person is sent out of the camp.

**And I can say** on the basis of simple logic: **If** *zav*, who has a lighter impurity, is **sent away** from the camp, then *metzora*, who has severe impurity, **all the more so** that he should be sent away.

So why did the verse mention *metzora*? It comes to teach that **there is a time when** *only metzora'im*, whose impurity is severe, **are sent away** from the Temple Courtyard. **And** at that time, the *zavim* **and those impure from a corpse**, who have a lighter impurity, **are not sent away**.

**And what** time is that? **This** is the time in which the **Pesach offering is brought in impurity**.

Thus Abaye has shown that according to Rabbi Shimon ben Lakish's verse, it would be possible to learn that the impurity of *zav* would also be permitted.

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**And if you would say**, in an attempt to resolve the difficulty: Indeed, **this** is true **as well**. The *zav*, too, may bring his Pesach-offering when the congregation is impure—

## Perek 6 – 67a

**But note that it was taught otherwise in a Mishnah:** A Pesach-offering brought when the majority of the congregation are **in impurity may not be eaten by *zavim* and *zavot*<sup>3</sup>, *niddot*<sup>4</sup> and women who gave birth (*yoldot*).<sup>5</sup> And if they ate from it, they are exempt from the punishment of *kareit*.<sup>6</sup>**

\*

**Rather, Abaye said: In truth,** we must learn the halachah that the Pesach offering is brought in a state of impurity **from the first verse**—“Any [individual] person, if he will become impure from a soul”<sup>7</sup>—as Rabbi Yochanan learnt it.

And regarding the difficulty raised on the previous *ammud*, namely: This verse could just as well be interpreted to mean that a congregation impure from contact with a corpse will never bring a Pesach offering, not on the first Pesach (14<sup>th</sup> of Nissan) nor on Pesach Sheni (14<sup>th</sup> of Iyar)—

This difficulty can be resolved, by showing the second interpretation to be untenable: **If** that interpretation were **so**, then why did the verse mention “will become impure from a soul”? This means the impurity of a corpse.

The extra phrase “from a soul” excludes *zavim* and *metzora'im*, who have a more severe impurity. In what way could the verse be excluding them due to their strictness?

According to the second interpretation this question cannot be answered, since even those with impurity of a corpse are being treated with stringency.

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<sup>3</sup> A *zavah* is a woman who is impure due to a discharge of blood not attributable to her menstrual cycle.

<sup>4</sup> A woman impure due to menstruation.

<sup>5</sup> Upon giving birth, a woman becomes impure.

<sup>6</sup> Spiritual excision

<sup>7</sup> *Bamidbar/Numbers* 9:10

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Thus, according to that interpretation, **let the Merciful One** i.e. the Torah **write** only: **“Any [individual] person, if he will become impure,”** without specifying how he became impure.

The extra phrase **“from a soul”** that was mentioned in the verse, which implies that the Torah intends to be more strict with *zavim* and *metzora'im* than impure from a corpse—**why do I need it?**

Therefore, we are forced to understand the verse as teaching a leniency rather than a stringency: an individual impure from a corpse is delayed until to Pesach Sheni, but a congregation may indeed offer the Pesach in impurity.

Now it is understood why the Torah mentioned “from a soul,” referring to the impurity of a corpse. Only if the congregation is impure from a corpse may they offer their Pesach in impurity on the 14<sup>th</sup> of Nissan. But if they are *zavim* or *metzora'im*, they may not bring the Pesach in impurity. Thus, *zavim* and *metzora'im* are treated more stringently.

\*

**And if you would say**, in an attempt to defend the rejected interpretation: **The** extra phrase **“from a soul”—this is what it comes for.** The verse intended to imply: An individual who is **impure from a corpse is delayed until Pesach Sheni, but the rest** of the types **of impure people are not.** Rather, they may never bring a Pesach offering at all.

This is not a possible interpretation, because:

**For note that the Rabbis taught** in a Baraita: **One might think that only those impure from a corpse or someone who was on a distant journey may offer** a Pesach-offering **on Pesach Sheni**, because they mentioned expressly in the verse.

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*Zavim* and *metzora'im* and those who had **relations with niddot**,<sup>8</sup> who were not mentioned in the verse—**from where** is it written in the Torah that they should bring the Pesach offering on Pesach Sheni?

The Torah **taught, saying**: “**Any [individual] person**, if he will become impure from a soul.”<sup>9</sup>

The verse could have mentioned “impure” alone, which would include all types of impurity.

“**From a soul,**” which the Merciful One i.e. the Torah wrote—**for what reason** do I need it?

**Rather**, the verse is teaching another matter as well, and **this** is what **it is saying**:

A) “**Any [individual] person**” is **delayed until Pesach Sheni** when he is impure, **and a congregation is not delayed until Pesach Sheni. Rather, they do** the Pesach offering in its time **in impurity**.

B) **And when the congregation** does the Pesach offering in its time **in impurity**—this is only when they are **impure from a corpse**.

**But** if the congregation was impure **with other** forms of **impurity**, such as *zavim* or *metzora'im*, they **do not do** the Pesach in its time in impurity.

We see clearly from the Baraita that other types of impure people may bring the Pesach offering on Pesach Sheni.

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<sup>8</sup> And thus contracted impurity

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### *Introduction:*

There were three levels of holiness in the encampment of the Children of Israel: The camp of the Shechinah,<sup>10</sup> the Levite camp, and the Israelite camp. These three camps correspond to areas of holiness in and around the Temple.

I. The camp of the Shechinah is from the Temple Courtyard and inwards.

II. The Levite camp is the Temple Mount surrounding the Temple Courtyard.

III. The Israelite camp is the city of Jerusalem (as well as any other walled city in the land of Israel).

\*

**Rav Chisda said:** The *metzora*, who has the most severe form of impurity, is expelled even from the Israelite camp. But if it happened **that** he intentionally **entered** the camp, which means he is “**inside of his partition,**” he is **exempt** from lashes.

This is because **it was said** concerning the *metzora*: “**He shall dwell in isolation; his dwelling shall be outside the camp**” (*Vayikra*<sup>11</sup> 13:46).

**“He shall dwell in isolation”—he shall dwell alone.**

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<sup>9</sup> *Bamidbar/Numbers* 9:10

<sup>10</sup> Divine Presence.

<sup>11</sup> Leviticus.

## Perek 6 – 67a

“His dwelling shall be outside the camp,” this is a positive mitzvah. The verse attached<sup>12</sup> the negative mitzvah of the *metzora* to a positive mitzvah, thus when he fulfills the positive mitzvah he rectifies the negative mitzvah, and does not receive the punishment. (The negative mitzvah is learned from the verse: “So that they should not impart impurity to their camps—*Bamidbar*<sup>13</sup> 5:3.)

\*

**They contradicted this**, from a Baraita:

- 1) The *metzora* that intentionally entered the camp, which means he is “inside of his partition,” is obligated to receive forty lashes minus one.
- 2) *Zavim* and *zavot* that entered the Temple Mount, which means there are “inside of their partition,” are obligated to receive forty lashes minus one.
- 3) And someone impure from a corpse is permitted to enter the Levites’ camp, which is the Temple Mount.

And not only for someone impure from a corpse, did the Sages say he is permitted to enter the Levites’ camp; rather, even the dead body itself is permitted to be brought there. As it was said: “Moshe<sup>14</sup> took Yosef’s<sup>15</sup> bones with him” (*Shmot*<sup>16</sup> 13:19). “With him” implies that Moshe took the bones into his partition, the Levites’ camp.

The Baraita stated that a *metzora* receives lashes for entering the camp forbidden to him, which contradicts Rav Chisda.

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<sup>12</sup> Lit., *nitak*, it pulled along.

<sup>13</sup> Numbers.

<sup>14</sup> Moses

<sup>15</sup> Joseph

<sup>16</sup> Exodus.

## Perek 6 – 67a

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The Gemara answers: **It** this halachah **is** the subject of a **disagreement between Tannaim**.

One Tanna holds that the verse “His dwelling shall be outside the camp,” referring to a *metzora*, is not a positive mitzvah at all. Rather, it teaches that the *metzora* must be expelled from even the third camp, which is a law exclusive to the *metzora* alone. Thus, the Torah never gave a positive mitzvah to rectify having transgressed the negative mitzvah, and the *metzora* is liable for lashes.

But Rav Chisda held like another Tanna:

**For the Rabbis taught** in a Baraita: It was said concerning the *metzora*: “He shall dwell in isolation; his dwelling shall be outside the camp” (*Vayikra*<sup>17</sup> 13:46).

**“He shall dwell in isolation”—he shall dwell alone.** This verse teaches that **other impure people**, for example *zavim* or those impure from a corpse, **are not required to dwell with him** in his place outside of the Israelite camp. Rather, they may dwell in the Israelite camp.

This teaches us that only the *metzora* is expelled even from the Israelite camp.

**One might think that *zavim* and those impure from a corpse**, about whom the verse taught that they may remain in the Israelite camp, **are expelled to one and the same camp—**

To preclude this, **the Torah says: “So that they should not impart impurity to their camps** (*Bamidbar*<sup>18</sup> 5:3).

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<sup>17</sup> Leviticus

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The verse uses the plural expression of “their camps,” which implies that the Torah comes **to give one camp to this one, and one camp to that one. These are the words of Rabbi Yehudah.** Thus, the *zavim* must leave the Levites’ camp, whereas those impure from a corpse may stay. They are expelled only from the camp of the Shechinah.

According to Rabbi Yehudah, this verse teaches us about two camps, since it mentions “camp” twice: “Both male and female you shall expel; you shall send them outside the *camp*, so that they should not render impurity to their *camps*, in which I dwell among them” (*Bamidbar* 5:3). Thus, we learn about two of the three camps of holiness. The third camp is learned from another verse: “His dwelling shall be outside the camp” (*Vayikra* 13:46), which speaks about the *metzora*. This verse teaches us that only he is expelled from the third camp.

It emerges that according to Rabbi Yehudah, the verse of “His dwelling shall be outside the camp” is not written to attach the negative mitzvah of the *metzora* to the positive mitzvah. It is needed to teach the law of the third camp.

Thus, Rabbi Yehudah is the Tanna who holds the *metzora* liable for lashes.

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The Baraita continues: **Rabbi Shimon says:** The verse of “His dwelling shall be outside the camp” **is not needed** to teach that a *metzora* is expelled from all three camps. This is because the expulsion from all three camps can be learned from the passage of purifying the camp in *Bamidbar*, which, according to Rabbi Yehudah, teaches only two camps.

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<sup>18</sup> Numbers.

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For **note that it says** in the passage of purifying the camps: “**They shall expel from the camp everyone with *tzara’at*, everyone who has had a *zav*-emission, and everyone impure by a human corpse**” (*Bamidbar* 5:2).

This verse must be speaking about expelling three types of impure people, from three camps, as follows:

For if the verse spoke of only one general expulsion of all the different types of impure people, from only one camp, then the verse **should mention** that the **one impure from a corpse**, whose impurity is light, is expelled from one camp, **and it should not mention** the mitzvah to expel **those impure from *zav*** at all.

**And I would say**, through logical reasoning:

If the **those impure from a corpse are expelled from the camp**, then *zavim*, whose impurity is more severe, **all the more so** they should be expelled from the camp!

If so, **why did** the Torah **mention *zav***?

**To give it** an expulsion from **the second camp**, the Levite camp.

And if the verse was speaking about expulsion from only two camps, then the verse **should mention** that the *zav*, whose impurity is relatively light, is expelled from the second camp, **and it should not mention** the mitzvah to expel *metzora* at all.

**And I would say**, through logical reasoning:

If the *zavim* **are expelled** from the Levite camp, then *metzora'im*, whose impurity is more severe, **all the more so** they should be expelled from the Levite camp!

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If so, **why did** the Torah **mention** *metzora* in the passage of purifying the camps?

**To give it** an expulsion from **the third camp**, the Israelite camp.

Rabbi Shimon explained how the expulsion of the *metzora* from all three camps could be learnt from the verse in the passage of purifying the camps. Therefore, **when** the Torah **mentions** the verse of “**He shall dwell in isolation**; his dwelling shall be outside the camp” (*Vayikra* 13:46), **the verse** thereby **attached** the negative mitzvah of the *metzora* **to a positive** mitzvah, giving it a way to be rectified and thus not punishable by lashes.

Thus we have found a source for Rav Chisda in the Baraita: he holds like Rabbi Shimon.

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The Gemara now elucidates Rabbi Shimon’s view in the Baraita, which was based on the assumption that a *zav*’s impurity is more severe than impurity from a corpse, and therefore he argued that a *zav* must surely be expelled from the camp.

**What is the severity of *zav* over one impure from a corpse? Because the impurity of a *zav* goes out from himself.** I.e. someone rendered impure by a corpse received his impurity from mere contact with an external source. Whereas the *zav* himself is the source of his own impurity.

The Gemara poses a difficulty: **On the contrary: one impure from a corpse is more severe than *zav*, because it requires sprinkling** of the purifying waters of the Red Heifer on the **third** day and **seventh** day of his purification, which is not required to purify a *zav*.

The Gemara answers: The **verse said** to expel someone impure **from a corpse** from the camp. However, the verse also added the word “everyone”, as it is written: “They shall

## Perek 6 – 67B

expel from the camp everyone with *tzara'at*, everyone who has had a *zav*-emission, **and everyone impure by a human corpse**" (*Bamidbar* 5:2-3). From the extra word "everyone", we **include** the expulsion from the camp of anyone impure from a *sheretz*.<sup>19</sup>

**And a *zav***, although he does not require sprinkling, is **more severe than someone impure from a *sheretz***. Therefore we can learn from the impurity of *sheretz* (instead of from the impurity of a corpse) that a *zav* must surely be expelled from the camp.

**What is the severity of *zav*? As we said**, that the impurity goes out from himself.

The Gemara raises a difficulty: **On the contrary**, the impurity of *sheretz* is **more severe** than *zav*. **Because** one can **become impure** through touching a *sheretz* even **accidentally**. Whereas a *zav* who has an emission that was incidental, due to excess intake of food or drink, and not as a result of the sickness of *zav*, does not become impure.

### **Ammud Bet**

**They** the Sages **said** to answer this difficulty: **In this type of case**, i.e. to attain the level of impurity of someone who touched a *sheretz*, who is impure for only one day, and he is purified at nightfall after immersing in a mikveh,<sup>20</sup> **a *zav* also becomes impure even incidentally**. Therefore, impurity of *sheretz* is no more severe than impurity of *zav* in this respect.

**And this is like that** which **Rav Huna said**.

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<sup>19</sup> One of the eight species of small creeping animals listed in Vayikra/Leviticus 11:29 as having impurity.

<sup>20</sup> Purifying pool.

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**For Rav Huna said: The first sight of an emission by the zav** gives him the level of impurity of a man who had a normal seminal discharge (*ba'al keri*), who is purified at nightfall after immersing in a mikveh. This **renders him impure** even if it was caused **incidentally**.

\*

The Gemara continues to explain the Baraita, which stated that it was possible to learn the *metzora*'s law based on that of *zav*.

**What is the severity of metzora over zav? Because the metzora is required** to let the hair of his head **grow wild**, i.e. he may not cut his hair. And he is required to **rend** his clothing. And he is **prohibited from marital relations**.

The Gemara challenges this reasoning: **On the contrary, zav is more severe** than *metzora*. **Because the zav imparts** first level **impurity** to others even through **a bed** on which the *zav* lay down, **and** through **a seat** on which the *zav* sat. Even the clothing worn by the one who touches such a bed or seat will become impure.

**And** furthermore, the *zav* has a unique form of impurity that exists by no other type. Normally, an earthenware vessel cannot be rendered impure through touching only the outside of it. But a *zav* can **impart impurity to an earthenware vessel** without putting his hands inside, through merely **moving** the vessel (*heseit*).

The Gemara answers: The **verse said** to expel a *zav* from the Levites' camp. However, the verse added the additional word "everyone", as it was said: "They shall expel from the camp everyone with *tzara'at*, **everyone who has had a zav-emission**" (*Bamidbar* 5:3). From the extra word "everyone", the Torah **includes** the expulsion of anyone rendered impure by a normal seminal discharge, *ba'al keri*, from the Levite camp. *Ba'al keri* does not have any of the unique stringencies of the *zav*.

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Thus the Gemara says: **And a *metzora* is more severe than a *ba'al keri*.** Therefore, we may learn the law of the *metzora* based on that of the *ba'al keri*.

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The Gemara poses a difficulty: **On the contrary, *ba'al keri* is more severe than *metzora*, because the *ba'al keri* becomes impure** with a sighting of even a tiny amount of seminal emission, even the size of a mustard seed. Whereas the *metzora* becomes impure only if he has an affliction the size of a *gris*, a large bean.

The Gemara answers: Rabbi Shimon **holds like Rabbi Natan**, who said that a *ba'al keri* also needs to have a significant amount of emission to be impure.

**As the Rabbis taught** in a Baraita: **Rabbi Natan says in the name of Rabbi Yishmael: A *zav* needs** to see an amount at least enough to cause the **sealing of the male organ's orifice**, in order to become impure. **And the Sages did not agree to him.**

**And the *ba'al keri* is compared** by the Torah **to the *zav***. Thus the *ba'al keri*, too, needs to see a significant amount in order to become impure.

Since the Gemara has now established that *metzora* is more severe than *ba'al keri*, and it is possible to learn from the case of *ba'al keri* that the *metzora* is surely expelled from the Levites' camp, the verse about *metzora* must come to teach something additional. Therefore, Rabbi Shimon has a source for the expulsion of the *metzora* from even the Israelite camp.

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## Perek 6 – 67B

The Gemara asks: Given that the verse had an extra word “everyone” concerning the *metzora* as well, as it said: “They shall expel from the camp **everyone with tzara’at**” (*Bamidbar* 5:2-3), **Why do I** need this instance of “everyone”?

The Gemara answers: **Since it was written** concerning the *zav*: “**everyone who has had a zav-emission,**” which comes to include a *ba’al keri*, **it was written as well** concerning the *metzora*: “They shall expel from the camp **everyone with tzara’at.**” I.e. it was written due to linguistic considerations and does not come to teach a new law.

\*

The Gemara asks: **And** what will **Rabbi Yehudah** answer to Rabbi Shimon? **Rabbi Shimon said very well!** We should learn both the law of the three camps and the laws of expelling the three types of impurity from the passage of purifying the camps (in *Bamidbar*). There is no need to go to the passage of the *metzora* (in *Vayikra*) to learn the law of expelling a *metzora* from the Israelite camp.

The Gemara answers on behalf of Rabbi Yehudah: **That** verse of “Everyone with *tzara’at*, *everyone* who has had a *zav*-emission” (*Bamidbar* 5:3), which is in the passage of purifying the camps, is not extra. It cannot teach the law of sending the *metzora* out of the Israelite camp, because it is **needed for that halachah which the Rabbis taught** in a Baraita:

**Rabbi Eliezer says: One could think that if *zavim* and *metzora'im* pushed themselves in, and entered the Temple Courtyard** when the congregation was bringing a **Pesach offering in impurity, it could be they would be liable** for the punishment of *kareit*, because they entered the Courtyard against the law of the Torah. For the Torah only permitted the Pesach offering to be brought in impurity for those impure from a corpse—not for *zavim* and *metzora'im*.

## Perek 6 – 67B

Therefore **the Torah says: “They shall expel from the camp everyone with *tzara’at*, everyone who has had a *zav*-emission, and everyone impure by a human corpse”** (*Bamidbar* 5:2-3).

The “impure from a corpse” is compared in this verse to the *zavim* and *metzora’im*. This teaches that the *zavim* and *metzora’im* are exempt from *kareit* if they enter the camp of the Shechinah at the time a Pesach offering is brought in impurity. This is derived as follows:

**In the time that those impure from a corpse are expelled** from the camp of the Shechinah, *zavim* and *metzora’im* are also **expelled** from it.

But in the time **that those impure from a corpse are not expelled**, for instance when the Pesach offering is brought in impurity, **the *zavim* and *metzora’im* are also not expelled.**

However, the verse only compares them as far as exemption from *kareit* is concerned. They are not actually permitted to enter the Courtyard.

c c õ d d

The Gemara returns to a previous topic.

**The master** i.e. the above Baraita **said:** The verse said to expel a *zav* from the camp. However, the verse added the word “everyone”, as it was said: “**Everyone who has had a *zav*-emission**” (*Bamidbar* 5:3). From the extra word “everyone”, we **include** the expulsion of anyone impure due to normal seminal discharge, i.e. a *ba’al kerit*, from the Levite camp.

This provides a **support for** the view of **Rabbi Yochanan**.

## Perek 6 – 67B

As we find that **Rabbi Yochanan said** two halachot that he heard at the same time from his master. Because he heard them together, he was accustomed to teach them together, even though they are unrelated topics.

1). The **cavities** and the caverns under the Temple Courtyard **are not consecrated** with the holiness of the Courtyard.

2). **And the *ba'al keri* is expelled from two camps**, i.e. he must leave the Levite camp.

The Mishnah in Tractate *Zavim* **was brought** as a challenge to Rabbi Yochanan: **The impurity of the *ba'al keri* is like the impurity of touching a *sheretz*.**

**Is this not** coming to teach us about the law of expulsion **from their camps**, that a *ba'al keri* is expelled only from the camp of the Shechinah, similar to the impurity of *sheretz*, and not expelled from the Levite camp as Rabbi Yochanan said?

The Gemara answers: **No**, this was not the halachah for which the Mishnah equated a *ba'al keri* to the impurity of *sheretz*.

Rather, they were equated **for their** time of **impurity**. They are both impure only until nightfall, and are not impure for seven days, as is someone impure from a corpse or as is a *zav*.

\*

The Gemara poses a difficulty. Is it at all necessary for the Mishnah to teach us this halachah, of **for their** time of **impurity**?

The Torah wrote it clearly, concerning both of them!

## Perek 6 – 67B

**This one has impurity** only until **nightfall written concerning it, and that one has impurity** only until **nightfall written concerning it.**

**Rather, is it not** that the Mishnah is coming to teach about expulsion from **their camps**, as we said before?

The Gemara answers: **No, in truth** the Mishnah comes to equate them **for their impurity**, but in another way.

**And** the Mishnah **informs us that a *ba'al keri*** becomes impure in the **way of one who touches a *sheretz*.**

**Just as one who touches a *sheretz* becomes impure** even if the *sheretz* fell on him **accidentally, so too a *ba'al keri* becomes impure** through an emission that resulted **incidentally**, such as because of excess intake of food or drink.

# Chavruta

## Pesachim – Daf Samech Chet

Translated by: *Rabbi Dov Zimmel*

Edited by: *R. Shmuel Globus*

[**And the Mishnah informs us that a *ba'al kerī* becomes impure in the way of one who touches a *sheretz*.**

**Just as one who touches a *sheretz* becomes impure** even if the *sheretz* fell on him **accidentally, so too a *ba'al kerī* becomes impure** through an emission that resulted **incidentally**, such as because of excess intake of food or drink.]

**They posed a contradiction** to Rabbi Yochanan, who stated that a *ba'al kerī*<sup>1</sup> is expelled from two camps (similar to a *zav*<sup>2</sup>), from further on in the Mishnah<sup>3</sup>: **One who has relations with a *niddah*<sup>4</sup> is like** i.e. he has the same Halachah as **someone with impurity from a corpse.**

Now, **concerning which** Halachah is the Mishnah comparing them?

**If you will say** it is **concerning their impurity** that the Mishnah compares them – that both become impure for seven days.

But this cannot be correct! For in **this** case of someone with impurity from a corpse, **it is written about it** that **the impurity** lasts for **seven** days. **And** also in **that** case of one who has relations with a *niddah*, **it is written about it** that **the impurity** lasts for **seven** days. And since we have clear verses teaching these Halachot, this cannot be what the Mishnah is teaching.

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<sup>1</sup> A man who is impure due to having a normal seminal emission.

<sup>2</sup> A man who is impure due to having an abnormal seminal emission.

<sup>3</sup> Tractate *Zavin* 5:11

<sup>4</sup> A menstruant woman

## Perek 6 – 68a

**Rather, is it not** that this part of the Mishnah is coming to teach a Halachah **about their camps?** That just as someone with impurity from a corpse is sent away from the camp of the Shechinah – so too one who had relations with a *niddah* is sent out of the camp of the Shechinah.

**And since the latter part** of the Mishnah **is** teaching a Halachah **about their camps, also the earlier** part of the Mishnah **is** teaching a Halachah **about their camps.** Thus the Mishnah is teaching that a *ba'al ker* is sent out only from the camp of the Shechinah, but not of the Levites. This contradicts Rabbi Yochanan, who said that a *ba'al ker* is sent out even from the camp of the Levites.

\*

The Gemara resolves the contradiction: **Is there** really **a proof** from the latter part of the Mishnah that the first part of the Mishnah is dealing with the same matter?

We could say that **this** latter part of the Mishnah **is like it is.** I.e. it is teaching an independent Halachah concerning sending impure people out of the camps.

**And that** first part of the Mishnah **is like it is.** I.e. it is teaching an independent Halachah concerning how they contract impurity.

\*

**They posed a contradiction** from a Baraita which is speaking of sending impure people out of the camps.

## Perek 6 – 68a

**A *metzora*<sup>5</sup> has a stringency over a *zav*.** A *metzora* is sent out of all three camps. However a *zav* is sent out only from the first two camps, of the Shechinah and Levites, but not from of the camp of the Israelites.

**And a *zav* has a stringency over someone with impurity from a corpse.** The *zav* is sent out of two camps, but the one impure through a corpse is sent out only from the camp of the Shechinah.

**This excludes a *ba'al kerī*—for someone with impurity from a corpse has a stringency over him.**

The Gemara explains this latter part of the Baraita: **What** does it mean “this **excludes** a *ba'al kerī*”?

**Does it not mean that a *ba'al kerī* is excluded from the rule of a *zav*?** Even though the *ba'al kerī* is similar to a *zav* in that the impurity of both is caused by an emission. However it is different from a *zav* concerning the Halachah of sending out of the camps.

**And it the *ba'al kerī* goes into the rule of the impurity from a corpse.** That just as someone impure from a corpse is only sent out of the camp of the Shechinah, so too the *ba'al kerī* is only sent out of this camp. This is not like the *zav*, who is sent out of both the camps of the Shechinah and of the Levites.

The reason the *ba'al kerī* has the same Halachah as impurity from a corpse, and not of the *zav*, is **because someone with impurity from a corpse has a stringency over him, a *ba'al kerī*.** For someone with impurity from a corpse is impure for seven days, whereas a *ba'al kerī* is only impure for one day. **Yet** someone with impurity from a corpse **is permitted** to remain **within the camp of the Levites.** Therefore a *ba'al kerī*, whose

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<sup>5</sup> A person afflicted with *tzara'at*. This is an affliction manifested by white or light-colored spots on the body. Although often rendered as leprosy, this is widely disputed.

## Perek 6 – 68a

Halachah is more lenient than someone with impurity from a corpse, should surely be permitted to remain within the camp of the Levites. HaolH

This is now a contradiction to Rabbi Yochanan, who said that a *ba'al keri* is sent out of both the camp of the Shechinah and of the Levites.

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The Gemara resolves the contradiction: **No**, rather the Baraita means something else.

The phrase “this excludes a *ba'al keri*” means that **he is excluded from the camp of the one impure from a corpse, and he comes into the camp of the *zav***. I.e. the *ba'al keri* is sent out even from the camp of the Levites, like a *zav*.

**And even though someone with impurity from a corpse has a stringency over him** the *ba'al keri*, concerning how long they are impure. **And** therefore just as someone with impurity from a corpse **is permitted** to remain **within the camp of the Levites**, we would think the same should be true for a *ba'al keri*—

Nevertheless **we compare him** the *ba'al keri* **to the one whom he is most comparable to**, which is the *zav*. For both become impure through a bodily emission. And just as a *zav* is sent out of the camps of the Shechinah and of the Levites, so too the *ba'al keri* is sent out of both of these camps.

c c õ d d

## Perek 6 – 68a

A “tanna”<sup>6</sup> taught a Baraita in the presence of Rav Yitzchak bar Avdimi: The Baraita is explaining the verse (*Devarim*<sup>7</sup> 23:11) that speaks of a *ba'al ker*i being expelled from the encampment of the Israelite army. It states, “If there will be among you a man who is not pure because he had a nocturnal occurrence – he shall go outside the camp; he should not come into the camp”.

**“He shall go outside the camp”** – this means he must leave **the camp of the Shechinah**.

**“He shall not come into the camp”** – this means he may not come into **the camp of the Levites**.

**From here** we can derive **that a *ba'al ker*i must go out from two camps**. I.e. the camp of the Shechinah and the camp of the Levites.

\*

The Gemara raises a difficulty.

Rav Yitzchak bar Avdimi **said to him**, to this “tanna”: **He** the *ba'al ker*i **has not yet gone up** into the camp of the Levites, yet you say that **he has** been told **to go out** from it!

I.e. how can you say the verse is stating that he should leave the camp of the Levites, before the verse has told us that he went into that camp?

**Another version** of what Rav Yitzchak bar Avdimi asked the “tanna”:

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<sup>6</sup> This term refers here to an Amora who was known for his ability to remember Baraitot.

<sup>7</sup> Deuteronomy

## Perek 6 – 68a

**He has not** yet **gone out** from the camp of the Levites – for the verse did not say he needs to go out from this camp – and already he is being warned about **going up** into that camp?

**Rather**, said Rav Yitzchak bar Avdimi, **say** the Baraita is teaching the following:

“He should go **outside the camp**” – **this** means he should leave **the camp of the Levites**. I.e. a *ba'al ker*i who became impure while he was in the camp of the Levites, must leave there.

And when he leaves the camp of the Levites, “**He should not come into the camp**” – **this** means not to come into **the camp of the Shechinah**. I.e. do not think that he must leave the camp of the Levites, but he could go from there into the camp of the Shechinah. Rather he must leave the camp of the Levites and go into the camp of the Israelites.

\*

**Ravina challenged** the above teachings: **Say** that both **this** part of the verse **and that** part of the verse are speaking **about the camp of the Shechinah**. And they are teaching that the *ba'al ker*i cannot stay in, or return to, the camp of the Shechinah.

A *ba'al ker*i who stays in this camp when he should leave, **transgresses a positive mitzvah** to leave the camp when he is impure. **And** the *ba'al ker*i who returns to this camp transgresses **a negative mitzvah** of not returning to this camp while he is still impure.

\*

## Perek 6 – 68a

The Gemara replies: **If** this were **so**, that both parts of the verse are speaking about the camp of the Shechinah, **the verse should state: “And go outside the camp and not come into it”**.

**Why** does the verse state **‘the camp’** a second time?

**Hear from it** the following: That the verse is coming to teach that there is **another camp** that **we give to him**. I.e. not only must he go out from the camp of the Shechinah, but also from the camp of the Levites.

c c ã d d

It was stated in the Mishnah among those things performed on Shabbat itself, when Erev<sup>8</sup> Pesach falls on Shabbat: **And draining its** (the Pesach offering’s) **intestines** of the waste products within them.

The Gemara inquires: **What is** meant by **“the draining of its intestines”**?

**Rav Huna said: That we make a hole in them, with a knife**, so that the waste products will come out from the intestines. This is done in order that it will not rot there.

The term *‘michui’*, here rendered as ‘draining’, is referring either to the dissolved (*nimcha*) waste, or the making of a hole (*macha*).

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<sup>8</sup> The Eve of

## Perek 6 – 68a

**Chiya bar Rav said** an alternative explanation of ‘*michui*’ of its intestines”:

It is the removal of a liquid substance attached to the intestines, which is called ‘**the slime of the intestines**’. **It is removed** with great difficulty, **by applying pressure with a knife**.

It is called ‘*michui*’ since this is a term referring to something repugnant, like this substance.

\*

**Said Rabbi Elazar: What is the reason of Chiya bar Rav?** I.e. what is his source to explain ‘*michui*’ as something repugnant?

**For it is written** (*Yeshayahu*<sup>9</sup> 5:17), “**And the ruins of the repugnant ones (*meichim*) - sojourners will eat from them**”.

**How is it implied** that *meichim* is a term for ‘repugnant ones’?

**Like Rav Yosef translated** this verse: “**And the property of the wicked ones** [those that are repugnant] – **the righteous ones will inherit them**”.

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The Gemara now explains the beginning of the verse:

“**Then the sheep will graze *kedovram***”.

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<sup>9</sup> Isaiah

## Perek 6 – 68a

**Said Menasya bar Yirmiyah in the name of Rav:** The meaning of this verse is as follows: The Jewish people will graze like sheep, **like it was told to them** (*kedovram*) through the prophet.

The Gemara inquires: **What is “like it was told to them”?** What was told to them, and where is this prophecy written?

**Said Abaye:** Like it was told to them in the end of the verse: **“And the ruins of the repugnant ones”**, the property of the wicked – **“the sojourners will eat from them”** – the righteous will benefit from them.

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**Rava said to him Abaye:** It would have been **all right** to explain the verse **as you said if it had been written “the ruins”**.

But **now that it is written “and the ruins”**, it is difficult to explain the verse as you said. For with the extra word “and”, we must say that the second part of the verse is **speaking of another matter**.

**Rather, said Rava:** The explanation of the word ‘*kedovram*’ is **like that** which **Rav Chananel said in the name of Rav**.

**For Rav Chananel said in the name of Rav:** **In the future the righteous ones will bring the dead back to life**, just like the prophets Eliyahu<sup>10</sup> and Elisha did.

This is derived from a *gezeirah shavah*<sup>11</sup>: **It is written here** (*Yeshayahu* 5:17), **“Then the sheep [i.e. the righteous ones] will ‘graze’ *kedovram*”**.

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<sup>10</sup> Elijah

<sup>11</sup> I.e. when different verses have a similar wording they are often connected. This is *gezeirah shavah*, one of the means by which Scriptural verses are interpreted. There are many verses with similar wording, and a

## Perek 6 – 68a

**And it is written over there (Micah 7:14), “Let them ‘graze’ in Bashan and Gilad as in days of old”.**

**“Bashan” – this term refers to Elisha, who came from the Bashan.**

**For it is stated (Divrei Hayamim<sup>12</sup> I, 5:12), “And Yanai and Shafat in the Bashan”.**

**And it is stated (Melachim<sup>13</sup> 2, 3:11), “Here is Elisha son of Shafat who poured water on the hands of Eliyahu”.**

**“Gilad” – this term refers to Eliyahu, for it is stated (Melachim I, 17:1), “And Eliyahu the Tishbite, a resident of Gilad, said...”**

The *gezeirah shavah* is based on the words “*yir’u*” (Let them graze) in the verse in *Micah* (7:14), and “*vera’u*” (they will graze), in the verse in *Yeshayahu* (5:17). It is teaching that just as the word “*yir’u*” referred to those (Eliyahu and Elisha) who can bring the dead back to life, so too the word “*vera’u*” refers to those (the righteous) who will bring the dead back to life.

In this explanation, the word ‘*kedovram*’ is being understood as a contraction of ‘*kimdubar bam*’ – as it is said about them. I.e. just like it is said about Eliyahu and Elisha that they brought the dead back to life, so too is it said about the righteous ones in the future.

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*gezeirah shavah* interpretation is only made when there is a tradition of the Oral Torah (as handed down from Mt. Sinai) that these two verses are indeed linked.

<sup>12</sup> Chronicles

<sup>13</sup> Kings

## Perek 6 – 68a

**Said Rabbi Shmuel bar Nachmani in the name of Rabbi Yochanan: In the future the righteous ones will bring the dead back to life.**

**For it is stated** (*Zechariah* 8:4), **“Old men and old women will once again sit in the streets of Jerusalem, each with his staff (*mish’anto*) in his hand because of advanced age”.**

**And it is written** (*Melachim* II, 4:29), **“And place my staff (*mish’anti*) on the face of the youth”.** This verse speaks of the incident in which Elisha brought the son of the Shunnamite woman back to life.

There is a *gezeirah shavah* here based on “*mish’anti*” and “*mish’anto*”. Just as the first term refers to bringing the dead back to life, so too the second term.

c c õ d d

**Ula posed a contradiction** between two verses:

**It is written** (*Yeshayahu* 25:8), **“He [Hashem] will eliminate death forever”.** This verse implies that in the future, people will not die.

**But it is also written** (*ibid* 65:20), **“For the youth of one hundred years will die”.** This verse implies that in the future, people will still die – but they will die at a much later stage. For one who will die at the age of one hundred will be considered to have died in his youth.

Ula resolved this contradiction: **It is not a difficulty.**

## Perek 6 – 68a

**Here**, in the verse, which implies there will be no more death, **it refers to the Jewish people**. They will no longer die.

**There**, in the verse, which implies there still will be death, **it refers to the gentiles**. They will continue to die, but they will live longer.

The Gemara inquires: **But what are the gentiles doing there?** I.e. what will be their role in the World to Come?

The Gemara answers: **For it is written** (*Yeshayahu* 61:5), **“Foreigners will stand and tend your flocks, and the sons of the stranger will be your plowmen and your vineyard workers”**. They will be subservient to the Jewish people, helping them and doing their menial tasks.

\*

**Rav Chisda posed a contradiction** between two verses:

**It is written** (*Yeshayahu* 24:23) that in the future, **“The moon will be humiliated and the sun will be shamed”**. I.e. both will no longer emit light.

**Yet it is also written** (*ibid* 30:26) that in the future, **“The light of the moon will be like the light of the sun, and the light of the sun will be seven times as strong, like the light of the seven days”**. From here we see that in the future, the sun will emit much greater light than it does now.

Rav Chisda resolved this contradiction: **It is not a difficulty**.

## Perek 6 – 68a

**Here**, in the verse which implies that they will no longer shine, it **refers to the World to Come**. Then, light will emerge from the radiance of the Shechinah. It will not be necessary for light to come from the sun or the moon.

**There**, in the verse which states that the light of the sun will be much more powerful, it **refers to the days of Mashiach**<sup>14</sup>.

\*

The Gemara asks: **But according to the view of Shmuel, who said: “The only difference between this world’s present state and its state in the days of Mashiach is in respect to the subjugation of the kingdoms”**, that the Jewish people will then no longer be subjugated by the gentiles, **what can we say** to answer the contradiction between the verses?

According to Shmuel there will be no other changes, thus the sun will continue to give off its present level of light.

The Gemara replies: Both **this** verse **and that** verse are speaking of **the World to Come**.

**And it is not a difficulty** to explain that the two verses do not contradict each other.

**Here**, the verse which implies that the sun and the moon will no longer emit light, it **refers to the camp of the Shechinah**.

**There**, the verse which states that the light of the sun will be much more powerful, it **refers to the camp of the righteous**.

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<sup>14</sup> Messiah

## Perek 6 – 68a

**Rava posed a contradiction** between two verses:

**It is written** (*Devarim* 32:39), **“I put to death and I bring to life”**.

**Yet it is also written** right afterwards, in the same verse, **“I struck down and I will heal”**.

**Now** it would appear that the second part of the verse is unnecessary. For **if He can give life** to those that are dead, **certainly He can heal** the sick!

**Rather**, this is what **the Holy One said** in this verse: **“That which I cause to die, I will bring to life—just like that which I struck down, I will heal”**.

I.e. the very same ones that Hashem caused to die, will Hashem bring back to life. And the verse continues by giving an example – that the very same person whom Hashem caused to be sick is also healed by Hashem.

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**The Rabbis taught** in a Baraita: **“I put to death and I bring to life”**.

**I might** think that **death** is said **with regards to one** person, and **life** is said **with regards to** a different **one, like the way of the world**, in which death and then life cannot be said about the same person. Thus, the verse would be saying that Hashem blesses a living person with additional life.

Therefore the verse **comes to teach**, **“I struck down and I will heal”**. **Just like the striking down and the healing refers to one** person, **so too death and life refer to one** person.

## Perek 6 – 68B

**From here there is a response** that may be given **to those who say, “The principle of the Resurrection of the Dead is not derived from the Torah”.**

**Another explanation** of the verse: **To begin with,** the verse recounts that **how “I put [them] to death,** in the same state, **I will bring [them] to life”.** I.e. when the dead are resurrected, they will come back to life the very same way they were at the time they died.

**And subsequently,** the verse recounts that **how “I struck down, [so] I will heal”.** If they had any blemishes, Hashem will heal them.

c c õ d d

### **Ammud Bet**

**It was taught** in the Mishnah: **And the burning of its** the Pesach-offering’s **fats** is also done on Shabbat.

**It was taught** in a Baraita: **Said Rabbi Shimon: Come and see how precious is a mitzvah** which is done **at its correct time.**

## Perek 6 – 68B

**For note that the burning of fats, limbs<sup>15</sup> and *pedarim*<sup>16</sup> of sacrifices slaughtered during the day is valid to perform all of the night. But nevertheless we do not wait to burn them until it gets dark i.e. until after Shabbat. Rather we burn them even on Shabbat.**

\*

It was taught in the Mishnah: **The carrying** of the Pesach offering on one's shoulders through the public domain into the Temple Courtyard does not supersede Shabbat. **And** similarly, **bringing it from outside the Shabbat boundary.**<sup>17</sup> Also this is prohibited. And similarly, cutting off its (a Pesach offering's) wart.

**And they posed a contradiction** from a Mishnah<sup>18</sup>: On Shabbat it is permissible **to cut off**, by hand, **a wart** that is on the *Tamid*<sup>19</sup> offering. This applies **in the Temple, but not in the state** i.e. outside the Temple, where it is forbidden to do this.

But **to cut** the wart off **with a utensil**, both **here** in the Holy Temple **and there** in the state, **is forbidden.**

From this Mishnah we see that in the Temple it is permissible to cut a wart off an offering by hand, even on Shabbat. So why in our Mishnah is it forbidden?

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There is a disagreement between **Rabbi Elazar and Rabbi Yosi bar Chanina**, how to answer this question.

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<sup>15</sup> The limbs of the Pesach offering are not burnt on the Altar; they are eaten on Pesach night. However, the limbs of the Shabbat burnt offerings are indeed burnt on the Altar.

<sup>16</sup> This refers to the layer of fat that covers the stomach.

<sup>17</sup> The 2000 *ammah* (roughly 1km) limit to which one is allowed to walk outside of the city on Shabbat

<sup>18</sup> Eiruvin 103a.

<sup>19</sup> Daily

## Perek 6 – 68B

**One said:** Both **this** Mishnah **and that** Mishnah are speaking of cutting the wart off **by hand**. And even so, there is no contradiction between them.

**This** Mishnah which forbids cutting off a wart from the Pesach offering, **is speaking of a moist**, i.e. a live, wart. Because it is live, the removal of it is considered to be a Torah prohibition, even if it is done by hand.

However **that** Mishnah which permits cutting off a wart from the *Tamid* offering **is speaking of a dry**, i.e. a dead, wart. Because it is dead, its removal is only a *shvut*<sup>20</sup>. Therefore in the Temple it is permissible to cut it off, since no *shvutim* were decreed with regards to the Temple service. However in the state, it is forbidden to do this.

**And the other one said:** Both **this** Mishnah **and that** Mishnah are speaking **in** a case of a **moist** wart.

**And it is not a difficulty** to resolve the apparent contradiction between them.

**This** Mishnah which taught it is permissible to cut off a wart from the *Tamid* offering, is speaking in a case where it is cut off **by hand**. This view holds that even if the wart is live, but is cut off by hand, it is only a *shvut* – and *shvutim* were not decreed with regards to the Temple service.

But **that** Mishnah which taught that it is forbidden to cut off a wart from the Pesach offering, is speaking in a case where it is cut off **with a utensil**. This is forbidden to do from the Torah.

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<sup>20</sup> A prohibition enacted by the Rabbis.

## Perek 6 – 68B

**And the one who said, “This Mishnah is speaking about where he cut the wart off by hand, and that Mishnah is speaking about where he cut the wart off with a utensil” – why did he not say the alternative explanation: “this and that are both speaking of when he cut it off by hand; but it is not a difficulty because this one is speaking of a moist wart and that one is speaking of a dry wart”?**

**He would say to you: A dry wart crumbles.** Therefore, even with a utensil there is no Torah prohibition to remove it. For the form of work called Shearing, which is the prohibition under discussion, applies only to removing something that remains intact when it is removed. And the Mishnah states that it is forbidden to remove the wart with a utensil. So the Mishnah cannot be speaking of a dry wart.

**And the one who said, “Both this and that are speaking where he cut off the wart by hand, and it is not a difficulty, for this is speaking in a case of a moist wart and that in a case of a dry wart” – why did he not say the alternative explanation: “Both this and that are speaking in a case of a moist wart, and it is not a difficulty, for this is speaking in a case where he cut it off by hand and that is speaking in a case where he cut it off with a utensil”?**

**He would say to you:** If the reason our Mishnah ruled that one cannot cut off the wart is because a utensil is being used, then our Mishnah is unnecessary. For **note** that this teaching **has already been taught** in the Mishnah over **there:** “Concerning **if** it is cut **with a utensil** – both **here and there** i.e. both in the Temple and the state, **it is forbidden** to cut it off in this manner”.

**And the other one,** who did explain our Mishnah as speaking of a utensil, why can this ruling not be learned from the Mishnah over there?

He would say to you: **That which is taught here** about the prohibition to cut with a utensil **is coming to teach** that it is actually a **disagreement between Rabbi Eliezer**

## Perek 6 – 68B

**and Rabbi Yehoshua.** I.e. it tells us that Rabbi Eliezer holds it is permitted to cut off the wart even with a utensil.

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It was taught in the Mishnah:

Rabbi Eliezer says: Also “preparations for the mitzvah” pertaining to the Pesach offering, for example carrying it to the Temple Courtyard, bringing it from outside of the Shabbat boundary, and cutting off its wart in an irregular way, supersede Shabbat—even though they could have been done before Shabbat.

But Rabbi Eliezer agrees that the things that could be done *after* Shabbat are delayed until then.

**Said Rabbi Eliezer: And surely it is logical** that these Rabbinically prohibited acts should supersede Shabbat, even if they could have been done before Shabbat.

**If *shechitah*<sup>21</sup>**, which is stringent since it is a primary form of work, supersedes Shabbat for the sacrifice of the Pesach offering—

These acts, which are lenient since they are merely a *shevut*, should they not supersede Shabbat?

Rabbi Yehoshua said to him: The case of Yom Tov will prove it, that the Rabbinically forbidden acts do not supersede Shabbat. For they the Sages permitted on it, on Yom Tov, to slaughter and cook for a Yom Tov need, despite these actions being primary

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<sup>21</sup> Kosher slaughtering

## Perek 6 – 68B

forms of work. In other words the Sages did not make a prohibition on these acts, which Torah law permits on Yom Tov. And nevertheless, the Sages decreed and said that it is prohibited on it on Yom Tov, because of a *shvut*, to bring food for Yom Tov use from outside the Shabbat boundary, since it could have been done before Yom Tov.

Rabbi Eliezer said to him Rabbi Yehoshua: What is this proof that you are bringing, Yehoshua?

What is the relevance of a proof from the case of bringing of a non-obligatory item from outside of the Shabbat boundary, which the Sages prohibited, to the case of bringing the Pesach offering from outside of the Shabbat boundary, which is a mitzvah? In this case, the Sages did not apply their prohibition, as it would prevent the fulfillment of a mitzvah!

The Gemara will now explain the view of Rabbi Yehoshua:

And **Rabbi Yehoshua is going according to his reasoning** which he expressed elsewhere. **For he said: To rejoice on Yom Tov is also a mitzvah.** Yet one cannot bring food from outside the Shabbat boundary to fulfill this mitzvah, even though it is only a *shvut*.

The reason this prohibition is not permitted for the sake of the mitzvah is because it could have been done before Yom Tov. So too with bringing the Pesach offering from outside the Shabbat boundary; since this could have been done before Yom Tov, it cannot now be done on Yom Tov. Therefore Rabbi Yehoshua holds that the offering cannot be brought from outside the Shabbat boundary on Yom Tov, nor can a wart be removed from it on Yom Tov.

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## Perek 6 – 68B

The Gemara now brings the source where we see that Rabbi Yehoshua holds that to rejoice on Yom Tov is a mitzvah.

**For it was taught** in a Baraita: **Rabbi Eliezer says: A person has no obligation on Yom Tov** how to spend the day. **Rather he can either** spend it **eating and drinking**, or he can spend it **sitting and studying** the Torah.

**Rabbi Yehoshua says: He must divide it.** I.e. the day of Yom Tov should be split the following way. **Half of it for eating and drinking, and half of it for studying in the study-hall.**

**And Rabbi Yochanan said: And both of them derived** their law **from the same Scriptural** source.

**One verse says** (*Devarim* 16:8), **“It should be an assembly to Hashem, your G-d”**.

**And another verse says** (*Bamidbar*<sup>22</sup> 29:35), **“It should be an assembly for you”**. This implies that it is for “you” to enjoy.

**Rabbi Eliezer held** the view: The verses are teaching us that the day of Yom Tov is to be **either completely for Hashem** i.e. to be involved the whole day in spiritual matters. **Or** to be **completely for yourselves** i.e. to be involved the whole day in physical pursuits.

**And Rabbi Yehoshua held** the view: The verses are teaching to **divide it up. Half of it for Hashem and half of it for yourselves.**

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<sup>22</sup> Numbers

## Perek 6 – 68B

**Said the Amora Rabbi Elazar: Everyone** (even the Tanna Rabbi Eliezer, whose view was cited in the above Baraita) **agrees regarding the festival of Shavu'ot, that we require** that one spends part of the day **also for yourselves.**

**What is the reason?** Because **it is the day on which the Torah was given.** Therefore one should spend at least part of the day eating and drinking, to express our joy that the Torah was given to the Jewish people.

**Said Rabbah: Everyone agrees regarding Shabbat that we require** that one spends part of the day **also for yourselves.**

**What is the reason?** As the verse says (*Yeshayahu 58:13*), **“And you should proclaim Shabbat to be a delight”.**

**Said Rav Yosef: Everyone agrees regarding Purim that we require** that one spends part of the day **also for yourselves.**

**What is the reason?** For the verse (*Esther 9:22*) **“Days of feasting and happiness” is written concerning it.**

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**Mar the son of Ravina would spend the whole year fasting—except for Shavu'ot, Purim and Erev Yom Kippur.**

**Shavu'ot** – because it is **the day on which the Torah was given.**

**Purim** – for **it is written** regarding it **“Days of feasting and happiness”.**

## Perek 6 – 68B

**Erev Yom Kippur – For it was taught** in a Baraita by Chiya bar Rav from Difti: The verse says (*Vayikra*<sup>23</sup> 23:32), “**And you should afflict yourselves on the ninth of the month**”.

**But do we fast on the ninth? We fast on the tenth!**

**Rather**, the verse is coming to say to you: **Anyone who eats and drinks on the ninth – it is considered for him by Scripture, as if he fasted on both the ninth and the tenth.**

\*

**Rav Yosef, on the day of Shavu’ot, would say** to his servants: **Make for me** a meal of a calf born **third** to its mother. This calf is particularly tasty.

**He said** in explanation why he made a special meal on this day: **Were it not for this day that caused** me to learn Torah and become uplifted spiritually, I would be like the **many** people **in the market** who are called **Yosef**.

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**Rav Sheishet would review his studies every thirty days. And he would stand and learn by the bolt of the door and say: “Rejoice my soul, rejoice my soul – because it is for your sake that I studied the verses of Scripture, and for your sake that I studied Mishnayot and Baraitot!”**

The Gemara asks: **Is it really so** that only he who studies, benefits from his studying—and the world as a whole does not benefit?

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<sup>23</sup> Leviticus

## Perek 6 – 68B

**But note what Rabbi Elazar said: If it were not for those studying Torah, then the heavens and earth could not endure.**

**As it is said (Yirmiyahu<sup>24</sup> 33:25), “If My covenant with the night and with the day would not be; had I not set up the laws of heaven and earth.”**

The covenant that is referred to is the studying of Torah. The verse teaches that were it not for the studying of Torah at night and by day, the world could not exist. So surely the studying of the Torah by Rav Sheishet benefited the world.

The Gemara answers: **Initially, when a person does his studying, he does it with himself in mind.** Nevertheless the whole world benefits from this study of the Torah.

c c õ d d

**Said Rav Ashi: And even according to what Rabbi Eliezer said** – that to rejoice physically on **Yom Tov is non-obligatory** – **there is still a refutation.** I.e. there is a refutation to the argument of Rabbi Eliezer that if the Torah permits a *shechitah* for the sake of the Pesach offering, it would surely permit doing a *shvut* for the sake of the Pesach offering:

**If on Yom Tov, where it is permitted to do work prohibited on Shabbat by the Torah, even for the sake of something non-obligatory, e.g. to do *shechitah* on an animal he wants to eat for his Yom Tov meal, although to Rabbi Eliezer this meal is non-obligatory. Yet even so, it is not permitted to do a *shvut* associated with it.** E.g. to bring an animal from outside the Shabbat boundary to eat for his Yom Tov meal.

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<sup>24</sup> Jeremiah

## Perek 6 – 68B

Then on **Shabbat** which is more stringent than Yom Tov, for **it is only permitted to do work** for the sake **of the mitzvah** of the *Tamid* offering. **Is it not logical that it is not permitted to do a *shvut* which is associated with it**, this mitzvah?

# Chavruta

## Pesachim – Daf Samech Tet

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

**It was taught** in a Baraita:

**Rabbi Eliezer said** another *kal vachomer*:<sup>1</sup> **If the preparations for a mitzvah** that are **done after**<sup>2</sup> **slaughtering** the Pesach offering **supersede Shabbat, when its mitzvah** (of sacrificing the Pesach) **is already done, will** we not surely say that **the preparations of a mitzvah** that are done **before** doing the mitzvah of **slaughtering** also **supersede the Shabbat**, in order to be able to fulfill the mitzvah that is not yet done?

**Said Rabbi Akiva** in reply: This is no *kal vachomer* **because if preparations for a mitzvah after slaughtering supersede Shabbat, that is because the slaughtering already superseded the Shabbat.**

But **will you say that preparations for a mitzvah before slaughtering should supersede Shabbat**, even though the **slaughtering has not yet superseded the Shabbat?** (objection #1)

Rabbi Akiva also says **another thing** to refute the *kal vachomer*.

We should not supersede Shabbat to make preparations before the mitzvah of slaughtering the Pesach offering, because **perhaps the offering will be found to be invalid, and it turns out that one desecrated Shabbat retroactively.** (objection #2)

The Gemara challenges objection #2:

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<sup>1</sup> An inference from minor to major.

<sup>2</sup> such as cleaning the innards of the sacrifice in preparation for burning them.

## Perek 6 – 69a

**If so, one should not slaughter** the Pesach offering **at all**, because **perhaps the sacrifice will be found to be invalid, and it turns out that one desecrates Shabbat retroactively!**

The Gemara answers: **Rather**, we must say that **he** Rabbi Akiva **said that** objection, i.e. #2, **to him** Rabbi Eliezer **first**. **And he** Rabbi Eliezer **refuted it** with the argument we just raised.

**And then he** Rabbi Akiva **told him that** other objection, i.e. #1, **that “if they** the preparations after the slaughtering **supersede...”**

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The Mishnah says: **Rabbi Akiva replied and said: Sprinkling** the purifying waters of the Red Heifer (*parah adumah*) on Erev Pesach which fell on Shabbat, onto someone who had impurity from touching a corpse, **it will prove it**—that Rabbinic prohibitions are not superseded. For this sprinkling, Rabbinically forbidden on Shabbat, is to purify a person and allow him to eat from the Pesach offering that evening, yet it is forbidden.

Rabbi Eliezer countered that if slaughtering the Pesach offering, which is a Torah form of work, is permitted, then mere sprinkling should surely be permitted.

Rabbi Akiva replied: I will claim that the reverse logic is true—that slaughtering is forbidden, *kal vachomer* from sprinkling which is forbidden.

Rabbi Eliezer said to him: Akiva! How could you argue in such a way? Surely you have uprooted the Torah’s law that one may slaughter the Pesach offering even on Shabbat!

## Perek 6 – 69a

**It is taught in a Baraita** that Rabbi Eliezer concluded the argument by cursing Rabbi Akiva: **Rabbi Eliezer said to him: Akiva, you asked a false question against me, from the slaughter** of the Pesach offering. You tried to prove that slaughtering the Pesach offering on Shabbat is forbidden, which is patently untrue, and against the Torah's intent. Therefore, **with slaughtering will be your** (lit. his) **death!**

**He** Rabbi Akiva **said to him: Master, do not deny what I said at the time of this argument.**

Because **this is** a teaching that **I received from you: Sprinkling** the purifying waters **is a shevut,**<sup>3</sup> **and yet it does not supersede the Shabbat.**

Therefore I made that false *kal vachomer* you rightly objected to, in order to jolt your memory.

\*

The Gemara raises an objection: **But if he** Rabbi Eliezer **taught him** Rabbi Akiva **that** sprinkling the purifying waters is forbidden on Shabbat, **why did he retract** in our Mishnah, and hold that sprinkling is permitted?

The Gemara answers: **Said Ula: When Rabbi Eliezer taught him** that sprinkling is forbidden, **he taught him** concerning the **sprinkling of** someone who wants to be pure in order to eat *terumah*. **Because** the separating of *terumah* **itself does not supersede Shabbat.**

**And Rabbi Akiva too, when he** tried to **contradict him** Rabbi Eliezer from a *kal vachomer*, **was contradicting him from the sprinkling of** someone who wants to eat *terumah*.

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<sup>3</sup> Work that is Rabbinically forbidden on Shabbat.

## Perek 6 – 69a

**Because it is a mitzvah and it is** only forbidden **because of a *shevut***, and nevertheless it does not supersede Shabbat.

And Rabbi Akiva held that the same applies to sprinkling done to eat the Pesach offering. Thus he claimed that there is a *kal vachomer* that slaughtering of the Pesach should not supersede Shabbat, in order to jolt Rabbi Eliezer's memory.

**But he** Rabbi Eliezer **thought that he** Rabbi Akiva **was contradicting him from the sprinkling** done **for the Pesach offering**, a halachah which he himself never stated.

That is why Rabbi Eliezer was not retracting when he replied that sprinkling in order to enable someone to bring a Pesach offering is permitted.

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The Gemara refutes Ula's answer:

**Rabba contradicted** it from the following Baraita:

**Rabbi Akiva replied** to Rabbi Eliezer **and said: The sprinkling** done **for someone impure from a corpse, whose seventh day fell on Shabbat on the day before Pesach, will prove** that preparations of a mitzvah do not supersede Shabbat. **Because it is a mitzvah and it is** only forbidden **because of a *shevut***, and yet **it does not supersede Shabbat.**

**But** we see from here<sup>4</sup> that **certainly, he** Rabbi Eliezer **taught him** Rabbi Akiva that **sprinkling** in order to bring the Pesach offering is forbidden.

## Perek 6 – 69a

**And since he** Rabbi Eliezer **taught him** Rabbi Akiva that sprinkling to enable someone to bring a Pesach offering does not supersede Shabbat, **why does Rabbi Eliezer** in our Mishnah retract and **disprove him** Rabbi Akiva from the case of sprinkling?

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The Gemara therefore gives another reason why Rabbi Eliezer retracted from what he told Rabbi Akiva earlier.

**Rabbi Eliezer forgot his learning, and Rabbi Akiva came to remind him of his learning.**

The Gemara raises an objection: **And he** Rabbi Akiva **should have told him** Rabbi Eliezer **directly** that he had taught him differently before!

The Gemara answers: **He** Rabbi Akiva **held that it is not proper behavior** to remind him abruptly.

\*

The Gemara now explains why the Sages forbade sprinkling water on someone impure from a corpse, on Shabbat:

**And sprinkling, why does it not supersede Shabbat?**

**In truth, it is just moving something. Let it supersede Shabbat, because of the Pesach offering?**

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<sup>4</sup> Rashi explains that if Rabbi Akiva had not heard this from Rabbi Eliezer, but was only extrapolating it from sprinkling of *terumah*, he would not have stated it so confidently as a fact.

## Perek 6 – 69a

The Gemara explains: **Said Rava:** It is a decree lest one takes the sprinkling water **and moves it four *ammot* in the public domain**, which would be Torah transgression.

\*

The Gemara objects: **And according to Rabbi Eliezer** (according to the original ruling that he taught Rabbi Akiva, that sprinkling is forbidden on Shabbat), why should the Sages make such a decree? **Let one move it**, nevertheless. **For Rabbi Eliezer said: Preparations of a mitzvah supersede Shabbat!**<sup>5</sup>

The Gemara proceeds to give a number of answers:

Answer #1:

**We say** to answer this: **These words** of Rabbi Eliezer apply **when the person himself is fitting**, for example, if he has a healthy baby boy who needs to be circumcised on Shabbat, **and** in that case, **an obligation falls on him** to do the mitzvah. Therefore he is allowed to bring a knife through the public domain.

**But here, where the impure person himself is not fitting** to bring a Pesach offering in his present state, **no obligation falls on him** as of yet. Therefore Rabbi Eliezer will not allow one to carry water to sprinkle on him.

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The Gemara discusses, tangentially:

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<sup>5</sup> This is actually Rabbi Akiva's objection to Rabbi Eliezer in the Mishnah.

## Perek 6 – 69a

**Said Rabbah: According to Rabbi Eliezer** as we have now explained him, if there is a **healthy child, we will warm hot water to strengthen him and circumcise him on Shabbat, because he is fit** to be circumcised.

But if there is a **sick child, we will not warm hot water for him to strengthen him and circumcise him, because** at the moment **he is not fit** to be circumcised since he is too weak and the circumcision will endanger him.

**Rava said to him** in objection: **And if he is healthy, why does he need water to strengthen him?**

**Rather, said Rava: Everyone is considered sick concerning circumcision.** Therefore, for **both a healthy child and a sick child, we do not warm up hot water for him to strengthen him and circumcise him on Shabbat, because he is not fit** as of yet to be circumcised. And even Rabbi Eliezer will agree that water must always be heated while it is still day.

\*

The Gemara disproves answer #1:

**Abaye contradicted him,** from a Baraita:

**An uncircumcised person who did not circumcise himself** on the day before Pesach in order to be able to bring the Pesach offering, **is punished with *kareit*<sup>6</sup>, according to Rabbi Eliezer.**

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<sup>6</sup> Spiritual excision

## Perek 6 – 69a

**But here**, we must admit **that the uncircumcised person is not fitting** to bring a Pesach offering as he is, **and we are taught** in the Baraita **that he is punished with *kareit***. We see from this **that an obligation falls on him** to circumcise himself.

And similarly, Rabbi Eliezer should hold that an impure person does have an obligation to purify himself to bring the Pesach offering, and it should be permitted to sprinkle water over him on Shabbat.

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Now that answer #1 has been disproved, Rabbah gives answer #2 why Rabbi Eliezer does not allow an impure person to have the purifying water sprinkled over him on Shabbat:

**Said Rabbah: Rabbi Eliezer holds** that there is a difference between an uncircumcised person, who is regarded as obligated to bring the Pesach offering, and an impure person, who is not.

The impure person is regarded as not obligated to bring the Pesach offering because of a combination of three rules:

Rule #1) **One does not slaughter** a Pesach offering **or throw** its blood **for someone who is impure from a *sheretz***<sup>7</sup> or a corpse, even if he could become pure by evening.<sup>8</sup> (If not for this rule, such impure people would be regarded as “fit” to bring the Pesach offering, because someone else could bring it on their behalf).

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<sup>7</sup> One of the eight types of crawling creatures mentioned in the Torah as having impurity.

## Perek 6 – 69B

### **Ammud Bet**

Rule #2) Rabbi Eliezer also holds the following: Concerning **every** impurity **that would delay an individual** to Pesach Sheni, a month later, to bring his Pesach offering. If most of **the public** have that impurity, they **will do** the Pesach offering on the fourteenth of Nisan, **in impurity**, and do not have to purify themselves.

Rule #3) **Anything that applies to the public, applies to the individual. And anything that does not apply to the public, does not apply to the individual.**

Therefore:

**Not being circumcised, that if the whole public were not circumcised we would say to them: Get up and circumcise yourselves and only then make the Pesach offering, then an individual too, we tell him: Get up, circumcise yourself and only then make the Pesach offering.**

**And if he does not circumcise and make it, he is punished with *kareit*.**

But concerning **impurity, that if the whole public is impure, we do not** sprinkle purifying water **on them, rather they make** the Pesach **in impurity** (because of rule #2), then **an individual too** does not have to purify himself. He **is exempt**<sup>9</sup> from bringing his Pesach offering on the fourteenth of Nisan, and does so on Pesach Sheni instead.

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The Gemara raises a difficulty against rule #3.

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<sup>8</sup> This is an argument later on *daf* 80b.

## Perek 6 – 69B

**Said Rav Huna the son of Rav Yehoshua to Rava: But there is Pesach Sheni, which is an exception to this rule. For it is not obligatory on the public, but it is obligatory on the individual!**

This contradicts the rule that anything inapplicable to the public is inapplicable to the individual.

The Gemara answers: **He said to him: It is different there, because the public did it the Pesach offering in the first Pesach.** They in fact had an obligation, and performed it in its time.

But in a case where the public are exempt from doing the first Pesach, for example, if most of them are *zavim*<sup>10</sup>, in which case the public cannot bring the Pesach offering in impurity, and there a few individuals who were only impure from a corpse, they (both the public<sup>11</sup> and the individuals) will be exempt from bring a Pesach offering on Pesach Sheni, because whenever the public are exempt, the individual too is exempt.

\*

The Gemara disproves rule 3 from a Baraita, thereby refuting answer #2:

**There is a contradiction to rule #2 from a Baraita** that says:

**One may have thought that only a pure person or someone not in a distant road is punished with *kareit* if he fails to bring the Pesach offering.**

**From where do we also include an uncircumcised person, someone impure from a *sheretz* and the other impure people who can purify themselves?**

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<sup>9</sup> Because only the public are allowed to bring the Pesach when they are impure.

<sup>10</sup> A severe form of impurity which is not superseded by the obligation to bring the Pesach offering.

<sup>11</sup> Because the rule is that the public never bring a Pesach Sheni.

## Perek 6 – 69B

Because **the verse says: “And *the man* who was pure and not in the road and did not make the Pesach, that soul shall be excised from its nation.”** This extra word, “the man,” includes even an impure person who could have purified himself.

The Gemara explains why this Baraita disproves rule 3:

**Because he** (the Tanna of this Baraita) **searches for** an appropriate case to apply the verse to, and in the end teaches that **someone impure from a *sheretz*** is obligated to purify himself in order to bring the Pesach service. We thus see that **he holds that one does not slaughter or throw** blood of a Pesach offering **for someone who is impure from a *sheretz*.** (rule #1)

**Because if** the Tanna holds that **one slaughters and throws** blood **for someone impure from a *sheretz*, why search for his** case as an application of this verse? He is just **like a pure person** and would obviously be liable if he did not have a Pesach offering brought on his behalf.

Therefore, this Tanna must hold that we do not slaughter and throw blood on behalf of an impure person.

And therefore, **we see that even though he is not fit** to bring the Pesach offering, there is **an obligation on him** to purify himself and bring it.

**And** therefore, **even though it is not** applicable **to the public**, because they can bring the Pesach offering without purifying themselves, **it is** applicable **to the individual**.

And that refutes rule #3, thus refuting answer #2.

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## Perek 6 – 69B

Therefore Rava gives answer #3:

**Rather, said Rava: Rabbi Eliezer holds that we indeed slaughter and throw blood on behalf of a person who is impure from a *sheretz*, and the same thing applies to a person impure from a corpse on his seventh day.** We bring his Pesach offering and in the mean time he purifies himself in order to eat it that evening. (Contrary to rule #1 in the previous answer).

If so, why do we not sprinkle purifying water on a someone impure from a corpse on Shabbat, so that he can eat his Pesach offering in the evening?

Because **sprinkling, for what** is it needed?

It is not needed to bring the Pesach offering, because someone else brings it on his behalf. It is only needed **for eating** from the meat of the Pesach offering at night, after Shabbat has departed.

**And failing to eat from the Pesach offerings does not prevent** the sacrifice from being valid. The impure person will not be punished with *kareit* if he does not eat from it at night. He will merely fail to perform the positive Torah mitzvah of eating from it. Therefore Rabbi Eliezer does not allow water to be sprinkled on the person on Shabbat.

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The Gemara raises an objection to answer #3:

**Said Rav Adda bar Abba to Rava: If so, we find a case in which the Pesach offering is slaughtered not for the sake of the people supposed to eat it.** But we have learnt that this invalidates the offering!

## Perek 6 – 69B

**He said to him:** “Not for the sake of the people supposed to eat it” invalidates the offering if one slaughters it **for a sick person or an old person who are not fitting** to eat it at all.

**But this** impure person **is certainly fitting** to eat it, only **he has not** yet **rectified** the impurity which prevents him. This can be done by merely having the purifying water sprinkled on him.

In conclusion, the Gemara accepts answer #3 in explanation of the original view of Rabbi Eliezer.

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The Gemara discusses the Halachic conclusion in the argument between Rabbi Akiva and Rabbi Eliezer:

The Mishnah says: **Rabbi Akiva said a rule:** Whatever mitzvah can be done on the day before Shabbat does not supersede Shabbat.

The Gemara concludes: **Said Rav Yehudah said Rav: The Halachah is in accordance with Rabbi Akiva.**

**And it was also taught like this in a Mishnah concerning circumcision:**

**Rabbi Akiva said a rule: Whatever work can be done on the day before Shabbat does not supersede Shabbat.**

## Perek 6 – 69B

Only **the circumcision** itself, **which cannot be done the day before Shabbat**, **supersedes the Shabbat**.

**And said Rav Yehudah said Rav: The Halachah is in accordance with Rabbi Akiva.**

**And he** Rav Yehudah **needs** to say this ruling in both cases.

**Because if he told us only concerning Pesach**, I would say: only **there** do we say that **preparations of a mitzvah do not supersede Shabbat**, because **thirteen covenants were not made over it** the Pesach offering. Thus, its preparations are not important enough to supersede Shabbat.

**But** concerning **circumcision, which thirteen covenants were made over it**, **I might say** that **its preparations supersede Shabbat**.

**And if he told us only concerning circumcision**, I would say: only **there** do we say that **preparations of a mitzvah do not supersede Shabbat**, because **there is no *kareit*** if the circumcision is delayed until the next day.

**But** concerning the **Pesach** offering, **that there is *kareit*** if one fails to bring the Pesach offering on Erev<sup>12</sup> Pesach, since it can no longer be brought, **I might say: let its preparations supersede Shabbat**.

Therefore, **he** Rav Yehudah **needs** to state his ruling that we follow Rabbi Akiva's view in both cases.

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<sup>12</sup> The Eve of

## Perek 6 – 69B

### Mishnah

**When does one bring a *chagigah*<sup>13</sup> with it, with the Pesach offering?**

**When it** the Pesach offering **is brought on a weekday, in purity, and with little** meat of the Pesach for each person. For example when many people share one Pesach offering. In that case, the *Chagigah* is brought so that the Pesach meat may be eaten after they are sated with the *Chagigah* meat. The Pesach meat must be eaten in a state of relative satiety because that demonstrates the importance of it. It is not eaten merely because one is hungry; rather because it is an important mitzvah to eat from it.

**But when it** the Pesach offering **is brought on Shabbat,<sup>14</sup> or with a lot** of meat for each person, or **in impurity,<sup>15</sup> one does not bring a *Chagigah* with it.**

**The *Chagigah* would come from the flock, from cattle, from sheep and from goats, from males and from females**—unlike the Pesach offering that comes from only male sheep and goats.

**And it may be eaten for a period of two days and one night.**

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<sup>13</sup> A kind of *shlamim*, peace offering, which is offered specially in honor of the festival

<sup>14</sup> Unlike the Pesach offering, The *Chagigah* does not supersede Shabbat.

<sup>15</sup> Unlike the Pesach offering which is brought in impurity if most of the public are impure, the *Chagigah* is not.

## Perek 6 – 69B

### **Gemara**

The Gemara inquires: **What was taught in the Mishnah** earlier, **that brought it to be taught in this Mishnah**: “When does one bring **the *Chagigah*?**” I.e. what is the connection?

The Gemara answers: **It was taught in the previous Mishnah** about **carrying it** the Pesach offering, **and bringing it** from outside the Shabbat boundary, **that they do not supersede Shabbat.**

**And therefore, it is taught also in this Mishnah** that **the *Chagigah* does not supersede Shabbat.**

**And this is what it said: When do we bring with it**—with the Pesach offering, many of whose laws do not supersede Shabbat—a *Chagigah*? **When it comes on a weekday, in purity, and with little** meat for each person.

\*

**Said Rav Ashi: Hear from this** a proof that the *Chagigah* of the fourteenth of Nisan [is not an obligation.]

# Chavruta Pesachim – Daf Ayin

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[Said Rav Ashi: Hear from this a proof that the *Chagigah* of the fourteenth of Nisan] **is not an obligation.**

**Because if you think it is an obligation,** then the Halachah should be that we would **bring it** even on Shabbat, **and bring it** even when there is a lot of meat for each person, **and bring it** even in impurity.

The Gemara inquires: **But** if there is no obligation to bring it, **what is the reason it is brought when there is little** meat of the Pesach offering for each person?

The Gemara explains: **As it was taught** in a Baraita: **A *Chagigah* offering that comes with the Pesach offering is eaten first, so that the Pesach offering will be eaten while one is already sated.** The Pesach meat must be eaten in a state of relative satiety because that demonstrates the importance of it. It is not eaten merely because one is hungry; rather because it is an important mitzvah to eat from it.

c c õ d d

Our Mishnah says: **It** the *Chagigah* **may be eaten** for a period of **two days** and the intervening night.

The Gemara states: **The Mishnah is not in accordance with Ben Teima.**

## Perek 6 – 70a

**Because it was taught in a Baraita: Ben Teima says: A *Chagigah* that comes with the Pesach offering on the 14<sup>th</sup> of Nisan is like a Pesach offering, and it is not eaten for two days and a night like regular peace offerings, but only for a day and a night.**

**And the *Chagigah* of the 15<sup>th</sup> of Nissan, which is like the *Chagigah* brought on all festivals, is eaten for two days and one night between them.**

**And a *Chagigah* of the 14<sup>th</sup>** that one consecrated to bring together with the Pesach offering, but one delayed and did not bring it, **one may fulfill with it one's obligation of bringing peace offerings which are to fulfill the mitzvah of Yom Tov joy (*shalmei simcha*).**<sup>1</sup> The meat of these offerings is consumed chiefly by the ones who consecrated them, thus allowing them to eat the meat in rejoicing over the festival.

**But one cannot fulfill with it the obligation of bringing a Yom Tov *Chagigah* offering on the 15<sup>th</sup>.** This is because that *Chagigah* is an obligatory sacrifice, which, like every other obligatory sacrifice, must be brought from an ordinary animal—not from one that was already consecrated to be used as a different type of sacrifice.

\*

The Gemara now explains the Baraita:

**What is the reason of Ben Teima** who says that the *Chagigah* of the 14<sup>th</sup> is only eaten for a day and a night, unlike a normal *Chagigah* and peace offering, which are eaten for two days and a night?

The Gemara explains: **As Rav taught to Chiya his son:**

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<sup>1</sup> Normally, obligatory sacrifices must be brought from regular animals and not from animals already dedicated for some other sacrifice. However, the Gemara will derive from a certain verse that the peace offerings brought to have Yom Tov joy are an exception.

## Perek 6 – 70a

The verse says: “**Do not leave overnight the sacrifice of the festival (*chag*), the Pesach [offering].**”

“**Sacrifice of the festival**” – that is referring to the *Chagigah*.

“**The Pesach [offering]**” – that is referring to the Pesach offering, as is evident **according to its plain meaning.**

**And the Torah** juxtaposed them both and **said – do not leave [them] overnight!**

This teaches that the *Chagigah* has the same rule as the Pesach offering, and may not be eaten the next day.

\*

The Gemara inquires whether Ben Teima compares the *Chagigah* to the Pesach offering concerning other halachot as well:

**They asked: According to Ben Teima, is it the *Chagigah* eaten roasted** like the Pesach offering, **or is it not eaten roasted** but cooked however one wants?

The underlying question is: **When the Torah juxtaposed it to the Pesach offering** in the above verse, did it do so only **for the prohibition of leaving overnight, but concerning roasting**, it was **not** juxtaposed?

**Or perhaps there is no difference**, and it is juxtaposed concerning roasting as well.

The Gemara answers: **Come and hear** a proof that the *Chagigah* must be roasted, from the Mishnah later where the son asks: Why is this night different? For on all nights we eat meat that is roasted, stewed and cooked, but **this night it is all roasted!**

## Perek 6 – 70a

**And Rav Chisda said: This is the words of Ben Teima.**

**Hear from this** a proof that the juxtaposition of the above verse includes that the *Chagigah* must be roasted.

\*

The Gemara continues to explore the similarities between the Pesach offering and *Chagigah* according to Ben Teima.

**They posed an inquiry: According to Ben Teima:**

**Does it the *Chagigah* come even from cattle? Or, like the Pesach offering, not come from cattle?**

**Does it come even from females? Or, like the Pesach, does it not come from females?**

**Does it come even from an animal that is in its second year? Or, like the Pesach, does it not come from an animal that is in its second year, but only when it is under a year old?**

**When the Torah juxtaposed it to the Pesach offering, was this only concerning matters of eating, such as eating it roasted and not eating it after the first night, but concerning every other thing, not?**

**Or maybe there is no difference.**

\*

## Perek 6 – 70a

The Gemara answers: **Come and hear** a proof from a Baraita, that we compare the Pesach and the *Chagigah* in everything.

Because it was taught in a Baraita: **A *Chagigah* that comes with the Pesach offering is like the Pesach offering.**

**It comes only from the flock and does not come from cattle.**

**It comes only from males and does not come from females.**

**It comes only from an animal that is less than a year old, and it does not come from an animal that is in its second year.**

**And it is only eaten for a day and a night.**

**And it is only eaten roasted.**

**And it is only eaten by those appointed on it.**

The Gemara brings out the point: **Who have we heard of, that he has this rationale** that there is a connection between the Pesach offering and the *Chagigah*? **Ben Teima!**

Therefore, **hear from this** Baraita a proof that according to Ben Teima **we require everything** about these two sacrifices to be the same.

The Gemara concludes: **Hear from this** a conclusive proof!

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## Perek 6 – 70a

The Gemara makes yet another inquiry concerning Ben Teima's view:

**They posed an inquiry: According to Ben Teima, does it** the *Chagigah* **have a prohibition concerning breaking a bone**, like the Pesach offering, **or does it not have a prohibition concerning breaking a bone?** It is forbidden by Torah law to break one of the bones of the Pesach offering, even after eating it.

**Even though the Torah juxtaposed it to a Pesach offering** concerning everything, breaking bones could still be an exception because **the verse said** concerning the Pesach offering: “And every bone do not break **in it**,” which we could understand as meaning: **“in it”—but not in the *Chagigah***, whose bones one may break.

**Or perhaps this phrase “in it” is coming** to teach something else, that one may not break the bone **of a kosher** Pesach offering, **and** there is **not** a prohibition **of** breaking the bones of **an invalid** Pesach offering.

\*

The Gemara answers the question: **Come and hear** a proof from a Baraita that says:

**A knife that was found on the 14<sup>th</sup>** of Nissan was presumably immersed by its owners on the 13<sup>th</sup>, since it is not completely purified and fitting to be used for the Pesach offering until nightfall following the day it was immersed. Therefore, **one** the finder **may slaughter with it immediately** without having to immerse it.

But if it was found **on the 13<sup>th</sup>**, **one must immerse it again**,<sup>2</sup> because maybe it was not immersed yet.

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<sup>2</sup> The word “again” relates to the possibility that it may have been immersed, but because of uncertainty one must immerse it again.

## Perek 6 – 70a

However, if one found a **chopping knife** which is generally used for breaking bones, **both on this day**, the 13<sup>th</sup>, **and on that day**, the 14<sup>th</sup>, **one must immerse it again** because the owner does not need it on the 14<sup>th</sup>, since he is forbidden to break the bones of the Pesach offering. Therefore there is no supposition that the chopping knife found on the 14<sup>th</sup> was already immersed on the 13<sup>th</sup>. (And to prepare it for use to break bones of Yom Tov sacrifices on the 15<sup>th</sup>, the owner could immerse it any time before sundown of the 14<sup>th</sup>.)

\*

**Whose view is expressed in this Baraita?**

**If you say it is the Rabbis**, who disagree with Ben Teima and say that the *Chagigah* does *not* have the rules of the Pesach offering, that is not plausible.

Because **why is a knife different, that** we assume **that he** the owner **immerses** it on the 13<sup>th</sup>? **Because it is fitting** to use **for the Pesach offering**.

According to the Rabbis, **a chopping knife, too, is fitting for** breaking the bones of the *Chagigah* brought with the Pesach on the 14<sup>th</sup>. So why do we not assume that it, too, was immersed on the 13<sup>th</sup>?

**Rather**, we must say that the Baraita is **not** the view of the Rabbis. **It is** according to **Ben Teima**, who holds that the *Chagigah* has the same rules as the Pesach.

**And hear from this Baraita** a proof that according to Ben Teima, **it** the *Chagigah* **has** a prohibition **concerning breaking a bone**.

\*

## Perek 6 – 70a

Rejection #1 of this proof:

**No**, we could say that **in truth, it** the Baraita is the view of **the Rabbis**.

**And the case is that it** the Pesach offering of the 14<sup>th</sup> **came on Shabbat**, when we do not bring a *Chagigah* with it. Therefore there was no need to immerse the chopping knife on the 13<sup>th</sup>.

\*

The Gemara challenges rejection #1:

**But from that which is taught** in the Baraita **in the latter clause: If the 14<sup>th</sup> fell on Shabbat, one may slaughter with it**, the chopping knife, **immediately**—without first immersing it. Since one may not immerse anything on Shabbat, the owner presumably immersed it on the 13<sup>th</sup> so that it would be ready to break bones of Yom Tov sacrifices on the 15<sup>th</sup>.

**And** also, if one found a chopping knife **on the 15<sup>th</sup>, one may slaughter with it immediately** without immersing it, because the owners presumably immersed it on the 14<sup>th</sup> in preparation for Yom Tov.

And in all circumstances, **if the chopping knife was found tied to a regular knife, it is considered like a knife** and one does not have to immerse it, because it was presumably immersed together with the knife it is tied to.

**From** the fact **that** the latter clause mentions a case of the 14<sup>th</sup> falling on Shabbat, it can be deduced **that the first clause is not dealing with** the 14<sup>th</sup> falling **on Shabbat**, but on a

## Perek 6 – 70B

regular day. Nevertheless, the Baraita rules that we cannot presume that the chopping knife was immersed.

This proves that the Baraita is the view of Ben Teima, consequently we may conclude that according to Ben Teima, one may not break the bones of a *Chagigah* brought on the 14<sup>th</sup>.

\*

The Gemara raises challenge #2 to this proof:

**But** one can still say that the Baraita goes even like the Rabbis who do not compare the *Chagigah* to the Pesach offering.

### **Ammud bet**

And the case is **that it** the Pesach offering **came in** a situation that there was **a lot** of meat for each person, thus there was no need for a *Chagigah*. Therefore we cannot presume that the chopping knife was immersed for the sake of breaking the bones of a *Chagigah*.

The Gemara refutes challenge #2: On the 13<sup>th</sup>, when the owner immersed his knives, **from where would he know** in advance how many people would be appointed to eat from his Pesach offering, so that he would not immerse his chopping knife? The Halachah allows them to appoint more and more people up until the Pesach offering is slaughtered, so it is possible that in the end there would not be enough meat for them all, without a *Chagigah*!

\*

## Perek 6 – 70B

The Gemara, having refuted challenge #2, now raises challenge #3 to the proof from the Baraita:

**But** we could say that the case is **that it** the Pesach offering **came in impurity**. Most of the Jews were impure and thus it was permitted for them to bring it while they were impure. But they may not bring a *Chagigah* in such a state. Therefore there was no need to immerse the chopping knife on the 13<sup>th</sup>.

The Gemara refutes challenge #3:

**But still, how did they** the owners of the chopping knife **know** that everyone would be impure on the 14<sup>th</sup> and that it would be impossible to bring the *Chagigah*?

The Gemara attempts an answer: We could say **that the Nasi**, the head of the Sanhedrin, **died**. In such a case, every Jew is obliged to participate in his funeral and become impure.

The Gemara inquires: **That the Nasi died? When** did he die?

**If one says that he died on the 13<sup>th</sup>, why immerse a knife at all** on the 13<sup>th</sup>? Everyone is already impure and will bring the Pesach offering in impurity.<sup>3</sup> Thus, why do we assume that a regular knife found on the 14<sup>th</sup> has been immersed?

**But** the case must be **that he died on the 14<sup>th</sup>**, and people immersed their knives on the 13<sup>th</sup> before he died.

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<sup>3</sup> And why should the person who found it on the 14<sup>th</sup> be concerned whether it is pure, when everyone is impure in any case?

## Perek 6 – 70B

If so, **why is a knife different, that he** the owner **immerses** it on the 13<sup>th</sup>—**and why is a chopping knife different, that he does not immerse it?** On the 13<sup>th</sup>, no one knew that the *Nasi* would die.

\*

The Gemara answers: **No**, we **need** to say **that the *Nasi* was close to death on the 13<sup>th</sup>**, and it was uncertain if he would be dead by the 14<sup>th</sup>.

**A knife, that** there is **one doubt** whether it will need to be pure on the 14<sup>th</sup> or not, **he** the owner **immerses it** on the 13<sup>th</sup>.

But a **chopping knife**, that there are **two doubts** whether it will need to be pure on the 14<sup>th</sup>, **he** the owner **does not immerse it**. For even if the *Nasi* does not die, and the people will perform the Pesach offering in purity, there might not be new appointees on this particular Pesach offering. In such a case the meat of the Pesach offering will suffice for all, and they will not bring a *Chagigah*. Thus the chopping knife will not be needed.

In conclusion, challenge #3 is accepted. Thus, the proof from the Baraita—that according to Ben Teima, it is forbidden to break the bones of a *Chagigah* of the 14<sup>th</sup>—is refuted. The question whether Rav Teima forbids it or not remains unanswered.

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Our Mishnah said that the *Chagigah* of the 14<sup>th</sup> of Nissan does not supersede Shabbat. Even Ben Teima, who compares the *Chagigah* to the Pesach offering in many ways, agrees to this.

Now the Gemara brings a view that this *Chagigah* is brought on Shabbat.

## Perek 6 – 70B

**It was taught** in a Baraita: Once, when the 14<sup>th</sup> of Nissan fell on Shabbat, **Yehudah ben Durtai separated** from the Sages, **he and Durtai his son, and he went and dwelt in the south** in order to be exempt from having to come to Jerusalem and bring a Pesach offering and *Chagigah*.

**He said:** If the Prophet **Eliyahu<sup>4</sup>** comes and says to the people of Israel: “**Why did you not celebrate by offering a *Chagigah* on Shabbat?**”, what will they say to him?

**I am surprised by the two great men of the generation, Shmaya and Avtalyon, for they are great Sages, and great interpreters of Scripture, and yet they did not tell the people of Israel that the *Chagigah* supersedes Shabbat!**

**Said Rav:** What is the reason of Bar Durtai?

**Because it is written:** “**And you shall sacrifice a Pesach [offering] to Hashem your G-d, [from] sheep and cattle.**”

**But isn’t a Pesach offering brought only from sheep and goats, and not from cattle?**

**Rather, the verse means as follows:** **Sheep – this is for the Pesach offering. Cattle – this is for the *Chagigah*** that comes with it on the 14<sup>th</sup>.

**And the Torah said:** “**And you shall sacrifice the Pesach**” in reference to them both, calling the *Chagigah* a “Pesach,” in order to teach that the *Chagigah*, too, supersedes Shabbat.

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<sup>4</sup> Elijah

## Perek 6 – 70B

**Said Rav Ashi: Should we go and expound the reason of people who separate from the view of the Sages?**

**Rather, in truth the verse is coming to teach like that statement of Rav Nachman.**

**That said Rav Nachman said Rabbah bar Avuha: From where do we know concerning “leftover Pesach offerings”<sup>5</sup> that they are sacrificed as peace offerings (*shlamim*)?**

**Because it says: “And you shall sacrifice a Pesach [offering] to Hashem your G-d, sheep and cattle.”**

**But does a Pesach offering come from cattle? But doesn't a Pesach offering come only from sheep and goats?**

**Rather, the verse means: “The leftover Pesach offering” should be used for a peace offering, which is a thing that comes from the flock and from cattle.**

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The Gemara inquires why the *Chagigah* does not supersede Shabbat, according to the Rabbis:

**And according to the Rabbis, why does it not supersede Shabbat?**

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<sup>5</sup> A Pesach offering that was not sacrificed in time on the 14<sup>th</sup>. Alternatively, someone aside money to buy a Pesach offering and part of the money was left over.

## Perek 6 – 70B

**But it is certainly a public sacrifice** because it is brought by the multitudes when they bring their Pesach offerings. And it has a set time. Thus it should be like other such public sacrifices, which are brought on Shabbat.

The Gemara answers: **Said Rabbi Ila'a in the name of Rabbi Yehudah ben Safra: The verse says** concerning the *Chagigah* brought at the time of Succot and Shmini Atzeret: **“And you shall celebrate it as a festival to Hashem, seven days in the year.”**

Are there only **seven** days of Succot and Shmini Atzeret? **There are eight** days!

**Rather, from here** we see **concerning the *Chagigah* that it does not supersede the Shabbat**, and that is why the festival is celebrated with it for only seven days.

Similarly, the *Chagigah* of the 14<sup>th</sup> of Nissan is not brought on Shabbat.

\*

The Gemara raises an objection to the above explanation, and answers it:

**When Ravin came** from the land of Israel to Babylon **he said: I said before my masters** as follows:

According to the rationale of the previous discussion, how can the verse say: “And you shall celebrate it as a festival to Hashem seven days in the year”?

**Sometimes you find only six days** when it is possible to bring a *Chagigah*, **such as when the first Yom Tov of the festival falls on Shabbat**, in which case the Yom Tov of Shemini Atzeret will also be on Shabbat.

## Perek 6 – 70B

The Gemara answers: **Said Abaye: Abin Tichla** (the name of someone whose sons died young) **would say something like that** – such an unsuitable question.

The verse means that **eight days** of bringing a *Chagigah*, **one does not find at all**. Whereas **seven days** does **exist in most years**.

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The Gemara proceeds to discuss laws of the *Chagigah* and *shalmei simcha* – peace offerings brought on Yom Tov to fulfill the mitzvah to rejoice on the festival by eating their meat.

**Said Ula said Rabbi Elazar: If one slaughters peace offerings on the day before Yom Tov, he fulfills with them neither the mitzvah of bringing peace offerings for Yom Tov joy, nor the mitzvah of *Chagigah*.**

# Chavruta

## Pesachim – Daf Ayin Alef

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[Said Ula said Rabbi Elazar: **If one slaughters peace offerings on the day before Yom Tov, he fulfills with them neither the mitzvah of bringing peace offerings for Yom Tov joy, nor the mitzvah of *Chagigah*.**]

He does not fulfill the mitzvah of bringing joy offerings because it is written, “**And you shall slaughter... and you shall rejoice.**” This teaches that **one needs** the slaughtering to be done on Yom Tov, **at the time of** the mitzvah of having joy. **And** this requirement is **lacking** if one slaughters on the day before Yom Tov.

He also does not fulfill the mitzvah of bringing a *Chagigah* on Yom Tov, because **it** this *Chagigah* **is something obligatory, and every obligatory thing** i.e. sacrifice may **come only from *chulin*,**<sup>1</sup> and not from an animal that has already designated as a peace offering.

We may say that he Ula is supported in this from the following Baraita that says:

The Torah writes, following the mitzvah of rejoicing during the seven days of Succot: “**And you shall be only (*ach*) joyful.**” This comes **to include the night of the last day of Yom Tov** (i.e. Shemini Atzeret night) **for joy**. On that last night one should eat from the *shalmei simchah*<sup>2</sup> bought on the seventh day.

The Baraita questions its own reasoning: **You say** that it comes to include **the night of the last day of Yom Tov? Or perhaps** you could say otherwise: that **it** the verse comes **only** to include **the night of the first day of Yom Tov**. Perhaps one should bring *shalmei simchah* on the day before Succot, and eat them on Succot night.

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<sup>1</sup> A regular animal not previously consecrated as a sacrifice.

## Perek 6 – 71a

To teach that this is not so, **the Torah writes:** “You shall be **only** joyful.” The word “only” comes **to differentiate** between the first night, where is no mitzvah of joy, and the last night, where there is.

The Gemara inquires: **What is the reason** that you interpret the verse “and you shall be only joyful” as adding the mitzvah of joy on the last night, and “only” as excluding the first night? Why not say the other way around?

Is it **not because one does not have** the means **with which to be joyful** on the first night—because, as Ula said, one cannot bring *shalmei simchah* before Yom Tov?

Thus this Baraita supports Ula’s view.

The Gemara rejects this proof:

**No. The reason is as was taught** in a Baraita: **What reason did you see to include the night of the last Yom Tov, and to exclude the night of the first Yom Tov?**

**I include the night of the last day of Yom Tov,** because **there is joy** of the festival in the days **before it.**

**And I exclude the night of the first day of Yom Tov** because **there is no festival joy before it.**

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<sup>2</sup> Special peace offerings brought on Yom Tov.

## Perek 6 – 71a

The Gemara now challenges Ula's statement:

**Rav Yosef contradicted** Ula, from a Baraita quoted earlier on *daf* 70a:

**A *Chagigah* of the 14<sup>th</sup> of Nisan, one may fulfill with it one's obligation of bringing peace offerings for the mitzvah of Yom Tov joy (*shalmei simchah*).**<sup>3</sup>

The Gemara understands that this means that one may fulfill the obligation of *shalmei simchah* with the *Chagigah* brought on the 14<sup>th</sup> before Yom Tov.

Therefore the Gemara asks: **Why** will one fulfill the obligation of joy according to Ula?

**But** according to him, **we require slaughtering at the time of joy, and it is lacking** in a *Chagigah* brought on the 14<sup>th</sup>!

The Gemara answers: **Said Rav Idi bar Avin:** The case of the Baraita is **that he** the owner of the *Chagigah* of the 14<sup>th</sup> **delayed and** only **slaughtered it** on the 15<sup>th</sup> when it was already Yom Tov.

**Said Rav Ashi: This too stands to reason** that the Baraita is talking of someone who delayed bringing the *Chagigah*.

**Because if you not say this,** and maintain that he slaughtered the *Chagigah* on the 14<sup>th</sup>—

**This Baraita, who taught it? Ben Teima,** as we saw earlier on *daf* 70a.

And **Ben Teima invalidates it,** a *Chagigah* of the 14<sup>th</sup>, **through leaving it overnight** after it was slaughtered. This is because he compares it to the Pesach offering that must

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<sup>3</sup> Normally, obligatory sacrifices must be brought from regular animals and not from animals already dedicated for some other sacrifice. But the Gemara derives from verse that the peace offerings brought to have Yom Tov joy are an exception.

## Perek 6 – 71a

be eaten before dawn. So how could the Baraita say that one may use it to fulfill the mitzvah of joy, that only starts on the morning of the 15<sup>th</sup>?

**Hear from this** a proof that the Baraita is speaking, as we explained, of a case where the person delayed and slaughtered the *Chagigah* only on the 15<sup>th</sup>.

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The Gemara challenges Ula from another source:

**Rava contradicted** Ula, from a Mishnah in Tractate Succah:

**The Hallel** said on Succot and Shemini Atzeret, **and the joy** of eating *shalmei simchah*, are for **eight** days.

**But if you say that we require slaughtering** of the *shalmei simchah* **at the time of joy**, on Yom Tov, **there are many times that it** having joy for eight days **is not found** to be the case. **Rather**, there is joy for only **seven** days.

**For example: When the first day of Yom Tov falls on Shabbat** and one is not allowed to slaughter *shalmei simchah*. In such a case, to have eight days, one would have to rejoice with meat of *shlamim*<sup>4</sup> slaughtered before Yom Tov. But Ula says that one does not fulfill one's obligation with *shalmei simchah* slaughtered before Yom Tov!

The Gemara answers: **Said Rav Huna the son of Rav Yehudah:** In such a case, **one rejoices in it** the first day **with the meat of goats** of sin offerings of **festivals**, which are a public sacrifice the meat of which is eaten by the cohanim.

**Said Rava:** There are **two objections concerning this matter** (this answer):

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<sup>4</sup> Peace offerings

## Perek 6 – 71a

**One: That goats of sin offerings of festivals, when brought on Shabbat, are eaten raw and not eaten roasted, because one is not allowed to cook on Shabbat. And there is no joy in eating raw meat.**

**And also: Only cohanim eat the meat of sin offerings. And so non-cohanim, with what will they rejoice?**

The Gemara answers: **Rather, said Rav Papa: One rejoices on it Yom Tov that falls on Shabbat by donning clean clothing and drinking aged wine.**

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The Gemara now quotes a view diametrically opposite to Ula's.

**When Ravin came from the land of Israel, he disagreed with Ula's statement in the name of Rabbi Elazar, and claimed that Rabbi Elazar had actually said the opposite:**

**Someone who slaughters peace offerings on the day before Yom Tov does indeed fulfill with them the mitzvah of bringing peace offerings for Yom Tov joy, if he eats them on Yom Tov. And if he delayed and slaughtered them on Yom Tov, he does not fulfill the mitzvah of *Chagigah*. (This last statement concurs with Ula).**

He fulfills the mitzvah of bringing joy offerings because one does not require slaughtering of the *shalmei simchah* at a time of joy.

**And he does not fulfill the mitzvah of bringing a *Chagigah* if he brings it on Yom Tov, because it the *Chagigah* of the 15<sup>th</sup> is obligatory, and every obligatory sacrifice comes only from *chulin*, and not from an animal that has not already been dedicated as a peace offering.**

## Perek 6 – 71a

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**They contradicted** Ravin, from the Baraita brought earlier to support Ula:

The Torah writes, following the mitzvah of rejoicing during the seven days of Succot: **“And you shall be only (*ach*) joyful.”** This comes **to include the night of the last day of Yom Tov** (i.e. Shemini Atzeret night) **for joy**. On that last night one should eat from the *shalmei simchah*<sup>5</sup> bought on the seventh day.

The Baraita questions its own reasoning: **You say** that it comes to include **the night of the last day of Yom Tov? Or perhaps** you could say otherwise: that **it** the verse comes **only** to include **the night of the first day of Yom Tov**. Perhaps one should bring *shalmei simchah* on the day before Succot, and eat them on Succot night.

To teach that this is not so, **the Torah writes**: “You shall be **only** joyful.” The word “only” comes **to differentiate** between the first night, where is no mitzvah of joy, and the last night, where there is.

The Gemara inquires: **What is the reason** that you interpret the verse “and you shall be only joyful” as adding the mitzvah of joy on the last night, and “only” as excluding the first night? Why not say the other way around?

Is it **not because one does not have** the means **with which to be joyful** on the first night—because, as Ula said, one cannot bring *shalmei simchah* before Yom Tov?

This contradicts Ravin’s view.

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<sup>5</sup> Special peace offerings brought on Yom Tov.

## Perek 6 – 71a

The Gemara answers:

**No. The reason is as was taught in a Baraita: What reason did you see to include the night of the last Yom Tov, and to exclude the night of the first Yom Tov?**

**I include the night of the last day of Yom Tov, because it has joy of the festival in the days before it.**

**And I exclude the night of the first day of Yom Tov because it has no festival joy before it.**

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The Gemara discusses the *eimurim*<sup>6</sup> of the *Chagigah* brought on the 15<sup>th</sup>:

**Said Rav Cahana: From where do we know concerning the *eimurim* of the *Chagigah* of the 15<sup>th</sup>, that they are invalidated by leaving them unburnt overnight until the morning of the 16<sup>th</sup>, even though the meat of this *Chagigah* can be eaten until the end of the 16<sup>th</sup> day?**

**Because it says: “And do not leave the fat (*eimurim*) of my *Chagigah* until morning. And it juxtaposes to it the word “the first” in the following verse.<sup>7</sup>**

**To tell you that this word “morning” referred to here is the first morning, which is the morning of the 16<sup>th</sup>.**

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<sup>6</sup> The various organs and fats of sacrifices that are not eaten, but burnt on the altar.

## Perek 6 – 71a

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**Rav Yosef challenged this** statement of Rav Cahana: **The reason** you say that the *eimurim* are invalidated by the first morning is **that it** the verse **wrote “first”** in the next verse?

**But if it had not written “first,” one would say: What is “morning?” The second morning,** of the 17<sup>th</sup>, after two days passed.

But that is impossible, because **where is there such a thing that the meat of it is invalidated from the evening** of the 17<sup>th</sup>, after two days and a night passed (i.e. a day, a night and a day)—

**And *eimurim* of the sacrifice are only invalidated by the following morning** of the 17<sup>th</sup>? This contradicts the rule that *eimurim* generally have stricter rules than the meat.

The Gemara answers: **Abaye said to him: Why not? But there is the Pesach offering, according to Rabbi Elazar ben Azarya’s view. That** in his view, **the meat of it is invalidated** from eating already **from midnight, and the *eimurim* are not invalidated until morning.**

\*

The Gemara explains that Rav Yosef meant to ask something else:

**Said Rava: This is what was difficult to Rav Yosef** about Rav Cahana’s statement:

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<sup>7</sup> Because the next verse says: “The first fruits of your land bring to the house of Hashem your G-d.”

## Perek 6 – 71B

Why does Rav Cahana require the juxtaposition of the word “first” to teach that “morning” means the first morning? We find concerning eating meat that the word “morning” means the first morning, even without any juxtaposition of the word “first”.

Thus, **how can it be that** we find that **the Tanna** of the Baraita **concerning meat** of a sacrifice **does not need** the word “**first**” to teach that the word “morning” means the first morning, **but Rav Cahana—for** deriving that the *eimurim* become invalidated by the first morning—**needs** the juxtaposition of the word “**first?**”

The Gemara asks: **What is it**, the Baraita to which Rav Yosef referred?

**For it was taught** in a Baraita: The verse writes: “**Do not leave overnight from the meat that you sacrifice in the afternoon on the first day** [the 14<sup>th</sup>] **until the morning** [of the 16<sup>th</sup>].” (verse #1)

### **Ammud Bet**

**This teaches concerning the *Chagigah* of the 14<sup>th</sup>**, slaughtered together with the Pesach offering, **that it is eaten for two days and a night.**

**Or** maybe you will argue that **this is not so, rather** it is eaten only **for a day and a night**, and it is already invalidated by the morning of the 15<sup>th</sup>.

You cannot say this, **because when it says “on the first day,”** that implies that it is eaten on the first day of Yom Tov (the 15<sup>th</sup>). So you cannot argue that it is already invalidated by the morning of the 15<sup>th</sup>.

## Perek 6 – 71B

**Therefore** when the Torah says not to leave the meat “until the morning,” **it is speaking of the second morning** of the 16<sup>th</sup>.

The Baraita continues its discussion:

**Or** perhaps you will argue that the words “until morning” mean until **the first morning** of the 15<sup>th</sup>. (Later the Gemara explains why the Baraita repeats this argument, although it was just refuted in the previous paragraph.)

**And** according to this, **how do I understand** other verses elsewhere, that say that **a Chagigah is eaten for two days and a night?**

By saying that those other verses mean all *Chagigot* **except for this Chagigah** of the 14<sup>th</sup>, which is eaten for only a day and a night.

But it is impossible to say that, because **when it says** concerning voluntary peace offerings, **“If** the slaughter of his sacrifice is **a neder or nedavah,**<sup>8</sup> on the day it is slaughtered it shall be eaten, and on the next day” (verse #2)—

The superfluous word “if” **teaches concerning the Chagigah of the 14<sup>th</sup>, that it is eaten for two days and a night** like a voluntary *neder* or *nedavah*.

\*

Rava proceeds to explain the above Baraita. Afterwards he will explain how we see from this Baraita that the word “morning” means the first morning even if it is not juxtaposed to the word “first.”

**The master** in the Baraita **said:**

## Perek 6 – 71B

**Or** perhaps you will argue that the words “until morning” mean until **the first morning** of the 15<sup>th</sup>.

Rava asks in surprise: **But you said** just before: **Because when it says “on the first day,”** that implies that it is eaten on the first day of Yom Tov (the 15<sup>th</sup>). So you cannot argue that it is already invalidated by the morning of the 15<sup>th</sup>.

**Therefore** when the Torah says not to leave the meat “until the morning,” **it is speaking of the second morning** of the 16<sup>th</sup>.

So how can the Tanna revert to the argument that perhaps “until morning” means the morning of the 15<sup>th</sup>?

Rava explains: **This is what he** the Tanna **is saying**:

**Or** perhaps the *Chagigah* of the fourteenth is not eaten until the morning of the 16<sup>th</sup>, and even though we said that if “on the first day” means the 15<sup>th</sup>, “until the morning” must mean the morning of the 16<sup>th</sup>, you could object **this is not so**.

**Rather**, one could argue that **the verse is talking about two *Chagigot*, one the *Chagigah* of the 14<sup>th</sup> and the other one the *Chagigah* of the 15<sup>th</sup>**.

And the verse reads as follows: “Do not leave overnight from the meat that you sacrifice in the afternoon (of the 14<sup>th</sup> of Nissan until the morning of the 15<sup>th</sup>), (and do not leave overnight from the meat that you sacrifice) on the first day (the 15<sup>th</sup>) until the morning (of the 16<sup>th</sup>).”

**And this one** refers **to its morning** after, **and that one to its morning** after.

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<sup>8</sup> *Neder* is when one says “I will bring a sacrifice.” *Nedava* is when one says, “I will bring this animal as a

## Perek 6 – 71B

However, **he** the Tanna **then retracts** and **says** that it is impossible to say this because one can object as follows:

**But** a problem now arises with the fact **that we hold that** there is a *Chagigah* **that is eaten for two days and one night**, learning this from the extra word “if”, in the verse of “If the slaughter of his sacrifice is a *neder* or *nedavah*, on the day it is slaughtered it shall be eaten, and on the next day.”

For **if so**, if you now argue that there is no *Chagigah* that is eaten for two days and a night (because the *Chagigah* of the 14<sup>th</sup> and the 15<sup>th</sup> are both burnt on the first morning following them), **with what** is the verse “**If** the slaughter of his sacrifice is a *neder* or *nedavah*” speaking about? What does the word “if” come to include?

**If** you say it is coming to include **the *Chagigah* of the 14<sup>th</sup>**, **but it is written concerning it only a day and night!**

**If** you say it is coming to include **the *Chagigah* of the 15<sup>th</sup>**, **but it is written concerning it only a day and night!**

**Rather**, you must say that **this** verse #2 is teaching **concerning the *Chagigah* of the 15<sup>th</sup>** that it is eaten for two days and a night.

And **that whole verse #1** is intended **for** teaching about the *Chagigah* of the 14<sup>th</sup>.

**And it teaches concerning the *Chagigah* of the 14<sup>th</sup> that it is eaten for two days and one night.**

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sacrifice.”

## Perek 6 – 71B

Now that Rava has explained the Baraita, he proceeds to explain the difficulty that it poses to Rav Cahana's view:

**The reason** that the Baraita says **that what is “morning”?** *the second morning*, is **because it is written** beforehand in the verse, **“On the first day.”**

**But** from there we can deduce that **wherever it is written “morning” without further specification**, it means the **first morning**. **And even though it is not written “first” concerning it.**

Therefore, in conclusion, Rav Cahana should not require the juxtaposition of the word “first” to teach that the *eimurim* must be burnt by the first morning. This is because the laws of burning *eimurim* are generally stricter than the laws of eating meat, and we find concerning eating meat that the word “morning” means the first morning.

The challenge to Rav Cahana is left unanswered.

(The Mishnah appears on the next *daf*)

# Chavruta

## Pesachim – Daf Ayin Bet

Translated by: *Chavruta staff of scholars*  
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### Mishnah

**If someone sacrificed a Pesach offering on Shabbat, not for its sake.** For example, he slaughtered the animal for the sake of a burnt offering. **He is liable to bring a sin offering<sup>1</sup> for this** desecration of Shabbat.

This is because such a Pesach offering is invalid; consequently the person had no right to slaughter it on Shabbat.

**And concerning other sacrifices that one slaughtered for the sake of a Pesach offering on Shabbat<sup>2</sup>—**

**If they are not fit<sup>3</sup> to bring as a Pesach offering,** everyone agrees that **he is liable to bring a sin offering.**

**And if they are fit for a Pesach offering: Rabbi Eliezer holds that he is liable to bring a sin offering, and Rabbi Yehoshua exempts him.** This is because Rabbi Yehoshua holds that if someone “errs in doing a mitzvah and does a mitzvah”, he is exempt.

And in this case, even though he did not fulfill the obligation of bringing a Pesach offering (since he erred and slaughtered the wrong animal), the sacrifice is a valid one,

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<sup>1</sup> To be liable for a sin offering, the sin must be inadvertent. Here, the case is that the person thought that this intent would not make his act a Shabbat desecration.

<sup>2</sup> And he mistakenly thought that this act was permitted on Shabbat, or he thought that it was a weekday.

<sup>3</sup> For example, the animal was a female or a calf.

## Perek 6 – 72a

and is considered as if he had spontaneously decided to offer a voluntary sacrifice<sup>4</sup>. Thus he did a mitzvah.<sup>5</sup>

**Rabbi Eliezer said to him** Rabbi Yehoshua: There is a *kal vachomer*<sup>6</sup> to say that the person is liable in this last case.

Because **if** regarding **the Pesach offering, which it is permitted** to slaughter it **for its sake** on Shabbat, nevertheless, **if one did it for the sake of something else** (another sacrifice), **he is liable**—

If so, regarding other **sacrifices, which are forbidden** to slaughter on Shabbat **even if** one slaughtered them **for their sake**—

**When one does them for the sake of something else** and slaughters them for the sake of a Pesach offering on Shabbat, **is it not logical** to say **that he should be liable?** For he had no right to slaughter it at all!

**Rabbi Yehoshua said to him** Rabbi Eliezer: **No**, this reasoning is not sound.

Because **if you said concerning the Pesach offering** that he is liable, that is **because he changed it to something** that is **forbidden** to slaughter on Shabbat.

**Would you then say** the same **with sacrifices that he changed them to something that is permitted**, and slaughtered them for the sake of a Pesach offering?

**Rabbi Eliezer said to him** Rabbi Yehoshua: **Public sacrifices** (lit. *eimurim*)<sup>7</sup> **will prove** what I said to be true, that one should be liable. **Because they are permitted** to be

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<sup>4</sup> However, it does not fulfill the obligation for which it was originally consecrated.

<sup>5</sup> If the person erred in doing a mitzvah and did *not* do a mitzvah, the Amoraim (*Shabbat* 137a) disagree whether Rabbi Yehoshua exempts the person or not.

<sup>6</sup> Inference from minor to major.

<sup>7</sup> The organs and fats burnt on the Altar.

## Perek 6 – 72a

slaughtered **for their sake** on Shabbat, **and** yet, **someone who slaughters** other sacrifices **for their sake** on Shabbat **is liable**.

So we see that even someone who erred in doing a mitzvah and did a mitzvah is liable.

**Rabbi Yehoshua said to him: No**, that reasoning is not sound. Because **if you say** that someone is liable in the case of public sacrifices, that is because **they have a limit**. Therefore, once the day's obligatory public sacrifices<sup>8</sup> were brought, the person should not have erred and sacrificed anything else as public sacrifices, since no one was occupied with the public sacrifices at that stage. He is not considered as erring in doing a mitzvah, since the mitzvah no longer applies.

**Will you say** the same **concerning** someone who sacrifices for the sake of a **Pesach offering, which has no limit?**

People are busy bringing Pesach offerings the whole day long, and therefore whenever the person erred, he erred in doing what he thought was a mitzvah.

**Rabbi Meir** disagrees with both Rabbi Eliezer and Rabbi Yehoshua and **says: Even someone who slaughters** private sacrifices on Shabbat **for the sake of a public sacrifice is exempt** from bringing a sin offering.

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The Mishnah now details when a Pesach offering is considered as slaughtered with the wrong intentions:

1. **If one slaughtered it** on Shabbat intending that he would feed it **not to people who eat it**, for example, to old or sick people who cannot eat even a minimum amount of

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<sup>8</sup> Such as *Tamid* and *Musaf*.

## Perek 6 – 72a

meat. Or it was slaughtered **not for its appointees**,<sup>9</sup> or for **uncircumcised people, or for impure people**. In all these cases **he is liable** to bring a sin offering even according to Rabbi Yehoshua, because these things are never permitted on Shabbat, and therefore he is not erring in doing a mitzvah.

2. But if he slaughtered the Pesach offering thinking it would be both **for those who can eat it and for those who cannot eat it**, both **for its appointees and not for its appointees**, both **for circumcised people and for uncircumcised people**, for both **impure people and pure people**—

In all these cases he is **exempt**, because the Pesach offering is valid with these mixed intents.

3. **If he slaughtered it, and it was found to be physically flawed (*ba'al mum*)** in a way that invalidates it, he is **liable** to bring a sin offering. This is judged as an unintentional sin rather than as circumstances beyond his control, since he should have checked the sacrifice beforehand to see if had disqualifying flaws.

4. **If he slaughtered it and it was found *treifah*** (having a wound or defect that renders it non-kosher) **in a hidden place**, such as a wound on the lungs, he is **exempt**. This is circumstances beyond his control since the defect was undetectable.

5. **If he slaughtered it and it became known that the owners** i.e. the appointees **had already relinquished their appointment** on it, **or** the “owners” had **died or become impure**, even though it is forbidden to slaughter a Pesach offering that has no appointees, the person who slaughtered is **exempt**. This is **because he slaughtered with permission**. I.e. this mistake is considered as circumstances beyond his control, because he did not know that the offering no longer had appointees.

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<sup>9</sup> Only those previously appointed to eat from the meat of the offering are allowed to eat from it.

## Perek 6 – 72a

### **Gemara**

Our Mishnah said: “If someone (mistakenly) sacrificed a Pesach offering not for its sake on Shabbat, he is liable (to bring) a sin offering (brought for inadvertent sins).” (case #1)

The Gemara inquires: **With what case are we dealing?** What kind of mistake did he make?

**If you say** we are dealing **with** a case that **he makes a mistake** and thinks that the animal is designated as a burnt offering, and therefore he slaughtered the Pesach offering for the sake of a burnt offering, and this invalidated it—

If that is true, then we may **hear** a proof **from this** case of our Mishnah that **uprooting** of a sacrifice **by mistake**, by sacrificing it as another sacrifice, **is** considered **uprooting** and invalidates the sacrifice. However, we know that this issue is subject to a disagreement among the Tannaim. So does this mean that our Mishnah is following the view that it is indeed considered uprooting?

**However**, the Gemara concludes: **No**, there is no proof that our Mishnah follows that view. Because we can say the case is that **he** (the person bringing the sacrifice) **uproots** the Pesach offering purposefully, and sacrifices it for the sake of something else.<sup>10</sup>

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## Perek 6 – 72a

The Gemara raises a difficulty with the previous conclusion: But we see from the Mishnah's following cases that it is talking about someone who "uproots" inadvertently, not purposefully!

Because **look at the latter clause** of the Mishnah:

**And concerning other sacrifices that one slaughtered for the sake of a Pesach offering** on Shabbat<sup>11</sup>: **If they are not fit**<sup>12</sup> to bring as a Pesach offering, everyone agrees that **he is liable** to bring a **sin offering**.

**And if they are fit** for a Pesach offering, **Rabbi Eliezer holds that he is liable** to bring a **sin offering, and Rabbi Yehoshua exempts** him. This is because Rabbi Yehoshua holds that if someone "errs in doing a mitzvah and does a mitzvah" he is exempt. (case #2)

**But if** the case is **that he uproots** the sacrifice purposefully and sacrifices it for the sake of something else, **what** difference is it **to me** if the animals are **fit** for a Pesach offering, and **what** difference is it **to me** if they **are not fit**?

In either case, how can Rabbi Yehoshua say that he "errs" in doing a mitzvah, if he knows that the animal is not a Pesach offering yet uproots it knowingly for the sake of another sacrifice?

**But obviously**, the latter clause (case #2) is dealing **with making a mistake**. The person thinks that the animal is a Pesach offering.

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<sup>10</sup> And his mistake (to obligate him to bring a sin offering) is that he does not realize that today is Shabbat, or that he doesn't realize that slaughtering the Pesach sacrifice as a burnt offering is a desecration of Shabbat.

<sup>11</sup> And his mistake was that he thought that this act was permitted on Shabbat, or that he thought that it was a weekday.

<sup>12</sup> For example, the animal was a female or a calf.

## Perek 6 – 72a

But if so there is a contradiction: Can it be that **the first clause** (case #1) of the Mishnah is a case where **he knowingly uproots, and the latter clause** case #2 is **where he makes a mistake?**

The Gemara answers: **Said Rabbi Avin: Yes! The first clause** is a case **where he uproots** knowingly, **and the latter clause** is a case **where he makes a mistake!**

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The Gemara repeats the above question and answer:

**Rav Yitzchak bar Yosef found Rabbi Abahu when he was standing in a large crowd of people.**

**He Rav Yitzchak said to him: The Mishnah, how shall we understand it?**

**He said to him: The first clause** is a case **where he uproots** knowingly, **and the latter clause** is a case **where he makes a mistake!**

**He Rav Yitzchak learnt this from him forty times and then it this explanation seemed to him as something that is lying in his pocket** i.e. he would never forget it.

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The Gemara now argues that we see from the continuation of the Mishnah that case #1 and case #2 cannot be speaking about different cases, as just suggested.

But **it is taught in our Mishnah** afterwards:

## Perek 6 – 72a

**“Rabbi Eliezer said to him** Rabbi Yehoshua: There is a *kal vachomer*<sup>13</sup> to say that the person is liable in this last case. (case #2)

“Because **if** regarding **the Pesach offering, which it is permitted** to slaughter it **for its sake** on Shabbat, nevertheless, **if one did it for the sake of something else** another sacrifice (case #1), **he is liable**—

“If so, other **sacrifices, which are forbidden** to slaughter on Shabbat **even** if one slaughtered them **for their sake**—

**“When one does them for the sake of something else** and slaughters them for the sake of a Pesach offering on Shabbat (case #2), **is it not logical that he should be liable?** For he had no right to slaughter it at all!”

**But if it is** as you say, that in case #1 the person uproots the sacrifice knowingly, whereas in case #2 he does so inadvertently, **but it case #1 is not the same** as case #2, thus one cannot make a *kal vachomer*.

**Because the first clause** (case #1) is a case **where he knowingly uproots, and the latter clause** (case #2) is a case **where he makes a mistake!**

The Gemara answers: **According to Rabbi Eliezer** who makes this *kal vachomer*, **he does not make a distinction** between case #1 and case #2. For he understands that in both cases, the person uprooted by mistake.

The Gemara raises a difficulty: But **according to Rabbi Yehoshua who does make a distinction, let him answer to him** (Rabbi Eliezer) that case #2 is where the person was inadvertent and therefore there is no *kal vachomer*.

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<sup>13</sup> Inference from minor to major.

## Perek 6 – 72a

The Gemara resolves the difficulty: **This is what he** Rabbi Yehoshua **said to him** Rabbi Eliezer:

**For me, it** case #1 **is not comparable** to case #2, because **the first clause** (case #1) is **concerning deliberate uprooting, and the latter clause** (case #2) **is concerning making a mistake.**

However, even **according to your** understanding of the Mishnah, the *kal vachomer* may be refuted as follows:

**No,** your reasoning is unsound.

Because **if you said concerning the Pesach offering** (case #1) that he is liable, that is **because he changed it to something** that is **forbidden** to slaughter on Shabbat.

**Would you say** the same **with sacrifices that he changed them to something that is permitted** (case #2), and slaughtered them for the sake of a Pesach offering?

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The Gemara suggests that there is a contradiction to what is stated in the next section of our Mishnah:

The Mishnah continues: **Rabbi Eliezer said to him** Rabbi Yehoshua: **Public sacrifices** (lit. *eimurim*)<sup>14</sup> **will prove** what I said to be true, that one should be liable. **Because they are permitted** to be slaughtered **for their sake** on Shabbat, **and yet, someone who slaughters** other sacrifices **for their sake** on Shabbat **is liable.**

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<sup>14</sup> The organs and fats burnt on the Altar.

## Perek 6 – 72a

So we see that even someone who erred in doing a mitzvah and did a mitzvah is liable.

**Rabbi Yehoshua said to him: No**, that reasoning is unsound. For **if you say** that someone is liable in the case of public sacrifices, that is because **they have a limit**. Therefore once the requisite public sacrifices were brought, the person should not have erred and sacrificed other sacrifices for the sake of public sacrifices, because no one was involved in bringing the public sacrifices at that stage. Therefore he is not considered as erring in doing a mitzvah, since the mitzvah no longer applied.

**Will you say** the same **concerning** someone who sacrifices for the sake of a **Pesach offering, which has no limit?**

People are involved in bringing Pesach offerings the whole day long, and therefore whenever the person erred, he erred in doing what he thought was a mitzvah.

The Gemara points out that this contradicts another statement of Rabbi Yehoshua.

Does this mean **to say that whenever there is a limit**, a person is not considered as erring in doing a mitzvah, **and Rabbi Yehoshua will hold him liable** to bring a sin offering?

**But** there is the case of **two babies** to be circumcised. **This case has a limit**, because only one baby is supposed to be circumcised on Shabbat, **and it taught in a Mishnah:**

**Someone who had two babies** to circumcise, **one to circumcise him after Shabbat, and one to circumcise him on Shabbat, and he forgot and circumcised the one of after Shabbat on Shabbat, he is liable** to bring a sin offering.

## Perek 6 – 72a

Rabbi Yehoshua agrees to this ruling. For to be exempt, the person must do a mitzvah. And here there was no absolutely mitzvah to circumcise a baby that was to be circumcised only on Sunday.

**But if one baby was supposed to be circumcised on Friday and one to be circumcised on Shabbat, and he forgot, and circumcised the one of Friday on Shabbat—**

**Rabbi Eliezer holds him liable to bring a sin offering, and Rabbi Yehoshua exempts him.** For he erred while doing a mitzvah and actually fulfilled a mitzvah (because it was a mitzvah to circumcise the baby who was not circumcised on Friday).

So we see that Rabbi Yehoshua exempts someone even when there is a limit to the mitzvah. For here, the mitzvah of circumcising the Shabbat baby apparently did not apply anymore. And if so, why in our Mishnah does he hold someone liable for sacrificing an animal on Shabbat for the sake of a public sacrifice?

The Gemara answers: **Said Rabbi Ami: Here, with what are we dealing? In a case that he preceded and circumcised the one of Friday on Shabbat, that there is still that baby of Shabbat that he is involved with.** Thus the mitzvah still applied.

Whereas **here** in the Mishnah, **it is a case that he preceded and slaughtered the public sacrifices (lit. *eimurim*)<sup>15</sup> first.**

And afterwards, when he slaughtered other sacrifices for the sake of public sacrifices, he is liable because no one was any longer involved with public sacrifices.

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<sup>15</sup> Fats and organs burnt on the altar.

## Perek 6 – 72a

The Gemara now suggests that this answer contradicts the very end of our Mishnah:

**If so**, that the case is that the public sacrifices were already slaughtered, let us consider what was stated at the end of our Mishnah:

**Rabbi Meir** disagrees with the previous views and **says** that according to Rabbi Yehoshua, **even someone who slaughters** private sacrifices on Shabbat **for the sake of a public sacrifice is exempt** from bringing a sin offering.

**But** if the case is that the public sacrifices were already sacrificed, this will contradict the following Baraita:

**It was taught** in a Baraita:

**Rabbi Chiya from Avel Arev said** in the name of *Rabbi Meir*:

**Rabbi Eliezer and Rabbi Yehoshua concur over** the case of **someone who had two babies, one to circumcise on Friday and one to circumcise on Shabbat, and he forgot and circumcised the one of Friday on Shabbat.** They concur **that he is liable**, even though he did a mitzvah. (case #1)

**Concerning what do they differ? Concerning someone who had two babies, one to circumcise after Shabbat, and one to circumcise on Shabbat, and he forgot and circumcised the one of after Shabbat on Shabbat.** (case #2)

**That Rabbi Eliezer holds him liable to bring a sin offering, and Rabbi Yehoshua exempts him.**

At this stage the Gemara understands that the difference between the cases is as follows: In case #1, the person first circumcised the baby of Shabbat. Therefore, at the time he

## Perek 6 – 72a

circumcised the baby of Friday, he was no longer involved in the mitzvah and even Rabbi Yehoshua holds that he is liable to bring a sin offering (even though he did a mitzvah).

Whereas case #2 is that he circumcised the baby of Sunday first. Thus when he circumcised the baby of Sunday, he was still involved in the mitzvah (because he still had to circumcise the baby of Shabbat), and Rabbi Yehoshua holds that he is exempt from bringing a sin offering (even though he did no mitzvah).

But this contradicts the way we explained our Mishnah, because we said there that Rabbi Meir exempts the person even if the public sacrifices were *already* sacrificed.

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To answer the question, the Gemara explains the end of the last Baraita differently, first pointing out that the way we just explained it is illogical:

**And do you think** that the way we explained Rabbi Meir was logical?

**If there** in case #2, **where he** the father **did not do a mitzvah** when he circumcised a baby of Sunday on Shabbat, **Rabbi Yehoshua exempts** him—

In case #1, **where he does a mitzvah** by circumcising the baby of Friday on Shabbat, **would he** Rabbi Yehoshua **make him liable?**

Therefore we must learn this Baraita differently.

Rather, **said the house of Rabbi Yannai:**

**The first clause** (case #1) **is a case where he** the father **preceded and circumcised** the baby **of Shabbat on Friday**, and everyone agrees that in such a case he is liable when he

## Perek 6 – 72B

later circumcises the baby of Friday on Shabbat. This is **because this Shabbat was not meant to be superceded** at all for this person, because he had already circumcised the Shabbat baby before Shabbat.

### **Ammud Bet**

But in **the latter clause** (case #2), he hadn't circumcised either baby before Shabbat, and **Shabbat was meant to be superceded by him** because of the baby that was supposed to be circumcised on Shabbat.

Therefore, when he circumcises the baby of Sunday on Shabbat, Rabbi Yehoshua exempts him because he is involved with a mitzvah, even though he did no mitzvah.

And **here** too in our Mishnah, even if the public sacrifices had already been sacrificed, **Shabbat** when it began **was meant to be superceded by public sacrifices**, and Rabbi Meir (according to his explanation of Rabbi Yehoshua) exempts in such a case.

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The Gemara challenges to this last explanation:

**Said Rav Ashi to Rav Cahana:**

**Here too** in case #1, **Shabbat was meant to be superceded for babies in general** that are due to be circumcised on Shabbat. Thus the father who circumcised the Friday baby on Shabbat should be exempt even if he circumcised the Shabbat baby before Shabbat commenced.

## Perek 6 – 72B

The Gemara answers: **He Rav Cahana said to him: However, concerning this person** i.e. the father **it Shabbat was not meant** to be superceded.

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The Gemara re-quotes an earlier part of our Mishnah:

**And concerning other sacrifices that one slaughtered for the sake of a Pesach offering on Shabbat**<sup>16</sup>—

**If they are not fit**<sup>17</sup> to bring as a Pesach offering, everyone agrees that **he is liable** to bring **a sin offering**.

**And if they are fit** for a Pesach offering, **Rabbi Eliezer holds that he is liable** to bring a **sin offering, and Rabbi Yehoshua exempts** him. This is because Rabbi Yehoshua holds that if someone “errs in doing a mitzvah and does a mitzvah”, he is exempt.

And in this case, even though he did not fulfill the obligation of bringing a Pesach offering, the sacrifice is a valid voluntary sacrifice. Thus he did a mitzvah.

The Gemara now tells us that not everyone holds that Rabbi Yehoshua differentiates between whether the sacrifice is fit or unfit for a Pesach offering:

**Who is the Tanna who distinguishes between fit and not fit? It is Rabbi Shimon.** But Rabbi Meir disagrees and makes no such distinction.

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<sup>16</sup> And his mistake was that he thought that this act was permitted on Shabbat, or that he thought that it was a weekday.

<sup>17</sup> For example, the animal was a female or a calf.

## Perek 6 – 72B

**Because it was taught** in a Baraita: **Whether sacrifices are fit, and whether they are not fit, and so too, someone who slaughters for the sake of public sacrifices.** In all these cases Rabbi Yehoshua rules that he is **exempt, according to Rabbi Meir's** explanation of Rabbi Yehoshua's view.

**Said Rabbi Shimon: Rabbi Eliezer and Rabbi Yehoshua concur concerning a sacrifice that is not fit.** They both rule that he is liable, because he should not have made a mistake in such a case.

**About what do they differ? About those animals that are fit** to be a Pesach offering. **That Rabbi Eliezer holds him liable to bring a sin offering, and Rabbi Yehoshua exempts him.**

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The Gemara now gives an application of Rabbi Meir's lenient explanation of Rabbi Yehoshua's view:

**Said Rav Bivi said Rabbi Eliezer: Rabbi Meir exempted even someone who sacrificed a calf of a peace offering<sup>18</sup> for the sake of a Pesach offering,** even though a calf is blatantly unfit for the Pesach offering.

The Gemara suggests that this contradicts another rule that Rabbi Meir stated:

**Said Rabbi Zeira to Rav Bivi: But Rabbi Yochanan said: Rabbi Meir agreed concerning physically flawed (*ba'alei mumim*) animals,** that someone who slaughters them on Shabbat for the sake of a Shabbat sacrifice will be liable, because he cannot claim to be erring in doing a mitzvah. If so, why is slaughtering a calf for a Pesach offering any better?

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<sup>18</sup> *Shlamim*

## Perek 6 – 72B

The Gemara answers: **He Rav Bivi said to him: A person is not involved with bringing flawed animals** as sacrifices at any time. **But this**, a calf meant for a peace offering, **a person is** indeed mentally **involved with** because it is suitable for a sacrifice during the week.

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The Gemara further discusses Rabbi Meir's view:

**Rava posed an inquiry to Rav Nachman:**

**If someone slaughters a *chulin*<sup>19</sup> animal for the sake of a Pesach offering**, on Shabbat, **what would Rabbi Meir say to me?** Would that be regarded as erring in doing a mitzvah?

**He Rav Nachman said to him: Rabbi Meir used to exempt even *chulin* slaughtered on Shabbat for the sake of Pesach.**

Rava challenges that answer: **But Rabbi Yochanan said: Rabbi Meir agreed concerning flawed animals** that a person is liable, because they are never brought for sacrifices. So why is a *chulin* animal different? It too is never brought for sacrifices!

Rav Nachman answers: **Flawed animals do not get confused** with unflawed animals. Therefore someone who does mix them up is not considered as erring in performance of a mitzvah.

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<sup>19</sup> Regular animals that are not sacrifices.

## Perek 6 – 72B

But **these chulin** animals easily **get confused** with consecrated animals, as there is no observable difference between them. So someone who confuses them is considered as erring in performance of a mitzvah.

Rava challenges this answer: **But is the reason of Rabbi Meir because of animals getting confused** with others, **or not getting confused?**

**But said Rav Bivi said Rabbi Elazar: Rabbi Meir exempted even someone who sacrificed a calf of a peace offering for the sake of a Pesach offering**, even though a calf is blatantly unfit for the Pesach offering and would not normally be confused with one.

Thus **we see that the reason of Rabbi Meir is because one is involved** in bringing a sacrifice, and not because one confuses one animal with another. And if so, how can Rabbi Meir exempt a person who sacrifices a *chulin* animal and is not involved in bringing a sacrifice?

**He Rav Nachman said to him** in reply: Rabbi Meir exempts him if he is **involved** in a mitzvah, **even if it** such an animal **is not confused** with the relevant sacrifice. And he also exempts **if** it is a situation that **it** the animal **gets confused** with another, **even if he is not involved** in bringing a sacrifice.

But this rule, however lenient it may be, comes **to exclude flawed animals. For one certainly does not confuse them** with valid animals. **And** furthermore, **one is certainly not involved** in bringing them at any time as a sacrifice. Therefore one is liable if one sacrifices them on Shabbat for the sake of a Pesach offering.

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## Perek 6 – 72B

The Gemara continues discussing what happens if a person errs while doing a mitzvah:

**Rabbi Zeira and Rabbi Shmuel bar Rav Yitzchak were sitting at the entrance of Rav Shmuel bar Rav Yitzchak.**

**And they were sitting and saying: Said Rabbi Shimon ben Lakish:**

**If a person confused a spit holding meat of *notar*<sup>20</sup> for a spit holding meat of valid roasted sacrificial meat, and he ate the *notar*, he is liable to bring a sin offering.** Although he erred in doing a mitzvah, he did not do any mitzvah.

**And Rabbi Yochanan said: If one's wife was *nidah*<sup>21</sup> and he had relations with her, he is liable to bring a sin offering.**

But if she was **his *yevamah*<sup>22</sup> and she was *nidah*, he is exempt.** This is because he erred while doing the mitzvah of *yibum* and in fact fulfilled the mitzvah.<sup>23</sup>

The Gemara discusses whether Reish Lakish and Rabbi Yochanan would agree with each other, although they stated different cases:

**Some say that all the more so would Rabbi Yochanan make the person liable in that case of Reish Lakish, because he did not do any mitzvah at all.** Whereas with his wife there was a certain mitzvah involved in that he gladdened his wife.

And **some say that in that case of Reish Lakish, he Rabbi Yochanan exempts the person. What is the reason that he exempts?** Because **there** in Rabbi Yochanan's case of

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<sup>20</sup> Sacrificial meat that was left over beyond the regulation time. Someone who eats this meat is liable for the punishment of *karet* – spiritual excision.

<sup>21</sup> Impure from menstruation.

<sup>22</sup> Childless widow of his late brother, whom it is a mitzvah to take in levirate marriage.

<sup>23</sup> Because having relations with her is the Torah-ordained way to acquire her as his wife.

## Perek 6 – 72B

the wife, the fact is **that he should have asked her** whether she is *nidah* or not. Thus it is considered an inadvertent sin, and he is liable to bring a sin offering to atone for it.

But **here** in Reish Lakish's case of *notar*, the fact is **that he should not have asked it**, because a spit of meat cannot speak. Thus he was not negligent, and he is **not** liable to bring an atoning sin offering.

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The Gemara finds a contradiction in Rabbi Yochanan's statement: What is the difference between having relations with one's wife, where Rabbi Yochanan says that one is liable, and having relations with a *yevamah* where he says that one is exempt?

**And to Rabbi Yochanan, why is his yevamah different, that he is exempt? Because he did a mitzvah.**

With **his wife** too **he did a mitzvah** - to be fruitful and multiply and have children!

The Gemara answers: The case is **concerning his wife who is already pregnant.**

The Gemara raises a further difficulty: **But there is the mitzvah of *onah*.**<sup>24</sup>

The Gemara answers: **That** it is **not the time of her *onah*.**

The Gemara rejects this answer: **But Rava said: A man is obligated to gladden his wife with a matter of mitzvah** (i.e. marital relations) even when it is not her *onah*.

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<sup>24</sup> To have relations with her at regular intervals.

## Perek 6 – 72B

Therefore the Gemara gives another answer: The case is that it is **close to** the expected time of **her menses**, when one is obligated to refrain from relations lest she become a *niddah* during relations.

The Gemara challenges this answer: **If so**, in such a case it is forbidden to have relations **even with one's yevamah too**, so why is he exempt in the case of a *yevamah*?

The Gemara answers: **One's yevamah, one is embarrassed from her** since she is new to him. Thus he is reluctant to ask her if she is close to her menses. Therefore there was potential for the husband to err and think he was doing a mitzvah.

But **one's wife, one is not embarrassed from her** and he should have asked her if she was close to her menses. And if he did not, he cannot claim that he was involved with doing a mitzvah.

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The Gemara now attempts to identify the Tanna that Rabbi Yochanan is following in his ruling.

**And Rabbi Yochanan is ruling like whom?**

**If you wish to say it is like Rabbi Yosi—**

**For it was taught in a Mishnah: Rabbi Yosi says: If the first day of Yom Tov of Succot falls on Shabbat, and one inadvertently took out a *lulav* to the public domain, one is exempt, because he was involved with the mitzvah. And it is “as if” he took it out with permission.**

## Perek 6 – 72B

And the person who had relations with his *yevamah* who was a *niddah* also did a mitzvah in addition to the sin.

The Gemara rejects the comparison: It is **different there with** the mitzvah of *lulav*, **because its time is urgent**. The Torah-ordained time of the mitzvah lasts only until that night. Therefore he was in a rush to take the *lulav* to someone to teach him how to use it. But there is no rush to fulfill the mitzvah of *yibum*.

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**But** we could say that Rabbi Yochanan is ruling in accordance with **Rabbi Yehoshua's** statement **regarding sacrifices**, in our Mishnah, who says that someone who slaughters peace offerings for the sake of a Pesach offering on Shabbat is exempt because he did a mitzvah.

The Gemara rejects this comparison: **Maybe there, too**, Rabbi Yehoshua exempts because **its time** of the Pesach offering **is urgent** since it must be brought before night.

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A third possibility: **Rather**, we could say that Rabbi Yochanan is ruling **like Rabbi Yehoshua's** statement **regarding the babies** that needed to be circumcised, where Rabbi Yehoshua exempts someone who errs concerning a mitzvah if he fulfills a mitzvah.

The Gemara rejects this as well: **There, too, its time is urgent** because a baby must be circumcised before night.

\*

A fourth possibility: **Rather, he is ruling like Rabbi Yehoshua concerning *terumah***.

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**Because it was taught** in a Mishnah: **If someone** i.e. a cohen **was eating *terumah* and became aware that he is the son of a divorced woman** and is therefore disqualified as a cohen<sup>25</sup> and not allowed to eat *terumah*, **or the son of a woman who received *chalitzah***<sup>26</sup> and is therefore Rabbinically forbidden from eating *terumah*—

**Rabbi Eliezer holds him liable** to pay **the amount** he ate **and** add **an extra fifth** as a fine, in accordance with the law of a non-cohen who eats *terumah*.

And **Rabbi Yehoshua exempts** him, because paying for eating *terumah* is an atonement, similar to bringing a sacrifice. And here, the person erred while doing a mitzvah.

The Gemara rejects the comparison: **Perhaps it** (Rabbi Yehoshua's exemption from paying) **is like Rav Bivi bar Abaye** said.

**Because said Rav Bivi bar Abaye:** The case that Rabbi Yehoshua exempts is **when one eats *terumah* of chametz on Erev**<sup>27</sup> **Pesach, when its time is urgent** since all leaven must be finished.

**Or also,** one can make another distinction between *terumah* and *yevamah*, that ***terumah* is different because its eating is called a kind of sacrificial service, and the Torah validates sacrificial service** done by a disqualified cohen who does not know of his disqualification. Thus, no atonement is necessary for this act of eating. Consequently it is not a case of “exempting” him from the atoning payment, since there is actually no need for such a payment.

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<sup>25</sup> This is because his father, the cohen, was not allowed to take a divorced woman as a wife, and the offspring from such a union are invalidated from serving as cohanim.

<sup>26</sup> The ceremony that exempts a person from having to marry his *yevamah*. It bears a resemblance to divorce.

<sup>27</sup> The Eve of

## Perek 6 – 72B

**Because it was taught** in a Mishnah: If he a cohen was standing and sacrificing, and became aware that he is the son of a divorced woman or the son of a woman who received *chalitzah*, all the sacrifices that he sacrificed on the Altar are invalidated.

**And Rabbi Yehoshua validates** them.

**And we say: What is the reason of Rabbi Yehoshua?**

**Because it is written** in Moshe's<sup>28</sup> blessing to the tribe of Levi, "Hashem, bless his strength (*cheilo*), and accept the act of his hands" (*Devarim*<sup>29</sup> 33).

And this verse is interpreted to be speaking about the cohanim. For the previous verse said: "He will place [the fragrance of] incense [a service done by cohanim] in Your nose." And the word *cheilo* is understood as meaning *challallim* (disqualified cohanim), to teach us that after the fact, the sacrificial service of *challallim* is not disqualified – the "act of his hands" is accepted.

**And where is eating *trumah* called** sacrificial service, in order to include it in the above rule?

**Because it was taught** in a Baraita: There is an incident concerning Rabbi Tarfon who did not come the night before to the study hall.

**In the morning, Rabban Gamliel found him. He said to him: Why didn't you come the night before to the study hall?**

**He Rabbi Tarfon said to him: I did sacrificial service!**

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<sup>28</sup> Moses

<sup>29</sup> Deuteronomy

## Perek 6 – 72B

**He Rabban Gamliel said to him: All your words are nothing but puzzling words. Is there sacrificial service nowadays?**

**[He said to him: It says in the verse: “I have established your priesthood so that the gift [of *terumah*] is like sacrificial service, and the non-cohen who draws near [to eat the *terumah*] shall die.”<sup>30</sup>**

On the basis of this verse, **they made the eating of *terumah* in the borders**, i.e. outside the Temple, to be **like the service of the Temple.**]

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<sup>30</sup> This interpretation of the verse is non-literal.

# Chavruta

## Pesachim – Daf Ayin Gimel

Translated by: *Rabbi Aharon Liberman*  
Edited by: *R. Shmuel Globus*

The Mishnah had previously taught that **if he slaughtered it** the Pesach offering on Shabbat<sup>1</sup>, **on behalf of people who are incapable of eating it**<sup>2</sup>, he is liable to bring a sin offering for his inadvertent sin<sup>3</sup>. In the Gemara's discussion below, this section of the Mishnah will be referred to as "the first clause."

The Gemara asks: Why does the Mishnah have to teach us this? **It is obvious. Since** we had previously learned **over there**, on 61A, that if one had slaughtered a Pesach offering on behalf of those who are incapable of eating it, **it is invalid**. Thus we may conclude that **over here**, with respect to the laws of Shabbat, he is obviously **liable** for desecration of Shabbat.

The Gemara answers: **Because the latter clause** of the Mishnah **teaches** that one who slaughters the Pesach offering on behalf of both those who are capable of eating it and those who are incapable of eating it, **he is exempt** from bringing a sin offering.

Therefore, **the first clause** of the Mishnah **taught** in contrast to this, that one who slaughters a Pesach offering on Shabbat on behalf of only those who are incapable of eating it, **is liable** to bring a sin offering. In other words, the law stated here is indeed obvious, and it was stated only to maintain a parallel structure in the wording of the Mishnah.

The Gemara raises a further difficulty: **But this** case in the latter clause which taught the exemption of one who slaughtered a Pesach offering on Shabbat on behalf of both those

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<sup>1</sup> Slaughtering animals is one of the 39 forbidden actions on Shabbat, but is permitted when performed in the context of Temple sacrifices such as the Passover offering.

<sup>2</sup> The group for whom the Pesach offering is slaughtered must be capable of eating it in its entirety. Thus, if the members of the group are too frail or ill to finish it, it is invalid.

## Perek 6 – 73a

who are capable of eating it and those who are not, it **is also obvious**, and is therefore superfluous.

**Since over there** in Chapter 5, we had learned that a Pesach offering which was slaughtered on behalf of both those who are capable of eating it as well as those who are not, **is indeed valid**. Then obviously, **he will be exempt** from bringing a sin offering for slaughtering it on Shabbat, since it is a perfectly valid Pesach offering.

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The Gemara suggests an alternative answer:

**Rather, as long as the Mishnah was teaching** the rule that **one who slaughtered the Pesach offering on Shabbat, while lacking the appropriate intentions**, is liable to bring a sin offering, **the Mishnah also taught** the rule regarding **one who slaughtered it on Shabbat on behalf of those who cannot eat it**, that he is also liable. Again, the law stated here is indeed obvious, and was restated only because of its close affinity to the subject of the Mishnah.

The Gemara challenges this alternative answer: **And this itself** - the rule that one who slaughtered the Pesach offering on Shabbat while lacking the appropriate intentions is liable - **why do I need** the Mishnah to teach it to me? Since the offering is invalid, then obviously he will be liable for desecration of Shabbat.

The Gemara concludes that this superfluous section was taught **because** the Mishnah **wished** to present **the disagreement between Rabbi Eliezer and Rabbi Yehoshua** about one who erred while doing a mitzvah.<sup>4</sup>

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<sup>3</sup> Because this Pesach offering was brought on behalf of those who cannot eat it, it is an invalid offering, and he is therefore liable for slaughtering it on Shabbat. As such, he must bring a sin offering.

<sup>4</sup> The Mishnah on 71b presented a scenario in which an ordinary sacrifice was slaughtered on Shabbat with the intention that it be a Passover offering. According to Rabbi Yehoshua, he is exempt from bringing a sin offering since he did, nevertheless, perform a mitzvah by bringing a sacrifice, despite the fact that the

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The Gemara will now discuss another issue related to the fact that one who slaughtered a Pesach offering on Shabbat on behalf of those who cannot eat it is liable.

**Said Rabbi Huna of Chinina to his son: “When you go before Rabbi Zerika, ask him the following question.”**

**According to the view which says that one who destructively wounds on Shabbat is exempt<sup>5</sup>, how can we explain the scenario of our Mishnah that one who slaughtered a Pesach offering on Shabbat on behalf of those who are incapable of eating is liable for this act? After all, what constructive act did he accomplish?**

Rabbi Zerika responded that **he did**, indeed, **accomplish a constructive act—in that if** the portions to be burnt of this offering **were** mistakenly **brought up** upon the Altar to be burned, **they will not be brought** back **down** from the Altar, despite the fact that they belong to an invalid sacrifice. As such, this basically invalid sacrifice has a way to be offered upon the Altar nonetheless. Therefore he is liable for the slaughtering of it, since it created a constructive result yet was not in fulfillment of the mitzvah of the Pesach offering (which supersedes Shabbat, unlike most other offerings).

The Gemara challenges this response: It was taught in a Mishnah that if **he slaughtered** an animal, **and it turned out** upon examination **to be flawed** (*ba'al mum*) in a manner which renders it unfit, it would not stay on the Altar to be burned, but would be

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intentions behind it were inappropriate. Rabbi Eliezer, on the other hand, will hold him liable to bring a sin offering, even though he performed a mitzvah in bringing this sacrifice. Thus, Rabbi Eliezer holds that one who errs while doing a mitzvah is liable, while Rabbi Yehoshua will exempt him.

<sup>5</sup> Wounding is liable on Shabbat if done in a constructive manner, such as if the wound was part of a medical procedure that will later produce healing. If, however, it is done in a destructive manner, it is exempted. As such, Rabbi Huna of Chinina asserts that our Mishnah's scenario should not be liable since the offering is rendered invalid, and therefore did not involve any constructive wounding.

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removed<sup>6</sup>. Yet, the Mishnah had ruled that **he would be liable** to bring a sin offering. This being the case, why should he be liable to bring a sin offering? After all, **what constructive act did he accomplish**, since its portions have no way to be burned on the Altar?

The Gemara responds that he **did, indeed, accomplish a constructive act** since the flaw at issue here is **with respect to a particular type of spot in the eye**. A flaw in the eye is considered relatively minor<sup>7</sup>.

This position is **in accordance with Rabbi Akiva, who said** that **if** the portions of an animal found to have a flaw in the eye mistakenly **went up** upon the Altar, **they should not come back down**.

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The Gemara further discusses the view that one who wounds destructively on Shabbat is exempt.

Our Mishnah stated: **If he slaughtered it and it was found *treifah*** (having a wound or defect that renders it non-kosher) **in a hidden place**, such as a wound on the lungs, he is **exempt** from bringing an atoning sacrifice. This is considered circumstances beyond his control since the defect was undetectable.

**This would imply that** had the animal been found *treifah* **in a revealed place, he would have been liable** for slaughtering it on Shabbat, since he should have examined the animal for such a wound prior to slaughtering it.

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<sup>6</sup> Although the Gemara had taught in the previous stage that once an invalid sacrifice has been brought upon the Altar, it remains there to be burned, a flawed animal is different. This is because its invalidation is intrinsic. This point will be discussed by the Gemara on *ammud bet*.

## Perek 6 – 73a

But according to the view that one who destructively wounds on Shabbat is exempt, why should this be liable? After all, **what constructive act did he accomplish here?** The portions would be removed from the Altar.

The Gemara answers that **he did, indeed, accomplish a constructive act** in that through his act of kosher<sup>8</sup> slaughter, **he prevented** this animal from dying on its own, thereby **incurring the impurity of *neveilah***<sup>9</sup>.

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**Ravina challenges this, from that which is taught in the Baraita: One who slaughters a sin offering on Shabbat, outside of the Temple Courtyard, in the context of idolatrous service, is liable three sin offerings.** One **for it**, i.e. for violating Shabbat, one for slaughtering a sacrifice outside of the Temple Courtyard, and one for sacrificing to idolatry.

Now, since this animal is not permissible for kosher consumption, and it will also carry with it the impurity of idolatry, **what constructive act did he accomplish** through his slaughtering?

The Gemara answers: **Said Rav Avira:** He did, indeed, accomplish a constructive act in that through his slaughtering, **he removed** the animal **from** being subject to the prohibition of eating **a limb from a living animal**. As such, a gentile may now eat it<sup>10</sup> without violating this prohibition.

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<sup>7</sup> This flaw is considered minor since it invalidates only animal sacrifices, but not fowl sacrifices.

<sup>8</sup> I.e. he slaughtered it in accord with Halachah—in a way that would render a normal animal kosher. This animal, however, is judged as *treifah*.

<sup>9</sup> Animals that died in a manner other than kosher slaughtering, *shechitah*, are considered carrion, *neveilah*, and as such, they carry impurity.

<sup>10</sup> Although gentiles are not required to keep mitzvot, they are, however, required to keep the Seven Noachide Laws. One of these laws is that limbs severed from an animal while it was still alive may not be eaten, even after its death.

## Perek 6 – 73a

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The Gemara discusses the next ruling of the Mishnah:

The Mishnah stated that **if he slaughtered** a Pesach offering on Shabbat **and then it became known** that those appointed to eat from it had already withdrawn from it, or that they had died, or that they had become impure, he is exempt from bringing a sin offering. For this is not something he could have known; thus it is judged as circumstances beyond his control and he is exempt from need for an atoning sacrifice.

The Gemara will discuss this in light of the halachah pertaining to an animal that was designated for a particular sacrifice, but whose status had subsequently been altered, such as a Pesach offering whose appointees had withdrawn from it, transforming it into a peace offering (*shlamim*). Or, a guilt offering whose owner had subsequently died or been atoned through a different guilt offering. It is sent to pasture until it acquires a flaw and can no longer be brought as a sacrifice. As such, it is redeemed for its monetary value, and that sum is used to purchase an animal to bring as a burnt offering for times when the Altar is vacant from sacrifices. The point of disagreement is whether this transformation of status occurs automatically, or whether its original status must first be removed.

**Said Rav Huna in the name of Rav:** Regarding an animal designated for a **guilt offering, that subsequently had been sent to pasture**, but has not yet become flawed. It was accidentally **slaughtered with no specific intentions. It is fit to be offered as a burnt offering** when the Altar is vacant from other offerings.

**It can be inferred** from this statement that Rav **held the view** that a sacrifice whose status has been altered **does not first need to have removal** of its original status, in order for it to take on its new status.

## Perek 6 – 73a

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The Gemara raises a difficulty: **If this is so**, that its original status does not first have to be removed in order for the new status to take effect, why, then, did Rav limit the rule to an animal that had been sent out to pasture? **Even had it not yet been sent out** to pasture, it would **also** have been fit to be offered as a burnt offering, since it does not first have to have its original status removed.

The Gemara answers: The Sages enacted **a decree** that the animal is not considered fit to be offered as another sacrifice immediately **following the** owner's **atonement** through a different guilt offering, until it is first sent out to pasture. This enactment was necessary **lest** the owner get the mistaken impression that it is permitted to transform a guilt offering into a burnt offering whenever he wishes, even **prior to his atoning** through a different guilt offering<sup>11</sup>.

The Gemara explains: **From where do we** know to **say** that there is such a decree?

**As it was taught** in a Mishnah: **A guilt offering whose owner had died or was subsequently atoned** through a different guilt offering, **it should pasture until it becomes flawed** and can no longer be brought as a sacrifice, at which point it should be redeemed, **and its monetary value should be diverted to a voluntary offering**, such as a burnt offering brought when the Altar is vacant.

**Rabbi Eliezer says:** This remedy for the situation is not acceptable, thus the animal **should** be allowed to **die**.

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<sup>11</sup> This concern is relevant only at this critical stage, before the animal is sent out to pasture, since there is no way for an onlooker to know that this is no longer a guilt offering. As such, they will mistakenly assume that it is always permitted to transform a guilt offering into a burnt offering. Once it is sent out to pasture, however, there is no more room for error since everyone will realize that it had been sent to pasture because its status has changed.

## Perek 6 – 73a

**Rabbi Yehoshua says:** After it becomes flawed, **it should be sold, and** the owner **should bring, with its monetary value,** a personal **burnt offering**—not one that is brought while the Altar is vacant, which is a public burnt offering.

The Gemara makes an inference from this Mishnah: The Mishnah had said “**with its monetary value,**” **yes,** he may bring a burnt offering. **But the actual animal itself,** he **may not** bring as a burnt offering, even though it would be a personal burnt offering which he pays for privately, and even though the animal is actually fit to be brought as a burnt offering.

This is **because there is a decree** that it cannot be brought as a burnt offering even **after** the owner had subsequently been **atoned** through a different guilt offering, **lest** he mistakenly assume that it is permissible to transform the guilt offering into a burnt offering at will, **even before** his **atonement** through another guilt offering.

The Gemara concludes: **Hear from this a proof.** The Gemara’s proof that such a Rabbinical decree exists is accepted.

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**Rabbi Chisda contradicted Rabbi Huna’s** assertion that the new status takes effect automatically, **from a Baraita.** Our Mishnah had stated: **If he slaughtered it and it** then **became known that the owners** i.e. the appointees **had** already **relinquished their appointment** on it, or had died, he is exempt from a sin offering.

## Perek 6 – 73B

### **Ammud Bet**

**And it is taught** in a Baraita, **regarding** our Mishnah, that if this situation would have occurred **on a weekday**, and not on Shabbat, this Pesach offering **would have been burned immediately**, since it was intrinsically invalid. It would not be left overnight, as would be the procedure for a sacrifice bearing a lenient invalidation<sup>12</sup>.

Based on this Baraita, Rabbi Chisda says to Rabbi Huna: **It is all right if you say that it requires removal** of its original status as a Pesach offering, despite the fact that an invalid Pesach offering could become a peace offering. For **this** invalid Pesach offering in fact did not have its original status removed, and it therefore **remains as a Pesach offering**.

**And since** it is a Pesach offering **which does not have an owner, it is considered** to have the strict form **invalidation which is with respect to the sacrifice itself**. **And because of this**, the ruling is that **it must be burned immediately**, without being left overnight.

**But if you say that it does not require removal** of its original status, then **from the beginning**, as soon as the appointees died, **this Pesach offering is considered to be a peace offering**, having automatically transferred over to its new status.

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<sup>12</sup> There are two categories of invalidated sacrifices. The intrinsic type of invalidation occurs due to a problem with the sacrifice itself, such as 1) *pigul* - if it was slaughtered with the intention that it be eaten beyond the permitted time, 2) *notar* – if it was left over beyond the prescribed time for either consuming or burning it, or 3) if it became impure.

The lenient type of invalidation occurs due to a peripheral issue, such as if its blood spilled on the ground before being thrown on the Altar, or if the owner had died or had become impure. If an intrinsic invalidation occurs, it is burned immediately. If it is a lenient invalidation, however, it is not burned until it is left overnight, at which point it becomes *notar*, and can be burned immediately.

## Perek 6 – 73B

And as such, **the invalidity of this Pesach offering is because of what**, then? On the contrary, we can consider it as if it had been slaughtered as a peace offering, which would render irrelevant the fact that the appointees died.

Rabbi Chisda answers: **Its invalidation is because of something else**, which is not considered an intrinsic invalidation. Namely, **that he had slaughtered this peace offering after the afternoon *Tamid*<sup>13</sup> offering had already been brought<sup>14</sup>**, which is a permissible timing for the Pesach offering, but not for other sacrifices.

Thus **it requires changing its Halachic form** by leaving it overnight, before it can be burned.

Rabbi Chisda confirms this from the following Baraita. **As it was taught** in a Baraita: **This is the general rule: any invalidation with respect to the actual sacrifice itself, must be burned immediately.** If its invalidation is **with respect to the blood** of the sacrifice, namely that it spilled, **or with respect to the owner** of the sacrifice, namely that he died or became impure following the slaughtering, the sacrifice must be allowed to **change its Halachic form, and** then it may **be taken out to the burning location** for invalidated sacrifices.

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Due to Rav Chisda's contradiction, we are forced to say that Rav meant something different from how Rabbi Huna originally quoted him. **Rather, do not say** that Rav had said, "a guilt offering which was removed to pasture, **and was slaughtered without any specific intention, is fit** to be brought **as a burnt offering.**"

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<sup>13</sup> Daily

<sup>14</sup> The *tamid* offering was brought twice daily, once in the morning, and once in the afternoon. Under normal circumstances, the afternoon *tamid* must be the final offering of the day.

## Perek 6 – 73B

**Rather, you should say** that Rav had actually said, “a guilt offering which was removed to pasture, and **was slaughtered with specific intention that it should be a burnt offering, is fit** to be brought as a burnt offering”. For by having specific intention to slaughter it as a burnt offering, he removed its original status as a guilt offering, thereby bringing about its new status as a burnt offering.

Based on its new understanding of Rav’s position, the Gemara reverses its previous inference. **Therefore**, we must conclude that a sacrifice whose status has changed **does** indeed **require** the **removal** of its original status, and it does not automatically transfer to its new status.

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The Gemara now challenges this conclusion<sup>15</sup>: **And according to Rabbi Chiyya son of Gamda who said** previously that **it was agreed unanimously amongst the group** of scholars in the study hall, **and they declared** that this particular Pesach offering mentioned in the Mishnah on 63A does not automatically transform into a peace offering because **it is a unique situation in which the owner** of this Pesach offering **became impure through a corpse**. As such, his Pesach offering was not brought during the proscribed time, **and it was delayed until the Second Pesach (*Pesach Sheni*)**<sup>16</sup>. In such a case, the Pesach offering does not automatically transform into a peace offering since it

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<sup>15</sup> The Gemara on 64A, in its analysis of the Mishnah on 63A had inferred that if he slaughtered a Pesach offering during the course of Pesach, as opposed to its proper time on Pesach Eve, with intentions for it to remain a Pesach offering, but while illegally possessing chametz at the time, he would, be exempt from lashing for his possession of chametz because it would not have been a valid Pesach offering since it was not brought during the prescribed time. Therefore, the fact that he has chametz in his possession is irrelevant vis a vis his invalid Pesach offering. This is actually in accordance with the conclusion of our Gemara that a sacrifice whose status has changed requires the removal of the original status in order to affect the new status. Otherwise, this invalid Pesach offering would have automatically transformed into a valid peace offering, thus making him liable for possession of chametz.

Our Gemara will now quote the view of Rabbi Chiyya son of Gamda from 64A who has an alternative explanation for why this particular invalidated Pesach offering did not automatically transform into a peace offering, while, in reality, other sacrifices would transform without first removing its original status.

<sup>16</sup> One who cannot bring the Pesach offering in its proper time, either due to his state of impurity at the time, or due to his distance from the Temple at the time, must bring a make-up Pesach offering on the Second Pesach, one month later on the sixteenth of Iyyar.

## Perek 6 – 73B

will be offered instead on the Second Pesach. Therefore, if he desires to transform it into a peace offering, he must first remove its original status as a Pesach offering.

As such, **it is only this very specific instance** of an invalidated Pesach offering that will be postponed until the Second Pesach **that first requires the removal** of its original status of a Pesach offering in order to transform it into a peace offering.

**This would imply that under general circumstances**, where the invalidated Pesach offering will not be postponed until the Second Pesach, **it does not first require the removal** of its original status of a Pesach offering in order to transform it into a peace offering.

Therefore, based on the statement of Rabbi Chiyya son of Gamda, **what is there to say** in defense of the previous conclusion that a sacrifice needs to have its original status removed before its new status will be effected?

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The Gemara now retracts from its original understanding of the Baraita cited above, and offers an alternative explanation why a Pesach offering whose owner had died must be burned immediately, in accordance with the rule of sacrifices with an intrinsic form of invalidity.

**Rather, said Rav Huna son of Rabbi Yehoshua:**

**Over here**, in the Baraita, **with what case are we dealing? For instance that** the owner **designated** the animal as a Pesach offering **before midday** on Erev<sup>17</sup> Pesach, **and then died after midday**. Therefore, the Pesach offering was already established as such at midday, the time for slaughtering it.

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<sup>17</sup> The Eve of

## Perek 6 – 73B

Since this animal was designated at midday, and its owner was still alive, **it was fitting** to be a Pesach offering, **but** was subsequently **rejected** due to the death of the owner.

And the rule is that **any** sacrifice **which was** originally **fitting** to be offered, **but** subsequently **rejected, cannot revert back to** its original status of **fitting**. That is why it cannot transform into a peace offering, as an invalidated Pesach offering would under normal circumstances. It emerges that its invalidation is intrinsic, and it requires immediate burning.

Now Rav's view can once again be understood as it was originally stated by Rabbi Huna. A guilt offering whose owner had died, and was subsequently slaughtered without any specific intentions, is indeed fit to become a burnt offering. There is no need to remove its original status as a guilt offering, since this happens automatically.

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The Gemara now challenges this: **Is that really the reason** for the ruling in the Baraita? That reason was presented **only** in order **to** explain **Rav's** view. **But Rav** himself, however, had **said that living creatures are not** ever considered **rejected!** On the contrary: once the cause of its rejection vanishes, it reverts back to its original fittingness to be offered as a sacrifice<sup>18</sup>.

The Gemara answers: **Rather, said Rabbi Pappa: Whose view is this** that if the owner of the Pesach offering dies on a weekday, it must be burned? **It is the view of Rabbi Eliezer, who had said, “and similarly, one who slaughters other [sacrifices] with intention that they be a Pesach offering, it is invalid.”**

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<sup>18</sup> According to Rav, the rule of being permanently rejected applies only to the owner or to the blood of the offering, not to the living animal itself.

## Perek 6 – 73B

It emerges that the sacrifice is intrinsically invalid. For upon the owner's death it automatically transformed into a peace offering. Yet it was slaughtered as a Pesach offering. As such, it is invalid according to Rabbi Eliezer. And **it is an invalidation of the actual sacrifice itself** and must be burned immediately.

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The Gemara now questions the assertion that our Mishnah is the view of Rabbi Eliezer. **And if** our Mishnah reflects **the view of Rabbi Eliezer**, then even if he slaughtered a **sin offering** with intention that it be a Pesach offering, **he should also be liable**. For in doing so, he invalidates the offering. And he cannot be exempted as one who erred while doing a mitzvah, **since Rabbi Eliezer does not hold that one who erred while doing a matter of a mitzvah is exempt**. Yet the Mishnah rules that he is exempt.

**Rather**, the Gemara answers, **Rav Yosef son of Rav Sala the Pious One explained this in the presence of Rabbi Pappa: Whose view is this Mishnah? It is** the view of Rabbi Yosef the **son of Chonai** which will be presented in the following Mishnah.

**As it was taught** in a Mishnah: **Yosef son of Chonai says** that other sacrifices, **which are slaughtered with intention** that they be either a **Pesach offering or a sin offering**, **are invalid**.

**From this we see**, infers the Gemara, that peace offerings which were offered with intention that they be Pesach offerings **have an invalidation in the actual sacrifice itself**. **As such**, in our scenario, where the death of the owner of the Pesach offering transforms it into a peace offering, but it was slaughtered with intention as a Pesach offering, **it must be burned immediately**.

**And with respect to the exemption** of one who erred while doing a mitzvah, Yosef son of Chonai **holds like Rabbi Yehoshua** who exempts him.

## Perek 6 – 73B

The Gemara has just presented how Rav Yosef son of Rav Sala the Pious One explains Rav's view. It will now present how Rabbi Ashi explains it.

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**Rav Ashi said** another way of supporting Rav's view.

**Rav**, who said previously that it is unnecessary to remove the original status of a sacrifice, disagrees with the Baraita quoted earlier which ruled that the Pesach offering whose owner had died must be burned. According to this Baraita, it is indeed necessary to remove the original status of a sacrifice. Whereas Rav **says** his view **in accordance with Rabbi Yishmael son of Rabbi Yochanan ben Baroka**. According to him, it is not necessary to remove the status of a sacrifice. Therefore this Pesach offering whose owner had died would not be burned immediately, but would instead have to stay overnight first.

**As it was taught** in a Baraita: **Rabbi Yishmael the son of Rabbi Yochanan ben Baroka says** that the ruling of our Mishnah, that one who slaughters a Pesach offering on Shabbat and then discovers that the owner had died prior to the slaughtering is exempt, is only applicable under a specific circumstance—

**If there is sufficient time left in the day** for him to verify whether the owners i.e. the appointees **had relinquished their appointment** on the sacrifice, **whether he had died, or whether he had become impure**. Only then **he is liable** to bring a sin offering. The sacrifice **must change its Halachic form, and then be taken to the burning location**.

Rabbi Ashi makes an inference from this: **What is the reason** that Rabbi Yishmael son of Rabbi Yochanan ben Baroka holds that the sacrifice must first stay overnight and is not burned immediately?

## Perek 6 – 73B

**Is it not because** the Pesach offering **does not require removal** of its original status in order for it to transform into a peace offering? Therefore, there is not intrinsic invalidation. The invalidation is merely because it was slaughtered as a peace offering following the afternoon *Tamid* offering. Rav followed this view.

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The Gemara rejects Rav Ashi's answer. **Why** should it be assumed that the reason for Rabbi Yishmael's ruling is that it is not necessary to remove the previous status of the sacrifice?

**Perhaps** his reason is **that he agrees with the teaching of the House of Rabbah bar Avuha, who said** that **even** a sacrifice which is intrinsically invalidated, such as one which was slaughtered with **inappropriate intentions, also requires changing its Halachic form**. This is **because he expounds** on a similarity in the terms "*avon-avon*," "**sin-sin**," derived **from** the verse written regarding sacrifices which have been **left over** past their allotted time.

Since the Torah writes "*avon*" with respect to leftover sacrifices, and it uses the same word with respect to slaughtering sacrifices with inappropriate intentions, we derive that they have similar halachot. Since leftover sacrifices by definition entail staying overnight, so does this apply to sacrifices which were slaughtered with inappropriate intentions.

The Gemara will now prove this to be Rabbi Yishmael's view. In a case **where the owner became impure, what is there to say? This situation would certainly require removal** of the original status of the sacrifice. Otherwise, all views agree that it keeps its status as a Pesach offering.

The proof that all views require removal of the original status, in this case, is the previously mentioned statement of Rabbi Chiyya son of Gamda.

## Perek 6 – 73B

**For said Rabbi Chiyya son of Gamda: It was agreed unanimously amongst the group** of scholars in the study hall, **and they declared** that this particular Pesach offering mentioned in the Mishnah on 63A does not automatically transform into a peace offering because **it is a unique situation in which the owner** of this Pesach offering **became impure through a corpse**. As such, his Pesach offering was not brought during the proscribed time, **and it was delayed until the Second Pesach (*Pesach Sheni*)**. In such a case, the Pesach offering does not automatically transform into a peace offering since it will be offered instead on the Second Pesach. Therefore, if he desires to transform it into a peace offering, he must first remove its original status as a Pesach offering.

Thus we may ask: if the owner became impure, but his offering was slaughtered as a Pesach offering anyway, why is it not burned immediately, since this is an intrinsic invalidation in the sacrifice? We are forced to say that Rabbi Yishmael son of Rabbi Yochanan ben Baroka holds that even where the invalidation is intrinsic, it must still stay overnight before it is burned.

Therefore the Gemara concludes, after this refutation of Rav Ashi's explanation: **Rather, the correct explanation is** that Rav's view must be understood **as we had originally answered** it. Since a Pesach offering does not require removal of its original status, it automatically transforms into a peace offering upon the death of the appointees. The intrinsic invalidation of the sacrifice is that he had slaughtered this "peace offering" as a Pesach offering.

**And this is the view of Rabbi Yossi** who held that even a peace offering which was slaughtered as a Pesach offering is considered invalid, and must be immediately burned on a weekday.

# Chavruta Pesachim – Daf Ayin Dal ed

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## Perek Keitzad Tzolin

### Mishnah

#### *Introduction:*

The Torah commands us regarding the Pesach offering (*Shmot*<sup>1</sup> 12:8-9): “They shall eat the meat on that night – roasted over fire – and matzot and bitter herbs they shall eat it. You shall not eat it partially roasted or cooked in water, only roasted over fire – its head with its legs and innards.” From this we learn: 1) The Pesach offering must be roasted whole (“its head with its legs and innards”). 2) It must be roasted rather than boiled with water or any other liquid (“You shall not eat it... cooked in water”). 3) It must be roasted on a fire and not over any other source of heat (“roasted over fire”). Our Mishnah explains the roasting of the animal in greater detail.

**How do we roast the Pesach offering? We bring a spit** that is sharp on one end and dull on the other, from wood of a pomegranate tree<sup>2</sup>, **and insert it into its mouth until it reaches the place of its orifice** in its rear end, **and then put its legs and intestines inside of it** and roast it<sup>3</sup>. These are the **words of Rabbi Yossi HaGelili**.

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<sup>1</sup> Exodus

<sup>2</sup> And not from metal or any other wood as the Gemara will explain

<sup>3</sup> During the actual roasting, the animal is turned so that its head is facing down and the dull part of the spit prevents the animal from falling off.

## Perek 7 – 74a

**Rabbi Akiva says:** This is **like a type of cooking**, not roasting! Putting the legs and intestines inside the animal to roast is like putting them into a pot to cook, thus one should not roast the Pesach offering in this manner. Rather, **we hang** the legs and intestines from the spit, **outside of its** torso, and allow the entire animal to be roasted directly on the fire.

The Mishnah continues:

**We do not roast the Pesach offering** with any of the following things: **not on a metal spit and not on a metal grill**. The Gemara will explain that this is because metal is a strong conductor of heat. When these metal objects heat up, the animal will be cooked from the hot metal and not directly from the fire.

**Said Rabbi Tzadok:** There was **an incident with Rabban Gamliel that he said to Tavi, his slave: Go out and roast for us the Pesach offering on a grill**.

## **Gemara**

The Mishnah stated that we may roast the Pesach offering only on a spit made of pomegranate wood. The Gemara questions this rule: **And let us bring a spit made of metal!**

The Gemara answers: **Once that there is heat touching part of it**, automatically there is **heat** spreading throughout **all of it, and** the inside of the offering **will be roasted on account of the hot metal spit**. And this is not a valid way of roasting because **the Merciful One said** in the Torah: **“roasted over fire”**, which implies: **and not roasted by way of something else** like hot metal.

## Perek 7 – 74a

The Gemara questions further: Then **let us bring** a spit made **of palm** wood! The Gemara answers: **Since** palm wood naturally **has grooves, it secretes water and it is like cooking** and not roasting. Therefore palm wood cannot be used.

The Gemara questions further: Then **let us bring** a spit made **of fig** wood! The Gemara answers: **Since** fig wood is **hollow, it secretes liquid and it is like cooking** and not roasting.

The Gemara questions further: Then **let us bring** a spit made of **oak** wood **or carob** wood **or sycamore** wood! The Gemara answers: **Since they all have knots** on their wood that need to be cut off in order to insert the spit into the animal, **they also secrete liquid**.

The Gemara objects: But wood **of a pomegranate tree also has on it knots!** Why then can we use pomegranate wood for roasting the Pesach offering?

The Gemara answers: Pomegranate wood has **smooth knots** that don't need to be cut off. **And if you wish, I will say** an alternative answer: the Mishnah is dealing **with a branch of a year-old** pomegranate tree **that does not** yet have **on it knots**.

The Gemara questions further: **But** even on the wood of a pomegranate tree **there is the place** on the wood where **it was separated** from the tree. This part of the wood secretes liquid like any other place that the wood was cut. How, then, can we use even a branch from a pomegranate tree? It is no different than all of the other trees that the Gemara has rejected!

The Gemara answers: The method for roasting the Pesach offering is **that one leaves the place** on the wood where **it was separated** from the tree. That part is left protruding from the mouth of the animal **on the outside**. This allows any secretion of liquid to drop to the ground and not affect the roasting process.

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## Perek 7 – 74a

Our Mishnah is not like the view of Rabbi Yehudah, for it was taught in a Baraita: Rabbi Yehudah says, just as a spit made of wood used for the Pesach offering is not burned from the heat of the fire, so too a spit made of metal does not become hot and heat the metal that is inside of the animal. This is not in accordance with our Mishnah which disqualified the use of a metal spit for the Pesach offering since the part of the metal which touches the fire will indeed heat even the metal that is in the body of the animal, causing the insides to be cooked by the hot metal and not the fire.

They (the Rabbis) said to him: This one (a metal spit), when part of it is hot, then all of it is hot. But that one (a wooden spit), when part of it is hot, then not all of it is hot. The Rabbis in this Baraita are the view expressed in our Mishnah, that a metal spit is different from a wooden one and is therefore unfit for roasting the Pesach offering.

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Our Mishnah stated: “And we then put its legs and intestines inside of it. These are the words of Rabbi Yossi HaGelili. Rabbi Akiva says: This is like a type of cooking. Rather, we hang the legs and intestines from the spit, outside of its torso, and allow the entire animal to be roasted directly on the fire.”

It was taught in a Baraita that just as Rabbi Yossi HaGelili and Rabbi Akiva disagreed regarding the placement of the legs and intestines during the roasting of the Pesach offering, so did Rabbi Yishmael and Rabbi Tarfon disagree: Rabbi Yishmael called it (the roasted Pesach offering) *tuch tuch*.

Rabbi Yishmael holds like Rabbi Yossi HaGelili in our Mishnah, that the legs and intestines were roasted inside the animal. During the roasting, the legs and intestines would make a noise that sounded like “*tuch tuch*.”

## Perek 7 – 74a

**Rabbi Tarfon called it “young goat that is “helmeted”.** He holds like Rabbi Akiva, that the legs and intestines were attached to the spit on the outside, at the head of the animal. This looked as if the animal was wearing a helmet.

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The Mishnah above, in *Perek Makom Shenahagu*, explained that nowadays it is forbidden to eat roasted meat on the first night of Pesach because it looks as if we are eating sacrificial meat outside of Jerusalem, which is forbidden. The following Baraita elaborates on this rule:

**Which is the young goat that is “helmeted”, that one is forbidden to eat nowadays? Any animal that is roasted as one unit.** But if one of its limbs was cut off, or if one of its limbs was boiled, even if the rest of the animal is properly roasted, **this is not a young goat that is “helmeted”** and therefore may be eaten nowadays on Pesach.

The Gemara understands the Baraita to say that it is enough to just cut off one limb. Thus the Gemara raises the following difficulty:

Why does the Baraita need to teach the case where one limb is detached *and* boiled separately? **Now we say** in the Baraita that if one of its **limbs was cut from it, even though it is roasted with it** (the rest of the animal), it is **not** considered “helmeted”. Then if a limb is cut off and not even roasted with it but rather **boiled, is it needed** to be said that the animal is not “helmeted”? Obviously it is not, so why did the Mishnah state this case?

**Said Rav Sheishet:** The case in the Baraita where one limb is boiled is speaking of where **it is boiled while still attached.** Thus the reason why it is not considered “helmeted” is because part of the animal is boiled and not roasted. This is why the Baraita had to mention this unique case.

## Perek 7 – 74a

### c c õ d d

It is forbidden to eat cooked meat unless it was completely salted to remove all of its blood. Meat that will be roasted, however, needs only light salting since the remaining blood is removed by the fire during the roasting.

**Said Rabbah:** These *mulyata* (an animal that is stuffed with other meat and then roasted) **is permitted** to be eaten even if it is not completely salted, since the remaining blood will drain off during the roasting.

**Said to him Abaye:** How is it permitted to eat such a thing? **But note that** blood is secreted during roasting by the stuffed meat, and the surrounding animal **absorbs** that blood! Thus, even after roasting there will be blood absorbed in the meat of the animal.

**Said to him Rabbah:** **Just as it absorbs** the blood of the stuffed meat, **so does it discharge it** during roasting, leaving the animal free of blood and fit for eating.

The Gemara brings a support for Rabbah's view:

**Let us say** that there is a **support for him** (Rabbah) from our Mishnah which says: **“He puts its legs and intestines inside of it and roasts it.”** **What is the reason** that meat prepared in such a way is allowed to be eaten? **Is it not because we say: just as it absorbs** the blood, **so does it discharge it?** It would seem, then, that our Mishnah is an application of Rabbah's rule.

**They said** in the study hall to refute this proof: **It is different there** in our Mishnah, **since there is the place of slaughter, which is an aperture.**

## Perek 7 – 74B

### **Ammud Bet**

Thus, the blood **flows out** of the animal during roasting through the aperture. The reason why the animal may be eaten is not because of Rabbah's rule but rather because of the aperture in the neck of the animal that is facing downward during the roasting.

\*

The Gemara attempts to find another support for Rabbah:

Let us say that the following Baraita supports him: Salting and roasting the animal does not remove the blood that is in the animal's heart. Therefore: **The heart, one must tear it open before cooking and remove its blood. If one did not tear it open before cooking, he tears it open after cooking and it is permitted to be eaten.** For **what is the reason** that the tearing after the cooking makes the heart permissible for eating? Presumably some of the blood was absorbed into the walls of the heart! Is **not** the reason **that we say just as it** (the heart) **absorbs** the blood, **so does it discharge** that same blood!?

It would seem, then, that this Baraita is an expression of Rabbah's rule. The Gemara assumes at this point that the word "cooking" in the Baraita really means roasting. If it meant actual cooking and not roasting then the tearing of the heart after the cooking would not be of any help since the blood would be absorbed into the heart during the cooking and would not discharge after that.

The Gemara rejects this support of Rabbah:

**The heart is different because it is smooth** i.e. non-porous, and cannot absorb any liquids. At this point the Gemara reads the Baraita literally, and "cooking" means cooking, not roasting. The reason why the tearing of the heart after the cooking is

## Perek 7 – 74B

effective is because the heart is unique in that it is smooth and does not absorb liquids even during cooking.

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The Gemara suggests another support for Rabbah:

**But Ravin Saba breaded a young dove** (that was not yet salted) and roasted it **for Rav. And said Rav to him: If this breading is tasty give it to me and I will eat** some of it. The Gemara assumes that the breading absorbed some blood during roasting, and even so, Rav wanted to eat it. We see that Rav held of Rabbah's rule, that just as something absorbs blood during roasting, it also discharges it.

The Gemara rejects this support:

**That** young dove was baked **with dough made of flour that crumbles** and does not stick well together. This allowed the blood to escape, having nothing to do with Rabbah's rule.

\*

The Gemara now tries to prove that others did not agree with Rabbah:

**But Rava visited the house of the *Reish Galuta*<sup>4</sup> and they breaded for him a young goose** that was not salted. **He said: If I did not see that the juices** of the meat that absorbed into the dough **were as clear as glass**, I would **not have eaten from it**. Now, **if you think** that Rava agrees to Rabbah's rule, that **just as it absorbs so does it discharge**, then **why did he specify** that he would only eat it **when** the juice of the meat was as **clear** as glass, thus clearly not blood? **Even when it is not clear** he should **also** agree to eat it

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<sup>4</sup> Literally "the head of the exile." The Exilarch was the leader of the Babylonian Jewish community. His authority was recognized by the government and he periodically participated in halachic discussions in the study hall.

## Perek 7 – 74B

since we assume that any blood that was absorbed was later discharged in the fire. From Rava's statement we see that he did not agree with Rabbah's rule that just as blood is absorbed, so it is discharged.

The Gemara answers:

Really, Rava agrees with Rabbah. But **there** in the story about Rava we are dealing with **white flour that is hard**, and it does not allow that which was absorbed to be discharged. In general, though, Rava agrees with Rabbah.

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**And the Halachah is** as follows:

- 1) When the breading of the meat is made from **fine flour, whether it turned red or whether it did not turn red, it is permitted**. Since the blood was surely discharged during the roasting, we can assume the redness is a result of other excretions from the meat and not from blood.
- 2) When the breading is made of **white flour, if it is as clear as white glass it is permitted, if not it is forbidden** even if there is no actual redness visible in the breading.
- 3) When the breading is made of **other flours, if it turns red it is forbidden** and if it **does not turn red it is permitted**.

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## Perek 7 – 74B

The Gemara continues the discussion of *mulyata*, an animal roasted while stuffed with other meat:

Regarding **this** issue of *mulyata*, **the one who forbids** it (i.e. Abaye, above) forbids it **even** when the “**mouth**”<sup>5</sup> **is facing down** while roasting. **And the one who permits** it (i.e. Rabbah, above) permits it **even** when the “**mouth**” **is facing up** while roasting.

**And the Halachah** is: *Mulyata* **is permitted even** when the “**mouth**” **is facing up** during roasting, like Rabbah.

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With regards to these three things – **a piece of meat**, the **testicles** and the **arteries** of the animal – **Rav Acha and Ravina differed**. **And throughout the entire Torah**, whenever these two Amoraim disagree, **Rav Acha is more stringent and Ravina is more lenient**, **except for these** following **three** cases:

The Gemara explains each of the cases in some detail:

1) Regarding **a piece of meat that became very red** and it is clear that it still contains blood (this is as a result of an injury that the animal sustained while it was alive). The laws are as follows: If one wanted to salt it, cook it and then eat it – it is forbidden, since the blood is trapped in the meat. And if one first **cut it and then salted it, even to** subsequently put it in a **cooking pot is permitted**. If one **hung it from a spit** over a fire to roast it, **it is permitted** even without salting or cutting the meat, since the fire causes the blood to **flow out** of the meat.

If one **placed it on hot coals** to roast it – about this case **differed Rav Acha and Ravina**. **One** of them (Ravina, as the Gemara said above) **forbids** it **and one** of them (Rav Acha) **permits** it. The reason of **the one who forbids** it is that the coals cause the blood to be

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<sup>5</sup> The opening of the animal into which the meat was stuffed

## Perek 7 – 74B

**confined** to the meat. And the reason of **the one who permits** it is that the coals **draw out** the blood from the meat.

2) **And similarly** with regards to **the testicles** of an animal, which became red, the laws are the following: If one wanted to eat them by salting and cooking them, it is forbidden. If one first **cut them and then salted them, it is** subsequently **permitted even to** put them in **a cooking pot**. If one **hung them from a spit** over a fire to roast, **they are permitted** just like any other piece of meat since the fire causes the blood to **flow out** of the meat.

If one **placed them on hot coals** to roast them – about this case **differed Rav Acha and Ravina**. **One** of them (Ravina) **forbids** them **and one** of them (Rav Acha) **permits** them. The reason of **the one who forbids** them is that the coals cause the blood to be **confined** to the meat. And the reason of **the one who permits** them is that the coals **draw out** the blood from the meat.

3) And similarly **with regards to the arteries**<sup>6</sup> of animals, the laws are the following: If one wanted to eat them by salting and cooking them, it is forbidden. If one first **cut them and then salted them, it is** subsequently **permitted even to** put them in **a cooking pot**. If one **hung them from a spit** over a fire to roast, **they are permitted** just like any other piece of meat since the fire causes the blood to **flow out** of the meat.

If one **placed them on hot coals** to roast them – about this case **differed Rav Acha and Ravina**. **One** of them (Ravina) **forbids** them **and one** of them (Rav Acha) **permits** them. The reason of **the one who forbids** them is that the coals cause the blood to be **confined** to the meat. And the reason of **the one who permits** them is that the coals **draw out** the blood from them.

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<sup>6</sup> The Gemara is referring to the major arteries in the neck

## Perek 7 – 74B

**Regarding a piece of meat that turned red** and it is clear that it still contains blood (this is a result of an injury that the animal sustained while it was alive): even though the meat itself may be prepared in such a way that it becomes permissible to eat, **its red juice** that is discharged from it **is forbidden** for consumption. If it (the meat) did not turn red, then its juice is permitted.

**Ravina said: Even if it** (the meat) **did not turn red, its juice is forbidden** since **it is impossible that there is not in it streaks of blood.**

A related statement:

**Mar son of Ameimar said to Rav Ashi: Father<sup>7</sup> would swallow** the juice. He agreed with the first view above, that if the meat is not red, the juice may be swallowed.

**There are those that say that Rav Ashi himself would swallow it.**

c c õ d d

**Mar son of Ameimar said to Rav Ashi: Father** had the practice that **the vinegar that he would soak meat in it one time** to fix the blood, he would not do it **again**. He would **not soak meat in it a second time** since it was weakened and would not be as effective the second time. (The blood that is naturally found in the meat of an animal is only forbidden if it moved from place to place. Until it moves, such as during cooking, it is considered as a part of the meat itself, and is permitted. For this reason eating raw meat is permitted, even before salting. The vinegar has the effect of fixing it in its place so that it will not move even when subsequently cooked. *Ran*)

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<sup>7</sup> A reference to Ameimar, his father

## Perek 7 – 74B

**What is the difference** between using the vinegar a second time, **and weak vinegar that we do indeed soak** the meat **in it**?

**There** in the case of weak vinegar, **there is...**

# Chavruta Pesachim – Daf Ayin Heh

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[**What is the difference** between using the vinegar a second time, **and weak vinegar that we do indeed soak the meat in it?**

**There** in the case of weak vinegar, **there is] the sharpness of the produce that is still evident.** And even though it had become weaker on its own, and its taste is not as good anymore, it would still be able to affect the blood.

But **here** in the case of vinegar that had been used once before, the **sharpness of the produce is not evident** any longer.

c c õ d d

We learned in the Mishnah: One may **not roast the Pesach** offering upon a spit or a grill of metal. Rabbi Tzadok said: An incident once took place with Rabban Gamliel, who said to Tavi his slave: Go out and roast the Pesach for us on a grill.

The Gemara is puzzled: Surely the **incident** that was brought by the Mishnah **contradicts** the Mishnah's own ruling! Normally a Mishnah would only relate an incident in order to support its ruling.

The Gemara explains: **A clause has been omitted** from the Mishnah **and this is what it meant to teach:**

**And if the grill was perforated,** i.e. one made an iron frame around the fire and rested the two ends of a wooden spit upon opposite sides of that frame. In this case the meant

## Perek 7 – 75a

could be suspended over the fire and would not touch the hot iron at all. Therefore it would be **permitted** to roast the Pesach offering in this manner.

**And Rabbi Tzadok said** in order to support this ruling: **An incident** once took place **with Rabban Gamliel who said to Tavi his slave: Go out and roast the Pesach for us on a perforated grill.**

c c õ d d

If one baked bread in an oven that was fired using the peels of *orlah*<sup>1</sup> fruit, Rabbi (i.e. Rabbi Yehudah HaNasi) and the Sages disagree as to its status.

According to Rabbi: One is forbidden to eat the bread. Because according to him, “there is a benefit from the wood (i.e. the fuel) contained within the bread”. He holds that when one burns fuel, the flame is produced before the fuel has been consumed. Thus in our case, when the fruit peels were burning, they would still have the status of *orlah* and one would be forbidden to benefit from them. As a result one would be forbidden to eat the bread.

However the Sages say: One is permitted to eat the bread. Because according to them, “there is no benefit from the wood contained within the bread”. They hold that a flame is only produced by the fuel once it has been consumed and turned to ash. And one is permitted to derive benefit from the ashes of *orlah*.

In light of this: **Rav Chinana bar Idi posed an inquiry to Rav Ada bar Ahava:**

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<sup>1</sup> Orlah - fruit that grew during the first three years following the planting of a tree. One is forbidden to derive benefit from such fruit.

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If there was an **oven that one fired with *orlah* peels, and** after the oven was heated **one raked out** the ashes and coals. **And then one baked bread there.** According to **the words of the one who normally forbids** the bread, i.e. Rabbi, **what is** the Halachah here?

Rav Ada bar Ahava **said to him:**

Even though Rabbi forbade the bread when one did not rake out the oven, here he would agree that **the bread is permitted.** Because here the bread was not baked directly by a fire fueled by the *orlah* peels, rather it was baked by the heat that remained in the oven.

Rav Chinana bar Idi **said back to him: Surely Rav Chinana the elder said** in the name of **Rav Asi** who **said** in the name of **Rabbi Yochanan:**

If there was **an oven that one fired up and raked out and** subsequently **one roasted the Pesach** offering **there, this is not** considered “**roasted in fire**”.

**Because** the Torah says “**roasted in fire**” “**roasted in fire**”, **twice** in the passage dealing with the Pesach offering. From there we learn that roasting is not valid unless it is done in an oven whose coals have not been removed.

Thus we see from Rabbi Yochanan’s ruling that **the reason** why this is not considered roasting is **because the Merciful One** i.e. the Torah **revealed** this law by stating “**roasted in fire**”, “**roasted in fire**” **twice.** But **note that if the Merciful One had not revealed** this law, **I would have said** that even if the fuel were not in the oven, **it** would still be considered “**roasted in fire**”.

Thus it is clear from Rabbi Yochanan’s ruling that the heat which remains in an oven is ordinarily regarded like the fire itself. Thus, Rabbi should forbid the above-mentioned case.

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Rav Ada bar Ahava **said to him** in reply:

**The Merciful One revealed there** in the case of roasting the Pesach offering that the heat of an oven does not have the same status as fire itself. **And we derive from there** that this is true throughout the entire Torah. Therefore, in this case the bread would be permitted.

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**And if you wish, I could say an alternative answer:** **There** where Rabbi Yochanan said that the Pesach offering would be invalid if roasted in the heat of an oven, the **reason is that the Merciful One wrote “roasted in fire” twice**, requiring a high level of direct roasting. **But if the Merciful One had not written “roasted in fire” twice**, one would have been permitted to roast it using the heat of an oven.

This was because **I would have said:** It was **about “fire”** that **the Merciful One was particular. And even if one raked out** the oven beforehand, **it would also be termed “roasted in fire”**. Given that the oven would still have the capacity to burn a piece of cloth placed within it, one would have said that it was considered a secondary form of fire. Therefore the Torah stated “roasted in fire” again, to tell us that this is not sufficient for the Pesach offering.

**But here** in the case of *orlah* it would not be regarded as being the fire produced by the burning of *orlah*, given that one had already removed any *orlah* from the oven.

Because it was **about forbidden wood that the Merciful One was particular, and note that here, it is no longer present**. Even if the heat of the oven does have the status of fire, it is considered a ‘newly formed’ fire, unrelated to the original fuel.

## Perek 7 – 75a

c c õ d d

**The Rabbis taught** in a Baraita: If one **cut it**, the Pesach offering, in two or three places in order that it roast more quickly, **and placed it upon** glowing coals:

**Rabbi says: I say that this is** considered “**roasted in fire**”, even though one used only glowing coals, and not real flame.

**Rav Achdavi bar Ami posed a contradiction to Rav Chisda:**

**Did Rabbi** really **say** that **coals are** considered “**fire**”, and one may fulfill the requirement to roast the Pesach offering in fire by using them?

One may **pose a contradiction** between his ruling and the following Baraita where it is apparent that coals are not considered fire:

There are two types of *tzara'at*<sup>2</sup> described by the Torah that arise from inflamed skin.

1. *Tzara'at* that arises on the flesh due to a “boil”.

2. *Tzara'at* that arises due to a “burn”.

A boil arises on the skin if it is inflamed due to it having been injured, while a burn arises from contact with heat.

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<sup>2</sup> A spiritually caused skin disease. Although often identified with leprosy, this is widely disputed.

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Nonetheless, both types of *tzara'at* have the same Halachot. The Torah only distinguishes between the two to tell us that they are different types of affliction.

The practical consequence being in a case where an area of *tzara'at* measuring half a *gris*<sup>3</sup> arose on a boil, next to another half *gris* that arose from a burn. Here the two would not join together to make up the minimum amount of a *gris* to be considered a case of *tzara'at*.

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The Gemara quotes the contradicting Baraita: The Torah states in the passage dealing with afflictions of *tzara'at*, “when there will be a **burn of fire** upon his skin”. From here we see that a lesion caused by fire is termed a “burn” and not a “boil”.

**I only have** a source **that one who is wounded by fire** is viewed as having a “burn”.

From where do I know that the same is true for **one who is wounded by a coal, or by hot ash or by scalding lime**<sup>4</sup>, or by scalding *gafsis*<sup>5</sup> or by anything that comes from the fire?

The Gemara interjects to explain the words of the Baraita:

When it says “Anything that comes from the fire”, this is meant **to include water heated on the fire.**

The Baraita continues: **From where** do we know that someone who is wounded by one of these and subsequently develops *tzara'at* on the wound is viewed as having a “burn” and not a “boil”?

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<sup>3</sup> The area of a circle measuring approximately 19mm in diameter.

<sup>4</sup> If one were to heat chalk in a kiln, the chalk would subsequently cause any water that it came into contact with to become heated.

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**The teaching** i.e. the Torah says “burn” “burn” as an **inclusion**.

Meaning that the Torah repeatedly uses the expression “burn of fire” to teach us that other types of lesion that are caused by heat are also termed “burns”.

From this Baraita, Rav Achdaviu contradicted our Baraita referring to the Pesach offering.

Because surely we see in this Baraita: **The reason** that these other sources of heat are judged as having caused a “burn” is **that the Merciful One included** them by stating “burn”, “burn” many times.

But **surely** if **the Merciful One** had **not** specifically **included** them by stating “burn”, “burn”, then a lesion that was caused by a coal would *not* be termed a “burn”.

Thus it is clear that ordinarily, **coals are not** considered **fire**.

Thus we question how Rabbi could say that they have the status of fire for the Pesach offering, which must be “roasted in fire”.

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Rav Chisda **said to him** in reply:

**The verse did not** in truth **need to include a coal** derived **from wood**, because it is clear that such a coal would be termed “fire”, just as Rabbi said.

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<sup>5</sup> A type of lime

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**When the verse did need to include a coal, it was for a “coal” of metal, where a piece of metal was heated up until it glowed, resembling a coal. And coals of metal are not normally considered fire.**

The Gemara questions this reply:

**Surely in the case of the daughter of a cohen** who committed adultery, the Torah writes, **“In fire she shall be burned”**. And even so, **Rav Matna said: They would treat her with a melted bar of lead**. The manner of carrying out this death penalty was that they would drop molten lead into her mouth.

Thus we see that a piece of heated metal must also have the status of “fire”, given that the Torah requires us to burn her in fire.

The Gemara replies: It is **different there** in the case of the daughter of a cohen. In truth the only reason that heated metal is considered fire in that case is **because** the Torah wrote **“in fire she shall be burned”**, instead of merely stating “in fire”.<sup>6</sup>

By stating **“she shall be burned”** the Torah came **to include any type of burning that comes from fire**.

However, heated metal would not normally be considered fire. Thus the Torah had to specifically include it, both in the case of a “burn” for *tzara’at* and for the death penalty applied to the daughter of a cohen.

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The Gemara is puzzled: **All the more so**, one should have been able to fulfill the Torah’s requirement of burning in fire, **with fire itself**.

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<sup>6</sup> Rashi. According to Tosafot it should have stated “in fire she shall die”.

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If this is so, why would we kill her with heated lead? Instead one should **surround her with bundles of twigs**, set them alight **and burn her** with them.

The Gemara replies: It would not be possible to burn the daughter of a cohen directly in fire. Because the manner of carrying out her death penalty **comes** from a *gezeirah shavah*<sup>7</sup>, where we learn “**burning**” in the case of the daughter of a cohen **from** the term “**burning**” that was used with the **sons of Aaron**.

The Torah states: “The sons of Aaron, Nadav and Avihu each took his censer, and they placed fire in them, and they put incense on it. And a fire went out from before HaShem and it consumed them, and they died”.

“And their brothers, all the House of Israel wept over “the burning” that HaShem burned”.

Thus we learn: **Just as there** in the case of Aaron’s sons, there was a **burning of the soul, and the body remained** intact, not being burned. For the Sages teach that when Aarons sons died it was as if two threads of fire entered their nostrils.

**So too here** in the case of the burning of the cohen’s adulterous daughter, one should not burn her entire body. Rather she should die through a **burning of the soul, and the body** should **remain** intact.

Therefore, in order to ensure that her death resembles that of the sons of Aaron, she is killed with molten lead rather than being simply burnt alive.

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<sup>7</sup> I.e. when different verses have a similar wording, they are often connected. This is *gezeirah shavah*, one of the means by which Scriptural verses are interpreted. There are many verses with similar wording, and a

## Perek 7 – 75a

The Gemara is still puzzled: Why is she killed specifically using heated lead? **Treat her with water heated on the fire.** If she were killed using scalding water, the ‘soul’ would similarly be burned, leaving the body intact.

The Gemara replies: It would be impossible to ‘burn’ her using scalding water **because** of that which **Rav Nachman** taught.

**For Rav Nachman said: The verse says “You shall love your fellow as yourself”,** which teaches us: **Choose a pleasant death for him.** One must apply the death penalty in the least painful manner possible. Therefore one would not be permitted to kill someone using scalding water, given that it would not rapidly cause death.

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The Gemara is puzzled: **And now that there is** this teaching of **Rav Nachman**, telling us that we must chose a pleasant mode of death, **why do I need** the *gezeirah shavah* from ‘burning’ mentioned by the sons of Aaron? It is obvious that we may not burn the adulterous daughter of a cohen directly in fire, given that this would be a harsh mode of death.

The scholars of the study hall **said** in reply: Both teachings are necessary. **If** we had the ruling of Rav Nachman alone and we did **not** also have the *gezeirah shavah*, we would still have thought to burn her directly in fire.

Because **I would have said:** If one **burned the soul and the body remained** intact, **this is not** considered **burning.**

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*gezeirah shavah* interpretation is only made when there is a tradition of the Oral Torah (as handed down from Mt. Sinai) that these two verses are indeed linked.

## Perek 7 – 75a

Therefore one might have said: **If** we must be concerned **for Rav Nachman's** ruling alone, in order to fulfill the verse, "Love your fellow as yourself". But we have no source to tell us that the burning of the soul without the body is actually considered burning. Thus **we** should place **many bundles of twigs** around her **in order that she will die quickly**, thus fulfilling the verse as best as possible.

Therefore we need the *gezeirah shavah* **to inform us** that burning of the soul while leaving the body intact is also termed burning.

It now emerges that the burning of the soul and the burning of the body are both termed "burning". Thus we are obliged to choose molten lead, given that this would be the swiftest method.

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The Gemara returns to a subject that was mentioned above, that the Torah by saying "she shall be burned" came to tell us that one may kill the adulterous daughter of a cohen with other forms of heat derived from fire, although they are not actual "fire".

The Gemara is puzzled: **But** if the Torah anyway included other forms of death by saying "she shall be burned", **why do I need** for the Torah to state "**in fire**" at all? Let it just write "she shall be burned".

The Gemara answers: The Torah stated "in fire" to teach that one may inflict the punishment of burning only by using heat that is derived from fire. And this comes **to exclude** killing her by dropping **lead from its source** into her mouth. One would not be able to kill her using lead that had become heated during its removal from the ground. Rather, it must be heated directly in fire.

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## Perek 7 – 75a

**Rabbi Yirmeyah said to Rabbi Zeira**, still puzzled by this case:

In every place that the Torah writes **“in fire she shall be burned”**, does the additional term “shall be burned” come to include any type of **burning that comes from fire**, like we said in the case of the adulterous daughter of a cohen?

But surely in the case of those sacrificial bulls that their meat is to be burned rather than eaten<sup>8</sup>, where it is written: **“You shall burn it upon wood in fire”**, the Torah also uses the terms “you shall burn” and “in fire”. And here also we should include other modes of burning aside from direct fire.

**And** despite this **it was taught** in a Baraita:

**“In fire” and not in scalding lime, and not in scalding gafsis.** Thus we see that we do not derive from the Torah’s use of the term “you shall burn” that one may burn the offering in any type of heat that is derived from fire.

Rabbi Zeira **said to him** in reply: **How** are these two cases similar?

**There** in the case of the cohen’s daughter, the Torah writes **“in fire” first, and then returns** to write **“she shall be burned”**. Therefore we interpret the extra term “shall be burned” to include any type of **burning that comes from fire**.

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<sup>8</sup> *Parim HaNisrafim*. For example the bull of the anointed cohen, or the bull of the ‘hidden matter’ (*he’elam davar*).

## Perek 7 – 75B

But **here** in the case of the sacrificial bulls that are burned, the Torah **writes** “**You shall burn it upon wood in fire**”, first saying “you shall burn” and only **at the end** saying “**in fire**”. This is **to say that yes**, one may burn it in **fire**. But **no**, one may not burn it with **anything else**.

The Gemara is puzzled: Surely **there** in the case of the sacrificial bull that is burned, **it also writes** “**burning**” **at the end**. As the Torah **writes** in that same verse:

### **Ammud Bet**

“**On [the place of] the dumping of the ashes it shall be burned**”.

This being so, one should be able to burn the bull using any form of heat that is derived from fire.

The scholars of the study hall **said: That** phrase where the Torah said “**shall be burned**” **is necessary for that which was taught** in a Baraita:

From “shall be burned” we learn:

1. **It shall be burned** in the *place* where the ashes from the altar are dumped, and this would be true **even if there were no ashes there** at the time.
2. **It shall be burned even though the fire has taken hold of most** of the carcass. From here we learn that one must be actively involved with the burning of the bull until it is completed.

## Perek 7 – 75B

Now that the phrase “shall be burned” at the end of the verse is required in order to derive these two halachot, one may no longer derive from there that any form of heat is suitable for the burning of the bull.

\*

**Ravina said** a different answer, in order to resolve the contradiction that Rav Achdavi bar Ami posed to Rav Chisda on *ammud alef*, where it appeared that in one Baraita, Rabbi held coals to have the status of fire with regard to roasting the Pesach offering, whereas another Baraita dealing with *tzar’at* implied that they do not.

In truth, an error crept into the second Baraita’s text.

Rather than reciting it as before, one should **bind** “fire” and “coal” together **and teach** the Baraita as follows:

The Torah states “**A burn of fire**”. **I only have** a source **that one who is wounded by fire or by a coal** is viewed as having a “burn”.

**From where** do I know that the same is true for **one who is wounded by hot ash or by scalding lime, or by scalding gafsis or by anything that comes from the fire, (to include water heated on the fire)?**

Because **the teaching** i.e. the Torah says “**burn**” “**burn**” as an **inclusion**, in order to include these other sources of heat.

According to this corrected text of the Baraita it emerges that we need no specific verse to tell us that coals have the status of fire.

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## Perek 7 – 75B

**Rava challenged** Rabbi's ruling that one may roast the Pesach offering on coals, from a different source.

**Did Rabbi really say that coals are termed fire?** Surely one may **pose a contradiction:**

The Torah, in describing the service of the Cohen Gadol<sup>9</sup> on Yom Kippur, states: "He shall take a censer full of fire-coals from atop the Altar, from before HaShem, and a full handful of fine incense-spice, [and place them] within the Curtain."

The Baraita explains why the Torah states both "fire" and "coals":

If it had only said "**coals**" **one might** have said that he should bring **dim** rather than glowing coals. And that glowing coals are themselves referred to as "fire".

Therefore the **Torah said "fire"**, to tell us that the coals must be glowing.

And **if** it had only said "**fire**" **one might** have said that he should bring **a flame**, but that glowing coals are not referred to as "fire".

Therefore the **Torah said "coals"**.

**If this is so, how** should he act? He should **bring glowing** coals.

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<sup>9</sup> High Priest

## Perek 7 – 75B

The Gemara first explains the Baraita, and will later bring out the contradiction to Rabbi's ruling:

**Surely** the Baraita is **difficult** in and of **itself**.

Because the Baraita **said** that if the Torah had only stated “**coals**”, **one might** have said that the Cohen Gadol should bring **dim** coals. **Therefore** we see that the Baraita holds that **glowing** coals are not referred to as coals, **rather they are** considered “**fire**”.

**Let us now say the latter clause** of the Baraita: **If** the Torah had only stated “**fire**”, **one might** have said that he should bring a **flame**, rather than glowing coals, therefore **the Torah said “coals”**. **Therefore** we see that the Baraita holds that **even glowing coals are not** considered “**fire**”.

Thus we see that the first clause of the Baraita contradicts the latter clause.

**Rav Sheshet said: This is what** the Baraita meant to **teach**:

If the Torah had only stated “coals” **one might** have said that the Cohen Gadol may bring any type of coal **whether dim** or **whether glowing**. Therefore the **Torah said “fire”**, to teach that the coals must be glowing.

And **if** it had only said “**fire**” **one might** have said that he must bring a **flame**, because only this would have the status of fire. Therefore the **Torah said “coals”** to teach that one should specifically bring glowing coals.

\*

## Perek 7 – 75B

Having resolved the internal contradiction in the Baraita, the Gemara now brings out the contradiction that it poses to Rabbi's ruling: **In any case**, the Baraita contains two proofs to say that **coals are not called "fire"**.

1. If glowing coals were considered fire, had the Torah merely stated "coals" one would not have assumed that the Cohen Gadol could use them. Because they would have been considered "fire" and not "coals".

2. Similarly, if the Torah had only stated "fire" one would not have assumed that he may only bring a flame. Because glowing coals would also have been considered "fire".

Therefore, this Baraita constitutes **a difficulty for Rabbi**.

**Abaye said:** one may **explain** the Baraita **like this:**

If the Torah had only stated "**coals**" **one might** have said that he may bring **dim** coals **but not glowing** coals, because glowing coals are considered "fire", not coals. Therefore the **Torah said "fire"**, in order to tell us that one may use glowing coals. Thus the first difficulty with Rabbi's ruling is resolved.

And **if** it had only stated "**fire**" **one might** have said that if **he wishes** he may **bring** a **flame**, and if **he wishes** he may **bring** a glowing **coal**, because both are considered fire. Therefore the **Torah says "coal"**. **If this is so, how** should he act? He should **bring from the glowing** coals. Thus we have resolved the second difficulty with Rabbi's ruling.

\*

**Rava**<sup>10</sup> **said:** How are we able to explain the Baraita as saying: If **he wishes**, he may **bring** a **coal**, and if **he wishes** he may **bring** a **flame**?

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<sup>10</sup> According to text of *Masoret HaShas*

## Perek 7 – 75B

**How would one find a flame without a coal?**

Would it not be in a case **such that one smeared a utensil with oil and lit it with the fire** from the outer Altar?

And **why would I need a verse to exclude this?** Surely one could logically exclude this possibility without the need for a specific teaching.

Because **now that before a king of flesh and blood, one does not do so**, one would not bring him an inferior flame such as this, which produces smoke—**in front of the King of Kings, the Holy One Blessed Be He, all the more so** one should not act in such a manner. This being so, we would not need the Torah to state “coals” in order to exclude the use of a coal-less flame.

**Rather, Rava said** a different answer in order to resolve the contradiction to Rabbi’s ruling.

**Explain** the Baraita **like this**: If the Torah had only stated “**coals**” **one might** have said that the Cohen Gadol may bring **dim** coals but **not glowing** coals (as Abaye explained). Therefore the **Torah said “fire”**.

And **if** it only stated “**fire**” **one might** have said that if he wishes **he may bring half coals and half flame**. Meaning that he would bring a coal that was on fire, given that both the coal itself and the flame would both be considered “fire”.

And although we might have said that one should not bring a flame before the Holy One, given that it smokes, here we would have said that one could take it from the Altar while it was still alight and **by the time that he went up inside** the Holy of Holies, **the coal would have been extinguished**.

## Perek 7 – 75B

Therefore **the Torah said: “And he shall take a censer full of fire-coals from atop the Altar”** in order to teach us:

1. He must take fire-coals and not a flame.
2. **From the time of taking** them from the Altar **they** must already **be coals**, and they may not be on fire.

\*

Because the Gemara dealt in this passage with dim (*omemot*) coals, it now deals with a related point of language:

**They** the scholars of the study hall **posed an inquiry**: Do we say **coals** that are *omemot* (spelled with an aleph at the beginning) **or** *‘omemot* (with an ayin at the beginning)?

**Rabbi Yitzchak said** in order to prove that it should be spelled with an ayin:

In reference to the beauty of Chiram the king of Tyre, Scripture states<sup>11</sup>: **“Cedars did not dim him** (*‘amemuhu* with an ayin) **in the garden of G-d”**. Meaning to say that when Chiram was compared to the best cedars, they did not cause his beauty to seem dimmed.

Thus we see that this term is used with reference to dimming, and so too in our case where the fire of the coals has been dimmed, they may be referred to as *‘omemot*, spelled with an ayin.

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<sup>11</sup> *Yechezkel* 31:8

## Perek 7 – 75B

### Mishnah

1. One who eats from a Pesach offering that was not properly roasted in fire, even if it were not cooked at all, would transgress the prohibition of “Do not eat from it unless it is roasted in fire”.

Similarly, even if one roasted the entire offering but left aside a small piece, or even some of its juice, one would transgress this prohibition if he ate them.

2. One is obliged to burn either an entire Pesach offering or a part of the offering, if they were cooked, or were not roasted in fire. For this halachah they are regarded like any other invalid offering.

3. A Pesach offering that was roasted in the heat that remained in a heated clay oven is not regarded as having been roasted in fire (as we learned on *ammud alef*).

Therefore:

1. If part of the Pesach offering **touched the clay walls of the oven**, and was consequently roasted there for a moment due to their heat, one would be forbidden to eat the meat from the place that touched the sides of the oven. For it would not be considered “roasted in fire”. Therefore **one** should **‘peel’ the place**, removing the surface of the area that touched the sides of the oven.

2. If the **juice** from the Pesach offering **dripped on the clay** walls of the oven, and was cooked there, forbidding one to eat it, **and** the juice **returned** and was absorbed **in** the Pesach offering—

## Perek 7 – 75B

In this case it would not be sufficient for one to merely remove the surface of the area that came in contact with the juice. Rather **one** must **remove the place** where it touched, taking off a piece of considerable thickness<sup>12</sup>.

3. If its **juice dripped on** hot **flour**<sup>13</sup>, and was cooked there as a result. **One** must **scoop out the place** where the juice fell. The flour that was removed should then be burned, like any other offering that became invalid.

If **one smeared** the entire Pesach offering **with trumah**<sup>14</sup> **oil**, which would only be permitted to a cohen.

Then **if** the offering belonged to **a group of cohanim**, **they may eat it**. Because they are permitted to eat trumah.

But **if** it belonged **to** a group of **non-cohanim** then its status would be as follows:

**If it was** still **raw**, the group having realized their mistake before they roasted it, then **they** should **wash it** in water in order to remove the oil. Because the offering was not yet roasted, the oil would not have been absorbed within the flesh of the animal.

**And if it was** already **roasted**, no matter whether it was smeared before roasting, or afterwards while it was still hot<sup>15</sup>—

**One** should **peel off the** entire **outside** surface of the meat. Because the meat was hot and absorbed the oil, washing alone would not be sufficient.

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<sup>12</sup> According to the Bartenura one must take off a finger's thickness.

<sup>13</sup> According to Shmuel's view in the Gemara.

<sup>14</sup> A small portion separated from agricultural produce in the Land of Israel, and given to cohanim for their personal consumption. It may be eaten only in purity.

<sup>15</sup> Tosafot.

## Perek 7 – 75B

The Gemara will explain why it is sufficient to ‘peel’ the surface of the offering, and one does not have to remove a thicker portion of the meat as in the case that juice fell on it.

If **one smeared** the Pesach offering **with *ma’aser sheni*<sup>16</sup> oil**, which a person may eat in Jerusalem—

The owner of the oil should **not exchange its value with the members of the group** with whom he brought the offering. I.e. he may not pay the others in the group for his portion of the offering by giving them the oil.

This is because the payment of a debt is akin to a sale<sup>17</sup>, and **one may not redeem<sup>18</sup> *ma’aser sheni* in Jerusalem**, even if one's intention was to eat it as *ma’aser sheni*.

## **Gemara**

**It was said** in a statement of Amoraim:

If meat fell into milk, or any other case of forbidden and permitted foods that became mixed, their Halachah is as follows:

1. If **hot food fell** into **hot food, according to all view**, [the food is **forbidden**].

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<sup>16</sup> The Second tithe. One was obliged to take a tenth from agricultural produce of the land of Israel, and bring it to Jerusalem to eat in a state of purity. However if one lived far away then it was possible to redeem it with money. This money was then taken to Jerusalem where food was purchased and eaten as if it were *Ma’aser Sheni*.

<sup>17</sup> Meiri

<sup>18</sup> Rashi’s text reads **not sell**.

# Chavruta Pesachim – Daf Ayin Vav

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[**It was said** in a statement of Amoraim:

If meat fell into milk (or any other case of forbidden and permitted foods that became mixed) their Halachah is as follows:

1. If **hot** food **fell** into **hot** food, **according to all** views,] the food is **forbidden**. This would hold true even if one were to subsequently separate the two foods and rinse them (assuming that they were solid). They remain forbidden because the taste of one food would have been absorbed by the other.

2. If **cold** food fell **into cold** food, then after one separated them and rinsed them, **according to all** views the food would be **permitted**.

3. If **hot** food fell **into cold**, or **cold** fell **into hot**, in this case Rav and Shmuel disagree as to the status of the food:

**Rav said:** The **upper** food, i.e. the food that falls into the other, ‘**overpowers**’. Meaning that if the food that fell in was hot, it heats up the lower food which was cold. Conversely, if the food that fell in was cold, it cools down the lower food which was hot.

Therefore:

If hot food fell into cold food, both would be considered hot and they would both absorb taste from each other. As a result, it is forbidden to eat both foods.

## Perek 7 – 76a

But if cold food were to fall into hot food, they would not absorb taste from each other. Therefore one would be permitted to eat the foods once they had been separated and rinsed.

**And Shmuel said: The lower food ‘overpowers’,** and it would either heat up or cool down the food that fell into it.

Therefore:

If the hot food fell into the cold, they would be permitted once they were separated and rinsed.

But if cold food fell into hot, they would be forbidden.

\*

The Gemara raises a difficulty from our Mishnah, to Shmuel:

**It was taught** in our Mishnah: If the **juice** from the Pesach offering **dripped on the clay** walls of the oven, **and** the juice **returned** and was absorbed **in it**. **One must remove the place** where the juice made contact with the offering.

The Gemara **assumes** that our Mishnah is speaking of a case where the hot juice of the Pesach offering fell onto **cold clay**.

This poses a difficulty to Shmuel: **It is all right for Rav who said: The upper food ‘overpowers’.** **Because of this, one must remove the place** where the juice touched the offering.

## Perek 7 – 76a

**Because the hot juice went** and fell upon the cold surface of the oven and **heated up the clay wall**.

**And then the clay** wall of the oven **returned and ‘heated’ the juice**. The surface of the oven that had been warmed would also have a heating effect on the juice.

**And** therefore, **when the juice returned to the Pesach** offering, the juice of the **Pesach** offering would have already been **roasted by the heat of the clay** walls of the oven.

Therefore, when this juice was absorbed by the offering one would be obliged to remove that section. Because **the Merciful One** i.e. the Torah **said: “roasted in *fire*”, and not roasted by something else** such as juice that was roasted by the walls of an oven.

**But according to Shmuel who said: The lower food ‘overpowers’,** it emerges that the **clay** of the oven, which was beneath the offering, should not have been heated up. Rather, **since it was cold, it should surely cool down the juice**.

If so, when the juice returned and touched the offering, **why should one remove the place** where it fell? Given that it was not heated by the walls of the oven, one should be permitted to eat the juice.

The Gemara replies: The answer is **like Rabbi Yirmeyah said** in the name of **Shmuel** in order to resolve a similar difficulty. The Gemara will shortly mention a difficulty with the latter clause of the Mishnah, where the juice fell upon flour, and there Shmuel explained: Our Mishnah speaks **about hot flour**.

Thus **here too** we may say: Our Mishnah speaks **about hot clay**, and this is why one must remove the place of the offering where the juice fell.

## Perek 7 – 76a

Since the juice was heated by the heat of the clay, it is considered as roasted by something other than fire.

\*

The Gemara now poses a difficulty with the latter clause of the Mishnah:

**It was taught** in our Mishnah: If the **juice** from the Pesach offering **dripped on flour**, **one** must **scoop out the place** where it fell.

The Gemara **assumes** that the Mishnah refers **to cold flour**, therefore it raises a difficulty:

**It is all right for Rav who said: The upper food ‘overpowers’**. **Because of this, one** must **scoop out the place** where the juice fell, and burn it.

**Because the** hot juice fell upon the cold flour and **heated up the flour that surrounded it**.

**And then the hot flour returned and ‘heated’ it**, the juice itself. **And therefore the juice** of the Pesach offering was **roasted** with heat derived **from the heat of the flour**.

As a result, one would be obliged to remove that portion of the flour that absorbed the juice. Because **the Merciful One** i.e. the Torah **said “roasted in fire”, and not roasted by something else** such as juice that was heated up by flour.

**But according to Shmuel who said: The lower food ‘overpowers’**, a difficulty arises:

The **flour**, which was beneath the juice, should not have heated up. Rather, **since it was cold, it** should surely **cool down** the juice.

## Perek 7 – 76a

If so, **why would one scoop out the place** where it fell? Surely, one should be permitted to eat the juice.

The Gemara replies: **Rabbi Yirmeyah said** in the name of **Shmuel**: Our Mishnah speaks **about hot flour**.

In this case the flour would ‘roast’ the juice and thus one would be prohibited from eating it. As a result one would be obliged to scoop out the affected flour and burn it.

\*

The Gemara poses a further difficulty from the Mishnah:

**It was taught:** If one smeared the Pesach offering **with trumah<sup>1</sup> oil**, then **if** it belonged to **a group of cohanim, they may eat it**. But **if** it belonged to a group of **non-cohanim**, the law is as follows: **If it was still raw, one should rinse it**. And **if it was already roasted, one should peel off the outside** surface of the meat.

**It is all right for Rav who said: The upper** food ‘overpowers’. **Because of this**, even when the animal was smeared while hot, **it would be sufficient to peel** off the outer surface.

**Because the top** food, i.e. the oil that was smeared on the offering, **was cold**. The oil would thus have cooled down the meat below it and that is why the oil was not absorbed by the offering.

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<sup>1</sup> A small portion separated from agricultural produce in the Land of Israel, and given to cohanim for their personal consumption. It may be eaten only in purity.

## Perek 7 – 76a

Nevertheless, it is necessary to ‘peel’ away the outer surface because it is impossible to ensure that no oil had soaked into its surface. This would have been the case even if the meat had been cold.

**But for Shmuel, who said: The lower food ‘overpowers’,** a difficulty arises:

**Since** the Pesach offering, which was on the bottom, **was hot**, it should heat up the oil that was smeared upon it. If so, the offering would **surely absorb** the oil, as is the case with two hot foods.

This being so, **why would it be sufficient for one to peel** away the surface of the meat? One should have to remove a thick portion of the meat, as in the case of juice that fell upon the offering.

And given that one would have to remove a thick portion of the meat, here where the whole offering was smeared with oil, it should **be entirely prohibited**. For nothing would remain of its meat.

The Gemara answers: **Smearing is different, because it is done with a minimal amount** of oil. And the Sages estimated that such an amount of oil could not be absorbed any deeper than the surface of the offering.

\*

**It was taught** in a Baraita **in accordance with** the view of **Shmuel**:

If **hot** food fell **into hot** food, the both are **forbidden**. **And so too** if **cold** food was **placed into hot** food, it would also be **forbidden**. Because, as Shmuel said, the lower food would overpower the upper one.

## Perek 7 – 76a

If **hot** fell **into cold** or **cold** fell **into cold**, one should **rinse** them and they will be permitted.

\*

The Gemara is puzzled by the Baraita: How could it say that if **hot** food fell **into cold** food, that one may **rinse** them?

Surely, **since** the upper food is **hot**, **by the time that it cools down** the lower food it is **impossible that it would not have absorbed a small amount** of the taste of the lower food.

Therefore it would **in any case need to be peeled**. One should have to remove the surface of the food.

**Rather, I will say** that the Baraita said: If **hot** fell **into cold**, then **peel** it. If **cold** fell **into cold**, then **rinse** them.

\*

**It was also taught** in **another** Baraita in accordance with Shmuel's view: Concerning **hot meat that fell into hot milk**. **And similarly cold** meat **that fell into hot milk** – they are **forbidden**, given that the lower food overpowers the upper one.

But if **hot** meat fell **into cold** milk (which would overpower the heat of the meat), **or cold** fell **into cold**, then **one** should **rinse** the meat.

The Gemara is also puzzled by this Baraita: How could one say that if **hot** meat fell **into cold** milk, that one may **rinse** the meat?

## Perek 7 – 76a

Surely, **since** the meat which is the upper food **is hot, by the time that it cools down** the milk it is **impossible that it would not have absorbed a small amount** of the taste of the milk.

Therefore the meat would **in any case need to be ‘peeled’**.

**Rather, I will say** that the Baraita said: If **hot** meat fell **into cold** milk, then **peel** it. If **cold** meat fell **into cold** milk, then **rinse** it.

\*

**The Master** i.e. the above Baraita **said**: If **hot** meat fell **into cold** milk one should **rinse** it.

**Rav Huna said**: **We only learn** that one may rinse the meat **when it was not salted. But** if it **was salted** then it would be **forbidden**.

**For Shmuel said**:

1. Concerning a **salty** food - **note that it is like** a **hot** food, and it absorbs flavor from food that it touches.

2. Concerning **pickling** foods in liquid - **note that it is like cooking**. If one were to pickle a permitted and a forbidden food together in vinegar, and one left them together for the period of time that it would take to heat them on the stove, it would be forbidden.

**Rava said**: Regarding **that which Shmuel said**, “Concerning a **salty** food - **note that it is like hot** food,” **we only said this** where it was so salty **that it could not be eaten due to its saltiness**.

## Perek 7 – 76a

**But** if it could be **eaten due to** (i.e. in spite of) **its saltiness**, then Shmuel did **not** say that is absorbs flavor like a hot food.

\*

There was a **small chick that fell into a jug of *cutach***, a type of dip made of salt, old bread and sour milk. Although both were cold, *cutach* is by nature salty.

**Rav Chinana son of Rava from Pashroniah permitted** them to eat the chick after merely rinsing it.

**Rava said: Who would have been wise enough to permit something like this, if it had not been for Rav Chinana son of Rava from Pashroniah, who is a great man?**

**He Rav Chinana would say to you** as follows, to explain his ruling: **When Shmuel said** “concerning **salty food - note that it is like hot food,**” this was in a case **that it cannot be eaten due to its saltiness.** But **this *cutach* can be eaten due to** (i.e. in spite of) **its saltiness**, therefore it is not considered like hot food.

**And these words** that he said, permitting the chick, were said when it was **raw.** **But** if it were **roasted<sup>2</sup>** it would **need peeling.**

**And we only said** that it would be sufficient to peel the chick **when it does not have cracks.** **But** if the roasted chick **has cracks** then it would no longer be sufficient to peel away the outer surface. For it would have absorbed the *cutach* through these cracks and thus the entire chick would be **forbidden.**

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<sup>2</sup> There is some discussion amongst the Commentators as to whether this refers to hot, or even cold meat.

## Perek 7 – 76B

**And if one had dipped** the chick **in spices** in preparation for cooking, the entire bird would be **forbidden**. Because the spices soften the meat, causing it to soak up any liquid with which it made contact.

c c ã d d

**Rav said:**

### **Ammud Bet**

Concerning properly **slaughtered meat** that was **fatty, which was roasted** in the same oven **with lean, non-slaughtered<sup>3</sup> meat**. Even if each of them were on a separate skewer, the slaughtered meat would still be **forbidden**. This is because the non-slaughtered meat gives off an aroma that imparts its taste to the slaughtered meat. Normally, only a fatty substance gives off such a strong aroma.

**What is the reason** that the lean meat gives off an aroma strong enough to forbid the fatty meat? Because **they ‘fatten’ each other**. The aroma from the fatty, slaughtered meat enters the lean, non-slaughtered meat, and ‘fattens’ it. This causes the non-slaughtered meat as well to give off a strong aroma. Subsequently the aroma of the non-slaughtered meat enters the slaughtered meat, causing it to be forbidden.

Rav holds that an aroma exuded inside an oven is a tangible substance, making it as if the foods touch each other.

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<sup>3</sup> *Neveilah* - Meat from an animal that did not undergo kosher slaughter.

## Perek 7 – 76B

**And Levi said:**

**Even lean, slaughtered meat that was roasted with fatty, non-slaughtered meat** would be **permitted**. This is because the aroma that was emitted by the non-slaughtered meat does not impart a significant taste to the slaughtered meat.

**What is the reason?** Because **it is a mere aroma, and an aroma is not a tangible substance.**

\*

**Levi acted** according to his view, and issued a Halachic ruling on **an actual case** that came up **in the house of the Exilarch, concerning a lean kid and a fatty swine** that were roasted together in the same oven. When this case came before him, he permitted them to eat the kid.

**They contradicted** Levi, who said that an aroma is intangible, from a Baraita:

For it was taught: **One may not roast the two Pesach offerings of two different groups together, because of the ‘mixture’.** The Gemara proceeds to explain:

**Is it not** that when the Baraita says ‘because of the mixture’, that this means the **mixture of tastes?** Meaning that the taste of one offering would be absorbed by the other, causing each group to consume also the taste of the other group’s offering. This is forbidden, due to the prohibition of eating a Pesach offering upon which one was not appointed.

Thus we see from the Baraita that an aroma is tangible, which is **a difficulty for Levi.**

The Gemara answers: **No**, when the Baraita said ‘mixture’, it did not mean to a mixture of tastes.

## Perek 7 – 76B

Rather, the reason that the offerings are forbidden is **because of a mixture of themselves**. We are concerned that the offerings themselves might become mixed up, and that one group would end up eating the other's offering.

**This also stands to reason, from the fact that it was taught in the latter clause** of the Baraita: One may not roast together two Pesach offerings, **even a kid and a lamb**.

**It is all right if you say** that the reason for the prohibition is **because** of a mixture of **themselves**. If so, **this is why it taught** in the latter clause of the Baraita that this prohibition applies **even to a kid and a lamb**, although the likelihood of their becoming mixed up is smaller.

**But if you say** that the reason is **because of a mixture of tastes**, what additional Halachah is the Baraita teaching us in the latter clause?

**What** difference does it make **to me** whether it was a **kid and a lamb**, and **what** difference does it make **to me** whether it was **a kid and a kid**? In either case they would be forbidden due to having absorbed each other's tastes.

\*

Having explained the Baraita as supporting Levi's view, the Gemara proceeds to present it as a challenge to Rav's view:

**Rather, what** will you say? **You are forced** to admit that when the Baraita taught "a kid and a lamb", **it was because of a mixture of themselves that** the offerings were **forbidden**. **But** were it **a mixture of tastes** instead, they would have been **permitted**.

This being so, **let one say** that this **will be a contradiction to Rav's** ruling.

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**Rav Yirmeyah said** in reply: **Here** in the Baraita, **with what case are we dealing?**

**For example where one roasted** the two offerings **in two** covered **pots** which were in the same oven. In such a case the aroma of one offering would not affect the other. Therefore, the only reason to prohibit them would be due to a concern that they themselves could become mixed up.

The Gemara is puzzled: **Would you assume** that the Baraita speaks of a case where they roasted the offerings **in two pots?** Surely one is not permitted to roast the Pesach offering in a pot!

**Rather, I will say:** They were roasted in one oven that was **like two pots**. The two animals were roasted on separate skewers on opposite sides of the oven, and between them was a large pile of coals or ash. In this case the aroma from one would not have reached the other in significant strength.

The Gemara returns to Rav Yirmeyah's way of explaining the Baraita in accordance with Rav: **And this is what it** the Baraita **was saying:**

**One may not roast two Pesach offerings together** in one oven **because of a mixture**. And to **what mixture** was the Baraita referring? **A mixture of tastes**.

**And even** if one roasted the offerings in an oven that was **like two pots, where** they would not be forbidden due to this reason, since **there is not a mixture of tastes**, nonetheless they would still be **forbidden because of a mixture of themselves**.

**And** not only with two kids roasted in the same oven are we concerned over this, but **even** where there was **a kid and a lamb**, we would also have the same concern.

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**Rav Mari said:** The disagreement between Rav and Levi, whether an aroma is a tangible substance, is **like** a similar disagreement between **Tannaim**:

For it was taught in a Mishnah: Concerning **one who removed hot bread** from an oven **and placed it on the opening of a barrel of trumah wine**:

**Rabbi Meir forbids** one to feed the bread to non-cohanim, because the aroma of the wine was absorbed by the bread while it was hot.

**And Rabbi Yehudah permits** the bread, as the Gemara will explain shortly.

**And Rabbi Yosi permits** the bread **in** a case where it was made **from wheat flour, and forbids** it where made **from barley. Because barley** bread more readily **soaks up** the aroma of the wine, whereas wheat bread does not.

**Is it not** like we said above, that **it** is a disagreement of **Tannaim** as to whether an aroma is considered tangible?

**That one master, Rabbi Yehudah, holds** the view: **An aroma is not a tangible substance**, therefore one may feed the bread to non-cohanim.

**And** the other **master, Rabbi Meir and Rabbi Yosi, holds** the view: **An aroma is a tangible substance**. And they only disagree whether wheat bread, too, would absorb this aroma.

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## Perek 7 – 76B

The Gemara concludes: **For Levi** who said that an aroma is not tangible, it **is certainly** a disagreement of **Tannaim**. Levi would be forced to say that he follows the view of Rabbi Yehudah, and not that of Rabbi Meir and Rabbi Yosi.

But **for Rav**, too, **shall we say** that **it is** a disagreement of **Tannaim**, and that Rav is not in accordance with Rabbi Yehudah who holds that an aroma is not tangible?

**Rav will say to you:** In truth, **everyone** agrees that **an aroma is a tangible substance**. The Tannaim in the Mishnah are disagreeing over a different point. **Was it not said about that** Mishnah as follows, in a statement of Amoraim?

**Rabbah bar bar Channah said** in the name of **Reish Lakish:**

**In** the case of **hot bread**, whether of wheat or of barley, **and an open barrel**, the law is agreed upon. According to **the words of all** these Tannaim, the bread is **forbidden**. For all would agree that the aroma is absorbed by the bread.

Also **in** the case of **cold bread and a covered barrel**, the law is agreed upon. According to **the words of all**, the bread would be **permitted**. Here the aroma of the wine would not be strong enough to impart a significant taste to a cold loaf of bread.

The Tannaim **only disagree** over the following cases:

- 1. In** the case of **hot bread and a stopped-up barrel**.
- 2. And** in the case of **cold bread and an open barrel**.

Now, given that all of the Tannaim agree that the bread would be forbidden in a case where the aroma had indeed been absorbed significantly, they would also agree to Rav in the case of two types of meat roasted in the same oven.

## Perek 7 – 76B

Because **this** case of slaughtered and non-slaughtered meat cooked in one oven **is also like** the case of **hot bread and an open barrel**. Here the aroma of the non-slaughtered meat would certainly have been absorbed significantly by the slaughtered meat while it was hot. Therefore, everyone would agree that the meat would be forbidden.

\*

**Rav Cahana son of Rav Chinana the elder taught** a Baraita:

Concerning **bread that was baked with roast meat in the same oven: it is forbidden for one to eat it with *cutach***, a type of dip containing milk.

There was an incident in which **fish was roasted together with meat**, and **Rava from Przikiah forbade one to eat it with *cutach***.

**Mar bar Rav Ashi said: Even** to eat such fish **with salt** alone would also be **forbidden**. In other words, the fish itself is forbidden—without bringing into account the potential mixture with milk. This is **because** eating meat and fish together **is bad for one's smell, and for 'something else'** (it causes *tzara'at*<sup>4</sup>).

## Mishnah

*Introduction:*

1. If there is no fixed time for offering a particular sacrifice, one may not offer it while one is impure.

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<sup>4</sup> A spiritually caused skin disease. Although often identified with leprosy, this is widely disputed.

## Perek 7 – 76B

Therefore: If the cohanim were impure, they would not throw the blood of such a sacrifice on the Altar, and would not burn its *eimurim* (the fats and organs of an offering that are to be burnt upon the Altar). It goes without saying that neither those who brought the sacrifice, nor the cohanim themselves, may eat such an offering while impure.

If the blood of these sacrifices became impure, it would not be thrown. Similarly, the *eimurim* would not be burned if they became impure. And the meat of these offerings would not be eaten if it were impure.

If the cohanim and the blood of the sacrifice were both pure, while the meat and *eimurim* were both impure, the Tannaim disagree as to whether the blood should be thrown upon the Altar.

If just the owners of the sacrifice were impure, they could send it to the Temple to be offered. (With the exception of the Pesach offering.)

2. One may offer public sacrifices while one is impure, or even the sacrifices of an individual, if the sacrifices have a fixed time<sup>5</sup>.

Therefore: If the cohanim were impure, they may throw the blood of these offerings on the Altar and burn their *eimurim*. However they would not be permitted to eat the meat.

If the blood of these offerings was impure, it may be thrown upon the Altar. In the Gemara we shall see what the status of the *eimurim* would be in such a circumstance. It will also discuss the status of the blood if both the blood and the *eimurim* were impure. Nonetheless, all would agree that the meat may not be eaten if it is impure.

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<sup>5</sup> In this respect, the rule concerning sacrifices that “impurity is permitted for the public” is somewhat of a misnomer. In fact, any sacrifice with a fixed time may be offered while one is impure, and it is merely the nature of public offerings that most are brought at a fixed time.

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3. The Pesach offering has a unique set of laws, some of them stringencies and some leniencies.

Unlike all other sacrifices, the Pesach offering may not be offered if its owners are impure.

Even though the Pesach offering is brought at a fixed time, it does not have the leniency of other offerings, allowing one to bring it in a state of impurity. Only if the majority of the public was impure would they be permitted to offer it in this state.

However with respect to the eating of the Pesach offering, it is more lenient than other offerings, as the Mishnah will explain.

\*

**Five things**, public sacrifices that are eaten, may **be brought in** a state of **impurity**. And despite this, **they may not be eaten in** a state of **impurity**, given that the main purpose in bringing these offerings was not to eat them, as will be explained below<sup>6</sup>.

And these sacrifices are:

**1. The omer** offering, which was brought on the sixteenth of Nissan from barley flour. One scoopful<sup>7</sup> of this flour was offered on the Altar, in the same manner as other flour offerings, with the rest being eaten by the cohanim. Because the main purpose of this offering was to permit the new season's grain (*chadash*) to be eaten, the offering itself was not eaten in a state of impurity.

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<sup>6</sup> Meiri

<sup>7</sup> Kometz

## Perek 7 – 76B

2. **And the two loaves** that were brought on Shavu'ot with the Peace offerings (*shlamim*) of the congregation. One was eaten by the Cohen Gadol<sup>8</sup> and the other was distributed amongst the other Cohanim. The main purpose of this offering was to permit one to bring flour offerings from *chadash*.

3. **And the show breads** which were placed on the *Shulchan*<sup>9</sup> in the Temple every Shabbat. Although the old loaves were eaten by the cohanim once they had been replaced by fresh ones, the main purpose of this offering was so there would be loaves upon the *Shulchan* continually.

4. **And the peace offerings of the congregation.** These were the two sheep that were brought as peace offerings on Shavu'ot, whose *eimurim* were offered on the Altar, and their meat eaten by the cohanim. Their main purpose was to permit the cohanim to eat from the “two loaves”.

5. **And the sin offerings brought from goats, of Rosh Chodesh,** which were eaten by the cohanim. Their main purpose was to atone for impurity in the Temple and of its offerings.

Although the other public sacrifices may also be brought in a state of impurity, it would not be relevant to say that they may not be eaten in a state of impurity, because they were not eaten at all. Some were burnt offerings, which were completely burned on the Altar, and some were special sin offerings whose meat was burned and not eaten.

However, **the Pesach offering that was brought in a state of impurity is eaten in a state of impurity.**

The Pesach offering is different from all other offerings **because it only comes in the first place for the sake of eating it.** Given that the main purpose of this offering was to be eaten, one would even be permitted to eat in a state of impurity.

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<sup>8</sup> High Priest

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### Gemara

In the Mishnah we learned: Five things may be brought in a state of impurity.

The Gemara asks: When the Mishnah singled out the number “**five**”, **what** was this meant **to exclude**?

The Gemara answers: It is **to exclude the festival (*Chagigah*) offering of the fifteenth** of Nissan (and all other festival offerings as well). Thus we learn that these offerings may not be brought in a state of impurity.

Because **you would have thought to say that since it is a public offering<sup>10</sup>, and the time for bringing them is fixed**, thus they would **supersede** the normal prohibition of bringing sacrifices in a state of **impurity**.

Therefore the Mishnah **informs us** that this is not the case. **Since** one who neglected to bring a festival offering **has** the possibility of making **restitution** by bringing the offering for the **entire seven** days of the festival, that is why the offering does **not supersede** the prohibitions of **Shabbat**. **And because** it does **not supersede Shabbat**, it also does **not supersede impurity**.

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<sup>9</sup> The Golden Table

<sup>10</sup> Even though the festival offerings were brought by individuals, they are considered public, given that they were brought at a time when the congregation gathered together.

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The Gemara raises a difficulty: **And let** the Mishnah **also teach** the case of the **goats** brought as sin offerings, **of the pilgrimage festivals**. These offerings are also brought in a state of impurity, yet they may not be eaten in impurity since this was not their main purpose.

The Gemara answers: **Note that** the Mishnah already **taught it** when it said “**the peace offerings of the congregation**”. This taught us that any public offering whose blood is thrown on the Altar may not be eaten in a state of impurity. From there we may learn that the festival sin offerings, brought from goats, are also not eaten in impurity.

The Gemara is puzzled by the answer: **If so, let** the Mishnah **also not teach** “**the goats of the Rosh Chodesh offering**”, whose blood was also thrown on the Altar. **For surely this case was** already **taught** when the Mishnah said “**the peace offerings of the congregation**”.

The scholars of the study hall **said** in reply:

# Chavruta

## Pesachim – Daf Ayin Zayin

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[The Gemara raises a difficulty: **And let** the Mishnah **also teach** the case of the **goats** brought as sin offerings, **of the pilgrimage festivals**. These offerings are also brought in a state of impurity, yet they may not be eaten in impurity since this was not their main purpose.

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The Gemara is puzzled by the answer: **If so, let** the Mishnah **also not teach** “**the goats of the Rosh Chodesh** offering”, whose blood was also thrown on the Altar. **For surely this** case **was** already **taught** when the Mishnah said “**the peace offerings of the congregation**”.

The scholars of the study hall **said** in reply:] The goats of the Rosh Chodesh offering **needed** to be mentioned **in it** the Mishnah, to teach that they may be brought in impurity.

As **I would have thought to say**: Do not bring them in impurity, since **it is not written about them “appointed time”**.

Other public sacrifices supersede impurity as learned from the phrase “appointed time”, as will be explained. If so, for those that do not have the phrase “appointed time” written about them, I would have thought that they do not supersede impurity.

**It** (our Mishnah) **came to teach us** that they may be brought in impurity, **since the Rosh Chodesh** itself is called an “appointed time” (*mo'ed*), as **Abaye** taught.

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**For Abaye said**, concerning a Mishnah in Tractate *Ta'anit* (26b) which says:

On the 9<sup>th</sup> of Av, it was decreed on our forefathers (because of the sin of the spies) that they would not enter the Land of Israel. A proof for this (as explained in the Gemara there, 29a) is as follows: On the 29<sup>th</sup> of Sivan, Moshe sent the spies into the Land for 40 days. We therefore find that they returned on the 9<sup>th</sup> of Av.

In truth, if the days were calculated according to the order of the months, that one is a full month (30 days) and the next month is lacking i.e. 29 days, we find that on the 9<sup>th</sup> of Av, only 39 days had passed since the spies were sent.

Therefore, Abaye explained:

The month of **Tammuz of that year, they made it a full month**, despite it usually being 29 days. We therefore find that the 40 days ended on the 9<sup>th</sup> of Av.

**As it is written** (*Eichah*<sup>1</sup> 1:15), “**He called “an appointed time (*mo’ed*) for me, to break my young men”**.” “*Mo’ed*” is the extra day added to make the month of Tammuz a full month, which is in fact the day of Rosh Chodesh.

We learn therefore that the Rosh Chodesh is called a “*mo’ed*”. Therefore, it supersedes the impurity.

This is **to say that all of them**, the public sacrifices, **are derived from “*mo’ed*”**. I.e. we may conclude from here that because these sacrifices have “appointed time” written regarding them, this is how we know that they may be offered even in a state of impurity.

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<sup>1</sup> Lamentations

## Perek 7 – 77a

And **from where are these words**, that they are derived from “*mo’ed*”?

**As the Rabbis taught** in a Baraita in “*Torat Kohanim*” concerning the *Omer* and the *Shte HaLechem* (Two Loaves):

It is written (*Vayikra*<sup>2</sup> 23:44): “**And Moshe**<sup>3</sup> **declared the appointed festivals of Hashem** (*mo’adei Hashem*) to the Children of Israel”.

**What is the verse saying?** Surely the passage already enumerated all of the festivals, so what is this verse adding?

**Since we have only learned** so far about the *Tamid*<sup>4</sup> and **Pesach offerings** that they alone supersede Shabbat and impurity, **as it says about them: “in its appointed time”**. This is interpreted as follows.

**In its appointed time: And even on Shabbat.**

**In its appointed time: And even in impurity.**

**Other public sacrifices** (such as *Musaf*<sup>5</sup> offerings), **from where** is it known that they supersede Shabbat and impurity?

From **that which it says** (*Bamidbar*<sup>6</sup> 29:39): **These you shall perform for Hashem “on your appointed festivals.”**

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<sup>2</sup> Leviticus

<sup>3</sup> Moses

<sup>4</sup> Daily

<sup>5</sup> Additional

<sup>6</sup> Numbers

## Perek 7 – 77a

**From where** do we learn **to include** even the *Omer* offering **and** the lamb that is **sacrificed with it**, and the *shtei halechem* **and** the two lambs **that are sacrificed with them**, that they also supersede Shabbat and impurity?

**The verse teaches: “And Moshe declared the appointed festivals of Hashem (*mo’adei Hashem*) to the Children of Israel.** In that passage, the *omer* and the *shtei halechem* and their accompanying sacrifices are mentioned.

Therefore, **the verse fixed one time (*mo’ed*) for all of them** that are mentioned in that passage, to teach that their appointed time should not pass, even if on Shabbat or in impurity.

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The Gemara raises a difficulty: **And all of these** verses that are written about the *Tamid*, the Pesach offering, other public sacrifices, the *omer* and the *shtei halechem*, **why do I need them?** Let the verse write the word “*mo’ed*” only once, and I will learn the others from it?!

The Gemara resolves the difficulty: **They are needed** for the following reason.

1) **For if the Torah would have written** it only concerning the *Tamid*, **I would have said:** The *Tamid* supersedes Shabbat and impurity, **as it is regular**, being a daily obligation, **and** it is a burnt offering that is offered **entirely** to Hashem.

**But the Pesach** offering is brought only once a year, and it is eaten by people. Thus I would **not** have assumed that it supersedes Shabbat and impurity.

Therefore, the verse **informs us** that even the Pesach offering supersedes Shabbat and impurity.

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- 2) **And if the Torah would have written** it only about the **Pesach** offering, I would have said: It is the **Pesach** offering that supersedes, **as it is punishable with** the severe penalty of *karet*<sup>7</sup> for not bringing it.

**But the *Tamid* that is not punishable with *karet*** for the public failing to bring it, **I would say** it does **not** supersede.

Therefore, the verse **informs us** that even the *Tamid* supersedes Shabbat and impurity.

- 3) **And if the Torah would have written** it only about **these two** (Pesach and *Tamid*), **I would have said:** These supersede, since **they each have** their own **aspect of severity.** The *Tamid* is **regular and completely burned,** and the **Pesach is punishable with *karet*.**

**But other public sacrifices** (such as *Musaf* offerings) that do not have an aspect of severity, **I would say** they do **not** supersede.

Therefore, **the Torah wrote:** “**These you shall perform for Hashem at their appointed time.**”

- 4) **And if the Torah would have written** only “**these you shall perform for Hashem at their appointed time**”, **I would have said** that it is only **other public sacrifices** (such as *Musaf* offerings), **which come primarily to atone.**

**But the *omer* and *shtei halechem*, which do not come primarily to atone, but rather they are to give permission to something** (the *omer* comes to permit the eating of *Chadash*, the new crop of grain, and *shtei halechem* comes to permit this grain to be used even for flour offerings in the Temple), I would say they do **not** supersede.

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<sup>7</sup> Spiritual excision.

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Therefore, the verse **informs us** that even these supersede Shabbat and impurity.

5) **And if the Torah would have written *omer* and *shtei halechem* alone, I would have said: On the contrary: *Omer* and *shtei halechem* that are strong as they come to permit**, thus only they supersede Shabbat and impurity.

**But those**, all of the others that do not come to permit something, I would say they do **not** supersede.

Therefore, the verse **informs us** that even these supersede.

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**They** the scholars of the study hall **had the assumption** that our Mishnah, which states that public sacrifices may be brought in impurity, is in accordance with the following two positions. This assumption gave rise to the discussion later to be held by the Gemara. The assumed positions are:

1) **That all agree** that the reason public sacrifices are brought even in impurity is because the Torah stated that **impurity is ‘superseded’ (*dechuyah*) for public sacrifices**, but not that impurity is fully ‘permitted’ for them. In other words, the prohibition of offering sacrifices in a state of impurity applies even to public sacrifices—yet it is *superseded* by the importance of offering these sacrifices.

**And** since it is not a total permission, **we require the *tzitz* to cause acceptance**, and if the *tzitz* is broken, the public sacrifices may not be brought in impurity.

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The *tzitz* is a golden plate worn on the Cohen Gadol's<sup>8</sup> forehead, upon which is engraved the words: "Holy to Hashem." This *tzitz* has the power, in certain circumstances, to cause an otherwise invalid sacrifice to achieve acceptance on High, as it is written (*Shmot* 28:36–38): "And you shall make a *tzitz* of pure gold. And it shall be on the forehead of Aharon, and Aharon shall bear the sin of the consecrated items that the Children of Israel consecrate, for all of the gifts of their consecrated items; and it shall be on his forehead constantly, *to cause acceptance for them* before Hashem."

The Gemara explains why the scholars of the study hall assumed this position: Since **there is no Tanna that you heard to say that impurity is *permitted* for public sacrifices, with the exception of Rabbi Yehudah alone.**

**As it was taught** in a Baraita: The *tzitz*, **whether it was on his forehead** of the Cohen Gadol at the time when the sacrifices became impure, **or whether it was not on his forehead, it causes acceptance. These are the words of Rabbi Shimon.**

**Rabbi Yehudah says: If still on his forehead, it causes acceptance. But if no longer on his forehead, it does not cause acceptance.**

**Rabbi Shimon said to him** Rabbi Yehudah:

Surely the case of **the Cohen Gadol on Yom Kippur**, at the time when he performs the service in the Holy of Holies, **will prove** that there is no need for him to actually be wearing the *tzitz*.

**For it is not on his forehead** then, since in the Holy of Holies he wears only the four white garments, none of which contain gold. **And** nevertheless, at that time **it** the *tzitz* **still causes acceptance.**

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<sup>8</sup> High Priest

## Perek 7 – 77a

**He** Rabbi Yehudah **said to him** Rabbi Shimon: **Leave aside** the sacrifices of **Yom Kippur** from this discussion, since there is no need for the acceptance of the *tzitz* at that time. For **impurity is** completely **“permitted” for public** sacrifices, such as those of Yom Kippur. Thus even without the acceptance of the *tzitz*, the sacrifice is valid.

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We may **learn from here that Rabbi Shimon holds that impurity is** merely **‘superseded’ for public** sacrifices. That is why in his view, even the sacrifices of Yom Kippur would require the *tzitz* in order to qualify them to be brought in impurity.

2) The scholars of the study hall assumed also this position: **That all agree that the *tzitz* does not cause acceptance for food** (i.e. sacrificial meat that is to be consumed by people). Thus if such meat had become impure, the acceptance caused by the *tzitz* does not permit it to be eaten.

What is the reason that they assumed this to be the view of the Mishnah? Since **there is no Tanna that you heard to say that the *tzitz* causes acceptance for food**, with the exception of **Rabbi Eliezer** alone.

**For it was taught** in a Baraita: **Rabbi Eliezer says: The *tzitz* causes acceptance for food.**

**Rabbi Yosi says: The *tzitz* does not cause acceptance for food.**

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## Perek 7 – 77a

Based on these assumed positions, the Gemara suggests: **Let us say that our Mishnah does not follow** the view of **Rabbi Yehoshua**.

**For it was taught** in a Baraita: It is written (*Devarim* 12:27): “**And you shall perform your burnt offerings, ‘the meat and the blood’.**” **Rabbi Yehoshua says:** The verse mentioned the meat and the blood together to teach the following:

- 1) **If there is no blood** to throw on the Altar, since it was lost or became impure, even **the meat** of the burnt offering **is not** placed on the Altar.
- 2) **If there is no meat** to burn on the Altar, since it was lost or became impure, **the blood is not** thrown on the Altar.

**Rabbi Eliezer says:** I agree that if there is no blood to be thrown, the meat is not burned.

But if there is **blood** to be thrown, it indeed should be thrown on the Altar **even if there is no meat** to be burned, as it says (*ibid*), “**and the blood of your offerings shall be poured** on the Altar”. (The Gemara will explain how this is derived from the verse.)

**And** if so, **what halachah do I establish** on the basis of “**and you shall perform your burnt offerings, ‘the meat and the blood’**”? It is in order to compare meat with blood and **to say to you: Just as blood** is applied to the Altar **by throwing, so too meat** should be placed on the Altar **by throwing**. This means that the cohen who places the meat on the Altar should do so by throwing it onto the fire.

**We may say,** based on this halachah, that there must have **been a small airspace between the ramp** leading up to the Altar, **and the Altar** itself.<sup>9</sup>

The Gemara explains: **And Rabbi Yehoshua also,** who holds that if there is no meat to be burned then the blood is not thrown, how does he explain the second half of the verse,

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cited above? For surely **it is written**: “**and the blood of your offerings shall be poured** on the Altar.”

**He** Rabbi Yehoshua **would say to you**: On the contrary, we may derive from that verse that if there is no meat to be burned, the blood is *not* thrown. For **surely it is written about it**, at the end of the same verse: “**and you shall eat the meat**”. This teaches that if there is no suitable meat, the blood of the offering is not thrown on the Altar.

### **Ammud Bet**

The Gemara explains the view of Rabbi Yehoshua: **And these two Scriptural statements**—“And you shall perform your burnt offerings, the meat and the blood” and “the blood of your offerings shall be poured... and you shall eat the meat”—**why do I need** both of them?

The answer is: **One** of the verses, i.e. “and you shall perform your burnt offerings, the meat and the blood,” **is for a burnt offering**. It is to teach you that if there is no meat of a burnt offering to be placed on the Altar, its blood is not thrown.

**And** the other **one** of the verses, i.e. “the blood of your offerings shall be poured... and you shall eat the meat,” **is for *shlamim***<sup>10</sup>. (The meat of this type of offering, in contrast to that of the burnt offering, is eaten by people.) It is to teach you that if there is no fitting meat, the blood is not thrown.

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<sup>9</sup> Explained according to Rambam.

<sup>10</sup> Peace offerings

## Perek 7 – 77B

The verse speaks in terms of “eating” since most of this offering’s meat is indeed eaten by people. However, it should be noted that it is sufficient that there be *eimurim*<sup>11</sup> fitting to burn on the Altar in order to throw the blood.

**And it** both of these Scriptural statements **is needed**, since one could not learn one case from the other:

**Because if the Torah would have written it only for a burnt offering, I would have said: It is only a burnt offering** that this rule applies to, since **it is a stringent** type of sacrifice. **For it is entirely burned** on the Altar.

But for *shlamim*, **which is not a stringent** type of sacrifice since most of its meat is eaten by people, **I would say** this rule does **not** apply.

And if the Torah would have written it for *shlamim*, **I would have said: On the contrary**, the *shlamim* is more stringent, since **there are two consumptions of it**: People consume most of the meat, and the Altar consumes the *eimurim*.

But the **burnt offering, which there are not two consumptions** of it, since only the Altar consumes it, **I would say** we do **not** apply this rule.

Therefore, **it** these two verses **inform us** that for both the burnt offering and the *shlamim*, if there is no meat to be burnt on the Altar, the blood is not thrown on the Altar.

\*

The Gemara raises a difficulty: **And Rabbi Eliezer also**, how does he explain the other Scriptural statement? For **surely it is written “and you shall eat the meat”**, which teaches that if there is no fitting meat, the blood is not thrown on the Altar.

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<sup>11</sup> The fats and organs that are burnt on the Altar.

## Perek 7 – 77B

**He Rabbi Eliezer would say to you: That statement is required to teach that the meat is not permitted for consumption until the blood is thrown.** For the verse first states “the blood of your offerings shall be poured”, and only afterwards “and you shall eat the meat”. (*Rabbeinu Chananel*)

\*

The Gemara is puzzled: **If so**, that you learned from this statement that the meat may be eaten only after the blood is spilled, let us **say** that **the entire verse comes for this teaching alone.**

In which case, the rule that **“blood may thrown on the Altar even though there is no fitting meat there”, from where do we know** this to be true?

The Gemara answers: **He Rabbi Eliezer would say to you: If so**, that the entire purpose of the verse is to teach that the meat is allowed to be eaten only after throwing the blood, **let the Torah write “you shall eat the meat”, and afterwards** let it write **“and the blood of your offerings shall be poured”**, just as it is written in the first part of the verse, where meat is mentioned before blood: **“And you shall perform your burnt offerings, the meat and the blood”**.

Nevertheless, we would still learn that the throwing of the blood permits the meat to be consumed, since it did not write “and you shall pour the blood”, but rather, “it shall be poured.” This use of the passive tense implies that the blood was already poured on the Altar, before the meat was to be consumed.

And **what is the difference** (i.e. the reason) **that “blood of your offerings” proceeded** the mention of the meat? We are forced to say that the verse is coming to teach two laws:

## Perek 7 – 77B

- 1) We may **hear from it** that the blood will in any case be poured, to teach: **The blood** is thrown on the Altar **even though there is no fitting meat**.
- 2) **And hear from it** also, since the mention of the blood proceeded that of the meat, **that the meat is not permitted for consumption until the blood is thrown**.

\*

**And Rabbi Yehoshua** would reply that the rule that **meat is not permitted for consumption until the blood is thrown** does not require a verse in order to be learned.

For **it is a *kal vachomer*** (a fortiori reasoning) from the *eimurim*, which must be burned before eating the meat. The logic is as follows:

**And if the *eimurim*, that when they are not present** (because they became impure or were lost), **they do not prevent** the consumption of the meat, nevertheless, **when they are present, they prevent** the consumption of the meat until they are burned on the Altar—

All the more so should this be true about **the blood**. For **when it is not present, it prevents** the consumption of the meat, since all agree that “if there is no blood to throw on the Altar, the meat may not be eaten.”

If so, **when it is present** (and suitable for throwing), **all the more so that it prevents** the consumption of the meat until it is thrown.

**And Rabbi Eliezer** would respond: Indeed, this rule could be derived through the logic of the above *kal vachomer*. Nevertheless, **something that may be derived through a *kal vachomer*, the verse painstakingly wrote it**.

## Perek 7 – 77B

**And Rabbi Yehoshua** held that **wherever one could interpret** the verse in a way that it comes to teach something new, rather than interpreting it as teaching something that anyway could be derived on the basis of logic, **we interpret** it for the new teaching. Therefore the verse comes to teach about *shlamim*, that if there is no fitting meat, the blood is not thrown.

\*

And **now**, the Gemara brings out the original point, **let us say that the Mishnah does not follow** the view of **Rabbi Yehoshua**.

**For since Rabbi Yehoshua said that we require both** the blood and the meat to be fitting in order to throw the blood on the Altar, **and** our Mishnah holds that the *tzitz* **does not cause acceptance for food**, which is the meat of the sacrifice—and our Mishnah includes a case where the sacrifice itself became impure, and in spite of this, it is offered—it cannot be that the Mishnah follows the view of Rabbi Yehoshua.

For if it follows the view of Rabbi Yehoshua, **how could it** a public sacrifice that became impure **come** to be offered **in impurity?** There is no meat that may be eaten, thus one may not throw the blood.

\*

The Gemara rejects this conclusion: **You could even say that** our Mishnah is following **Rabbi Yehoshua**.

This is because Rabbi Yehoshua does not require that there be meat fitting to be eaten by people. It is sufficient that there be *eimurim* for burning on the Altar.

## Perek 7 – 77B

**Rather**, let us say: **Rabbi Yehoshua held that the *tzitz* causes acceptance for items elevated** onto the Altar. And since the *tzitz* causes acceptance for the *eimurim*, the sacrifice may be offered in impurity.

\*

However, the Gemara still argues that the Mishnah does not follow the view of Rabbi Yehoshua:

**Note** that this explanation **is fine for the sacrifices** mentioned in the Mishnah, since **there are** the *eimurim* that are **elevated** to be burnt on the Altar.

**But** regarding the *omer* and *shtei halechem* mentioned in the Mishnah, which are grain offerings, this explanation is not sufficient. **For there are not** any parts of these offerings that may be **elevated** to be burnt on the Altar. Regarding them, **what is there to say**, if the Mishnah is in accordance with the view of Rabbi Yehoshua?

The Gemara reasons as follows:

If you say our Mishnah follows Rabbi Yehoshua, this implies that even if the *minchah*<sup>12</sup> itself became impure, its *kometz*<sup>13</sup> will still be burnt on the Altar, assuming that the *Minchah* was a public sacrifice. For the *kometz* must be burned in order to consider the *Minchah* to be offered.

This is problematic, since the remains of the *Minchah* (after the *kometz* is taken from it) are considered food, for which the *tzitz* does not cause acceptance. And according to Rabbi Yehoshua, once there are no fitting remains, the *kometz* itself may not be burnt on the Altar.

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<sup>12</sup> Grain offering

## Perek 7 – 77B

This is because the *kometz* is equivalent to the blood of an animal sacrifice, and the remains are equivalent to the meat of the sacrifice. If there is no fitting meat, the blood is not thrown, according to Rabbi Yehoshua. It emerges that if there are no fitting remains of the grain offering, the *kometz* may not be burnt.

The factor that makes a *minchah* offering different from an animal sacrifice is that a *Minchah* has no *eimurim*. There is only the *kometz* and the remains.

And regarding the *shteí halechem*, for which there is no *kometz* at all, instead all of it is eaten by people, *Rashi* writes that the question is as follows: And *shteí halechem*, that it is completely consumed by people, not even one of the requirements is fulfilled. There is neither fitting “blood” nor fitting “meat”.

\*

**They** the scholars of the study hall **said** in answer: **When Rabbi Yehoshua also said that we require both** fitting meat and fitting blood, he said it **for** animal **sacrifices**, but **he did not say** it **for grain offerings**. Thus, the *kometz* is burned on the Altar even though there are no fitting remains.

The Gemara is puzzled: **And did he** Rabbi Yehoshua **not say** this rule **for grain offerings?**

**And surely it was taught** in a Mishnah (*Menachot* 26a): **If the remains** of the *minchah* **became impure**, or were burnt up, or **its remains were lost**, its law is as follows:

**According to** the view of **Rabbi Eliezer**, **it is valid**.

**According to** the view of **Rabbi Yehoshua**, **it is invalid**.

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<sup>13</sup> A handful of the flour

## Perek 7 – 77B

We thus see that according to Rabbi Yehoshua, remains of a *Minchah* are required in order to burn its *kometz*.

The Gemara replies: Rabbi Yehoshua himself holds of the difference between animal sacrifices and grain offerings.

And what about this Mishnah? It is “**according to and not according to**” Rabbi Yehoshua.

**It is according to Rabbi Yehoshua, in that we require both** fitting “blood” and fitting “meat”.

**And it is not according to Rabbi Yehoshua** as regards applying this rule to grain offerings.

**Because Rabbi Yehoshua said it for animal sacrifices, but for grain offerings, he did not say it. And this Tanna holds that even for grain offerings, we apply the rule.**

\*

The Gemara asks rhetorically: **And who is the Tanna who is following his Rabbi Yehoshua’s view, yet is more stringent than him!**

**And furthermore, it was taught** in a Baraita that Rabbi Yehoshua indeed applied this rule to grain offerings.

For it was taught in a Baraita: **Said Rabbi Yosi: I accept the words of Rabbi Eliezer in grain offerings and in animal sacrifices. And I accept the words of Rabbi Yehoshua**

## Perek 7 – 77B

**in grain offerings and in animal sacrifices.** (The Gemara on 78a explains what Rabbi Yosi meant in this seemingly self-contradictory statement.)

**The words of Rabbi Eliezer in animal sacrifices are that he would say: the blood is thrown on the Altar, even though there is no fitting meat there.**

**And the words of Rabbi Yehoshua are that he would say: If there is no fitting blood, the meat is not consumed. And if there is no fitting meat, the blood is not thrown.**

**The words of Rabbi Eliezer in grain offerings are that he would say: If there is a fitting *kometz*, it is burned on the Altar even though there are no fitting remains.**

**The words of Rabbi Yehoshua in grain offerings are that he would say: If there is no fitting *kometz*, the remains are not consumed. And if there are no fitting remains, the *kometz* is not burned on the Altar.**

We therefore see that Rabbi Yehoshua would apply his rule even to grain offerings.

\*

**Rather**, this is the way to resolve the difficulty posed by the Mishnah:

**Rabbi Yehoshua held that the *tzitz* causes acceptance for those items elevated to be burned on the Altar, and also causes acceptance for food!** And if the food, i.e. the remains of the *Minchah*, are accepted on High and thus considered fitting, the *kometz* may be burned on the Altar.

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## Perek 7 – 77B

The Gemara raises a difficulty: **If so**, that according to Rabbi Yehoshua, the *tzitz* causes acceptance for food, **why** did we learn in the Mishnah earlier, “If its remains became impure... **according to the view of Rabbi Yehoshua, it is invalid**”?

The Gemara resolves the difficulty: The phrase that was taught in the Mishnah “according to Rabbi Yehoshua it is invalid” **is** only referring **to** the cases of **lost and burnt up**. Only in those cases, where the remains are no longer existing at all, did Rabbi Yehoshua say that the *minchah* is invalid.

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The Gemara questions this answer: **But** the phrase “**became impure**”, **for who is it taught?** Rabbi Eliezer or Rabbi Yehoshua? I.e. we are forced to say that it is according to Rabbi Yehoshua’s view.

For if it was taught for **Rabbi Eliezer**, and to teach that in his view, even if the remains became impure, they may burn the *kometz*, this halachah is **obvious** and there is no need to state it.

**Now, since you said that** if it was **lost or burnt up**, where **there are no** remains at all, and nevertheless, **Rabbi Eliezer validates it**, then if the remains **became impure, that there are** indeed existing remains, **does it need to** say that according to his view, the *minchah* is valid?

**Rather**, it is obvious that it came **to** teach the view of **Rabbi Yehoshua**, regarding when “its remains became impure.” **And it taught that it is invalid.**

Thus Rabbi Yehoshua does not hold that the *tzitz* causes acceptance for food, and if so, it must be that our Mishnah does not follow the view of Rabbi Yehoshua.

## Perek 7 – 77B

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**And it was also taught** in a Baraita that according to Rabbi Yehoshua, the *tzitz* does not cause acceptance, either for items elevated to be burned on the Altar or for food:

**Rabbi Yehoshua says: All animal sacrifices in the Torah, whether the meat became impure and the fats (*eimurim*) are intact, or whether the fats became impure and the meat is intact, one may throw the blood.**

This implies: **But if they both became impure**, both the meat and the *eimurim*, one may **not** throw the blood.

We may say from here that **Rabbi Yehoshua held that the *tzitz* does not cause acceptance, neither<sup>14</sup> for items elevated to be burned on the Altar nor for food.** For if the *tzitz* would cause acceptance for even one of them, we would throw the blood even if both the meat and *eimurim* became impure, since it is sufficient that either the elevated items are intact or the food is intact, as explained in the Baraita. This is because the acceptance caused by the *tzitz* renders them as if they are intact.

\*

The Gemara resolves the difficulty: **Rather, in truth our Mishnah is according to Rabbi Yehoshua, and it is not a difficulty:**

**Here**, in the sources that pose a difficulty, we are discussing **the proper procedure (*lechatchila*)**.

And **here**, in our Mishnah, we are discussing the halachah that applies **after the fact (*bedi'avad*)**.

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<sup>14</sup> According to *Bach*

## Perek 7 – 77B

**And when Rabbi Yehoshua said:** “If there is no fitting meat, the blood is not thrown,” we are discussing **the proper procedure**. Whereas **after the fact**, he did **not** apply this rule. And our Mishnah deals with after the fact.

**And from where do you have a source to say that Rabbi Yehoshua made a difference between the proper procedure and the halachah that applies after the fact?**

**As it was taught** in a Baraita: **If the meat became impure, or if it became invalidated** through contact with a low level of impurity, **or if it went out of** the area defined by **the “Curtains”**, i.e. it left the Temple Courtyard and thereby became disqualified—

**Rabbi Eliezer says:** One should **throw** the blood, even though the meat is not fitting. This is consistent with his view that the blood is thrown although there is no fitting meat.

**Rabbi Yehoshua says: Do not throw** the blood. This is consistent with his view that if there is no fitting meat, the blood is not thrown.

**And Rabbi Yehoshua agrees that if one threw** the blood nonetheless, **it is accepted** on High, and the sacrifice is judged valid.

Thus we see that Rabbi Yehoshua differentiates between the proper procedure and after the fact.

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The Gemara questions this answer:

**Firstly**, we said that Rabbi Yehoshua agrees to Rabbi Eliezer after the fact. But the Mishnah that was brought earlier states, “If the remains became impure... according to

## Perek 7 – 77B

the view of Rabbi Yehoshua, it is invalid.” And the term “**invalid**” **implies** the halachah that applies **after the fact**.

**And furthermore**, it is stated in our Mishnah: “**Five things**, public sacrifices that are eaten, may **be brought in** a state of **impurity**.” And this phrasing **implies the proper procedure!**

# Chavruta

## Pesachim – Daf Ayin Chet

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

In light of the difficulties raised on the end of the last *daf*, the Gemara now attempts a new approach to reconciling our Mishnah with the view of Rabbi Yehoshua.

**Rather**, the Gemara now retracts from its original assumption that the prohibition of offering public sacrifices in impurity is merely *superseded*, a situation that requires the *tzitz*<sup>1</sup> to make these otherwise invalid sacrifices accepted on High. Rather, impurity is completely *permitted*. And since this is so, our Mishnah may be explained as following the view of Rabbi Yehoshua

For **here**, Rabbi Yehoshua was speaking of **an individual**'s offering when he said that if the meat and the *eimurim*<sup>2</sup> of an animal sacrifice became impure, then one may not throw the blood. And if the remains of a *Minchah*<sup>3</sup> offering became impure, then one may not burn the *kometz*<sup>4</sup>. Since, according to Rabbi Yehoshua, the *tzitz* does not cause acceptance either for items elevated to be burned on the Altar or for food, therefore one may not throw the blood or burn the *kometz*. For Rabbi Yehoshua holds that “if there is no fitting meat, the blood is not thrown on the Altar.”

Whereas **here** in our Mishnah, it is discussing **public** sacrifices, for which the prohibition of impurity is “permitted” when the majority of the public is in a state of impurity. Thus, these sacrifices do not require the acceptance caused by the *tzitz*. Thus one may throw the blood even if the meat became impure, and burn the *kometz* even if the remains of the grain offering became impure. Thus permission would apply to the *shtei halechem* and to the *omer* offering as well.

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<sup>1</sup> Golden plate worn on the High Priest's forehead, which causes certain impure offerings to find acceptance on High, thus validating the offering .

<sup>2</sup> The fats and organs that are burned on the Altar

<sup>3</sup> Grain offering

<sup>4</sup> Handful of flour burned on the Altar.

## Perek 7 – 78a

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The Gemara suggests: **Let us say that the Mishnah does not follow** the view of **Rabbi Yosi**.

**For it was taught** in a Baraita: **Rabbi Eliezer says: The *tzitz* causes acceptance for food** i.e. the meat of a sacrifice or the remains of a grain offering.

**Rabbi Yosi says: The *tzitz* does not cause acceptance for food.**

And **they** the scholars of the study hall **had the assumption:**

**From** the fact **that Rabbi Yosi said that the *tzitz* does not cause acceptance for food**, it is certain that **he follows the view of Rabbi Yehoshua who said: We require both** fitting meat and fitting blood. Thus if there is no fitting meat, the blood is not thrown.

For otherwise, why did Rabbi Yosi state that the *tzitz* does not cause acceptance for food, if the offering is acceptable on the basis of its blood (or *kometz*) alone? Surely the *tzitz* does not cause acceptance for meat that became impure, so that it may be eaten by people in impurity. For the eating of the sacrifice's meat is not the sacrifice's primary purpose.<sup>5</sup>

And since this is so, **let us say now that the Mishnah does not follow Rabbi Yosi's** view.

For if our Mishnah follows the view of Rabbi Yosi, how could they bring public grain offerings that became impure? For, as explained on the last *daf*, the remains of a *Minchah*

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<sup>5</sup> With the exception of the Pesach offering, which is not under discussion here.

## Perek 7 – 78a

are comparable to the meat of an animal sacrifice. Thus the *kometz* may not be offered, because the remains, which are food—and not rendered acceptable by the *tzitz*—are not fitting. This is different from an animal sacrifice, which has also *eimurim*.

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The Gemara rejects this approach: It is **not** so. Rather, **Rabbi Yosi holds the view of Rabbi Eliezer, who said: “The blood is thrown on the Altar, even though there is no fitting meat.”** Thus the Mishnah could even be according to Rabbi Yosi.

The Gemara is puzzled: **If so, for which matter** did Rabbi Yosi say: **The *tzitz* does not cause acceptance for food?** Making the food acceptable on High is not necessary, since the blood may be thrown even without fitting meat!

The Gemara replies: **And according to your view**, that the acceptance caused by the *tzitz* is needed only in order to permit the throwing of the blood, a difficulty arises with the following statement of Rabbi Eliezer.

**For Rabbi Eliezer said: The *tzitz* causes acceptance** for food. How shall this be understood, **since Rabbi Eliezer himself said: “The blood may be thrown, even if there is no fitting meat”?** If so, **for which matter does the *tzitz* cause acceptance for food?**

**Rather**, the *tzitz* could cause acceptance for food in other ways, such as:

**To fix it** i.e. food that became impure **with** the prohibition of *pigul*<sup>6</sup>, **and to remove it from** the prohibition of *me'ilah*<sup>7</sup>.

**And** these are the points that **they** (Rabbi Eliezer and Rabbi Yosi in the above Baraita) **are disagreeing over**. They disagree whether the *tzitz* is effective to render the food as if

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<sup>6</sup> A sacrifice offered with intention to eat it beyond its permitted time.

## Perek 7 – 78a

it was pure, so that the prohibition of *pigul* would apply and so that the prohibition of *me'ilah* would not apply.

**Rabbi Eliezer held that the *tzitz* causes acceptance for it the meat and makes it as if it is pure and fixes it as *pigul*, to make the one who eats it liable for *karet*. And similarly, the throwing of the blood removes it the meat from *me'ilah*, since the *tzitz* causes it to be considered as if it is pure.**

**And Rabbi Yosi holds that** since the meat is “food”, **the *tzitz* does not cause acceptance for it, nor makes it as if it is pure. And** since this is so, **it** (the throwing of the blood) **did not fix it as *pigul* nor remove it from *me'ilah*.** The throwing is effective only in that the owners have thereby fulfilled their obligation to bring this offering.

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**Rav Mari challenged this:** How could you say that our Mishnah follows the view of Rabbi Yosi who holds that the *tzitz* does not cause acceptance for food? Surely, **even if it would be that Rabbi Yosi holds the view of Rabbi Eliezer**, who said that “the blood is thrown even though there is no fitting meat”, there will be the following difficulty:

**It is all right** to say that public animal **sacrifices** that became impure are offered. For **there is valid blood** since the *tzitz* causes acceptance for its impurity.

**And the *omer* offering also**, it is all right to say that it is brought in impurity, since **there is a *kometz*** burned on the Altar, for which the *tzitz* causes acceptance.

**And the *lechem hapanim* (show-bread) also**, it is all right to say that they are brought in impurity, since **there are the censers** containing frankincense that are burned to Hashem, and for which the *tzitz* causes acceptance.

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<sup>7</sup> Forbidden benefit from consecrated items.

## Perek 7 – 78a

**But** the *shtei halechem*<sup>8</sup> brought in impurity, as mentioned in the Mishnah, **what is there to say** in order to explain it according to Rabbi Yosi? They are only “food”, and have no element corresponding to “blood” for which the *tzitz* could cause acceptance!

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**And if you say:** Our Mishnah is not speaking about the *shtei halechem* alone, without the two lambs that are to be sacrificed along with them—

Rather, our Mishnah is speaking about *shtei halechem* together with the two lambs, and the acceptance caused by the *tzitz* is effective even **for items sacrificed with them. And what are they?** They are the two lambs brought as **public *shlamim***<sup>9</sup> offerings, which come along with the *shtei halechem*.

One cannot explain it this way. For **if so**, then **there are** only **four** cases mentioned in our Mishnah, since we have combined the two lambs with the *shtei halechem* and counted them as one. **Yet we have learned** that the “**five**” is stated in the Mishnah as the number of cases!

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**Rather**, our Mishnah may still be explained as following the view of Rabbi Yosi, in the following way: Although Rabbi Yosi holds that the *tzitz* does not cause acceptance for food, **Rabbi Yosi held that impurity is completely ‘permitted’ for a public offering**, in the case where the majority of the public are in a state of impurity. Thus it does not require the acceptance caused by the *tzitz* at all.

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<sup>8</sup> Two loaves of chametz bread that are offered on the festival of Shavu’ot. There is no part of this unique offering that is placed on the Altar.

<sup>9</sup> Peace

## Perek 7 – 78a

The Gemara is puzzled: **And how could you say that Rabbi Yosi held that impurity is permitted for a public offering? And surely it was taught** in a Baraita:

**Whether this**, the cohen being prepared to burn the Red Heifer (*Parah Adumah*), **or that**, the Cohen Gadol<sup>10</sup> being prepared for the service of Yom Kippur, **they would sprinkle on him**, to purify him, **all** of the **seven** days of his preparation, **from all of the chata'ot**. I.e. they would sprinkle on him purifying waters containing ashes of all the Red Heifers that had even been made, **which were there** in the Temple in storage. **These are the words of Rabbi Meir.**

**Rabbi Yosi says: They would not sprinkle on him** all of those seven days. **Rather, only on the third day and the seventh** day of his preparation.

**And if you assume that Rabbi Yosi holds that impurity is permitted for public offering, then why do I need sprinkling at all** for a Cohen Gadol who serves on Yom Kippur? Surely the sacrifices of Yom Kippur are public offerings with a fixed time, and their impurity is permitted!

Rather, we must say that Rabbi Yosi held that impurity is merely superseded for public offerings, and whenever possible it should be performed by a cohen who is pure.

**Rather, the correct answer is that our Mishnah does not follow the view of Rabbi Yosi.**

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<sup>10</sup> High Priest

## Perek 7 – 78a

The Gemara now returns to explain the words of Rabbi Yosi in the Baraita brought earlier (77b).

**Rav Pappa said to Abaye: And for Rabbi Yosi, it is a deed that awards two people with the same property!** With this metaphor, Rav Pappa is objecting that Rabbi Yosi has simultaneously agreed to two conflicting views.

**As it was taught** (in the earlier Baraita):

**Said Rabbi Yosi: I accept the words of Rabbi Eliezer in grain offerings and in animal sacrifices. And I accept the words of Rabbi Yehoshua in grain offerings and in animal sacrifices.**

**The words of Rabbi Eliezer in animal sacrifices are that he would say: the blood is thrown on the Altar, even though there is no fitting meat there.**

**And the words of Rabbi Yehoshua are that he would say: If there is no fitting blood, the meat is not consumed. And if there is no fitting meat, the blood is not thrown.**

**The words of Rabbi Eliezer in grain offerings are that he would say: If there is a fitting *kometz*, it is burned on the Altar even though there are no fitting remains.**

**The words of Rabbi Yehoshua in grain offerings are that he would say: If there is no fitting *kometz*, the remains are not consumed. And if there are no fitting remains, the *kometz* is not burned on the Altar.**

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**He Abaye said to him Rav Pappa: He Rabbi Yosi was saying that “it stands to reason”.** I.e. Rabbi Yosi did not intend to say which view is to be followed in Halachah.

## Perek 7 – 78a

He was merely saying that it stands to reason that Rabbi Yehoshua and Rabbi Eliezer disagree in both cases: in animal sacrifices and also in grain offerings.

**When he Rabbi Yosi was involved with the study of animal sacrifices, he said: It stands to reason that just as they disagree in animal sacrifices, so they disagree also in grain offerings.**

**And when he was involved with the study of grain offerings, he said: It stands to reason that just as they disagree in grain offerings, they also disagree in animal sacrifices.**

**He Rav Pappa said to him Abaye: It is all right that when he Rabbi Yosi was involved with the study of animal sacrifices, that he said it stands to reason that just as they disagree in animal sacrifices, so they also disagree in grain offerings.**

This is **since the principal verses** from which Rabbi Eliezer and Rabbi Yehoshua learned their respective views **were written in** the passage of animal **sacrifices** (as explained on *daf 77*). Therefore it was in place for Rabbi Yosi to say that even about grain offerings, not mentioned expressly in these verses, they also disagree.

But to say that **when he Rabbi Yosi was involved with the study of grain offerings, he said that it stands to reason that just as they disagree in grain offerings, they disagree also in animal sacrifices**, the following difficulty arises:

**But surely the principal verses were written in** the passage of animal **sacrifices!** Why would we need to learn their laws from what was said about grain offerings?

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## Perek 7 – 78a

**Rather**, we must answer the difficulty in a different way: When Rabbi Yosi said “I accept”, it is to be taken literally, to say that he agrees with both of them.

And nevertheless **it is not a difficulty**, as he was saying as follows:

**I accept the words of Rabbi Eliezer** as regards animal sacrifices and grain offerings, **in** a case when the meat (or remains) was **lost or burnt up**.

For when the meat (or remains) is impure, one may throw the blood, as the *tzitz* causes acceptance for it, and it is considered as if it did not become impure. This, however, is not the case if it was lost or burnt up. For in such a case the meat or remains do not exist at all.

The Gemara is puzzled: **When it became impure, what is the reason** that Rabbi Yosi would accept the words of Rabbi Eliezer? It is certainly **since the *tzitz* causes acceptance**.

But we cannot say this, as **you surely heard about Rabbi Yosi that he said: The *tzitz* does not cause acceptance for food!**

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The Gemara takes a different approach: **Rather, it is not a difficulty** because this is what Rabbi Yosi meant:

**I accept the words of Rabbi Eliezer** when the meat or remains became impure **in a public** offering.

And **I accept the words of Rabbi Yehoshua** when the meat or remains became impure **in an individual's** offering.

## Perek 7 – 78a

The Gemara is puzzled: **For a public** offering that became impure, **what is the reason** that Rabbi Yosi would accept the words of Rabbi Eliezer who validated it? It is certainly **because impurity is** completely ‘permitted’ for a public offering. Thus one does not require the acceptance caused by the *tzitz* in order to throw the blood on the Altar.

However for an individual, one may not throw the blood, as the *tzitz* does not cause acceptance for food, and the meat became impure—thus invalidating the offering according to Rabbi Yehoshua.

This is problematic for the following reasons.

**Firstly, you heard that Rabbi Yosi said: Impurity is** merely ‘superseded’ in public, not completely ‘permitted’ (as the Gemara proved earlier). If so, we require the *tzitz* to cause acceptance even for a public offering, and according to Rabbi Yosi, the *tzitz* does not cause acceptance for food. How, then, could he throw the blood when the meat became impure, according to Rabbi Yehoshua?

**And furthermore, if** when Rabbi Yosi said “I accept the words of Rabbi Eliezer,” this is for a public offering, how could he say that it is only **Rabbi Eliezer who validates** in such a case, **and not Rabbi Yehoshua?**

### **Ammud Bet**

But **surely you said** (at the beginning of the previous *ammud*) that **for a public** offering, **even Rabbi Yehoshua agrees** that it may be offered?

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## Perek 7 – 78B

**Rather**, we must say that Rabbi Yosi was speaking of an individual's offering, and he meant as follows:

**I accept the words of Rabbi Eliezer** as regards the halachah that applies **after the fact** (*bedi'avad*). I.e. if one went ahead and threw the blood on the Altar, although it was forbidden to do so in a case where there is no fitting meat, the sacrifice is accepted on High.

**And I accept the words of Rabbi Yehoshua** as regards **the proper procedure** (*lechatchila*). I.e. it is not right to throw the blood in such a case.

The Gemara is puzzled: How shall we say that **after the fact**, Rabbi Yosi accepts the view of Rabbi Eliezer? For **even Rabbi Yehoshua also agrees** that the sacrifice is accepted, after the fact. Thus in this scenario there is no disagreement between the two!

**As surely it was taught** (in the Baraita that was brought earlier at the end of *daf* 77):

If the meat became impure... Rabbi Eliezer says: One should throw the blood, even though the meat is not fitting. Rabbi Yehoshua says: Do not throw the blood. **And Rabbi Yehoshua agrees that if one threw** the blood nonetheless, **it is accepted** on High, and the sacrifice is judged valid.

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The Gemara resolves the difficulty: **This case is in impurity; that case is when lost or burnt up.**

The Gemara explains:

## Perek 7 – 78B

**When it taught that Rabbi Yehoshua agrees that if he threw the blood nonetheless, it is accepted,** it was a case **where it** the meat **became impure** or some similar mishap in which the meat still exists but has become disqualified.

**But lost or burnt up,** where the meat is not existing at all, it is **not** accepted according to Rabbi Yehoshua, even after the fact.

It emerges that **when Rabbi Yosi said: I accept the words of Rabbi Eliezer after the fact,** it is **when it was lost or burnt up.**

### **Mishnah**

If **the meat** of the Pesach offering **became impure, and** even if the **fats** to be burned on the Altar **are intact, he does not throw the blood.** This is true even according to Rabbi Eliezer who holds that regarding all other sacrifices that “the blood is thrown, even though there is no fitting meat.” This is because the main purpose of the Pesach offering is for its meat to be consumed on Pesach night. Thus, one does not throw the blood if there is no meat that is suitable for eating.

But if **the fats became impure and the meat is intact, one throws the blood,** according to all views.

**And for other offerings, this is not the case. Rather, even if the meat** to be eaten by people **became impure and the fats are intact, he throws the blood.** This is true even

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according to Rabbi Yehoshua who holds that if there is no fitting meat, the blood is not thrown. For here the case is that the *eimurim* are still fitting to be burned on the Altar.

### **Gemara**

**Said Rav Gidel, said Rav:**

**If one threw** the blood of the Pesach offering although the meat was impure, **it** the Pesach offering **is accepted** on High, and one does not need to bring a second Pesach offering.

The Gemara is puzzled: How could it be called “accepted”, thereby exempting him from a second Pesach offering? **But surely we require eating**, and he cannot eat this meat since it is impure!

The Gemara answers: Failing **to eat** the meat **does not prevent** the atonement of the sacrifice from taking place. Therefore he is exempt from a second Pesach offering.

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The Gemara raises a difficulty: **But surely it is written** in the passage dealing with the Pesach offering: **Each man “according to his eating”!**

The Gemara answers: It is indeed **a mitzvah** to eat from its meat. But failure to do so does not prevent the offering’s atonement from taking place.

## Perek 7 – 78B

The Gemara raises a difficulty: And did not the Torah say that **it prevents** atonement, if one fails to eat from it?

**But surely it was taught** in a Baraita:

It is written that the Pesach offering should be eaten “according to the number of souls, each man according to his eating shall be counted on the kid.”

The Sages expound this as follows:

**“Number of”:** This teaches that the Pesach offering is only slaughtered for those appointed on it. If this group of people was counted on it, one may not slaughter it with intention for that group of people (See *daf* 61a).

**I might have thought** that if one slaughtered it not for those appointed on it, one would transgress a mitzvah, yet the offering would still be valid. To preclude this thought, the verse says: Each man according to his eating “shall be counted.” The verse here repeated the law in order for it to be known that failure to observe this law prevents the atonement from taking place.

The Gemara brings out the point: **And surely there is a comparison between those eating and those appointed**, as the verse says: “according to the number of souls, each man according to his eating shall be counted”. This teaches that slaughtering the offering for those not capable of eating for it, for example, for a sick or elderly person who cannot eat even a minimum amount of meat, invalidates the offering.

Thus we see that eating from the offering is a basic requirement, without which the offering is completely invalid.

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The Gemara resolves the difficulty: **Rather**, we must say that **Rav**, who stated that the eating does not prevent the atonement, **said** his statement **in accordance with** the view of **Rabbi Natan, who said: Not eating the Pesach offerings does not prevent** atonement.

The Gemara asks: **Which** statement of **Rabbi Natan**?

**If you say** it is **this** statement of **Rabbi Natan, as it was taught** in a Baraita:

**Rabbi Natan says: From where** is it known **that all of** the people of **Israel may fulfill** their obligation **with one Pesach** offering, even though there is not enough meat for each person to eat from it an olive's size? **The verse says: And “all the assembly of the congregation of Israel shall slaughter it in the afternoon. And are all of the assembly able to slaughter? Surely, only one person slaughters! Rather, it teaches that all of Israel may fulfill** their obligation **with one Pesach** offering.

This seems to be saying that not eating the Pesach offering does not prevent atonement. For in this collective Pesach offering, there is not enough meat for each person to eat from it an olive's amount.

The Gemara rejects this source: **Perhaps it is different there, for if they** i.e. some people **would relinquish** their appointment on it, **it is suitable for those** people who remain. **And if those** i.e. the second group of people **would relinquish** their appointment on it, **it is suitable for these** i.e. the first group. In this way, the collective Pesach offering is potentially suitable for consumption by each individual—since there is no specific person who is positively excluded from eating from it.

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**Rather, it is this** statement of **Rabbi Natan** from which we see that he holds that not eating the meat does not prevent atonement.

**As it was taught** in a Baraita: **If one group were appointed on it** and there is an olive's amount for each person, **and again, another group was appointed on it**, until there was no longer an olive's amount for each person, the law is as follows:

The **first** group, **that** at the time of being appointed, **they have an olive's amount**, they were appointed correctly, and **they eat** from it **and are exempt from performing the Pesach Sheni** (Second Pesach) offering. A month after Pesach, when those incapable of bringing their Pesach offering in its proper time have a second chance to fulfill their obligation, the first group mentioned here need not bring an offering then.

But the **latter** group, **that they do not have an olive's amount** at the time of being appointed, they were appointed incorrectly. Thus **they do not eat** from it, **and are** indeed **obligated to perform the Pesach Sheni** offering, since failure to eat from the offering prevents its atonement from taking place. (*Meiri*)

**Rabbi Natan says:** Both **these and those are exempt from performing the Pesach Sheni** offering, **since the blood was already thrown** on behalf of all of them. Failure to eat from it does not prevent atonement.

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The Gemara rejects this source: There is no proof from here because **still, perhaps it is different there. For if these** (the first group) **would relinquish** their appointment, **it is suitable for those** (the second group) for eating. Thus, all were potentially able to eat from the offering.

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The Gemara raises a difficulty: **If so**, that this is the reason, **let it teach**: “**since they are suitable to relinquish** their appointment”. **What is** the significance of “**that the blood was already thrown** on their behalf”? Rather, **hear from here** a proof that according to Rabbi Natan, **the matter** of atonement **depends on** the throwing of **the blood**, but failure to eat does not prevent atonement.

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The Gemara returns to the main point of Rav, and raises a difficulty:

**What compelled Rav to set up our Mishnah** which stated, “If the meat of the Pesach offering became impure, and even if the fats to be burned on the Altar are intact, he does not throw the blood”, to be speaking specifically about **the proper procedure (lechatchila)**? And that after the fact, such an offering is accepted on High, **and** therefore our Mishnah is in accordance with **Rabbi Natan** who holds that failing to eat does not prevent atonement?

On the contrary, **let Rav set it up in accordance with the Rabbis** who disagree with Rabbi Natan, and who hold that not eating indeed prevents atonement—**and even after the fact (bedi’aved) also** it is **not** accepted!

The Gemara answers: **Rav** who explained it this way **had a difficulty with the Mishnah** that prompted him to conclude as he did.

For **why did it teach** in the Mishnah about this case: “**He does not throw the blood**”? **Let it teach** unequivocally: “**It is invalid.**”

**Rather, hear from here** a proof that “**He does not throw**” is only **the proper procedure**, but **after the fact, it is fine** i.e. the offering is accepted and valid.

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The Gemara asks: **And according to Rabbi Natan**, the verse of “**Each person according to his eating**”, **why do I need it?** I.e. what does Rabbi Natan derive from that phrase, since according to him, eating is not an essential aspect of the Pesach offering? (One cannot say that it teaches that it is merely a mitzvah to eat, since there was a comparison between those appointed and the eating of it, as stated earlier. And having no appointees does prevent the offering from being valid. *Tosafot*)

The Gemara answers: According to Rabbi Natan, the verse is coming to say **that we require a person who is suitable to eat** from it to be appointed on it. However, the meat itself does not need to be suitable to be eaten.

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**Who is the Tanna** whose view is expressed in **that** following Baraita **which the Rabbis taught?**

It was taught: If **they slaughtered it** the Pesach offering **for those eating it**. I.e. for those who were appointed on it to eat it. **But they threw its blood not for those eating it**, for example, for a sick person or an elderly person who were among those appointed on it but who are incapable of eating even a minimum amount of meat:

**The Pesach** offering **itself is valid**, and the cohen may burn the *eimurim* on the Altar (but its meat may not be eaten). **And the person** who brought it **fulfills through it his obligation**.

**According to whose** view does this Baraita go? **Let us say it is** according to **Rabbi Natan** who holds that not eating the meat does not prevent atonement, **and not** according to **the Rabbis** who disagree with him and hold that not eating the meat prevents the atonement.

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The Gemara reject this possibility: **You could even say that it is** according to **Rabbis**, and the intent of the Baraita is that the meat, too, is valid and may be eaten. For why did you initially assume that the meat may not be eaten? Because the cohen who threw the blood had an invalidating intention: that the offering should be for those incapable of eating from it. However, intention is not problematic, for the following reason:

Invalidating **thoughts regarding eating do not** affect the offering **when** the cohen has them while performing the service of **throwing** the blood on the Altar. Such thoughts only affect the offering during the act of slaughtering. This is because “each person according to his eating” is written about slaughtering, as it says: “each person according to his eating, it shall be slaughtered”.

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**Who is the Tanna** whose view is expressed in **that** following Baraita **which the Rabbis taught?**

It was taught: Regarding **if he** (someone who brought a Pesach offering, and no one else was appointed on it) **was sick at the time of slaughtering**, and was not capable of eating from it even a minimal amount. However, he was already **healthy at the time of the throwing** of its blood.

Or he was **healthy at the time of slaughtering and sick only at the time of throwing** its blood.

**One may not slaughter** the Pesach offering **or throw** its blood **for him, unless he is healthy from the time of slaughtering until the time of throwing**. (I.e. it does not depend on his health on Pesach night, when he will actually eat from it. He must be capable of eating at the time that its services are performed.)

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**According to whose** view does this Baraita go? **Let us say it is** according to **the Rabbis** who disagree with Rabbi Natan and hold that failure to eat from the Pesach offering prevents its atonement from taking place. **And it is not** according to **Rabbi Natan**.

The Gemara rejects this possibility: **You could even say** it is according to **Rabbi Natan**, since **we require a person who is suitable to eat** the Pesach offering even according to Rabbi Natan, and a sick person is not able to eat meat. For Rabbi Natan holds that when it is written “Each person according to his eating”, it is speaking about the person, that he should be able to eat.

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**Who is the Tanna** whose view is expressed in **that** following Baraita **which the Rabbis taught?**

It was taught: If **they slaughtered** the Pesach offering while those who brought it were **in** a state of **purity, and afterwards**, before throwing its blood on the Altar, **the owners became impure—**

**The blood should be thrown** on the Altar by a cohen who is **in** a state of **purity**, and from a vessel that is pure. I.e. it is permitted to throw the blood, but while observing the laws of purity.

**And its meat may not be eaten** by those who brought it, **in** their state of **impurity**.

**According to whose** view does this Baraita go?

**Said Rabbi Elazar:** The halachah **taught** in this Baraita is subject **to the disagreement** between Rabbi Natan and the Rabbis. **And it is** according to **Rabbi Natan** who holds that

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failure to eat from the meat of the Pesach offering does not prevent its atonement from taking place. Thus it is valid even though it will not be eaten from. For it is sufficient that the person was capable of eating from it at the time of its slaughter.

**And Rabbi Yochanan said: You could even say it is the Rabbis** who disagree with Rabbi Natan.

Because **here, with what case are we dealing?** It is a **public** offering, which happened to be brought when most of the public were suddenly rendered impure between the offering's slaughtering and the throwing of its blood. (The Pesach offering is considered a public offering since it is brought by everyone at one time.)

A case where most of the public could suddenly become impure at the same time is that the *Nasi* (head of the Sanhedrin) passed away just then, and everyone participated in his funeral and burial, thus either coming in contact with a corpse or standing under the same roof as it.

**And they perform it** the services of such an offering **even in** a state of **impurity**. Not only that, Torah law allows its meat to be eaten on Pesach night in a state of impurity. Therefore, those who brought it are deemed suitable to eat from it, as the Gemara will continue to explain.

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The Gemara asks: **If** we are discussing a **public** offering, **why may the meat not be eaten in impurity?**

The Gemara explains:

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**It is a decree** of the Sages that it not be eaten, applying specifically to a case where it was slaughtered in purity but the blood was thrown in impurity. **Because** the Sages were concerned that **perhaps** the next year, a slightly different situation will arise:

**The owners** i.e. those who brought the Pesach offering **will become impure** only **after the throwing** of the blood, in which case they are forbidden by Torah law to eat from its meat in impurity. **But they will say: Last year, did we not become impure** before eating, **and we ate** from it nonetheless, even though it was slaughtered in purity? If so, **now also we will eat** from the Pesach offering in our state of impurity.

**And they will not know that last year**, it was permitted to them because **when the blood was thrown, the owners were already impure**, and it was called a Pesach offering that came in impurity. But **now the owners were pure** at the time of the blood's throwing, so the offering did not come in impurity— thus they are prohibited to eat from its meat in their state of impurity.

# Chavruta

## Pesachim – Daf ayin tet

Translated by: *Rabbi Avraham Rosenthal*  
Edited by: *R. Shmuel Globus*

The Gemara now returns to the words of Rav at the beginning of the discussion on the previous *daf*, where he commented on the statement in our Mishnah: “If the meat of the Pesach offering became impure, and even if the fats to be burned on the Altar are intact, he does not throw the blood.” Nevertheless, commented Rav, “If one threw the blood of the Pesach offering although the meat was impure, it (the Pesach offering) is accepted on High, and one does not need to bring a second Pesach offering.”

The Gemara there raised a difficulty: Eating from the meat of the Pesach offering is an essential aspect of this offering, so how could the offering be judged valid, if the meat may not be eaten?

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The Gemara now offers the following answer to that question: **If you wish, I will say** an alternative answer: that **Rav**, when **he said** this ruling, was ruling **in accordance with Rabbi Yehoshua**, who holds that failure to eat from the meat of the Pesach offering does not prevent its atonement from taking place.

**For it was taught** in Baraita: **Rabbi Yehoshua says:**

**All the sacrifices mentioned in the Torah, whether the meat became impure and the fat** (i.e. the *eimurim*, the fats and organs burned on the Altar) **is intact; whether the fat became impure and the meat is intact, he the cohen should throw the blood** of the sacrifice on the Altar.

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The exceptions to this rule include a **Nazirite**,<sup>1</sup> who brings certain sacrifices on the day that his period as a Nazirite ends, among them a ram as a *shelamim*,<sup>2</sup> which is cooked in the Temple Courtyard. After cutting his hair, he places the hair under the pot in which the *shelamim* is being cooked, to be burnt by the fire. The cohen then takes a cooked leg of the ram and waves it.

The reason why the *shelamim* of a Nazirite are different from other sacrifices is because they are “originally for eating,” since they require the placing of the hair underneath the pot in which the *shelamim* is being cooked, and furthermore, the cooked meat is needed for the act of waving. Thus the meat has to be pure, in order to be fitting for the unique mitzvot that are performed with it. Nevertheless, if he threw the blood after the meat became impure, the sacrifice is judged valid. For failure to perform these mitzvot does not prevent the atonement of the sacrifice from taking effect.

**And** another exception is **one who performs a Pesach** offering, where the primary purpose of the Pesach offering is the eating of its meat on Pesach night. The laws pertaining to these exceptions are as follows:

1) If **the fat became impure and the meat is intact, he throws the blood** on the Altar, like with other sacrifices. But if **the meat became impure and even though the fat is intact, he does not throw the blood. Yet if he throws, it is considered to be accepted** on High.

Thus after the fact, the offering is judged valid, as Rav ruled.

2) If the **owners became impure due to a dead body, he does not throw** the blood. This, too, is different from other sacrifices, which someone who is impure may send by emissary to the Temple to be offered.

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<sup>1</sup> One who takes a vow to be a Nazirite is prohibited from eating grapes and their byproducts, cutting his hair and coming in contact with a dead body.

<sup>2</sup> Peace offering

## Perek 7– 79a

**And if he threw** the blood, **it is not** considered to be **accepted**, even after the fact.

The reason such a Pesach offering is invalid is because according to Rabbi Yehoshua, we require the person to be fit to eat from it (i.e. he must be in a state of purity). The Torah deferred one who is impure to Pesach Sheni<sup>3</sup>. This state of fittingness to eat is an absolute requirement, even though failure to actually eat from the meat does not prevent the atonement of the sacrifice from taking place. Thus a lack of fittingness on the part of the person totally invalidates the offering.

Thus we see that according to Rabbi Yehoshua, eating from the Pesach offering is not an absolute requirement for validating the offering. Therefore even if the meat became impure and not fit for eating, and the cohen went ahead and threw the blood on the Altar (although he should not have do so), the offering is accepted on High, as Rav said.

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It was stated in our Mishnah: **And for other offerings, this is not the case. Rather, even if the meat** to be eaten by people **became impure and the fats are intact, he** the cohen **throws the blood** on the Altar.

The Gemara asks: **Whose view is expressed in the Mishnah?**

**It is the view of Rabbi Yehoshua.**

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<sup>3</sup> The Second Pesach, a month after the first one. This day affords a second opportunity for bring the Pesach offering, for those who were unable to on the first Pesach.

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**For it was taught** in a Baraita: **Rabbi Yehoshua says: All sacrifices mentioned in the Torah that there remains from them a *kazayit*<sup>4</sup> of meat** for a person to eat, **or a *kazayit* of fat** to be consumed by fire on the Altar, **he throws the blood.**

But if only **a half of a *kazayit* of meat** is left, and **a half of a *kazayit* of fat**, **he does not throw the blood**, since the eating of a person and the consumption by fire on the Altar do not join together.

**And with an *olah***,<sup>5</sup> which is wholly burnt on the Altar, **even if there remains a half of a *kazayit* of meat and a half a *kazayit* of fat**, **he throws the blood**, because it is entirely burnt. All of it is consumed by fire on the Altar, thus they join together to make up the minimum required amount.

**And with the *minchah***<sup>6</sup> offering, **although it is entirely intact**, **he does not throw the blood.**

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The Gemara is puzzled: **A *Minchah* offering? What does it have to do** with the throwing of blood? Only its *kometz*, a handful of flour, is placed on the Altar.

**Said Rav Pappa** in explanation: The *minchah* referred to in the Baraita is not the *minchah* offering that comes by itself. Rather, it is **the *minchah*** ordinarily brought with the wine **libation** accompanying an animal sacrifice. The Baraita is saying that even though the *minchah* of the sacrifice is intact, this is not sufficient to allow the throwing of the blood of the sacrifice it accompanies. For if both the meat and the *eimurim*<sup>7</sup> of the sacrifice became impure, its blood may not be thrown on the Altar.

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<sup>4</sup> *Kazayit*: 0.9 fluid oz. or 28 cu. cm.

<sup>5</sup> A burnt offering.

<sup>6</sup> Grain offering

## Perek 7– 79a

The Baraita needed to make this point. For **I would have thought to say: Since it** the *minchah* **comes by virtue of the** animal **sacrifice**—i.e. bringing the animal sacrifice generated the obligation for this *Minchah*—therefore **it is like the** animal **sacrifice itself**, and the *minchah* stands in place of the meat. **It**, the Baraita, therefore **informs us** that this is not so.

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The Gemara now discusses, as an independent topic, Rabbi Yehoshua’s statement in the Baraita: If the fat (which is for the Altar's consumption) is intact, even if the meat (which is for a person's eating) is not intact, he throws the blood.

The Gemara is puzzled: Rabbi Yehoshua’s rule that we require the meat of the *shelamim* to be intact is learned earlier (77b) from that which is written, “The blood of your offerings shall be poured... and you shall eat the meat.” Therefore, we should conclude that if the meat is not intact for eating, the blood should not be poured (i.e. thrown) on the Altar.

Thus the Gemara asks: Rabbi Yehoshua’s ruling that to allow throwing the blood, it is sufficient if the **fat** alone is intact, **from where** do we know this?

**Said Rabbi Yochanan in the name of Rabbi Yishmael, and some would say, in the name of Rabbi Yehoshua ben Chananyah:**

**That said the verse** (*Vayikra*<sup>8</sup> 17:6), “And the cohen threw the blood on the Altar of Hashem at the entrance of the Tent of Meeting, **and he shall cause the fats to go up in**

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<sup>7</sup> Parts to be burnt on the Altar

<sup>8</sup> Leviticus

## Perek 7– 79a

**smoke for a satisfying aroma to Hashem.”** Here it implies that the cohen may throw the blood even if only **fat** remains, **even though there is no meat** for the person to eat.

In this verse, **we find** that it is sufficient to have the **fat** intact. But other parts of the *eimurim*, such as **the diaphragm and the two kidneys, from** where do **we** know that if only they remain intact, that this is sufficient to throw the blood?

The Gemara explains: **Where do we say that we throw** the blood in such a case? It is evident **from that which was taught** in the earlier Baraita: **And with the *minchah*** that accompanies an animal sacrifice, whose *kometz*<sup>9</sup> is burnt on the Altar like the *eimurin*, **even though it the *minchah* is entirely intact, he should not throw** the blood.

From this we may infer: only with a *minchah* that accompanies an animal sacrifice but is not the actual sacrifice, **it** remaining intact **is not** sufficient. **But the diaphragm and the two kidneys**, which are the actual sacrifice, **it is fine**—their remaining intact is sufficient to allow throwing the blood.

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The above Baraita is indeed a support for Rabbi Yehoshua’s ruling, but cannot be the original source from which this halachah was derived. Thus the Gemara restates its question: **From where** in Scripture do **we** know this to be true?

**Rabbi Yochanan himself**, not in the name of his masters (as earlier quoted), **said:**

When **the** above-cited **verse said** “And he shall cause the fats to go up in smoke **for a satisfying aroma**, you may throw for it the blood,”<sup>10</sup> it implies that **whatever you bring up** on the Altar **for a satisfying aroma**, it is sufficient for you to throw the blood due to it.

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<sup>9</sup> Handful of flour

## Perek 7– 79a

The Gemara explains: **The verse needed to write that “fat”** is sufficient, and the verse also **needed to write “for a satisfying aroma”** in order to teach that other parts of the *eimurin* are sufficient.

**Because if the Merciful One** i.e. the Torah **wrote only “fat,” I would have said: fat – yes,** it is sufficient. But **the diaphragm and the two kidneys are not** sufficient. Therefore **the Merciful One wrote “for a satisfying aroma,”** in order to include them.

**And if the Merciful One only wrote “for a satisfying aroma,” I would have said: Anything that goes up for a satisfying aroma** is sufficient, **and even the *kometz* of a *minchah*** that accompanies an animal sacrifice. Therefore **the Merciful One wrote “fat,”** in order to teach: Only something similar to fat is sufficient, whereas the *kometz* is not.

### **Mishnah**

The laws discussed here pertain to a situation in which the majority of the people obligated to bring the Pesach offering are in a state of impurity. For the Torah says, “Each *person*, when he will be impure because of a corpse, he will perform a Pesach offering for Hashem in *the second month*.” This implies that only an individual is deferred to Pesach Sheni, whereas the entire congregation is not.

- a) If the **congregation or its majority become impure** before Pesach.
  
- b) **Or the *cohanim* who were needed to offer the offerings of the public were impure,** **and even if the congregation were pure.**

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<sup>10</sup> The verse here is paraphrased somewhat.

## Perek 7– 79a

In both these cases, **they should perform** the Pesach offering **in** their state of **impurity**.

c) If the majority of the congregation was impure and the minority pure, even those who are pure can perform it in impurity.

The reason is because the Sages said: “A public sacrifice is not divided.” I.e. there cannot be a situation in which these should perform it while impure, and those while pure.

d) If the majority of the congregation was pure, but they had to perform the Pesach offering in impurity because the cohanim were impure, then even those among the congregation who were impure may perform their Pesach offering, and are not deferred to Pesach Sheni.

This is also because “a public sacrifice is not divided.” Even those who are pure will bring their offering in impurity, due to the impure state of the cohanim performing the services. Thus, everyone may bring the offering in impurity.

e) But if only the **minority of the congregation became impure, those who are pure perform the first** Pesach, **and the others who are impure perform the second** Pesach on the fourteenth of Iyar.

## **Gemara**

**The Rabbis taught** in a Baraita:

Note that **when the non-cohanim are impure, but the cohanim and the Temple’s service utensils are pure—**

## Perek 7– 79a

**Or the non-cohanim are pure but the cohanim and service utensils are impure—**

**And even if the non-cohanim and the cohanim are pure, and only the service utensils are impure—**

Even those who are themselves impure **should perform** their Pesach offering **in impurity**. This is because **the public sacrifice is not divided**.

**Said Rav Chisda:**

Concerning the case where the service utensils were impure, it **was only taught** where **the knife** or the other utensils **became impure** by touching **a person with impurity of a corpse**.

This is because there is a special law applying to corpse impurity, derived from the verse (*Bamidbar* 19:16): **“A casualty of the sword.”** This verse teaches that **a sword**, or any other metal utensil that received corpse impurity, **it is like the casualty** himself. In other words, a metal utensil receives the very same degree of impurity as that which it touches, when corpse impurity is involved. Ordinarily, however, a utensil will have a lower degree of impurity than what it touched.

Therefore, the service utensil **will** have a high enough level of impurity to **impart impurity to the man**, the cohen who is holding it.

In this case, even if those who brought the sacrifice are impure, they are allowed to eat from it.

## Perek 7– 79a

This is because **originally, when the sacrifice was being performed**, it was **with** a cohen who was **impure himself**, an act that normally bears a punishment of *karet*,<sup>11</sup> that **it is being performed**.

**But if the knife became impure with the impurity of a *sheretz*,**<sup>12</sup> the knife cannot render a man impure. It emerges **that** the knife only **causes impurity to the meat**, but **to the man, it does not cause impurity**. Since in this situation only the meat of the sacrifice becomes impure from the knife, the law is:

Those **who are pure, perform it**. I.e. only such people may bring a Pesach offering. But those **who are impure do not perform it**.

For **it is preferable that he should eat** the Pesach offering **with impurity of the meat**, which transgresses a **negative** Torah mitzvah bearing the standard punishment of lashes. **And he should not eat the meat when he himself is impure, which** bears the severe punishment of *karet*.

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The Gemara discusses Rav Chisda's ruling: **We see that Rav Chisda holds** that the prohibition of offering sacrifices in **impurity is merely superseded for public** sacrifices, in a case where the majority of the congregation is impure. I.e. it is not completely permitted. That is why the scope of Rav Chisda's ruling is so limited.

For if impurity were completely permitted for public sacrifices, we would be unconcerned about which degree of impurity affects it.

**And similarly said Rabbi Yitzchak: Impurity is superseded for public** sacrifices.

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<sup>11</sup> Spiritual excision.

## Perek 7– 79a

**And Rava said:** Although impurity is indeed superseded for public sacrifices, nevertheless, **even those who are impure may also perform** the Pesach offering, although the service utensils became impure only from *sheretz* impurity. This is because the fact that the meat became impure is sufficient to supersede the prohibition. And once it is superseded, the more severe impurity of the people themselves is included in this.

**What is the reason?**

**As it is written:** “**And the meat that touches anything impure shall not be eaten. It shall be burnt in fire.**” The following verse says, “**And the meat, anyone pure may eat meat.**” This is a Scriptural comparison between eating consecrated meat that is impure, and someone who is himself impure eating consecrated meat.

Thus: **Wherever we apply the verse “and the meat which touches anything impure shall not be eaten,”** we also **apply the verse, “and the meat, anyone pure may eat meat,”** thereby excluding someone who is impure.

And **wherever we do not apply the verse “and the meat which touches anything impure shall not be eaten,”** such as a Pesach offering brought in impurity, **we do not apply the verse “and the meat, anyone pure may eat meat.”** Consequently, even someone who is impure himself is not excluded from eating from its meat.

\*

**It was said** in a statement of Amoraim regarding our Mishnah:

**Note that when the non-cohanim are half pure and half impure,** there is a disagreement over the Halachah:

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<sup>12</sup> One of the eight types of crawling creatures mentioned by the Torah as having impurity.

## Perek 7– 79a

**Rav said: Half and half is like the majority**, i.e. it is considered in certain ways as if the majority are impure. This will be explained.

**And Rav Cahana said: Half and half is not like the majority.**

The Gemara explains: **Rav said: Half and half is like the majority**, and therefore **those** who are pure **perform it by themselves** in purity, and they are forbidden to perform it in impurity. We consider the ones who are pure like the majority, thus forbidding them to join those who are impure.

**And** at the same time, **those** who are impure **perform it by themselves** while impure. In this respect we also consider those who are impure as the majority, and they are not deferred to Pesach Sheni, but perform it on the fourteen of Nisan while impure.

**And Rav Cahana said: Half and half is not like the majority**, therefore **those who are pure perform** the offering on **the first** Pesach, **and those who are impure perform it** on Pesach **Sheni**, as would individuals who were impure.

\*

**There are those who say:**

That which **Rav Cahana said**, that **half and half is not like the majority**, this is what he meant:

**Those who are pure perform** the offering on **the first** Pesach.

## Perek 7– 79B

### **Ammud Bet**

**And those who are impure do not perform it either on the first Pesach or on Pesach Sheni.**

The reason is: Those who are impure **do not perform** it on **the first, because they are not the majority.**

**And at Pesach Sheni they also do not perform** it, since **they are not the minority** who are conferred by the Torah with the unique opportunity to bring their offering then.

\*

The Gemara raises a difficulty to Rav, from our Mishnah:

**It was taught in the Mishnah: If the congregation or its majority became impure, or the cohanim were impure and the congregation was pure, even those who are pure may perform the sacrifice in impurity.**

It may be inferred: When the impurity affects “**Its majority,**” **that is when** those who are pure may **perform** their offering on the first Pesach **in impurity. But** if it is **half and half**, then those who are impure **do not perform** their offering on **the first** Pesach at all.

This **a difficulty for Rav** who said: Even those who are impure perform their offering on the first Pesach.

**Rav would say to you:** We should rather draw the following inference:

## Perek 7– 79B

When **the majority** of the congregation becomes impure, **they all perform it in impurity**, even those who are pure.

But when it is **half and half**, then **those** who are pure **perform it by themselves** in purity, **and those** who are impure **perform it by themselves** in impurity.

And in fact we may bring a support for Rav from our Mishnah: **Here also, it stands to reason** that the Mishnah is saying as Rav did:

**For note that it was taught** in the **latter clause** of the Mishnah: If **the minority of the congregation became impure**, then **those who are pure perform** their offering on **the first Pesach**, **and those who are impure perform** their offering on Pesach **Sheni**.

This implies that **it is the minority who perform** their offering on Pesach **Sheni**. **But half and half does not; and they perform** it on **the first** Pesach. And they perform it in the following fashion: **these** who are pure **perform it by themselves** and **those** who are impure **perform it by themselves**.

\*

Now that the Gemara has brought support from the Mishnah for Rav, the Gemara discusses the view of Rav Cahana:

**Rather**, this would pose **a difficulty for Rav Cahana!**

Rav Cahana would **say to you**: Instead of interpreting the Mishnah as Rav did, we should rather draw the following inference from the latter clause of the Mishnah:

## Perek 7– 79B

If **the minority of the congregation becomes impure**, then **those who are pure perform** their offering on **the first Pesach**, **and those who are impure perform** their offering on Pesach **Sheni**.

**Thus** in the case of **half and half**, **those who are pure perform** their offering on **the first Pesach**, **but those who are impure do not perform** it at all—**neither on the first Pesach**, **nor** on Pesach **Sheni**. This accords with the second version of Rav Cahana’s view.

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The Gemara raises a difficulty: **Granted that according to the last version of Rav Cahana’s view**, the above explanation of the Mishnah may be given.

**But according to this first version of what Rav Cahana said**, that **those who are pure perform** their offering on **the first Pesach**, **and those who are impure perform** their offering on Pesach **Sheni**, **what can be said** to explain the Mishnah? For the latter clause of the Mishnah implies that that if it was a case of half and half, the ones who are impure are not deferred to Pesach Sheni.

**Rav Cahana would say to you: It is the same law. Even** in a case of **half and half also**, it is like when the minority of the congregation becomes impure. Thus, **the ones who are pure perform** their offering on **the first Pesach**, **and the ones who are impure perform** it on Pesach **Sheni**.

**And that which was taught** in the latter clause— If “**the minority of the congregation**” became impure—it is not coming to exclude the case of half and half. Rather, **since it was taught** in the **first clause “its majority,”** **it also was taught** in the **latter clause “minority,”** in order to maintain parallel phrasing. Yet the case of half and half has the same law as that of the minority.

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**It was taught** in a Baraita **in accordance with Rav.**

And **it was taught** in two Baraitot **in accordance with Rav Cahana, like the two versions** of his view.

**It was taught** in a Baraita **in accordance with Rav:**

**If the non-cohanim were half pure and half impure, then these perform by themselves and those perform by themselves.** This is like Rav.

**It was taught** in a Baraita **like the first version of Rav Cahana's view:**

**Note that if the non-cohanim were half pure and half impure, then the ones who are pure perform** their offering on **the first Pesach, and the ones who are impure perform** their offering on Pesach **Sheni**. This is like the first version of Rav Cahana's view.

**And it was taught** in a Baraita **in accordance with the last version of Rav Cahana:**

**If the non-cohanim were half pure and half impure, then the ones who are pure perform** their offering on **the first Pesach, and the ones who are impure do not perform** their offering at all, **neither on the first Pesach nor** on Pesach **Sheni**. This is like the last version of Rav Cahana's view.

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The Gemara now explains these Baraitot according to all the views.

## Perek 7– 79B

1. **According to Rav and the last version of Rav Cahana**, a difficulty arises with **that which was taught** in a Baraita: **The ones who are pure perform** their offering on **the first Pesach**, and **the ones who are impure perform** it on Pesach **Sheni**. For this indicates that the first version of Rav Cahana's view is the Halachah. **How do they explain it?**

They would say that it is speaking, **for example**, of a case that **the non-cohanim** as a whole **were half pure and half impure**, and **the women** were the ones who **completed the half of the ones who are impure**. Thus the males alone comprise a minority of impure people. Only if we count the women, who are mostly impure, do we find that half the non-cohanim are impure.

**And this Tanna** of the Baraita **holds** the view: **Women's participation in the first Pesach is optional**, and certainly in Pesach Sheni. They have no obligation to bring a Pesach offering.

Therefore we consider the males by themselves, and say: **Remove the women from the count of the ones who are impure**, and **the ones who are impure are now the minority**. **And the minority is deferred to Pesach Sheni**.

But the case of half and half of males alone is not mentioned in this Baraita.

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2. **According to Rav and according to the first version of Rav Cahana**, a difficulty arises with **that which was taught** in a Baraita: **The ones who are pure perform** their offering on **the first Pesach**, and **the ones who are impure do not perform** their offering at all, **neither on the first Pesach nor on Pesach Sheni**. **were the ones who completed** **How do they explain it?**

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**Rav** who holds that half are considered like the majority, and they perform it on the first Pesach, **this is how he explains it:**

It is speaking, **for example**, of a case that **the male non-cohanim** by themselves **are half impure and half pure. And the women increase the ones who are pure**, since the women are mostly pure. Therefore when we count the women with them, there are more pure than impure.

**And this Tanna** of the Baraita **holds** the view: **Women's participation in the first Pesach is an obligation** and they count towards the majority. However, **with** regards to Pesach **Sheni**, their participation is **optional**, and they are not counted towards the majority.

It emerges that the ones who are impure **on the first Pesach, they do not perform** the offering then. For **they are the minority** of the total public obligated to bring the Pesach offering then. **And the minority** who are impure **do not perform** their offering on the first Pesach.

**And on Pesach Sheni, they** the impure also **do not perform** it. This is because the women are not obligated in Pesach Sheni. Therefore, we **remove the women from their count, and they will be only half and half. And half** the congregation **does not perform** its offerings on Pesach **Sheni**—only individuals may do so.

\*

**And according to Rav Cahana** in the first version, **who said** that **half** who are impure **also perform** their offering **on Pesach Sheni, he explains** the problematic Baraita, which ruled that in a case of half and half the ones who are impure do not perform their offering at either time, **like this:**

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It is speaking, **for example**, of a case that **the non-cohanim were half pure and half impure, and the women** were the ones who **completed** the half **who are pure**. Thus the males alone were mostly impure. The only way there is half pure and half impure is if we count the women, who are mostly pure.

And this Tanna **holds** the view: **Women's participation in the first Pesach is an obligation, and in Pesach Sheni, optional.**

Therefore **on the first Pesach, they** the impure **do not perform** their offering, because **they are half and half**. And **half** of the congregation **do not perform** their offering on **the first Pesach** in impurity. Only a majority may do so.

And **on Pesach Sheni, they** the impure **also do not perform** their offering, because the women are not obligated in Pesach Sheni. Therefore, **remove the women from their count, and the impure will be the majority. And the majority do not perform on Pesach Sheni.**

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3. **And according to Rav Cahana**, a difficulty arise with **that which was taught** in a Baraita: **Note that when the non-cohanim are half pure and half impure, these perform it by themselves and those perform it by themselves**. For this implies that the Halachah is in accordance with Rav. **How will he explain it?**

**Rav Cahana would say to you:** In truth, this Baraita does not accord with my view. This matter is subject to a disagreement **of the Tannaim**, and I hold like the other Tannaic view.

**There is one** Tanna, whose view is expressed in the problematic Baraita, **who says: Half and half is like the majority. And there is one** other Tanna, whose view is expressed in

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the Baraita brought earlier as a support for Rav Cahana, **who says: Half and half is not like the majority.**

c c õ d d

Regarding the above-mentioned statement **itself: Note that when the non-cohanim were half pure and half impure, these perform it themselves in purity, and those perform it themselves in impurity.**

**If the impure ones were more than the pure ones, even by one, then the pure ones as well may perform it in impurity, because the public sacrifice is not divided.**

**Rabbi Elazar ben Matia says: The individual cannot tip the balance of the public to perform it in impurity.** Only when the impure form a majority of two or more may the pure ones perform it in impurity. **As it says...**

# Chavruta

## Pesachim – Daf ayin tet

Translated by: *Rabbi Avraham Rosenthal*  
Edited by: *R. Shmuel Globus*

The Gemara now returns to the words of Rav at the beginning of the discussion on the previous *daf*, where he commented on the statement in our Mishnah: “If the meat of the Pesach offering became impure, and even if the fats to be burned on the Altar are intact, he does not throw the blood.” Nevertheless, commented Rav, “If one threw the blood of the Pesach offering although the meat was impure, it (the Pesach offering) is accepted on High, and one does not need to bring a second Pesach offering.”

The Gemara there raised a difficulty: Eating from the meat of the Pesach offering is an essential aspect of this offering, so how could the offering be judged valid, if the meat may not be eaten?

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The Gemara now offers the following answer to that question: **If you wish, I will say** an alternative answer: that **Rav**, when **he said** this ruling, was ruling **in accordance with Rabbi Yehoshua**, who holds that failure to eat from the meat of the Pesach offering does not prevent its atonement from taking place.

**For it was taught** in Baraita: **Rabbi Yehoshua says:**

**All the sacrifices mentioned in the Torah, whether the meat became impure and the fat** (i.e. the *eimurim*, the fats and organs burned on the Altar) **is intact; whether the fat became impure and the meat is intact, he the cohen should throw the blood** of the sacrifice on the Altar.

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The exceptions to this rule include a **Nazirite**,<sup>1</sup> who brings certain sacrifices on the day that his period as a Nazirite ends, among them a ram as a *shelamim*,<sup>2</sup> which is cooked in the Temple Courtyard. After cutting his hair, he places the hair under the pot in which the *shelamim* is being cooked, to be burnt by the fire. The cohen then takes a cooked leg of the ram and waves it.

The reason why the *shelamim* of a Nazirite are different from other sacrifices is because they are “originally for eating,” since they require the placing of the hair underneath the pot in which the *shelamim* is being cooked, and furthermore, the cooked meat is needed for the act of waving. Thus the meat has to be pure, in order to be fitting for the unique mitzvot that are performed with it. Nevertheless, if he threw the blood after the meat became impure, the sacrifice is judged valid. For failure to perform these mitzvot does not prevent the atonement of the sacrifice from taking effect.

**And** another exception is **one who performs a Pesach** offering, where the primary purpose of the Pesach offering is the eating of its meat on Pesach night. The laws pertaining to these exceptions are as follows:

1) If **the fat became impure and the meat is intact, he throws the blood** on the Altar, like with other sacrifices. But if **the meat became impure and** even though the **fat is intact, he does not throw the blood. Yet if he throws, it is considered to be accepted** on High.

Thus after the fact, the offering is judged valid, as Rav ruled.

2) If the **owners became impure** due to a **dead body, he does not throw** the blood. This, too, is different from other sacrifices, which someone who is impure may send by emissary to the Temple to be offered.

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<sup>1</sup> One who takes a vow to be a Nazirite is prohibited from eating grapes and their byproducts, cutting his hair and coming in contact with a dead body.

<sup>2</sup> Peace offering

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**And if he threw** the blood, **it is not** considered to be **accepted**, even after the fact.

The reason such a Pesach offering is invalid is because according to Rabbi Yehoshua, we require the person to be fit to eat from it (i.e. he must be in a state of purity). The Torah deferred one who is impure to Pesach Sheni<sup>3</sup>. This state of fittingness to eat is an absolute requirement, even though failure to actually eat from the meat does not prevent the atonement of the sacrifice from taking place. Thus a lack of fittingness on the part of the person totally invalidates the offering.

Thus we see that according to Rabbi Yehoshua, eating from the Pesach offering is not an absolute requirement for validating the offering. Therefore even if the meat became impure and not fit for eating, and the cohen went ahead and threw the blood on the Altar (although he should not have do so), the offering is accepted on High, as Rav said.

c c õ d d

It was stated in our Mishnah: **And for other offerings, this is not the case. Rather, even if the meat** to be eaten by people **became impure and the fats are intact, he** the cohen **throws the blood** on the Altar.

The Gemara asks: **Whose view is expressed in the Mishnah?**

**It is the view of Rabbi Yehoshua.**

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<sup>3</sup> The Second Pesach, a month after the first one. This day affords a second opportunity for bring the Pesach offering, for those who were unable to on the first Pesach.

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**For it was taught** in a Baraita: **Rabbi Yehoshua says: All sacrifices mentioned in the Torah that there remains from them a *kazayit*<sup>4</sup> of meat** for a person to eat, **or a *kazayit* of fat** to be consumed by fire on the Altar, **he throws the blood.**

But if only **a half of a *kazayit* of meat** is left, and **a half of a *kazayit* of fat**, **he does not throw the blood**, since the eating of a person and the consumption by fire on the Altar do not join together.

**And with an *olah***,<sup>5</sup> which is wholly burnt on the Altar, **even if there remains a half of a *kazayit* of meat and a half a *kazayit* of fat**, **he throws the blood**, because it is entirely burnt. All of it is consumed by fire on the Altar, thus they join together to make up the minimum required amount.

**And with the *minchah***<sup>6</sup> offering, **although it is entirely intact**, **he does not throw the blood.**

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The Gemara is puzzled: **A *Minchah* offering? What does it have to do** with the throwing of blood? Only its *kometz*, a handful of flour, is placed on the Altar.

**Said Rav Pappa** in explanation: The *minchah* referred to in the Baraita is not the *minchah* offering that comes by itself. Rather, it is **the *minchah*** ordinarily brought with the wine **libation** accompanying an animal sacrifice. The Baraita is saying that even though the *minchah* of the sacrifice is intact, this is not sufficient to allow the throwing of the blood of the sacrifice it accompanies. For if both the meat and the *eimurim*<sup>7</sup> of the sacrifice became impure, its blood may not be thrown on the Altar.

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<sup>4</sup> *Kazayit*: 0.9 fluid oz. or 28 cu. cm.

<sup>5</sup> A burnt offering.

<sup>6</sup> Grain offering

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The Baraita needed to make this point. For **I would have thought to say: Since it** the *minchah* **comes by virtue of the** animal **sacrifice**—i.e. bringing the animal sacrifice generated the obligation for this *Minchah*—therefore **it is like the** animal **sacrifice itself**, and the *minchah* stands in place of the meat. **It**, the Baraita, therefore **informs us** that this is not so.

c c õ d d

The Gemara now discusses, as an independent topic, Rabbi Yehoshua’s statement in the Baraita: If the fat (which is for the Altar's consumption) is intact, even if the meat (which is for a person's eating) is not intact, he throws the blood.

The Gemara is puzzled: Rabbi Yehoshua’s rule that we require the meat of the *shelamim* to be intact is learned earlier (77b) from that which is written, “The blood of your offerings shall be poured... and you shall eat the meat.” Therefore, we should conclude that if the meat is not intact for eating, the blood should not be poured (i.e. thrown) on the Altar.

Thus the Gemara asks: Rabbi Yehoshua’s ruling that to allow throwing the blood, it is sufficient if the **fat** alone is intact, **from where** do we know this?

**Said Rabbi Yochanan in the name of Rabbi Yishmael, and some would say, in the name of Rabbi Yehoshua ben Chananyah:**

**That said the verse** (*Vayikra*<sup>8</sup> 17:6), “And the cohen threw the blood on the Altar of Hashem at the entrance of the Tent of Meeting, **and he shall cause the fats to go up in**

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<sup>7</sup> Parts to be burnt on the Altar

<sup>8</sup> Leviticus

## Perek 7– 79a

**smoke for a satisfying aroma to Hashem.”** Here it implies that the cohen may throw the blood even if only **fat** remains, **even though there is no meat** for the person to eat.

In this verse, **we find** that it is sufficient to have the **fat** intact. But other parts of the *eimurim*, such as **the diaphragm and the two kidneys, from** where do **we** know that if only they remain intact, that this is sufficient to throw the blood?

The Gemara explains: **Where do we say that we throw** the blood in such a case? It is evident **from that which was taught** in the earlier Baraita: **And with the *minchah*** that accompanies an animal sacrifice, whose *kometz*<sup>9</sup> is burnt on the Altar like the *eimurim*, **even though it the *minchah* is entirely intact, he should not throw** the blood.

From this we may infer: only with a *minchah* that accompanies an animal sacrifice but is not the actual sacrifice, **it** remaining intact **is not** sufficient. **But the diaphragm and the two kidneys**, which are the actual sacrifice, **it is fine**—their remaining intact is sufficient to allow throwing the blood.

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The above Baraita is indeed a support for Rabbi Yehoshua’s ruling, but cannot be the original source from which this halachah was derived. Thus the Gemara restates its question: **From where** in Scripture do **we** know this to be true?

**Rabbi Yochanan himself**, not in the name of his masters (as earlier quoted), **said:**

When **the** above-cited **verse said** “And he shall cause the fats to go up in smoke **for a satisfying aroma**, you may throw for it the blood,”<sup>10</sup> it implies that **whatever you bring up** on the Altar **for a satisfying aroma**, it is sufficient for you to throw the blood due to it.

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<sup>9</sup> Handful of flour

## Perek 7– 79a

The Gemara explains: **The verse needed to write that “fat”** is sufficient, and the verse also **needed to write “for a satisfying aroma”** in order to teach that other parts of the *eimurin* are sufficient.

**Because if the Merciful One** i.e. the Torah **wrote only “fat,” I would have said: fat – yes,** it is sufficient. But **the diaphragm and the two kidneys are not** sufficient. Therefore **the Merciful One wrote “for a satisfying aroma,”** in order to include them.

**And if the Merciful One only wrote “for a satisfying aroma,” I would have said: Anything that goes up for a satisfying aroma** is sufficient, **and even the *kometz* of a *minchah*** that accompanies an animal sacrifice. Therefore **the Merciful One wrote “fat,”** in order to teach: Only something similar to fat is sufficient, whereas the *kometz* is not.

### **Mishnah**

The laws discussed here pertain to a situation in which the majority of the people obligated to bring the Pesach offering are in a state of impurity. For the Torah says, “Each *person*, when he will be impure because of a corpse, he will perform a Pesach offering for Hashem in *the second month*.” This implies that only an individual is deferred to Pesach Sheni, whereas the entire congregation is not.

- a) If the **congregation or its majority become impure** before Pesach.
  
- b) **Or the *cohanim* who were needed to offer the offerings of the public were impure,** **and even if the congregation were pure.**

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<sup>10</sup> The verse here is paraphrased somewhat.

## Perek 7– 79a

In both these cases, **they should perform** the Pesach offering **in** their state of **impurity**.

c) If the majority of the congregation was impure and the minority pure, even those who are pure can perform it in impurity.

The reason is because the Sages said: “A public sacrifice is not divided.” I.e. there cannot be a situation in which these should perform it while impure, and those while pure.

d) If the majority of the congregation was pure, but they had to perform the Pesach offering in impurity because the cohanim were impure, then even those among the congregation who were impure may perform their Pesach offering, and are not deferred to Pesach Sheni.

This is also because “a public sacrifice is not divided.” Even those who are pure will bring their offering in impurity, due to the impure state of the cohanim performing the services. Thus, everyone may bring the offering in impurity.

e) But if only the **minority of the congregation became impure, those who are pure perform the first** Pesach, **and the others who are impure perform the second** Pesach on the fourteenth of Iyar.

## **Gemara**

**The Rabbis taught** in a Baraita:

Note that **when the non-cohanim are impure, but the cohanim and the Temple’s service utensils are pure—**

## Perek 7– 79a

**Or the non-cohanim are pure but the cohanim and service utensils are impure—**

**And even if the non-cohanim and the cohanim are pure, and only the service utensils are impure—**

Even those who are themselves impure **should perform** their Pesach offering **in impurity**. This is because **the public sacrifice is not divided**.

**Said Rav Chisda:**

Concerning the case where the service utensils were impure, it **was only taught** where **the knife** or the other utensils **became impure** by touching **a person with impurity of a corpse**.

This is because there is a special law applying to corpse impurity, derived from the verse (*Bamidbar* 19:16): **“A casualty of the sword.”** This verse teaches that **a sword**, or any other metal utensil that received corpse impurity, **it is like the casualty** himself. In other words, a metal utensil receives the very same degree of impurity as that which it touches, when corpse impurity is involved. Ordinarily, however, a utensil will have a lower degree of impurity than what it touched.

Therefore, the service utensil **will** have a high enough level of impurity to **impart impurity to the man**, the cohen who is holding it.

In this case, even if those who brought the sacrifice are impure, they are allowed to eat from it.

## Perek 7– 79a

This is because **originally, when the sacrifice was being performed**, it was **with** a cohen who was **impure himself**, an act that normally bears a punishment of *karet*,<sup>11</sup> that **it is being performed**.

**But if the knife became impure with the impurity of a *sheretz*,**<sup>12</sup> the knife cannot render a man impure. It emerges **that** the knife only **causes impurity to the meat**, but **to the man, it does not cause impurity**. Since in this situation only the meat of the sacrifice becomes impure from the knife, the law is:

Those **who are pure, perform it**. I.e. only such people may bring a Pesach offering. But those **who are impure do not perform it**.

For **it is preferable that he should eat** the Pesach offering **with impurity of the meat**, which transgresses a **negative** Torah mitzvah bearing the standard punishment of lashes. **And he should not eat the meat when he himself is impure, which** bears the severe punishment of *karet*.

\*

The Gemara discusses Rav Chisda's ruling: **We see that Rav Chisda holds** that the prohibition of offering sacrifices in **impurity is merely superseded for public** sacrifices, in a case where the majority of the congregation is impure. I.e. it is not completely permitted. That is why the scope of Rav Chisda's ruling is so limited.

For if impurity were completely permitted for public sacrifices, we would be unconcerned about which degree of impurity affects it.

**And similarly said Rabbi Yitzchak: Impurity is superseded for public** sacrifices.

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<sup>11</sup> Spiritual excision.

## Perek 7– 79a

**And Rava said:** Although impurity is indeed superseded for public sacrifices, nevertheless, **even those who are impure may also perform** the Pesach offering, although the service utensils became impure only from *sheretz* impurity. This is because the fact that the meat became impure is sufficient to supersede the prohibition. And once it is superseded, the more severe impurity of the people themselves is included in this.

**What is the reason?**

**As it is written:** “**And the meat that touches anything impure shall not be eaten. It shall be burnt in fire.**” The following verse says, “**And the meat, anyone pure may eat meat.**” This is a Scriptural comparison between eating consecrated meat that is impure, and someone who is himself impure eating consecrated meat.

Thus: **Wherever we apply the verse “and the meat which touches anything impure shall not be eaten,”** we also **apply the verse, “and the meat, anyone pure may eat meat,”** thereby excluding someone who is impure.

And **wherever we do not apply the verse “and the meat which touches anything impure shall not be eaten,”** such as a Pesach offering brought in impurity, **we do not apply the verse “and the meat, anyone pure may eat meat.”** Consequently, even someone who is impure himself is not excluded from eating from its meat.

\*

**It was said** in a statement of Amoraim regarding our Mishnah:

**Note that when the non-cohanim are half pure and half impure,** there is a disagreement over the Halachah:

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<sup>12</sup> One of the eight types of crawling creatures mentioned by the Torah as having impurity.

## Perek 7– 79a

**Rav said: Half and half is like the majority**, i.e. it is considered in certain ways as if the majority are impure. This will be explained.

**And Rav Cahana said: Half and half is not like the majority.**

The Gemara explains: **Rav said: Half and half is like the majority**, and therefore **those** who are pure **perform it by themselves** in purity, and they are forbidden to perform it in impurity. We consider the ones who are pure like the majority, thus forbidding them to join those who are impure.

**And** at the same time, **those** who are impure **perform it by themselves** while impure. In this respect we also consider those who are impure as the majority, and they are not deferred to Pesach Sheni, but perform it on the fourteen of Nisan while impure.

**And Rav Cahana said: Half and half is not like the majority**, therefore **those who are pure perform** the offering on **the first** Pesach, **and those who are impure perform it** on Pesach **Sheni**, as would individuals who were impure.

\*

**There are those who say:**

That which **Rav Cahana said**, that **half and half is not like the majority**, this is what he meant:

**Those who are pure perform** the offering on **the first** Pesach.

## Perek 7– 79B

### **Ammud Bet**

**And those who are impure do not perform it either on the first Pesach or on Pesach Sheni.**

The reason is: Those who are impure **do not perform** it on **the first, because they are not the majority.**

**And at Pesach Sheni they also do not perform** it, since **they are not the minority** who are conferred by the Torah with the unique opportunity to bring their offering then.

\*

The Gemara raises a difficulty to Rav, from our Mishnah:

**It was taught** in the Mishnah: **If the congregation or its majority became impure, or the cohanim were impure and the congregation was pure,** even those who are pure **may perform** the sacrifice **in impurity.**

It may be inferred: When the impurity affects “**Its majority,**” **that is when** those who are pure may **perform** their offering on the first Pesach **in impurity. But** if it is **half and half,** then those who are impure **do not perform** their offering on **the first** Pesach at all.

This **a difficulty for Rav** who said: Even those who are impure perform their offering on the first Pesach.

**Rav would say to you:** We should rather draw the following inference:

## Perek 7– 79B

When **the majority** of the congregation becomes impure, **they all perform it in impurity**, even those who are pure.

But when it is **half and half**, then **those** who are pure **perform it by themselves** in purity, **and those** who are impure **perform it by themselves** in impurity.

And in fact we may bring a support for Rav from our Mishnah: **Here also, it stands to reason** that the Mishnah is saying as Rav did:

**For note that it was taught** in the **latter clause** of the Mishnah: If **the minority of the congregation became impure**, then **those who are pure perform** their offering on **the first Pesach**, **and those who are impure perform** their offering on Pesach **Sheni**.

This implies that **it is the minority who perform** their offering on Pesach **Sheni**. **But half and half does not; and they perform** it on **the first** Pesach. And they perform it in the following fashion: **these** who are pure **perform it by themselves** and **those** who are impure **perform it by themselves**.

\*

Now that the Gemara has brought support from the Mishnah for Rav, the Gemara discusses the view of Rav Cahana:

**Rather**, this would pose **a difficulty for Rav Cahana!**

Rav Cahana would **say to you**: Instead of interpreting the Mishnah as Rav did, we should rather draw the following inference from the latter clause of the Mishnah:

## Perek 7– 79B

If **the minority of the congregation becomes impure**, then **those who are pure perform** their offering on **the first Pesach**, **and those who are impure perform** their offering on Pesach **Sheni**.

**Thus** in the case of **half and half**, **those who are pure perform** their offering on **the first Pesach**, **but those who are impure do not perform** it at all—**neither on the first Pesach**, **nor** on Pesach **Sheni**. This accords with the second version of Rav Cahana’s view.

\*

The Gemara raises a difficulty: **Granted that according to the last version of Rav Cahana’s view**, the above explanation of the Mishnah may be given.

**But according to this first version of what Rav Cahana said**, that **those who are pure perform** their offering on **the first Pesach**, **and those who are impure perform** their offering on Pesach **Sheni**, **what can be said** to explain the Mishnah? For the latter clause of the Mishnah implies that that if it was a case of half and half, the ones who are impure are not deferred to Pesach Sheni.

**Rav Cahana would say to you: It is the same law. Even** in a case of **half and half also**, it is like when the minority of the congregation becomes impure. Thus, **the ones who are pure perform** their offering on **the first Pesach**, **and the ones who are impure perform** it on Pesach **Sheni**.

**And that which was taught** in the latter clause— If “**the minority of the congregation**” became impure—it is not coming to exclude the case of half and half. Rather, **since it was taught** in the **first clause “its majority,”** **it also was taught** in the **latter clause “minority,”** in order to maintain parallel phrasing. Yet the case of half and half has the same law as that of the minority.

## Perek 7– 79B

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**It was taught** in a Baraita **in accordance with Rav.**

And **it was taught** in two Baraitot **in accordance with Rav Cahana, like the two versions** of his view.

**It was taught** in a Baraita **in accordance with Rav:**

**If the non-cohanim were half pure and half impure, then these perform by themselves and those perform by themselves.** This is like Rav.

**It was taught** in a Baraita **like the first version of Rav Cahana's view:**

**Note that if the non-cohanim were half pure and half impure, then the ones who are pure perform** their offering on **the first Pesach, and the ones who are impure perform** their offering on Pesach **Sheni.** This is like the first version of Rav Cahana's view.

**And it was taught** in a Baraita **in accordance with the last version of Rav Cahana:**

**If the non-cohanim were half pure and half impure, then the ones who are pure perform** their offering on **the first Pesach, and the ones who are impure do not perform** their offering at all, **neither on the first Pesach nor** on Pesach **Sheni.** This is like the last version of Rav Cahana's view.

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The Gemara now explains these Baraitot according to all the views.

## Perek 7– 79B

1. **According to Rav and the last version of Rav Cahana**, a difficulty arises with **that which was taught** in a Baraita: **The ones who are pure perform** their offering on **the first** Pesach, and **the ones who are impure perform** it on Pesach **Sheni**. For this indicates that the first version of Rav Cahana's view is the Halachah. **How do they explain it?**

They would say that it is speaking, **for example**, of a case that **the non-cohanim** as a whole **were half pure and half impure, and the women** were the ones who **completed the half of the ones who are impure**. Thus the males alone comprise a minority of impure people. Only if we count the women, who are mostly impure, do we find that half the non-cohanim are impure.

**And this Tanna** of the Baraita **holds** the view: **Women's participation in the first Pesach is optional**, and certainly in Pesach Sheni. They have no obligation to bring a Pesach offering.

Therefore we consider the males by themselves, and say: **Remove the women from the count of the ones who are impure, and the ones who are impure are now the minority. And the minority is deferred to Pesach Sheni.**

But the case of half and half of males alone is not mentioned in this Baraita.

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2. **According to Rav and according to the first version of Rav Cahana**, a difficulty arises with **that which was taught** in a Baraita: **The ones who are pure perform** their offering on **the first** Pesach, and **the ones who are impure do not perform** their offering at all, **neither on the first Pesach nor on Pesach Sheni**. were the ones who **completed** **How do they explain it?**

## Perek 7– 79B

**Rav** who holds that half are considered like the majority, and they perform it on the first Pesach, **this is how he explains it:**

It is speaking, **for example**, of a case that **the male non-cohanim** by themselves **are half impure and half pure. And the women increase the ones who are pure**, since the women are mostly pure. Therefore when we count the women with them, there are more pure than impure.

**And this Tanna** of the Baraita **holds** the view: **Women's participation in the first Pesach is an obligation** and they count towards the majority. However, **with** regards to Pesach **Sheni**, their participation is **optional**, and they are not counted towards the majority.

It emerges that the ones who are impure **on the first Pesach, they do not perform** the offering then. For **they are the minority** of the total public obligated to bring the Pesach offering then. **And the minority** who are impure **do not perform** their offering on the first Pesach.

**And on Pesach Sheni, they** the impure also **do not perform** it. This is because the women are not obligated in Pesach Sheni. Therefore, we **remove the women from their count, and they will be only half and half. And half** the congregation **does not perform** its offerings on Pesach **Sheni**—only individuals may do so.

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**And according to Rav Cahana** in the first version, **who said** that **half** who are impure **also perform** their offering **on Pesach Sheni, he explains** the problematic Baraita, which ruled that in a case of half and half the ones who are impure do not perform their offering at either time, **like this:**

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It is speaking, **for example**, of a case that **the non-cohanim were half pure and half impure, and the women** were the ones who **completed** the half **who are pure**. Thus the males alone were mostly impure. The only way there is half pure and half impure is if we count the women, who are mostly pure.

And this Tanna **holds** the view: **Women's participation in the first Pesach is an obligation, and in Pesach Sheni, optional.**

Therefore **on the first** Pesach, **they** the impure **do not perform** their offering, because **they are half and half**. And **half** of the congregation **do not perform** their offering on **the first** Pesach in impurity. Only a majority may do so.

And **on Pesach Sheni, they** the impure **also do not perform** their offering, because the women are not obligated in Pesach Sheni. Therefore, **remove the women from their count, and the impure will be the majority. And the majority do not perform on Pesach Sheni.**

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3. **And according to Rav Cahana**, a difficulty arise with **that which was taught** in a Baraita: **Note that when the non-cohanim are half pure and half impure, these perform it by themselves and those perform it by themselves**. For this implies that the Halachah is in accordance with Rav. **How will he explain it?**

**Rav Cahana would say to you:** In truth, this Baraita does not accord with my view. This matter is subject to a disagreement **of the Tannaim**, and I hold like the other Tannaic view.

**There is one** Tanna, whose view is expressed in the problematic Baraita, **who says: Half and half is like the majority. And there is one** other Tanna, whose view is expressed in

## Perek 7– 79B

the Baraita brought earlier as a support for Rav Cahana, **who says: Half and half is not like the majority.**

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Regarding the above-mentioned statement **itself: Note that when the non-cohanim were half pure and half impure, these perform it themselves in purity, and those perform it themselves in impurity.**

**If the impure ones were more than the pure ones, even by one, then the pure ones as well may perform it in impurity, because the public sacrifice is not divided.**

**Rabbi Elazar ben Matia says: The individual cannot tip the balance of the public to perform it in impurity.** Only when the impure form a majority of two or more may the pure ones perform it in impurity. **As it says...**

# Chavruta Pesachim – Daf Peh

Translated by: *Rabbi David Schallheim*  
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**[If the impure ones were more than the pure ones, even by one, then the pure ones as well may perform it in impurity, because the public sacrifice is not divided.]**

**Rabbi Elazar ben Matia says: The individual cannot tip the balance of the public to perform it in impurity.** Only when the impure form a majority of two or more may the pure ones perform it in impurity. **As it says:]**

**“You may not slaughter the Pesach offering in one of your cities”** (*Devarim*<sup>1</sup> 16:5). We derive from this verse: You may not slaughter the Pesach offering for the sake of one. I.e. for the sake of one man you may not slaughter it, thus one individual who slaughters his Pesach should not tip the balance (*Rashi*).

**Rabbi Shimon says:** We do not require the majority of the whole people of Israel to be impure, to bring the Pesach offering in impurity. Rather, **even if only one tribe of Israel is impure, and the rest of the tribes are pure,** we consider the tribe to be a congregation.

And therefore: **These**, the impure tribe, **perform for themselves** the Pesach offering in impurity, and are not deferred until Pesach Sheni.<sup>2</sup>

**And those**, the rest of the tribes, **perform it for themselves** in purity.

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<sup>1</sup> Deuteronomy

<sup>2</sup> The Second Passover, on the 14<sup>th</sup> of Iyar, as it was said: “Speak to the children of Israel saying, If any man will become contaminated through a human corpse, or is on a distant journey, whether among you or in future generations, he shall perform a Passover offering for Hashem. In the second month, on the fourteenth day, in the afternoon, they shall perform it” (*Bamidbar/Numbers* 9:10-11).

## Perek 7 – 80a

**What is the basis of the view of Rabbi Shimon? He held that one tribe is called “kahal,”** congregation. Therefore, one tribe is considered to be as a congregation, which is not deferred to Pesach Sheni.

**Rabbi Yehudah** adds on to Rabbi Shimon’s words, and **says: Even if one tribe is impure and all the other tribes are pure,** the entire people of Israel **may perform** the Pesach offering **in impurity,** because of the one tribe that performs it in impurity. The reason is because **a public sacrifice is not divided.**

The Gemara explains his view. **Rabbi Yehudah held the view that one tribe is called “kahal,”** and therefore there is an impure congregation, and the rest of Israel, who are pure, are a pure congregation. This makes them as if **they were half and half. And a public sacrifice is not divided** even half and half, **and therefore all of them may perform** the Pesach offering **in impurity.**

Whereas Rabbi Shimon held that the principle of “a public sacrifice is not divided” does not apply when they are half and half.

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**It was said** in a statement of Amoraim, regarding the following case: The people of **Israel were half impure and half pure.**

**Rav said:** We should **render one** of the pure people **impure, with a sheretz,**<sup>3</sup> thereby creating an impure majority. And then all of Israel may perform the Pesach in impurity.

The Gemara raises a difficulty: **And why** should we render one of them impure?

## Perek 7 – 80a

**Allow these** who are **impure to perform** the Pesach offering in impurity **by themselves**, **and those** who are pure to perform it **by themselves** in purity. **For Rav said** on the previous *daf* that in such a case, **these perform by themselves and those perform by themselves**.

The scholars of the study hall **said** in explanation: **What are we dealing with here? For instance, that the impure were more than the pure, by one individual alone.**

This answer is untenable, and the Gemara immediately challenges it:

**If so**, it would be even more difficult, because **the majority would already be impure**, **and we should allow them all to perform** the Pesach offering **in impurity** without further ado. Why do we need to render one more of them impure with the *sheretz*?

The Gemara answers: Rav **held like Rabbi Elazar ben Matiya, who said** in the Baraita above: **The individual cannot tip** the balance of **the public to perform it in impurity**.

This answer is also untenable, and the Gemara immediately challenges it:

**If so, the difficulty remains unresolved.** For according to Rabbi Elazar ben Matiyah, when there is a majority of impure by only one, it is judged as half and half.

Therefore, we should **allow these to perform** the Pesach offering **by themselves** in impurity, **and those to perform by themselves**, in purity!

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<sup>3</sup> One of the eight species of small creeping animals listed in *Vayikra/Leviticus* 11:29 as having impurity.

## Perek 7 – 80a

The Gemara now resolves the difficulty raised with Rav's statement. **Rather**, Rav was dealing with a case where there were exactly half pure and half impure, **and this** is what Rav was saying:

**If there is a Tanna who holds** regarding one issue **like the view of the first Tanna** (Rabbi Shimon in the Baraita above), that when the congregation is half/half, then the entire congregation may not bring the Pesach offering in impurity, rather each half performs it separately—

**And** regarding another issue, this same Tanna **holds the view of Rabbi Yehudah** of the Baraita above, **who said: A public sacrifice is not divided**, even in a case of half/half. Thus each half could not perform it separately. This is because it is degrading to split up, for it is apparent that these are avoiding contact with those.

What should they do, then, according to this hypothetical view? We should **render one of them impure with a *sheretz***, and then the entire congregation would bring in impurity.

\*

**And Ula said:** In such a case, **one** of the pure **is sent away on a distant journey**, outside of Jerusalem, and he will not be counted for either side. As a result, the majority will be impure and they will bring the Pesach offering in impurity.

The Gemara raises a difficulty: Why is Ula's solution preferable to Rav's? **And let them render one person impure with a *sheretz***, like Rav said! Then, even this person will be able to bring the Pesach offering on the fourteenth of Nisan, as is commanded in the Torah.

## Perek 7 – 80a

The Gemara answers: Ula **held that** even in normal circumstances, **they may slaughter** the Pesach offering **and throw** its blood on the Altar **even for** a person who is **impure** from a *sheretz*. With this light form of impurity, he need only immerse himself in a *mikveh*<sup>4</sup>, and on Pesach night he will already be pure and fitting to eat from the meat of the Pesach offering. Therefore as far as the Pesach offering is concerned, he is judged as pure—and the congregation remains half/half.

Rav, however, held the view that they may not perform the Pesach offering for a person impure from a *sheretz*, just as they may not do so for a person impure from a corpse. For at the time that its services are performed, he is not yet fitting to eat from the meat. Therefore, the person impure from the *sheretz* counts among the impure, and the whole congregation may bring it in impurity.

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The Gemara raises a difficulty with Ula's view. **And they should render him impure with a corpse**, rather than sending him away!

The Gemara answers: Impurity from a corpse lasts for seven days, and if they would render him impure from a corpse, **they would avert him even from** bringing a *chagigah*<sup>5</sup> offering, which he is obligated to bring some time during the festival. Therefore he is sent away on a distant journey, but close enough so he can return and bring the *chagigah* during the week of the Pesach festival.

The Gemara raises a difficulty: **Here as well**, if you will send him away on a distant journey, **you are averting him from his Pesach** offering. What is the difference if we prevent him from the Pesach offering, which was acceptable to Ula, or if we prevent him from the *chagigah* offering, which was not acceptable to Ula?

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<sup>4</sup> Purifying pool

## Perek 7 – 80a

The Gemara answers: You will not be averting from the Pesach offering entirely, because **it is possible** for him **to perform** his Pesach offering on Pesach **Sheni**.<sup>6</sup>

The Gemara raises a further difficulty: They could render him impure from a corpse, yet he could still bring the *chagigah*. When they render him impure **with a corpse, it is also possible to perform** his *chagigah* **on the seventh day** of Pesach. **This would be** the impure person's **eighth day**, counting from the day he was made impure, and he will be permitted to eat from the offering.

The Gemara answers: **Ula held that all** of the seven days during which the *chagigah* offering may be brought are no more than a **repayment for** failure to bring it on **the first day**, when he was obliged to.

Therefore, someone **who was fitting** to bring the *chagigah* **on the first day will be fitting** to bring it **on all** the seven days, and he may make repayment for failure to perform his obligation. But **anyone who was not fitting** to bring it **on the first day**, since he was impure, **is not fitting** to bring it **on all** the rest of the days, as he is not regarded as having failed to fulfill his obligation.

**Rav Nachman said to them** to the scholars who reported to him Ula's view:

**Go and tell Ula: Who would listen to you, to uproot his pegs and tent, and run** far away on a distant journey? I.e. this solution is problematic, since there is no individual upon whom rests the obligation to get up and leave. On the contrary, every Jew in the vicinity of Jerusalem has a Torah-ordained mitzvah to bring his Pesach offering on that day. Therefore Rav's solution is preferable, and they should render one of them impure with a *sheretz*.

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<sup>5</sup> The Festival offering.

## Perek 7 – 80a

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Introduction:

The impurity of *zavim*<sup>7</sup> is not superseded by the obligation to bring the Pesach offering. Even if most of the congregation was impure from a corpse and the Pesach would be brought in impurity, the *zavim* may still not bring it.

If the *zavim* were the minority of the congregation, they would bring the Pesach offering on Pesach Sheni. But if the majority of the congregation were *zavim*, they do not bring a Pesach offering at all.

They do not bring the offering in its time, the 14<sup>th</sup> of Nissan, (*Pesach Rishon*), because the impurity of *zavim* is not superseded in order to bring the Pesach offering. And they do not even bring on *Pesach Sheni*, because they were a congregation, and an entire congregation is not deferred to *Pesach Sheni*, only individuals are deferred.

**It was said** in a statement of Amoraim:

**If the majority of Israel were *zavim*, and the minority were impure from a corpse—**

**Rav said: Those impure because of the corpse do not perform** the Pesach offering, **not on Pesach Rishon**<sup>8</sup>, (the 14<sup>th</sup> of Nissan), **and not on Pesach Sheni**, as will be explained—

**On Pesach Rishon they do not perform it, because** those impure from the corpse **are the minority** of Israel, since the *zavim* who are the majority do not count with them,

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<sup>6</sup> The Second Pesach, on the 14<sup>th</sup> of Iyar.

<sup>7</sup> Men who are impure due to a certain discharge resembling semen.

<sup>8</sup> The first Pesach

## Perek 7 – 80a

because their impurity is not permitted even as a congregation. **And a minority does not perform** the Pesach offering **on Pesach Rishon** in impurity.

**On Pesach Sheni they do not perform it as well**, because **anywhere that the congregation performs** the Pesach offering **on Pesach Rishon, the individual performs on Pesach Sheni**; but **anywhere that the congregation does not perform** the Pesach offering **on Pesach Rishon, the individual does not perform on Pesach Sheni**.

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**Shmuel said to them** to those who reported to him Rav's view: **Go tell Abba**, which was the name of Rav:

According to your words, a difficulty arises with the verse: **“The Children of Israel shall perform the Pesach offering in its appointed time”** (*Bamidbar*<sup>9</sup> 9:2)—**what will you do** with this verse? According to your view, there is a situation in which Israel will not bring the Pesach offering in its appointed time, which contradicts the command contained in this verse!

Surely, the people impure from a corpse should bring their Pesach offering in impurity on Pesach Rishon, in fulfillment of this verse.

When the scholars came to Rav and told him of Shmuel's view, he **said to them**:

**Go tell him** Shmuel:

**If all of Israel were zavim**, even you would agree they do not bring the Pesach offering on Pesach Rishon. And if so, **what do you do** with the verse you cited? For even you

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<sup>9</sup> Numbers.

## Perek 7 – 80a

must admit that there is a situation in which all of Israel is prevented from bringing the Pesach offering in its appointed time!

**Rather**, you are forced to say that **since it is not possible** to fulfill the verse in that situation, **it is not possible**. **Here too**, in the situation I was discussing, **it is not possible**. Thus, the entire congregation of Israel will not bring the Pesach offering on Pesach Rishon.

\*

**It was said** in a statement of Amoraim:

**If the majority** of Israel **were impure due to a corpse**, and therefore the congregation was going to bring the Pesach offering in impurity, **and a minority were *zavim***, who may not bring their Pesach offering even in such a case—

**Rav Huna said:** The *zavim* will not bring a Pesach offering even on Pesach Sheni, because Pesach Sheni is actually a repayment for an obligation that was not performed on Pesach Rishon. And **there is no repayment for a Pesach** Rishon in which the majority of the congregation **brought in impurity**, as the Gemara will explain.

**Rav Ada bar Ahava said:** The *zavim* do bring a Pesach offering on Pesach Sheni, because **there is indeed repayment** on Pesach Sheni **for a Pesach** offering **brought** on Pesach Rishon **in impurity**, as the Gemara will explain.

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**Let us say they are differing over this point:**

**The view (Rav Huna) that said there is no repayment for the Pesach brought in impurity held that impurity is merely *superseded* for a public sacrifice, but not completely permitted.**

Therefore, the congregation was judged as having the state of impurity. And when the congregation is impure, the individual is not deferred to Pesach Sheni.

**And the view (Rav Ada bar Ahava) that said there is indeed repayment for the Pesach brought in impurity held that impurity is completely *permitted* for a public sacrifice. Since it is permitted, the congregation is judged as pure. And when the congregation is pure, the individual is deferred to Pesach Sheni.**

\*

**They** the scholars of the study hall rejected this explanation, and **said: No**, the premise of this explanation is not correct. It is based on the premise that all views would agree that when the congregation is judged as impure, they do not defer the individual to Pesach Sheni.

Rather, **everyone agrees that impurity is *superseded* for a public sacrifice**, and they are judged as impure. And **in this they disagree**:

**The first master (Rav Huna) holds the view:**

## Perek 7 – 80B

### **Ammud Bet**

The **purity** of the rest of the congregation is what **defers** the individual to Pesach Sheni, but **impurity** of the congregation **does not defer** the individual to Pesach Sheni. Therefore, in this case the individual is not deferred to Pesach Sheni.

**And the other master** (Rav Ada bar Ahava) **holds** the view: **Even impurity** of the congregation **defers** the individual to Pesach Sheni **as well**.

\*

**It was said** in a statement of Amoraim:

**A third** of Israel were *zavim*, and a third pure, and a third impure due to contact with a corpse.

**Rabbi Mani bar Patish said:** Those who were impure from a corpse do not perform a Pesach offering on Pesach **Rishon**, and not on Pesach **Sheni**, as will be explained.

They **do not perform on** Pesach **Rishon**, because those who are *zavim* are added to the count of the pure individuals, because the *zavim* do not perform a Pesach offering in impurity. It emerges that those who are impure from a corpse are the minority compared to the other two and a minority does not perform a Pesach offering in impurity on Pesach **Rishon**.

**On Pesach Sheni**, those impure from a corpse **cannot perform** the Pesach offering either, because when we consider who is deferred to Pesach Sheni, the *zavim* are added to the count of those impure from a corpse, because the *zavim* do not perform a

## Perek 7 – 80B

Pesach offering **in impurity**. Thus, **they** the deferred ones **are the majority, and** the rule is that **a majority is not deferred to Pesach Sheni**.

### **Mishnah**

In the case of a **Pesach offering** of an individual, **the blood of which was thrown on the Altar, and afterwards it became known that the blood was impure**. The Halachah is that **the *tzitz*<sup>10</sup> atones** for it, and the offering is accepted on High. Therefore, this individual need not bring a Pesach offering on Pesach Sheni (*Rashi*)

However, if the person **himself** bringing the offering **was impure, the *tzitz* does not atone** for his offering, and it is judged as invalid, even after the fact. The proof the Mishnah will bring for this Halachah is from a teaching that speaks of the laws of a Nazirite.

A Nazirite is someone who took a vow to abstain from wine, avoid becoming impure, and not to cut his hair. If he fulfills his vow successfully, at the end of his period as a Nazirite he shaves his head and brings certain offerings. This person is termed a “pure Nazirite.”

However, a Nazirite who became impure during the period of his vow must begin the count of days again. He must count seven days of impurity, shave his head, and bring offerings to atone for his impurity. He then restarts the period of his vow. Based on this, the Mishnah now brings a proof to the above Halachah.

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<sup>10</sup> The golden plate worn on the forehead of the Cohen Gadol, the High Priest. It had the power to cause certain sacrifices to be accepted on High, which would otherwise be judged invalid.

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**Because they** the earlier Sages **said:** For **the pure Nazirite** who brings his offerings after fulfilling the period of his vow, **and** for the one who **performs his Pesach offering, the tzitz atones for the impurity of the blood** of the Nazirite offerings and of the Pesach offering.

**But the tzitz does not atone for the impurity of himself.**

However, if the Nazirite or the one bringing the Pesach offering **became impure from the impurity of the depths**, i.e. impurity due to passing over a grave that no one knew about, then the **tzitz does atone**. This is a Halachah taught orally to Moshe<sup>11</sup>, at Sinai. It is not derived from Scripture.

### **Gemara**

The Mishnah taught that the *tzitz* atones for the Pesach offering whose blood was thrown on the Altar, and afterwards it became known that the blood was impure.

This implies **that the reason** the *tzitz* atones is **because** the blood **was** already **thrown and afterwards it became known** that the blood was impure.

**But if it was known** that the blood was impure **and afterwards it was thrown**, then the *tzitz* **does not atone**. This is because the *tzitz* does not actually permit the Cohanim to throw the impure blood. It merely atones for it, after the fact. This does not apply where the impurity was known at the time of throwing.

**And they posed a contradiction to this**, from a Baraita: **For what does the tzitz atone? For blood** that became impure, **and for the flesh and for the fats that became impure,**

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<sup>11</sup> Moses.

## Perek 7 – 80B

**whether** the blood was thrown **unintentionally or intentionally, whether accidentally or on purpose, whether as an individual or for the congregation.**

The Baraita states that the *tzitz* atones even if the cohanim transgressed intentionally and threw the blood on the Altar after it was known to be impure, which contradicts the Gemara's inference from our Mishnah.

**Ravina said** in answer: **Its impurity, whether** it resulted **unintentionally or intentionally, attains atonement.** In other words, when the Baraita said “unintentionally or intentionally,” it was referring to how the blood originally became impure. It teaches that the *tzitz* atones even if the blood was rendered impure intentionally. However—

**Its throwing is atoned for** only if thrown **unintentionally**, when no one yet knew it was impure. But if thrown **intentionally**, after he knew it was impure, the *tzitz* **does not atone**, just as the Gemara inferred from our Mishnah.

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**Rabbi Shilo said** a different solution to the contradiction: **The throwing** of the impure blood, **whether** it was done **unintentionally or intentionally, is atoned for.** Rabbi Shilo held the view that even if the cohen knew the blood was impure, the *tzitz* atones.

Whereas **its** the blood's **impurity is atoned for** only if originally, it was rendered impure **unintentionally. But** if it was rendered impure **intentionally, it is not atoned for.**

**And rather** this is how we are to understand **that which what was taught** in the Baraita: **Whether unintentionally or intentionally,** the *tzitz* atones. It does not mean to say that it atones even if the blood was rendered impure intentionally. Rather—

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**This is what the Baraita was saying:** If the blood became impure unintentionally, and the cohanim **threw** the blood on the Altar, **whether unintentionally or intentionally**, the *tzitz* atones.

**And** regarding the apparent contradiction to this solution, from **that which was taught** in our Mishnah: **The Pesach offering whose blood was thrown on the Altar, and afterwards it became known that the blood was impure**, the *tzitz* atones. This implies **that the reason** the *tzitz* atones for it is **because** the blood was **thrown and only afterwards it became known** it was impure. **But if it was known** it was impure **and afterwards** the blood was **thrown**, then the *tzitz* **does not atone**—

In truth, **the same halachah** applies **even when it was known** the blood was impure **and afterwards it was thrown**. **And that which was taught** in the Mishnah: **“It was thrown and afterwards it was known”** was not phrased that way for the sake of drawing from it any inference.

Rather, it was phrased that way was **because** the Tanna **wished to teach in the Mishnah’s latter clause:** If the person **himself** bringing the offering **became impure**, the *tzitz* **does not atone** for him. **For** regarding the person’s own impurity, **even if the blood was thrown and afterwards it became known** to him that he was impure, the *tzitz* **does not atone**. Thus, in order to maintain parallel phrasing, **the Tanna taught in the first clause as well: It was thrown and afterwards it was known**. But no inferences may be drawn from this.

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It was taught in our Mishnah: If the Nazirite or the one bringing the Pesach **became impure from the impurity of the depths**, which was unknown to all, then the *tzitz* does atone.

**Rami bar Chama posed an inquiry:** Regarding the **cohen who offers the sacrifices** of the Nazirite and the Pesach, **is impurity of the depths permitted for him**, just as it is permitted for the one who brings these offerings to the Temple, **or not?**

The Gemara elaborates on the inquiry: **Do we say that** the Halachah of Moshe from Sinai that **taught** about impurity of the depths applies only **for the owners** of the sacrifices, but it **did not teach about the cohen** who performs the services?

**Or perhaps, it taught** that **the sacrifice** itself is permitted. If so, **it does not make a difference whether** it is the impurity of **the cohen or of the owners**. Either way, the *tzitz* should atone.

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**Rava said** in answer to the inquiry: **Come and hear** a proof that it is permitted even for the cohen: **Rabbi Chiya taught** in a Baraita: **The halachah regarding impurity of the depths was said only** in regards to impurity **from a corpse**, but for other forms of impurity there is no such leniency.

Rava examines the Baraita: **What does** the expression “impurity **from a corpse**” **come to exclude? Is it not to exclude the impurity from a *sheretz*<sup>12</sup> of the depths?**

**And what are we dealing with?** I.e. what impurity does the Baraita exclude—that of the owners or that of the cohen?

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**If we shall say the owners’** impurity from a *sheretz* of the depths is excluded from the leniency—

**And with whom** are we dealing? The Nazirite who became impure or the one who brings a Pesach offering—

This cannot be the case. Because **if** it is **with a Nazirite** who became impure from a *sheretz*, and we are discussing his count of the period of his vow—

This makes no sense. For even a known impurity from a *sheretz*—**does it affect him?** Must he annul the count of days toward fulfillment of his vow because of such an impurity? Certainly not, because—

**“If a person should die near him”** (*Bamidbar* 6:9), **said the Merciful One** i.e. the Torah. His count is annulled by impurity from a human corpse, not from a *sheretz*.

**Rather**, we shall say that the Baraita is referring to the case of the Pesach offering. It is excluding the **one who brings a Pesach offering** who became impure from a *sheretz* of the depths, and saying that the leniency does not apply to him. Thus his offering is not valid.

However, this explanation of the Baraita is not tenable either.

Because **this rests well with the view that said they do not slaughter and throw** the Pesach offering’s blood **for** owners who are **impure from a *sheretz***—even though they could immerse in a *mikveh*<sup>13</sup> and be pure by the evening in order to eat from its meat on Pesach night.

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<sup>12</sup> One of the eight species of small creeping animals listed in *Vayikra/Leviticus* 11:29, which have impurity.

<sup>13</sup> Purifying bath.

## Perek 7 – 80B

**But according to the view that said they may slaughter and throw** the Pesach offering's blood **for those impure from a *sheretz***, since he can immerse and be pure in the evening. If so, how would it be possible to say that the Baraita forbids the case of impurity of the depths? It should be permitted from a *kal vachomer*<sup>14</sup>!

Now that **known impurity** from a *sheretz* **is permitted**, i.e. he may bring the Pesach offering, the **impurity** from a *sheretz* **of the depths, all the more so** it is permitted!

**Rather**, Rava concludes his proof, **is the Baraita not dealing with the cohen?** It is saying that his service is invalid when he is known to be impure from a *sheretz*, and it is he that the Baraita excludes from service, although he was impure only from a *sheretz* of the depths?

**And hear from this** a proof: The cohen who is **impure** from a corpse **of the depths is permitted** to serve. That is why the Baraita needed to exclude the impurity from a *sheretz* of the depths. And this resolves Rami bar Chama's inquiry.

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### *Introduction:*

The *zav*, a man who is impure due to having a certain discharge resembling semen, if he had discharge only once, he has the relatively light impurity of *baal ker*, someone who had a regular semen discharge. He is impure only until the evening.

If he saw twice, though, he must count seven clean days before he can become pure, and he immerses on the seventh day. After immersing he still has the very light impurity of a *tevul yom*, until nightfall.

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<sup>14</sup> A fortiori reasoning.

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If he saw a discharge during his seven clean days, it disrupts his count and he must begin counting again seven clean days.

During the seven clean days, a *zav* cannot bring the Pesach offering. On the seventh day, since he can immerse and be pure in the evening, the halachah will depend on the previous disagreement whether “they may slaughter and throw the blood of a Pesach offering for those impure from a *sheretz*.” But after he immersed, they may slaughter and throw for him, as is the halachah with any other *tevul yom*.

If the *zav* sees three discharges, he must count seven clean days and also bring an atonement offering on the eighth day. Therefore he cannot bring a Pesach offering on his seventh day, because he is lacking the atonement offering. The law is that one who is lacking atonement may not eat from offerings, and there is no way he could eat from the Pesach offering on Pesach night.

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**Rav Yosef said**, refuting Rava’s answer to Rami bar Chama’s inquiry: **No**, it is not as you said—that the Baraita excludes cohanim from the leniency applying to the impurity of the depths, when the impurity is from a *sheretz*.

**In truth**, the Baraita is excluding **the owners** from impurity of the depths of other types of impurity.

**And it is regarding** one who brings a **Pesach** offering. Even other impurities prohibit him from bringing his Pesach offering.

The Baraita is not excluding the impurity of the depths from a *sheretz*, since he can become pure in the evening and eat from the Pesach offering.

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Rather, the Baraita **excludes the impurity of the depths of a zav**.

The Baraita excludes the case of a *zav* who saw two discharges, and the seventh day of his count was Erev<sup>15</sup> Pesach. If he would not have any discharge today, it would be possible to slaughter the Pesach offering for him, as we do for someone impure from a *sheretz*, since he will be pure in the evening.

However, after they slaughtered his Pesach offering and threw its blood, he had a discharge and disrupted his entire count retroactively. It emerges that he was not fitting to bring a Pesach offering in the first place.

This impurity that retroactively falls on the *zav* resembles the impurity of the depths, in that it was not known to any man at the time he brought his offering. For no one could know he would have an emission and disrupt his count.

And this is the case the Baraita excludes: although he did not know about his impurity and it is considered “impurity of the depths”, in any case, the *tzitz* does not atone for him, since it was not a case of impurity from a corpse.

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The Gemara raises a difficulty: **And** do you think that the **impurity of the depths of a zav is not atoned** for by the *tzitz*?

**But it was taught** otherwise, in a Baraita that deals with a special case similar to a *niddah*<sup>16</sup>:

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<sup>15</sup> The eve of...

<sup>16</sup> A woman impure due to menstrual blood.

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Normally, a woman who has menstrual blood is impure for seven days, immerses in a *mikveh* if the blood stopped, and becomes pure. This is the Halachah according to Torah law. (There are further Rabbinic restrictions.)

After seven days from the beginning of her menstrual flow, she enters the eleven-day period of *zivah*. This is the period during which her blood is not attributable to her menstrual cycle. If she sees blood three times on three consecutive days during this period, she is a *zavah gedolah*, and she must count seven clean days, similar to the *zav*. On the eighth day she brings offerings.

If she saw blood only one day during this period, she is a *zavah ketanah*, and she must “keep a day against a day”—meaning, she need count only one clean day alone. She immerses during that clean day, and is pure in the evening (assuming she had no more blood).

If the woman who is “keeping a day” saw blood later on that day, even after she immersed, her count is disrupted, since she did not complete the day in cleanliness. Now she has to keep a new day due to her original sighting of blood. She is considered impure retroactively, and her immersion is invalid.

**Rabbi Yossi says: One who keeps a day against a day, for whom they slaughtered and threw for her the Pesach offering’s blood...**

# Chavruta

## Pesachim – Daf Peh Al ef

Translated by: *Rabbi David Schallheim*

Edited by: *R. Shmuel Globus*

[The Gemara raises a difficulty: **And** do you think that the **impurity of the depths of a zav is not atoned** for by the *tzitz*?

**But it was taught** otherwise, in a Baraita that deals with a special case similar to a *niddah*<sup>1</sup>:

**Rabbi Yossi says: A woman who keeps a day against a day, for whom they slaughtered** the Pesach offering **and threw** its blood on the Altar **for her**] —

And she was **in her second** day, which was the first clean day she was keeping after the day when she saw blood, **and afterwards she saw** blood.

**She does not eat** the Pesach offering in the evening, because she is still impure, and she must keep a clean day tomorrow.

**And she is** nevertheless **exempt from performing** the Pesach offering on **Pesach Sheni**<sup>2</sup>. This is true even though it turned out retroactively that at the time she brought the Pesach offering she was actually impure as a *zavah*,<sup>3</sup> and not fitting to bring the offering.

**What is the reason** she does not need to bring an offering on Pesach Sheni?

**Is it not because the *tzitz* atones?** Her impurity was not known at the time of the offering, because no one could know she would see blood later in the day, and it resembles the impurity of the depths.

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<sup>1</sup> A woman impure due to menstrual blood.

<sup>2</sup> The Second Pesach. It is a month after the first Pesach of the fourteenth of Nisan, and it provides a second opportunity to bring the Pesach offering, for those unable to do so on the first Pesach.

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This provides a proof that the *tzitz* indeed atones for the impurity of the depths of a *zavah*, whose laws are very close to those of a *zav*.<sup>4</sup>

\*

**They** the scholars of the study hall rejected the proof, and **said: No**, the reason she is exempt from Pesach Sheni is different.

Rather, it is **because Rabbi Yossi held the view that only from this point on is she impure**, not retroactively.

Therefore, after her immersion she was a *tevulat yom*,<sup>5</sup> who may bring a Pesach offering.

Therefore, if she was clean for part of the day, and they brought a Pesach offering for her, even before she immersed (since it was possible for her to immerse and be pure in the evening), and even though she saw blood later, the offering is acceptable.

This is why Rabbi Yossi said she does not need to bring an offering on Pesach Sheni, and not because the *tzitz* atones.

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The Gemara challenges the way the proof was rejected.

**But it was taught** in a Baraita: **Rabbi Yossi says:**

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<sup>3</sup> A *zavah* is a woman who is impure due to a discharge of blood not attributable to her menstrual cycle.

<sup>4</sup> A man impure due to having a discharge similar to semen.

<sup>5</sup> One who immerses in the *mikveh*, purifying pool, and is completely pure only after nightfall.

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**A zav who saw two discharges** originally, and **they slaughtered** the Pesach offering **and threw** its blood **for him on his seventh** day, **and afterwards he saw** a discharge.

And similarly, a woman who keeps a day against a day, **that they slaughtered and threw** the **for her on her second** day, **and afterwards she saw** a blood discharge.

**Note that these** two people **have the impurity of *mishkav* and *moshav*<sup>6</sup> retroactively**, because their count was disrupted by the discharge.

**And they are exempt from performing** the Pesach offering **on Pesach Sheni**.

This Baraita shows that according to Rabbi Yossi, the impurity is retroactive. And yet, she is exempt from offering on Pesach Sheni. The reason must be because the *tzitz* atones for the impurity of the depths, of a *zavah*.

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**They** the scholars of the study hall **said** in reply: **What** does it mean, “**retroactively**”?

It is only **by Rabbinic law**. Thus by Torah law they were fitting to bring a Pesach offering when they did, and that is why they do not need to bring an offering on Pesach Sheni.

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**And even Rabbi Oshiya held** that according to Rabbi Yossi, the *zav* is **impure retroactively** only **by Rabbinic law**.

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<sup>6</sup> I.e. what they sit or lie on becomes itself a principal source of impurity

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As the Rabbis taught in a Baraita: Rabbi Oshiya says: But a *zav* who saw on his seventh day, this **disrupts** the count of the days **before him**, and he must begin counting seven clean days again.

**And Rabbi Yochanan said to him:** Why does this disrupt all the seven days?

**Only the day** he saw the discharge **should be disrupted**. And he will add just one more day to his count.

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The Gemara now interrupts what it began to say—that Rabbi Oshiya held that a *zav* is impure retroactively only by Rabbinic law. First, the Gemara poses a difficulty with Rabbi Yochanan’s view.

Whatever way **you wish** to look at it: **If** Rabbi Yochanan **held the view** that **he is impure retroactively**—meaning, if Rabbi Yochanan holds that a part of the day does not count as one of the seven clean days, and he is missing one clean day—

Then why did Rabbi Yochanan say that only the day he saw is disrupted? **Even all of them**, the seven clean days, **we should disrupt!**

Since he never completed the seven clean days, he cannot compensate for the day he saw a discharge by keeping another clean day, rather, he must begin the count again. It is written: “He shall count for himself seven days from his cessation” (*Vayikra*<sup>7</sup> 15:13). This teaches that there must be a complete continuation of purity without an impure day in between.

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<sup>7</sup> Leviticus.

## Perek 7 – 81a

**And if** Rabbi Yochanan **held the view that he is impure only from this point on**, because the seven clean days were completed by the part of the seventh day that was clean, since a part of the day is considered as the entire day—

Then **his day**—the seventh day when he saw the discharge—**we should not disrupt either**. Rather, he would be impure with a light impurity, only until the evening, as in the case when a *zav* saw a discharge for the first time.

**Rather**, based on this difficulty, we must **say** that the text reads as follows:

Rabbi Yochanan did not say that only his day is disrupted. What he really said was that since he is impure from this point on, **he should not be disrupted** at all, **and not even his day**. The seven days are complete, and he is impure with a light impurity, only until the evening.

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Now the Baraita continues:

**And he** Rabbi Oshiya **said to him** Rabbi Yochanan, who had stated: “He should not be disrupted at all, and not even his day!”

**Rabbi Yossi held a view similar to yours**. He also held that the impurity is only from this point on, because we find that he said in the Baraita above: The *zav* who saw a discharge on his seventh day is exempt from bringing a Pesach offering on Pesach Sheni.

Rabbi Oshiya must have held that when Rabbi Yossi said in the Baraita above that a *zav* makes impurity retroactively, it was only by Rabbinic law.

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What is the proof? The fact that Rabbi Oshiya said that Rabbi Yossi holds the view that a *zav* does not disrupt his count.

**But note that** it was taught in the same Baraita: **Rabbi Yossi says: They have the impurity of *mishkav* and *moshav* retroactively**, which implies clearly that the *zav* loses his count!

**Rather, do we not hear from this** that Rabbi Yossi must have meant that the *zav* and the woman who keeps a day have the retroactive **impurity of *mishkav* and *moshav* only by Rabbinic law?**

Indeed, we may **hear from this** a conclusive proof.

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The Gemara now returns to the previously discussed issue—does the Torah permit impurity of the depths for the impurity of the cohen himself? The doubt can be resolved according to the Rabbi Yossi’s view.

**And according to Rabbi Yossi, now that he said** that by Torah law, a *zav*’s discharge does not disrupt his count of clean days and make him impure retroactively, rather, **from this point on he is impure**—it emerges that there is no case of “impurity of the depths”<sup>8</sup> for a *zav* by Torah law, because he will not be impure retroactively.

Beforehand, the Gemara brought the Baraita in which Rabbi Chiya taught that the leniency of impurity of the depths applies only to impurity that the person received from a human corpse. (The leniency is that if his sacrifice was already slaughtered and its

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blood thrown on the Altar, and only then the person was found to have this type of impurity, his sacrifice is judged as valid, after the fact.)

The Gemara concluded that this excludes from the leniency someone who brings a Pesach offering while impure with “impurity of the depths” of a *zav*. Based on this conclusion the Gemara refuted Rava’s answer to Rami bar Chama’s inquiry.<sup>9</sup>

But this all this cannot be said according to Rabbi Yossi’s view, because he held there is in fact no case of “impurity of the depths” for a *zav*, by Torah law, since the impurity is not retroactive.

If so, how does Rabbi Yossi understand that which Rabbi Chiya taught: The leniency of impurity of the depths was said **only** in regards **to impurity from a corpse**? **What case is excluded** by this statement?

We are forced to say that the Baraita must be excluding the “impurity of the depths” of a *sheretz*<sup>10</sup>. And the person with this impurity is the cohen who performs the services of the Nazirite<sup>11</sup> offerings or of the Pesach offering. (See the discussion on this Baraita, on 80b.)

It is not possible to say it excludes the Nazirite himself if he is impure in this way, because such an impurity does not disrupt his count. Similarly, it is not possible to say it excludes someone who brings a Pesach offering who became impure in this way, because the Halachah is that we may bring the Pesach offering on behalf of one who is impure with the light impurity of a *sheretz*.

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<sup>8</sup> As explained previously, this term is used by the Gemara loosely, and refers to any impurity that was known to no one, at the time it started to take effect

<sup>9</sup> End of 80b.

<sup>10</sup> One of the eight species of small creeping animals listed in *Vayikra/Leviticus* 11:29 as having impurity.

<sup>11</sup> A Nazirite is someone who took a vow to abstain from wine, to avoid becoming impure, and not to cut his hair.

## Perek 7 – 81a

If so, **let us resolve** the inquiry that was raised on the previous *daf* **from here**. This inquiry concerned whether the leniency of impurity of the depths applies even to the cohen who performs the services, or only to the person who brings the offering. Let us now conclude **that for a cohen, the impurity of the depths is permitted for him** if he was impure from a corpse. For if not, the Baraita would not need to exclude the impurity of a *sheretz* from this leniency. And this resolves Rami bar Chama's inquiry.

\*

The scholars of the study hall rejected the proof. **They said: In truth**, the Baraita excludes the **owners** of the offering, i.e. those who brought the offering, from the leniency of impurity of the depths. **And** this applies to **the Pesach** offering alone, not to the Nazirite's offering.

Yet, someone with this light form of impurity may still bring his Pesach offering. So how could the impurity of the depths be treated stringently?

This is not a difficulty. Rabbi Yossi **held** the view that **one may not slaughter** a Pesach offering **and throw** its blood on the Altar **for someone impure from a sheretz**.

Therefore, it was necessary to exclude such an impurity from the leniency applying to the impurity of the depths. Thus the Baraita teaches that even the case of unknown impurity is not permitted, because the Torah only permits the impurity of the depths of impurity from a human corpse alone.

c c õ d d

## Perek 7 – 81a

The Gemara raises a difficulty with Rabbi Yossi's view.

*Introduction:*<sup>12</sup>

Normally, a woman who has menstrual blood is impure for seven days, immerses in a *mikveh* if the blood stopped, and becomes pure. This is the Halachah according to Torah law. (There are further Rabbinic restrictions.)

After seven days from the beginning of her menstrual flow, she enters the eleven-day period of *zivah*. This is the period during which her blood is not attributable to her menstrual cycle. If she sees blood three times on three consecutive days during this period, she is a *zavah gedolah*, and she must count seven clean days, similar to the *zav*. On the eighth day she brings offerings.

If she saw blood only one day during this period, she is a *zavah ketanah*, and she must “keep a day against a day”—meaning, she need count only one clean day alone. She immerses during that clean day, and is pure in the evening (assuming she had no more blood).

If the woman who is “keeping a day” saw blood later on that day, even after she immersed, her count is disrupted, since she did not complete the day in cleanliness. Now she has to keep a new day due to her original sighting of blood. She is considered impure retroactively, and her immersion is invalid. This is the view of the Rabbis who disagree with Rabbi Yosi.

However, Rabbi Yossi held that a woman who keeps a day against a day who completed a part of the clean day may complete the count and immerse in a *mikveh*, because “part of a day is as the whole day.” If she sees blood later, it does not disrupt the count she was keeping because of the previous discharge of blood.

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<sup>12</sup> The first part of this introduction is identical to what appeared on 80b.

## Perek 7 – 81a

Although Rabbi Yosi is quoted as saying that it does disrupt her count, this is only a Rabbinic decree. By Torah law, she may rely on the principle that “part of a day is as the whole day.”

\*

If so, Rabbi Yossi’s view is difficult:

**Rather, according to Rabbi Yossi, a complete *zavah* (*zavah gedolah*, who sees three consecutive days)—how do you find such a case?**

According to Rabbi Yossi, the beginning of the clean day counts as a whole day, even if she sees blood on the second half of the day. For “part of a day is as the whole day.” Therefore, the second sighting of blood is considered as if it was the first time, because she was clean during the first part of the day (even if she did not immerse). Thus we could never have a case of a *zavah gedolah*, who requires three consecutive days with sightings of blood.

The Gemara answers: A case of *zavah gedolah* exists where she has **a constant flow** of blood for three days, and there is not even a part of a clean day in between.

The Gemara presents an alternative answer. **If you wish, I could say: For instance she saw without interruption the entire second night during twilight,**<sup>13</sup> i.e. the period of time in which there is a doubt if it is still considered part of the previous day, or if it is already part of the following night.<sup>14</sup>

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<sup>13</sup> *Bein hashemashot*—from sunset until nightfall, when three medium sized stars are visible.

<sup>14</sup> It is important to keep in mind that according to the Torah the night is the beginning of the 24-hour period of a day.

## Perek 7 – 81a

For example, she saw blood for the first time the entire twilight at the onset of Friday night. This counts as two sightings: the end of the day of Erev<sup>15</sup> Shabbat and the beginning of Shabbat night.

She then saw blood during the entire twilight at the onset of Motzaei Shabbat.<sup>16</sup> This is considered her third sighting, since it includes the day following Shabbat.

She never had even part of a day that was clean, since she saw the entire twilight, and so even according to Rabbi Yossi there is no day kept in cleanliness, and she becomes a *zavah gedolah* even without a constant flow for three days.

c c õ d d

**Rav Yosef posed an inquiry: A cohen who offers a *Tamid*<sup>17</sup>, and similarly any other public offering, is the impurity of the depths of a corpse permitted for him or not?** In other words: if it is later found that he had this form of impurity at the time he performed the services of these offerings, will the offerings be judged as valid, after the fact?

The Gemara elaborates on his inquiry: Even **if you will come to the conclusion** that for a **cohen who offers their offerings**, of a Nazirite and of the Pesach, that **the impurity of the depths is permitted**, still we have a question regarding **a cohen who offers a *Tamid***.

**Do we say that when** the Halachah of Moshe from Sinai<sup>18</sup> **taught us** the leniency of **the impurity of the depths**, it was **for the Pesach offering and the Nazirite's offering**, but concerning **a *Tamid*, it was not taught?**

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<sup>15</sup> The Eve of

<sup>16</sup> The departure of Shabbat, Saturday night.

<sup>17</sup> Daily offering.

## Perek 7 – 81a

Or perhaps, the *Tamid*'s law should be derived from that of the Pesach offering.

**Rava said:** It may be learned from a *kal vachomer*<sup>19</sup> that also the cohen offering the *Tamid* benefits from this leniency. The logic is as follows:

**What is true in a place** such as the Nazirite's offering and the Pesach offering, **where it was not permitted** to the cohen to have **known impurity**?

That **it was permitted to him the impurity of the depths** (i.e. unknown impurity).

Therefore it follows that in **a place** such as the *Tamid*, **where it was permitted** to the cohen to have **a known impurity**, since it is a public offering, and may be performed in a state of impurity if necessary—

### **Ammud Bet**

**Is it not logical that it should be permitted to him** to have **the impurity of the depths**?

\*

The scholars in the study hall rejected the proof. **They said: Can we reason a *kal vachomer* from a Halachah** of Moshe from Sinai, such as the leniency of the impurity of the depths?

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<sup>18</sup> See previous *daf*

<sup>19</sup> A fortiori reasoning.

## Perek 7 – 81B

**But note that the Rabbis taught** in a Baraita:

Rabbi Akiva held that a Nazirite becomes impure from contact with a *revi'it*<sup>20</sup> amount of blood from a corpse, and must begin his vow's count again, due to this. Rabbi Akiva derived this from a *kal vachomer*, based on the law that a Nazirite must begin his count again due to contact with a bone the size of a barley seed.

**Rabbi Eliezer said to him**, to Rabbi Akiva—

**Akiva!** The law that a Nazirite begins his count again for contact with **a bone the size of a barley seed is a Halachah** of Moshe from Sinai. **And the law regarding a *revi'it* of blood**—it is through a *kal vachomer* that you are attempting to derive it. **And we do not derive a *kal vachomer* from a Halachah** of Moshe from Sinai.

**Rather, Rava said:** The impurity of the depths is indeed permitted for the cohen who brings the *Tamid* offering, but for a different reason: because **one should learn a *gezeirah shavah***<sup>21</sup> from the word “*mo'ado*, its appointed time” written by the *Tamid* offering, and from “*mo'ado*” written **by the Pesach** offering.

In conclusion, Rava derived from a *gezeirah shavah* the law of the cohen with unknown impurity who performed the services of a *Tamid* offering, rather than deriving it through a *kal vachomer*.

\*

The Gemara now discusses whether there is a source in the Written Torah for the leniency of unknown impurity.

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<sup>20</sup> *Revi'it*: 86.4 cc or 2.9 fl. oz.

## Perek 7 – 81B

**And impurity of the depths itself—where is it written** in the Torah that this form of impurity of a corpse renders a person impure?

**Rabbi Elazar said: The verse said: “If someone ‘in his presence’ (*alav*) dies** unexpectedly or suddenly, and causes the Nazirite’s head to become impure, he shall shave off [the hair of] his head on the day of his purification; on the seventh day, he shall shave it off” (*Bamidbar* 6:9). This verse tells us that for such a form of impurity, the Nazirite must begin his count again.

Rabbi Elazar derives from the extra phrase “*alav*, in his presence,” that the Nazirite shaves only if the impurity is **clear to him**, but he does not shave for unknown impurity.

**We have found** the source for a **Nazirite**, but **one who brings a Pesach, from where** do we know that impurity of the depths is permitted?

**Rabbi Yochanan said: The verse said:** “Speak to the Children of Israel, saying: any person who becomes impure from a corpse, or is **on a distant journey to you (*lachem*)**, or in future generations, he shall make a Pesach offering for Hashem. In the second month, on the fourteenth day...” (*Bamidbar* 9:10–11).

Rabbi Yochanan derives the leniency from the extra phrase “*lachem*, to you,” which refers back to the impurity from a corpse mentioned earlier in the verse. This teaches that only if the impurity is **clear to you**, then you are deferred to Pesach Sheni as the passage goes on to say. But this does not apply to unknown impurity.

Rabbi Shimon ben Lakish derived the law of impurity of the depths from the same verse in another way—

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<sup>21</sup> Two topics are linked in the Torah through a similar word.

## Perek 7 – 81B

**Rabbi Shimon ben Lakish said:** We can derive it from the juxtaposition of the phrase “impure from a corpse” to “journey”. For this teaches that the impurity must be **as a journey is. Just as a journey is revealed**, i.e. something seen and known, **so too the impurity must be revealed as well**, which excludes unknown impurity.

\*

The Gemara poses a difficulty to all of the above ways of deriving this law from the Written Torah.

**They** the scholars of the study hall **contradicted them**, from a Baraita:

**What is impurity of the depths?** It is **any** Nazirite or anyone who brings a Pesach offering who became impure, and **no one recognized it**—the impurity—not even **someone at the end of the world**. The impurity was hidden from all, as if it was in the depths. For example, a stone fence collapsed upon a person in the night, and buried him under the rubble, and no one knew about it. (*Meiri*)

But if someone **recognized it**, even **someone at the end of the world**, **this is not impurity of the depths**.

The Gemara explains how this Baraita contradicts all the above views.

According **to Rabbi Elazar who said** that the law is derived from the extra phrase “*alav, to him,*” which means the Nazirite begins his count again only if the impurity is **clear “to him”**, this means that impurity of the depths is only permitted **when it was known to him**, i.e. the Nazirite. Yet the Baraita states that if anyone in the world knows about it, it would no longer be considered impurity of the depths. Thus Rabbi Elazar’s explanation does not fit with the Baraita.

## Perek 7 – 81B

According to **Rabbi Yochanan who said** that the law is derived from the extra phrase “*lachem*, to you,” this means that impurity of the depths is only permitted if it is **clear “to you,”** which is the plural tense. This means that it is permitted only **when two people know about it.** This does not fit with the Baraita, for the same reason.

According to **Rabbi Shimon ben Lakish who said** that the impurity must be known as a **journey is,** this implies that impurity of the depths is permitted only **when the entire world knows about it,** which surely does not fit with the Baraita.

The Gemara concludes: **Rather, the source for the leniency of impurity of the depths is in a Halachah** of Moshe from Sinai, **and the verse** cited by the above Sages **is for support alone.** I.e. they did not mean to actually derive the law from the verses they cited. They merely wished to find a hint in the Written Torah for the existence of such a Halachah.

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**Mar bar Rav Ashi said: The Rabbis only taught** that the *tzitz* atones for the impurity of the depths of the Nazirite and the person who brings a Pesach offering **when it became known to him,** the one bringing the offering, that he was impure, only **after the throwing** of the blood on the Altar.

Because **when the blood was thrown, it was thrown according to the law.**

**But if it was known to him before the throwing** that he was impure, the *tzitz* would **not** atone.

**They** the scholars of the study hall **contradicted him,** from a Baraita:

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**One who found**, i.e. he later uncovered, a buried **corpse** that was **lying across the width of the path**, after he had walked down the path, this person certainly became impure from that corpse when he walked down the path. This is speaking of a case where there was no one in the world who knew about the presence of the corpse, at the time he walked on the path.

**Regarding *terumah*<sup>22</sup>**, he is considered **impure**. If he was a cohen, he may not eat *terumah*, which is prohibited to eat in impurity.

**Regarding a Nazirite or someone who brings a Pesach offering**, the law is that **he is pure**. This is a case of impurity of the depths that is permitted for them.

**And** it is known that **every** mention of the words **“impure” and “pure”** in a Baraita implies **for the future**. This contradicts Mar bar Rav Ashi’s assertion that the unknown impurity is permitted only if it became known *after* throwing the blood.

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Due to this contradiction, the Gemara modifies the text of Mar bar Rav Ashi’s statement.

**Rather, if it** the above statement **was said** by Mar bar Rav Ashi, **this is what was said**:

**Mar bar Rav Ashi said: Do not say** that only if it was known to him *after* the **throwing** of the blood, then the *tzitz* **atones**, **but** if it was known to him after slaughtering but *before* **throwing**, then **the *tzitz* would not atone**.

**Rather, even if it was known to him** after slaughtering and *before* **the throwing** of the blood **as well**, the *tzitz* **atones** for the unknown impurity.

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Regarding the above mentioned statement **itself: One who found**, i.e. he later uncovered, **a corpse lying across the width of the path...**

This is speaking of a case where it was buried, but since it was positioned across the width, he must have touched, moved, or formed a tent over the corpse when he walked down the path—

Therefore, **for *terumah* he is impure**. If he was a cohen, he may not eat *terumah*, which is prohibited to eat in impurity.

**For a Nazirite or one who brings a Pesach offering**, the law is that **he is pure**, because it was a case of unknown impurity.

If the corpse was lying along the length of the path, the one who passed there is pure even for *terumah*.

**In what case are we speaking** that he would be impure for *terumah*? When **there is no place to pass** on that path without becoming impure, because the corpse filled the entire width of the path.

**But if there is a place to pass** without becoming impure, therefore, there is only a doubt of impurity, then **even for *terumah* he is pure**. This would be a case of a doubt of impurity in the public domain, which is considered pure.

And even when the corpse was found laying across the entire width of the path, **in what case are we speaking** that he would be impure for *terumah*?

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<sup>22</sup> A small portion separated from agricultural produce in the land of Israel, and given to a cohen. It may be

## Perek 7 – 81B

When they found the corpse **whole**, but if the corpse was **broken or separated** into pieces, he is **pure** even for *terumah*, because it would be a case of doubt—**perhaps he passed between the parts** of the corpse and did not become impure.

And if the corpse was **in a grave, even if it was broken or separated**, the law is he is **impure**.

**Because the grave joins the pieces together**, and the entire grave causes impurity to the person to the one who forms a tent over it (by walking on top), even if he walked over an empty section of the grave.

**In what case are we speaking** that he would be pure when he had a place to pass or the corpse was broken or separated into pieces?—when **he walked on foot**.

**But** if he **carried** a load on his shoulders, **or** he was **riding** on an animal, he is **impure** for *terumah*, even though he had a place to pass or the corpse was in pieces.

**Since the one who walks on foot could possibly** pass in a way that he did **not touch** the corpse **or form a tent** over it, **but the one who carries** a load **or rides**, **could not possibly avoid touching or forming a tent**. When he carries a load or rides, he wobbles from side to side and would certainly form a tent over the sides as well (*Rashi*).

**In what case are we speaking** that the Nazirite or the one bringing a Pesach offering is pure?—**In the impurity of the depths**.

But known impurity—if someone knew the corpse was there under the path—it would make even a Nazirite or one bringing a Pesach impure, just as it renders a cohen impure for *terumah*.

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eaten only in a state of purity.

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**What is impurity of the depths?** It is **any** impurity that **no one recognized it**, not even someone **at the end of the world**.

**But** if someone **recognized it**, even someone **at the end of the world**, **this is not impurity of the depths**.

**If they found** the corpse **buried in straw, soil, or pebbles**, **this is impurity of the depths**.

But if they found it **in water**, a place that is always **in the darkness**, or uncovered **in the cracks in rocks**—**this is not impurity of the depths**, because in all these cases someone could have looked there and seen the corpse.

**And they only said that the impurity of the depths** is permitted **for impurity from a corpse alone**, but the rest of the types of impurities, even if unknown, are not permitted, as we saw above.

## **Mishnah**

A Pesach offering that became impure or was left over (*notar*) beyond its permitted time must be burnt. All offerings of light sanctity, which includes the Pesach offering, are burnt in any place within Jerusalem's walls.

If the Pesach offering **became impure in its entirety or its majority**, the Sages decreed that **they must burn it in front of the Temple**. This Rabbinical decree was because

## Perek 7 – 81B

people were negligent about protecting the meat of their Pesach offering from impurity (*Meiri*).

Thus they had to burn impure meat in a public place, to embarrass them in the eyes of the community so they would be more careful the next time.

Since the Sages required them to burn it in front of the Temple, they were not required to bring their own firewood, and they could benefit **from the consecrated firewood of the arrangement** of wood on the Altar.

If the Pesach offering **became impure in its minority**, and similarly regarding *notar* of a pure Pesach offering (regarding which there was not so much negligence of the part of people) —

**They burn it** in Jerusalem **in their courtyards or on their rooftops, with their own firewood**. They may not use the wood from the Altar, for there is no reason to allow them to benefit from consecrated wood.

**The miserly**, whose Pesach offerings became impure in its minority or became *notar*, **burn it in front of the Temple** if they want, **so they may benefit from the wood of the arrangement**. They are permitted to use the consecrated wood because the Sages were concerned that they would not be willing to spend money on firewood, and they would transgress and not burn it all.

# Chavruta

## Pesachim – Daf Peh Bet

Translated by: *Chavruta staff of scholars*  
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### Gemara

The Mishnah taught: If the Pesach offering became impure in its entirety or its majority, the Sages decreed that they must burn it in front of the Temple.

**What is the reason** they burn it specifically in front of the Temple?

**Rabbi Yossi son of Rabbi Chanina said: In order to embarrass them** in front of everyone because they were negligent by allowing the offering to become impure.

The Mishnah taught: If the Pesach offering became impure in its minority, and similarly regarding *notar* of a pure Pesach offering, they burn it in Jerusalem in their courtyards or on their rooftops, with their own firewood.

This implies they may not use the wood designated for the Altar's arrangement. However, **they raised a contradiction** to this, from the Mishnah (49a):

**And similarly, someone who left Jerusalem and remembered he had consecrated meat** from offerings of light sanctity, which became invalid when he left the city's walls, and he must burn it—

**If he passed** the village of **Tzofim**, the Sages did not require him to return and burn it in Jerusalem, and he may **burn it in his place**, where he remembered.

## Perek 7 – 82a

This is because the requirement to burn offerings of light sanctity within Jerusalem's walls is only by Rabbinic law, and the Sages made a leniency in a case involving difficulty.

**And if not**, if he is still close to Jerusalem, he must return and burn it within the city walls, wherever he wishes.

If he wants to benefit from using wood designated for the Altar, **he must go back and burn it in front of the *birah*** (a place outside the Temple Courtyard) where there is a pile of ash **of wood of the Altar**.

This shows that anyone is permitted to burn invalid sacrifices using wood designated for the Altar. This is not in accordance with our Mishnah.

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**Rav Chama bar Ukva said:** This is **not a difficulty**. **Here** in the Mishnah on daf 49, the case is **where** the person is a **visitor** to Jerusalem. Since his residence is not in Jerusalem, and he has no wood available to burn, the Sages gave him the status of a stingy person who is permitted to use Altar wood.

But here in our Mishnah, it is a case of a **homeowner** i.e. a resident of Jerusalem. Since he has wood available to burn, the Sages did not permit him to use Altar wood.

\*

Rav Pappa disagrees with Rav Chama bar Ukva who said that the Mishnah on daf 49 is discussing a visitor. This is because that Mishnah states: “someone who goes out” of Jerusalem, implying that the person under discussion is one whose is traveling on his way, not a permanent resident of the city.

## Perek 7 – 82a

Therefore **Rav Pappa said** a different answer to the contradiction: Both **this** Mishnah and **that** Mishnah are **discussing a visitor**.

However, **here** in the earlier Mishnah where it is permitted to use Altar wood, it is discussing a visitor who has already **set out on his journey**. Since he has already left, the Sages did not trouble him to look for other wood.

**Here** in our Mishnah, where it is not permitted to use Altar wood, it is discussing a case of a visitor who **had not set out on his journey** and is still in Jerusalem.

\*

**Rav Zevid said**, in explanation of Rav Chama bar Ukva: In truth it is **like he**, Rav Chama bar Ukva, **said** initially—that **here** in the earlier Mishnah it is discussing **a visitor**, whereas **here** in our Mishnah it is discussing **a homeowner**. **And** a visitor is permitted to use Altar wood **even though he has not set out on his journey**. The reason being **since a visitor has no wood**, the Sages **treated him like a stingy person**. **For it was taught** in a Mishnah: **stingy people may burn it in front of the *birah* in order to benefit from Altar wood**.

c c õ d d

**The Rabbis taught** in a Baraita: If **stingy people wished to burn it in their courtyards using Altar wood, we do not let them**. The reason will be explained.

If they wished to burn it **in front of the *birah* using their own wood, we do not let them**. The reason will be explained.

## Perek 7 – 82a

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And the Gemara explains: **It is all right that we do not let them burn it in their courtyards using Altar wood. Perhaps** there will be **leftover wood from these** pieces of Altar wood, **and they will** use the leftover consecrated wood for personal purposes and thereby **come to err** by using them.

**However, what is the reason** we do **not** let them burn it **in front of the *birah* using their own wood?**

**Rav Yosef said: In order not to embarrass someone who does not have** his own wood.

**Rava said:** It is prohibited **because of suspicion**. Since he will take his own leftover wood home, a person who sees him will suspect him of taking leftover Altar wood to his house for personal use.

\*

**What is the practical difference between them,** between these two reasons?

**The difference between them** is **where he brings his own reeds or palm fronds** to burn. These types of wood are **not fit for the Altar wood** since they burn too quickly and the fire extinguishes too fast.

According to Rava who said the reason one is not permitted to use his own wood is because of suspicion, it would be permitted to use such wood in front of the *birah*. Since this wood is ordinarily not used for the Altar wood there is no suspicion that he is taking Altar wood to his house.

## Perek 7 – 82a

According to Rav Yosef who said it was because of embarrassing people, it would be prohibited to use such wood. Because it will still be embarrassing for one who does not have his own wood.

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The Gemara now brings a similar disagreement, but in connection with a different law.

**It was taught** in a Mishnah: **The head of the *ma'amad* would position the impure people** from the clan (*beit av*) of cohanim of that day's *mishmar*, **at the eastern gate** of the Temple mount. This refers to the group of cohanim whose turn it was to serve in the Temple that day.

The Gemara asks: **What is the reason** the impure cohanim were positioned there?

**Rav Yosef said:** This was done **in order to embarrass them** for not being careful enough to avoid becoming impure and thus preventing themselves from serving.

**Rava said:** This was done **because of suspicion**. So that when people see that they are not involved with the Temple service they will not suspect them of neglecting it in order to attend to their own work instead. By positioning the impure people at the gate, everyone knows that it is because they are impure that they are prevented from being involved with the Temple service.

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## Perek 7 – 82a

**What is the practical difference between them,** between these two reasons?

**The difference between them** is whether impure cohanim who are **delicate** (i.e. wealthy people who do not engage in labor) need to be positioned there.

According to Rava who said it was because of suspicion, they do not have to be positioned there since everyone knows that delicate people do not go to work anyway. Therefore, people will automatically assume that they are not carrying out Temple work because they are impure.

According to Rav Yosef who said it was because of embarrassing people, even delicate people need to be positioned there so that they will be embarrassed.

**Alternatively**, the difference is reflected a case of a cohen **who is a rope-maker**, which is a low paying job. No one would suspect him of forgoing service in the Temple to engage in his usual work.

According to Rava, he would not need to be positioned at the eastern gate. According to Rav Yosef, who said it was because of embarrassing people, even these people need to be positioned there.

## Perek 7 – 82a

### Mishnah

A Pesach offering **that was taken out** of Jerusalem, where it must be eaten, **or that became impure, should be burned immediately**—even on the fourteenth of Nissan. This is because the invalidity is intrinsic to the sacrifice.

But if **the owners became impure, or died**, leaving no one to eat the Pesach offering, it may not be burned until **its form has been Halachically altered**. I.e. it must be left overnight. This will render it *notar*, “leftover”, which is intrinsically invalid. This is because its original invalidity was due merely to a lack of fitting owners, which is a factor external to the sacrifice itself.

**And** since one is not permitted to burn it on Yom Tov, **it should be burned on the morning of the sixteenth**, i.e. the first of the intermediate days of the Festival.

**Rabbi Yochanan ben Berokah said:** Even regarding **this** case, where the owners became impure or died, **it should be burned immediately, since it has no owners**. This view will be explained in the Gemara.

## Perek 7 – 82a

### Gemara

It was stated in the Mishnah: A Pesach sacrifice that was taken out of Jerusalem, where it must be eaten, or that became impure, should be burned immediately:

**It is all right** that the sacrifice requires burning if it became **impure**, for it is written: (*Vayikra*<sup>1</sup> 7:19), “**And the meat that touches anything impure shall not be eaten; it shall be burned in the fire.**”

**But from where** do we have a source that a sacrifice that **went out** of Jerusalem requires burning?

The Gemara answers: **For it is written** in the Torah passage discussing the dedication offerings of the *Mishkan* (Tabernacle), after the death of Nadav and Avihu: (*Vayikra* 10:16): “Moshe<sup>2</sup> inquired insistently about the he-goat of the sin offering, for behold, it had been burned – and he was angry with Elazar and Itamar ... why did you not eat the sin offering in a holy place, for it is most holy ... **behold its blood was not brought into the Sanctuary *within***; you should have eaten it in the holy place as I have commanded.”

The verse includes the superfluous word “within”. This is interpreted as reflecting a give-and-take between Moshe and Aharon<sup>3</sup>, as follows:

**Moshe said to Aharon: Why have you not eaten the sin offering?**

**Perhaps it is because its blood entered the inner chamber** of the *Mishkan*? And if so, you did well to burn it. For it is written: (*Vayikra* 6:23), “Any sin offering from which

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<sup>1</sup> Leviticus

<sup>2</sup> Moses

<sup>3</sup> Aaron

## Perek 7 – 82a

some blood has been brought to the Tent of Meeting, to effect atonement within the holy place, it shall not be eaten; it shall be burned in fire.”

**He Aharon said to him Moshe: No**, it did not enter there.

**He Moshe then said to him: Perhaps it is because it was taken out of its boundaries**, and that is why you burnt it?

**He answered him: No**, rather **it remained in the holy place** i.e. inside the permitted boundaries.

**He Moshe then said to him: If it remained in the holy** i.e. the permitted **place** and did not become invalid by being taken out, **and also its blood was not brought into the inner chamber within, why did you not eat it?**

This discussion **implies that had it indeed been taken out** of its boundaries, **or its blood entered within** the inner chamber, **it would require burning.**

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Although the Gemara has found a source that a sacrifice that leaves its permitted boundary must be burned, this is only regarding a sin offering, which is of great sanctity. A Pesach offering, however, is of light sanctity.

The Gemara thus asks: **It is all right** concerning the Halachah that HHHHHHHha sacrifice that **became impure** must be burned. Since **the Torah revealed** this Halachah **regarding sacrifices of light sanctity, certainly** it holds true **regarding sacrifices of great sanctity.**

## Perek 7 – 82B

**But** regarding burning that which has been **taken out** of its permitted boundaries, **we have** only **found** a source regarding **sacrifices of great sanctity**. **From where** do we have a source for **sacrifices of light sanctity**? And our Mishnah is discussing a Pesach offering, which is of light sanctity.

**And furthermore, that which was taught** in the following Baraita needs to be explained:

If **its blood** i.e. the blood of a sacrifice was **left overnight** without being thrown on the Altar—

### **Ammud Bet**

Or if **its blood spilt** and was not thrown on the Altar—

Or if **its blood was taken out beyond the “curtains”** that define the area of the Temple Courtyard, thereby becoming invalid—

In all these cases, the meat of the sacrifice must be burned.

In these cases **where we have established** the meat must **be burned** – **from where** do we have a source for this?

The Gemara answers: **We derive it from** a teaching **of Rabbi Shimon**.

**For it was taught** in a Baraita: **Rabbi Shimon says**: It is written (*Vayikra* 6:23), “Any sin offering from which some blood has been brought to the Tent of Meeting to effect atonement within the holy place, it shall not be eaten; it shall be burned in the fire.”

## Perek 7 – 82B

And the Gemara interprets this verse as follows: **“Within the holy place... it shall be burned in the fire”** teaches about an invalidated **sin offering that it must be burned in the holy place**, i.e. in the Temple Courtyard. The burning is limited to the Courtyard since that is where a valid sin offering would have been eaten.

**I only have** a source for **this** one, i.e. the sin offering. **From where** do we have a source that **other invalid sacrifices of great sanctity, and *eimurim*<sup>4</sup> of sacrifices of light sanctity**, must be burned in the Courtyard?

**The verse says:** **“Any sin offering... within the holy place it shall be burned in the fire.”**

The general law is learnt from the use of the word “any”.

The Gemara asks further: **We have found** a source for **sacrifices of great sanctity. From where** do we have a source that **sacrifices of light sanctity** must be burned there?

**Rather**, the Gemara retracts from this source and explains the law as follows:

Regarding **anything** that **became invalid** by being brought **into the holy place** and thus requires **burning, whether it is sacrifices of light sanctity or sacrifices of great sanctity**, its law **is learnt** from a **Halachah** of Moshe from Sinai. I.e. it was taught directly to Moshe as an oral law, without any source in the Written Torah.

**And** even regarding the **sin offering of Aharon** mentioned above, the Torah only taught the requirement of burning **because that was what happened in the incident**. It was not written for us to learn the general halachah of burning invalid offerings.

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<sup>4</sup> The fats and organs to be burnt on the Altar.

## Perek 7 – 82B

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Since the Gemara discussed the sin-offering of Aharon, it discusses a related topic:

**And** a difficulty arises **according to a teaching of the House of Rabbah bar Avuhah, which said** as follows: **Even** concerning *pigul*<sup>5</sup>, which is an invalidity in the sacrifice itself, **a Halachic change of form is required**. I.e. it must be left overnight before it can be burned, as explained before. **From where do we** have a source that this is required for *pigul*?

It is **derived** from a *gezeirah shavah*<sup>6</sup> of “**sin**” “**sin**” **from** *notar*. Regarding *pigul* it is written (*Vayikra* 7:18), “The soul that eats from it shall bear its *sin*. And regarding *notar* it is written: (*Vayikra* 19:8), “Each of those who eat it will bear his *sin*”. Since by definition, one does not burn *notar* until it sits overnight, the same applies to *pigul*.

The Gemara now raises the difficulty: **Let us** rather **derive** the opposite halachah for *pigul*, from a *gezeirah shavah* of “**sin**” “**sin**” **from the sin offering of Aharon**, where it was burned the same day, without a Halachic change of form. For in that passage we learn that Aharon was right to burn it when he did, as it is written: (*Vayikra* 10:20), “And Moshe heard and he approved.”

And the Gemara answers: Rabbah bar Avuhah **would say to you**:

In truth, a **case similar to the sin offering of Aharon would, for future generations, require a Halachic change of form. But there**, regarding the dedication ceremony of the *Mishkan*, it **was a one-time ruling** to burn it immediately. Since Moshe was not taught the principle of “a change of form” until later, the Halachah at that time was to burn it immediately.

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<sup>5</sup> A sacrifice that the cohen who performed its services had intention to eat its meat beyond the permitted time.

## Perek 7 – 82B

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The Gemara now returns to its previous discussion, and raises a difficulty:

**Now that we have said** the following teaching: Regarding **anything** that **became invalid** by being brought **into the holy place** and thus requires **burning, whether it is sacrifices of light sanctity or sacrifices of great sanctity**, its law is learnt from a **Halachah** of Moshe from Sinai—

If so, **why do I** need the verse: “**Within the holy place... it shall be burned in the fire**”, in order to teach the law of a sin offering whose blood came inside the Sanctuary? Surely this is already included in the Halachah of Moshe from Sinai!

The Gemara answers: **That** verse **is needed** to teach that **its burning** must be **in the holy place** i.e. the Temple Courtyard. But it does not teach the requirement of burning, since that is already learnt from the Halachah of Moshe from Sinai.

The Gemara raises a further difficulty: **Why do I** need the verse (*Vayikra* 7:19): “**The meat that touches anything impure shall not be eaten; it shall be burned in the fire**”? Surely, this is already learnt from the Halachah of Moshe from Sinai!

The Gemara answers: **That** verse **is needed for itself**, i.e. to teach that a sacrifice that became impure requires burning.

For without it, **you would have thought to say** that only “**invalidities unique to sacrifices**” require burning. **For example: its blood was left overnight, or its blood spilled, or its blood was taken outside** its permitted boundaries, **or it was slaughtered**

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<sup>6</sup> An application of a law stated in one place to another place, based on similarity of wording in the relevant verses.

## Perek 7 – 82B

at night. Only these cases require **burning** since **they are not** ever associated with **unconsecrated items**.

**But** the invalidity of **impurity** would not require burning, **because** impurity **is a** type of **invalidation** applicable **even to unconsecrated things** (such as *terumah*<sup>7</sup>). **I would** therefore **say** about a sacrifice that contracted impurity that **since it has been treated in the manner of unconsecrated items**, thereby denigrating its sanctity, **I might say it does not require burning**, and **burial** would be sufficient for it.

The verse **informs us** that even a sacrifice that became impure must be burned.

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It was stated in the Mishnah: But if **the owners became impure, or died**, it may not be burned until **its form has been** Halachically **altered**. I.e. it must be left overnight, and burned only on the sixteenth of Nissan.

Rabbi Yochanan ben Berokah said: Even regarding this case, where the owners became impure or died, it should be burned immediately, since it has no owners.

**Said Rav Yosef: There is a disagreement** between the first Tanna and Rabbi Yochanan ben Berokah **where the owners became impure after the throwing** of the blood, **because the meat becomes fit to be eaten** as soon as the blood is thrown on the Altar. Here the first Tanna holds that a Halachic change of form is required, because the services of the Pesach offering had been completed validly, and there is merely the external problem of no one to eat from it.

## Perek 7 – 82B

**However, if the owners became impure before the throwing** of the blood, the meat does not become fit to be eaten when the blood is thrown. Since the primary purpose of the Pesach offering is the eating of its meat on Pesach night, the throwing of the blood is invalid.

Such a sacrifice is considered to have an intrinsic invalidity, and **everyone agrees it must be burned immediately.**

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**They** the scholars of the study hall **contradicted him**, from a Baraita: **This is the general rule: anything that has an intrinsic invalidity must be burned immediately.**

But **regarding a blood-related invalidity, or an invalidity that concerns ownership, it must change its Halachah form and only then be taken out to the location of burning.**

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By mentioning the invalidity of blood together with the invalidity of ownership, the Baraita **teaches** a comparison between them: **“ownership” is similar to “blood”.** **Just as blood** can only be invalid **before** its **throwing, so too** the invalidity regarding **ownership** must be referring to **before** the **throwing** of the blood. Evidently the Baraita holds if the owners became unfitting even before the throwing of the blood, the offering still needs a Halachah change of form before may be burned.

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**Rather, if something on the subject was stated by Rav Yosef, this is what was stated:**

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<sup>7</sup> A small portion separated from agricultural produce of the land of Israel, and given to a cohen. It must be

## Perek 7 – 82B

**There is a disagreement** between the first Tanna and Rabbi Yochanan ben Berokah **where the owners became impure before the throwing** of the blood. **Because** in this case **the meat does not become fit to be eaten** through the **throwing** of the blood. Here, Rabbi Yochanan ben Berokah holds a change of form is not required.

Since the primary of the Pesach offering is to eat from its meat, the throwing of its blood is invalid—**and it** the offering **is** considered to have **an intrinsic invalidity**.

**But if the owners became impure after the throwing** of the blood, the **meat had** already **become fit to be eaten** when the blood had been thrown. Here, **everyone agrees that its invalidity is due to an external factor, and a change of form is required**.

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**And Rabbi Yochanan says: Even** in the case of **after the throwing** of the blood, **there is still a disagreement** between the first Tanna and Rabbi Yochanan ben Berokah:

According to the first Tanna, even if the owners die *before* the throwing of the blood, the Pesach offering requires a change of form before it is burnt.

According to Rabbi Yochanan ben Berokah, even if the owners die *after* the throwing of the blood, the Pesach offering does not require a change of form before it is burnt.

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**And Rabbi Yochanan is consistent with his reasoning** as expressed elsewhere. **For Rabbi Yochanan said: Rabbi Yochanan ben Berokah and Rabbi Nechemiah said the same thing.**

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eaten in a state of purity.

## Perek 7 – 82B

The statement of **Rabbi Yochanan ben Berokah** is that **which we said** in our Mishnah, that the offering does not require a change of form if there is an invalidity regarding the owners.

**What is** the statement of **Rabbi Nechemiah**?

**It was taught** in a Baraita: **Rabbi Nechemiah says**: Aharon and his sons were not permitted to eat from Aharon's sin offering which was offered on the eighth day of the dedication ceremony<sup>8</sup>. This was **because** they were in a state of **bereavement**, and cohanim may not eat the meat of sacrifices in this state. Because of this, **it** the sin offering **was burnt**. For there were no other cohanim at that time who could eat it, since the only existing cohanim were Aharon and his two remaining sons.

**For this** reason **it states** in the verse, after Moshe became angry over the burning of the sin offering (*Vayikra* 10:19): “Aharon spoke to Moshe ... now that **such things** befell me – were I to eat this day's sin offering, would Hashem approve?”

The sin offering was burnt on that same day, without a change of form, even though it did not have an intrinsic invalidity—but merely had no eaters. This shows that even Rabbi Nechemiah holds that the sacrifice does not require a change of form if there is an invalidity regarding the owners.

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Now the Gemara explains that it is clear from the words of Rabbi Yochanan that according to Rabbi Yochanan ben Berokah, an invalidity regarding the owners does not require a change of form, even if it happened after the throwing of the blood:

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<sup>8</sup> They were in bereavement due to the deaths of Nadav and Avihu, sons of Aharon, who died on that day.

## Perek 7 – 82B

**And note that** a sin offering that becomes invalid due to **bereavement** of its eaters **is like** an invalidity **which occurs after** the **throwing** of the blood. This is so even if they became bereavers before the throwing of the blood. For it is only with the Pesach sacrifice that a lack of eaters is considered an intrinsic invalidity. With a sin offering, whose primary purpose is not the eating of its meat, this is not an intrinsic invalidity.

If so, a lack of eaters *before* the throwing of the blood is comparable in its severity to a lack of eaters for a Pesach offering *after* the throwing of the blood. **And** even so, **when** the sin offering **gets burnt**, it is **burnt immediately**, without a change of form.

Thus according to Rabbi Nechemiah, who has the same view as does Rabbi Yochanan ben Berokah, an invalidity regarding ownership does not require a change of form. This is so even if it happened after the throwing of the blood.

# Chavruta

## Pesachim – Daf Peh Gimel

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[The Mishnah (above 82a) cited the view of Rabbi Yochanan ben Berokah: That if the owners of a Pesach offering became impure, or died, the offering should be burnt immediately. The Gemara (82b) cited that this was also the view of Rabbi Nechemyah.]

**Rabbah added that even Rabbi Yosi Haglili holds this view.**

**For it was taught** in a Baraita: The verse (*Vayikra*<sup>1</sup> 6:23) states, “Any sin offering from which some blood has been brought to the Tent of Meeting, to effect atonement within the holy place, it shall not be eaten; it shall be burned in fire”. **Rabbi Yosi Haglili says: This whole passage is only speaking about the burnt bulls and the burnt he-goats.**

There are two types of sin offerings: (1) those whose blood is brought within the *Heichal*, the Sanctuary. These are bulls or he-goats, and their meat is burnt rather than eaten, even if they are completely valid and pure. (2) Those whose blood remains outside the Sanctuary, in the Temple Courtyard, to be placed on the regular Altar. The meat of these offerings is ordinarily eaten by the cohanim.

Rabbi Yosi Haglili’s view is that the verse is referring to the first type of sin offering.

The verse is coming to teach that one needs **to burn those offerings that have become invalid** e.g. they became impure. And they should be burnt **in the *Beit Habirah***<sup>2</sup>. This is different from the Halachah for these offerings when they have not been invalidated. These are also burnt, but in a place outside of Jerusalem.

The verse is also coming **to give a negative mitzvah for eating these invalid sin offerings.**

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<sup>1</sup> Leviticus

## Perek 7 – 83a

**They** the Sages **said to him** Rabbi Yosi Haglili: **From where** do you derive that a regular **sin offering**, which should be offered only outside the Sanctuary, but **whose blood was** wrongly **brought within** the Sanctuary – that this offering becomes invalid and must be burnt?

The Sages themselves derive this Halachah from the verse cited above (*Vayikra* 6:23). However Rabbi Yosi Haglili interpreted that verse for a different Halachah (as explained above). So from where does he derive this Halachah?

**He** Rabbi Yosi Haglili **said to them** the Sages: I derive it from a verse speaking of the sin offering of Rosh Chodesh<sup>3</sup>, brought by Aharon<sup>4</sup> during the dedication of the Tabernacle (*Mishkan*) in the Wilderness.

The verse (ibid 10:18) states, **“Behold, its blood was not brought into the holy place within”**. This refers to the blood of the sin offering of Rosh Chodesh, which should be offered only in the Temple Courtyard.

**It implies that if it** the offering **had gone out** from its proper domain, i.e. it had been taken out of the Courtyard; **or if its blood had been brought up** i.e. taken into the Sanctuary, in both cases, it would need **to be burnt**.

From here, Rabbi Yosi Haglili derived that any sin offering whose blood should not be brought into the Sanctuary, but is brought in – that the offering becomes invalid and needs to be burnt.

Thus we see that even Rabbi Yosi Haglili holds like Rabbi Yochanan ben Berokah and Rabbi Nechemyah: that if the owners of the Pesach offering become impure, or die, the animal should be burnt immediately, without need to let it stay overnight and become *notar* (leftover).

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<sup>2</sup> The area of the Holy Temple. The offerings were burnt either in the Temple Courtyard or the Temple Mount

<sup>3</sup> The New Month

<sup>4</sup> Aaron the High Priest

## Perek 7 – 83a

For the case of the sin offering is comparable to the owners of Pesach offering becoming impure or dying. This is because Rabbah views both cases as an offering that is made invalid by means of something else. And if Rabbi Yosi Haglili holds that the bringing of the blood into the Sanctuary causes the animal to be burnt immediately – he would similarly hold that if the owners became impure, or died, the animal would need to be burnt immediately, in the case of a Pesach offering.

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**But Rabbi Yochanan** (above 82b) did not say, like Rabbah did, that Rabbi Yosi Haglili shares the view of Rabbi Yochanan ben Berokah and Rabbi Nechemyah, This is because **he held that the blood and the meat are one thing** i.e. they both are part of the offering itself, **whereas the owners are a different thing** from the offering.

Therefore, it is possible that Rabbi Yosi Haglili holds that only an invalidation of the blood causes the offering to be burnt immediately. This is no proof that if the owners became impure, or died, that the Halachah would be the same.

## **Mishnah**

**The bones and the sinews and the leftover** meat of the Pesach offering **should be burnt on the sixteenth** of Nissan, the first of the intermediate days of the Festival.

The bones should be burnt for the following reason: They contain marrow, which cannot be removed from them because of the Torah prohibition to break any bone of the Pesach offering. This marrow, which cannot be extracted from its bone, becomes *notar* – leftover meat – just like any other edible meat

## Perek 7 – 83a

which has not been eaten within its time limit. Like other *notar*, it must be burnt. Thus we must burn the bone with it.

The Gemara will explain which sinews the Mishnah is speaking of, and why they must be burnt.

**And if the sixteenth of Nissan falls on Shabbat, then they are burnt on the next day – the seventeenth.**

They are not burnt on the fifteenth (the morning of which they become *notar*) or the sixteenth (when it falls on Shabbat), **because the burning of *notar* does not supersede the prohibition of doing work on Shabbat or Yom Tov.**

### **Gemara**

**Said Rav Mari bar Avuha in the name of Rabbi Yitzchak: The bones of offerings that served as a base for *notar* render one's hands impure upon contact with them.**

If these bones contained marrow, and the marrow was not eaten within the designated time, the marrow becomes *notar*. Rav Mari is teaching that also the bones become *notar*, and therefore they impart impurity as *notar* does.

This is **because they the bones became a base for something forbidden.** Since the bones are serving as a base for the marrow, they become secondary to it, and therefore they acquire the same status as the marrow. Therefore both the marrow and the bones become *notar* and will impart impurity to people's hands<sup>5</sup>.

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<sup>5</sup> It was a Rabbinical decree that *notar* (which is forbidden, yet pure by Torah law) will render one's hands impure.

## Perek 7 – 83a

**Let us say** our Mishnah is a support for his Rav Mari's view:

The Mishnah states: “**The bones and the sinews and the leftover** meat **should be burnt on the sixteenth** of Nissan”.

**These bones** referred to in the Mishnah – **what is the case?** I.e. what sort of bones is the Mishnah speaking of?

**If you say that there is no marrow in them** – if so, **why** do we need to dispose of them **by burning** them? It should be sufficient to just **throw them** away, since they do not contain any *notar* within them that needs to be burnt.

**Rather, it is obvious** that the Mishnah is speaking of bones **that have marrow in them**. And since the marrow cannot be extracted, the bones now have to be burnt, since they contain *notar*.

Now, **it is all right if you say** that **serving** as a base for *notar* is considered **significant**. **Because of this** reason the bones **need to be burnt**, since they acquire the same status as the *notar*.

**But if you say** that **serving** as a base for *notar* is **not** considered **significant**, **why do we need to burn them** the bones? **We can break them and remove their marrow and burn it** the marrow. **And then we may throw them**, the bones, away!

The Gemara is assuming at this stage that there is no prohibition to break a bone which has become invalid.

**Rather**, we may **hear from it** a proof that **serving** as a base for *notar* is considered **significant** to render the base *notar*.

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## Perek 7 – 83a

**They** the scholars of the study hall **said: No, in truth I could say to you** that **servicing** as a base for *notar* **is not** considered **significant** to render the base *notar*.

And the reason the holds that we need to burn the bones is as follows: **It is holding** that when the verse (*Shmot*<sup>6</sup> 12:46) states “You should not break a bone in it”, this means “**in it**” in every case: whether **with a valid one or even with an invalid one**. I.e. even if the Pesach offering has become invalid, it is still forbidden to break any of the bones of this offering.

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The Gemara is puzzled by this: **But do you really think** that **even with an invalid** offering, it is still forbidden to break its bones?

**But note** that **it was taught** in a Mishnah (84a): **But one who leaves over** meat **of a pure** i.e. valid Pesach offering, **and one who breaks** a bone of **an impure** i.e. invalid Pesach offering, in both cases **he does not receive** the punishment of **forty** lashes minus one.

There is a special reason for no lashes when leaving over the meat. But as regards breaking a bone, if there was a Torah prohibition, there would surely be the punishment of lashes for it. Thus we see clearly from this Mishnah that one who breaks the bone of an invalid Pesach offering has not transgressed a prohibition!

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The Gemara answers: **It is not a difficulty.**

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<sup>6</sup> Exodus

## Perek 7 – 83a

**Here** in our Mishnah which holds that we may not break its bones even after it becomes invalid, it is speaking of a case where **there was once a time that it was valid**. It only became invalid on the morning of the fifteenth because it then became *notar*.

Thus, the prohibition of not breaking its bones went into effect. And even though the offering later became invalid, the prohibition to break its bones did not leave it.

But **there** in the other Mishnah (84a), which held that it is permitted to break its bones, it is speaking of a case where **there was not ever a time that it was valid**. It became impure before its blood was even thrown on the Altar. In that case, since it was invalid from the outset, there was never a prohibition of breaking its bones.

The Gemara explains this answer more fully:

**And who is the Tanna** whose view is expressed in our Mishnah, **who differentiates between when there was a time that it was valid and when there was not a time that it was valid?**

**It is Rabbi Yaakov.**

**For it was taught** in a Baraita: The verse (*Shmot* 12:46) states, **“You should not break a bone in it”**. The term **‘in it’** comes to teach: both **with a valid** offering, **and with an invalid** offering, **not** to break a bone.

The Baraita now brings a disagreement between two Tannaim how to interpret this statement of the first Tanna of the Baraita. (*Tosafot*)

**Rabbi Yaakov says:** If **there was a time that it was valid**, and only afterwards **it became invalid**, then **with this** offering **there is** a prohibition of **breaking a bone**. But if **there was not a time that it was valid**, then **there is no** prohibition of **breaking a bone**.

## Perek 7 – 83a

**Rabbi Shimon says: Whether this way or that way**, the first Tanna holds that it is forbidden. However I disagree, and hold that **there is no prohibition of breaking a bone** in either case. Now that it has become invalid there is no longer any prohibition of breaking its bones.

Our Mishnah could therefore be following the view of Rabbi Yaakov who differentiates between the two cases. It emerges that there is no proof from our Mishnah to the view of Rabbi Yitzchak who maintained that because the bones contain *notar*, they also acquire this status. For we could explain that the reason the bones must be burnt is because we may not break them to remove the marrow which is *notar*.

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**They challenged** the view of Rabbi Yitzchak, that the bones' serving of the *notar* is considered significant to render them also *notar*, from the following Baraita:

**All leftover bones of offerings do not need to be burnt, except for the bones of the Pesach offering.** These bones must be burnt **because of** the necessity to avoid a **mishap**. I.e. in order that a person should not transgress the prohibition against breaking a bone of this offering, the only way to burn the marrow inside the bone is to burn the bone itself.

The Gemara inquires: Regarding **these bones, what is the case?**

**If you will say that there is no marrow in them, so why do they need to be burnt?**

**Rather, it is obvious that they have marrow in them.**

And the Baraita is teaching that because the bones of the Pesach offering cannot be broken, the only way to burn the marrow that became *notar* is to burn it together with the bones. This differs from other offerings, where the bones may be broken, and the marrow extracted and burnt by itself.

## Perek 7 – 83a

**And if you think** that **servicing** as a base for *notar* is considered **significant** to render the base also *notar* (like Rabbi Yitzchak said), **why do the bones of the other offerings also not require burning?** For they should be considered a base to the *notar* that is within them, and therefore they should also become *notar*!

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**Rav Nachman bar Yitzchak said** the following answer: **Here, with what case are we dealing? For example that** at the time he came to burn them, **he found them** already broken and **emptied out**. I.e. the marrow had already been removed from them.

And this is what the Baraita is saying:

Concerning **the bones of other offerings, in which there is no prohibition of breaking their bones**, we assume the following happened to them: **Before they became *notar***, the bones **were emptied out**. I.e. the marrow was removed and eaten within the prescribed time limit. Therefore the marrow did not become *notar* **and** the bones **were not** involved with **servicing** as a base for *notar*. **And** therefore these bones **do not need to be burnt**.

However regarding **the bones of the Pesach offering, for which there is a prohibition of breaking their bones**, we suspect the following happened to them. Only **after they became *notar***, then **they were emptied out**. (This Tanna holds it is permitted to break them after they become *notar* and thus invalid). And **these** bones, until they were emptied out of their marrow, **were servicing** as a base for *notar*. Therefore the bones themselves **must be burnt**, as Rabbi Yitzchak said.

\*

**Rav Zevid said** a different answer for Rav Yitzchak:

**Here in what case are we dealing? For example...**

## Perek 7 – 83B

### **Ammud Bet**

...that we found them the bones in piles, and some of them had been emptied out. The top ones were checked and found that the marrow had been removed from them. But the other bones in the pile were not yet checked to see if they still had the marrow inside them.

And the Baraita is coming to teach:

Concerning **the bones of other offerings, for which there is no prohibition of breaking the bones**, we suspect the following happened to them: From **all of them**, the marrow **was removed and eaten** within the permitted time span. Therefore the bones that remain (the lower ones) **do not need to be burnt**, for they never served as base for *notar*.

But **the bones of a Pesach offering, for which there is a prohibition of breaking the bones**, we suspect the following happened to them: **Maybe just these bones on top of the pile were emptied out. But those bones lower down were not emptied out. And** since they might still have marrow within them, **they must be burnt.**

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**Said Rav Yehudah in the name of Rav: All of the sinews are** considered to be like **meat**, therefore one who eats them on Pesach night has fulfilled his obligation to eat from the Pesach offering. This applies to all sinews **except the sinews of the neck**. Since they are very hard they are considered like wood.

## Perek 7 – 83B

The Gemara poses a difficulty, from our Mishnah:

**It was taught** in our Mishnah: **The bones and the sinews and the leftover meat must be burnt on the sixteenth** of Nissan.

Now, **these sinews** which the Mishnah is speaking of, **what is the case?** The Mishnah implies that they will be burnt in all cases. But which type of sinews fit into this category?

**If you will say** the Mishnah refers to **sinews of the flesh**, which are normally eaten, how can these be considered as sinews which will certainly need burning? **They** assumedly **will be eaten** and not become *notar*.

**And if** you will say that the Mishnah is referring to these sinews, but in a case that **they were** in fact **left over**, then **that is** the same thing as **leftover** meat. So why did the Tanna divide them up into two categories?

**Rather, it is obvious** that the Mishnah is referring to **sinews of the neck**, which are not normally eaten due to their hardness. Therefore it is assumed that they will be left over and not eaten.

But if this is correct, it poses a difficulty to what Rav Yehudah said in the name of Rav.

**It is all right if you say** that these sinews of the neck **are** considered **meat**. **Because of this, they need to be burnt** if they are left over.

**But if you say**, as did Rav Yehudah in the name of Rav, that **they are not** considered **meat**, then **why should they be burnt?** Since they are not considered meat, they should not be considered *notar* if they are not eaten within the time limit. And if so, one could just throw them away without burning them.

\*

## Perek 7 – 83B

**Said Rav Chisda** to answer this difficulty to Rav Yehudah in the name of Rav:

The Mishnah is not speaking of sinews of the neck at all. **It was only necessary** to teach this law of sinews in our Mishnah **for** the case that there is a sinew left over that might be a *gid hanasheh*<sup>7</sup>. **And** the Mishnah is **according to** the view of **Rabbi Yehudah**.

**For it was taught** in a Baraita: **Rabbi Yehudah says:** The prohibition of eating the *gid hanasheh* **only applies to** the sinew of **one** of the thighs, and the Torah does not state which thigh. **And “understanding”** (a term to be explained later) **decides** that it is the sinew **of the** thigh on the **right** side, although we cannot say this as a definitive ruling.

Due to the uncertainty, both of them are forbidden to eat, both of the right side and of the left. On the other hand, since each one might be permissible to eat, if they are left over from the Pesach offering they must be burnt. And this is the teaching of the Mishnah – that the *gid hanasheh* must be burnt, due to this uncertainty.

The Gemara challenges this:

**But** according to this explanation of Rav Chisda, we could answer an inquiry that was posed regarding the view of Rabbi Yehudah, who said: “‘understanding’ decides it is the sinew of the right thigh”. The Gemara (*Chullin* 90b) inquired whether he meant that the Torah itself decides it is the right side, or whether he meant that it is not clear from the Torah, but his own understanding is more inclined that it refers to the sinew of the right thigh. According to Rav Chisda’s explanation here, **we may conclude that he was in a doubt** about this matter, and it was his own understanding that was inclined.

**Because if it was clear to him** that according to the Torah, only the sinew of the right thigh is forbidden, if so, **let us eat that permitted** sinew of the left side, **and** the sinew **which is forbidden** may be thrown away – **why should it be burnt?** Since it is forbidden to be eaten, there is no Halachah of *notar* applying to it, and therefore it can just be thrown away.

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<sup>7</sup> The sciatic nerve, which is forbidden by the Torah to eat.

## Perek 7 – 83B

This constitutes a difficulty to the explanation of Rav Chisda. For if his understanding of our Mishnah were correct, our Mishnah should have been cited in the discussion in *Chullin* 90b as solving the inquiry posed there. Our Mishnah's conspicuous omission from that discussion shows that it does not mean as Rav Chisda claimed it does.

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**Said Rav Ika bar Chinana:** In truth, our Mishnah indeed could be referring to a *gid hanasheh*, and following the view of Rabbi Yehudah, as Rav Chisda said. Yet it remains unclear whether Rabbi Yehudah meant definitively that the only sinew forbidden is that of the right thigh. Because the Mishnah could be speaking of a case where it is not clear which sinew is the one left over.

**For example, where** the two sinews **were** originally **distinct** – they were set aside from each other. **But at the end they became mixed together.** So we are not sure which is the one from the right thigh and which is the one from the left thigh. Therefore neither one can be eaten, and both must be burnt.

\*

**Rav Ashi said** a different answer, why the Mishnah is not difficult for the view of Rav Yehudah in the name of Rav.

**It is only necessary** for the Mishnah to teach that the sinews must be burnt **for** the case of **the fat of the *gid hanasheh*.** There is no Torah prohibition to eat this fat. But the Mishnah's ruling is based on the fact that there is a prohibition from the Rabbis to eat it. And since it cannot be eaten, yet it is not prohibited by the Torah, it must be burnt as *notar*.

**For it is taught** in a Baraita: **The fat** of the *gid hanasheh* **is permitted** by the Torah to be eaten. **But the Jewish people are holy,** and they accept upon themselves additional precautions so as to distance

## Perek 7 – 83B

themselves from a prohibition of the Torah. **And** therefore **they act towards it** as though **it is forbidden**.

\*

**Ravina said** a different answer, why the Mishnah is not difficult for the view of Rav Yehudah in the name of Rav.

The Mishnah is speaking **about the outer** *gid hanasheh*. This is the sinew next to the outer part of the thigh. This sinew is only a prohibition of the Rabbis. Since it is permitted by the Torah it becomes *notar* when it is not eaten within its time limit, and must be burnt.

**And** this is **like that** statement **of Rav Yehudah in the name of Shmuel**. **For Rav Yehudah said in the name of Shmuel:**

**There are two sinews** of the thigh:

- (1) **The inner one** (which faces the second thigh), **which is next to the bone**. **It is forbidden** from the Torah **and one is liable** the punishment of lashes **for eating it**.
- (2) **The outer one** (which faces the outside of the animal), **which is next to the flesh**. **It is forbidden** by the Rabbis **and** therefore **one is not liable** the punishment of lashes **for eating it**.

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## Perek 7 – 83B

It was taught in our Mishnah: “If **the sixteenth** of Nissan **fell** on Shabbat, they are burnt after Shabbat, because the burning of them does not supersede Shabbat or Yom Tov.

The Gemara is puzzled by this: **Why** does it not supersede Yom Tov? **The positive** mitzvah of burning *notar* **should come and supersede the negative** mitzvah of doing work on Yom Tov, since there is a general principle that a positive Torah mitzvah supersedes a negative one.

The Gemara answers: **Said Chizkiyah, and similarly it was taught** in a Baraita **in the House of Chizkiyah:**

**The verse states** (*Shmot* 12: 10), **“Do not leave over from it until the morning; and what is left over from it until the morning, you should burn in a fire”**.

It is seemingly **not necessary to teach ‘until the morning’** a second time, since this was already stated at the beginning of the verse.

**And what is the verse coming to teach** by the phrase **‘until the morning’?**

**To give a second morning to burn it.**

The verse is coming to teach that it may not be burnt on the first morning, for it is Yom Tov. Rather it should be burnt on the second morning, i.e. on Chol Hamoed<sup>8</sup>.

\*

**Abaye said** a different source which teaches that one may not burn *notar* on Yom Tov.

**The verse states** (*Bamidbar*<sup>9</sup> 28:10). **“The burnt offering of Shabbat on its Shabbat”**.

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<sup>8</sup> The intermediate days of the Festival.

## Perek 7 – 83B

The phrase “on its Shabbat” is coming to teach that on Shabbat, one may bring the burnt offering of that Shabbat. **But** one may **not** offer a **burnt offering of a weekday on a Shabbat. And** similarly, one may **not** bring a **burnt offering of a weekday on a Tom Tov**. This forbids, for instance, the limbs of the *Tamid*<sup>10</sup> offering of Erev<sup>11</sup> Shabbat or Erev Yom Tov, which were not yet burnt on the Altar, from being burned that night. (Ordinarily, they may be burnt on the Altar until the following morning.)

Abaye derived from there that if a valid weekday offering may not be burnt on the Altar on Yom Tov, then surely a weekday offering that became invalid may not be burnt on Yom Tov. The Pesach offering is in the category of a weekday offering, since it is brought on Erev Yom Tov.

\*

**Rava said** a different source which teaches that one may not burn *notar* on Yom Tov.

**The verse states** (*Shmot* 12:16), “No work may be done on them [on Yom Tov], except for that which will be eaten by any person – ***this alone may be done for you***”.

The word “this” comes to teach that only “**this**” may be done on Yom Tov, i.e. only work that is directly involved with food preparation (“that which will be eaten by any person”). **But** you may **not** make **those** utensils **which are** themselves **used to prepare** the food. E.g. to make a knife to cut food. This is not permitted since it could have been done before Yom Tov.

The word “**alone**” comes to teach...

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<sup>9</sup> Numbers

<sup>10</sup> Daily

<sup>11</sup> The Eve of

# Chavruta

## Pesachim – Daf Peh Daled

Translated by: *Chavruta staff of scholars*  
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**The verse states** (*Shmot* 12:16), “No work may be done on them [on Yom Tov], except for that which will be eaten by any person – ***this alone may be done for you***”.

The word “this” comes to teach that only “**this**” may be done on Yom Tov, i.e. only work that is directly involved with food preparation (“that which will be eaten by any person”). **But** you may **not** make **those** utensils **which are** themselves **used to prepare** the food. E.g. to make a knife to cut food. This is not permitted since it could have been done before Yom Tov.

The word “**alone**” comes to teach:] This (i.e. only work that is directly involved with food preparation) **and not a circumcision that was not performed in its time** on the eighth day. Otherwise, **it would be derived from a *kal vachomer***<sup>1</sup> that it is permitted.

Had the Torah not excluded a delayed circumcision from the work permitted on Yom Tov, we would have derived from the following *kal vachomer* that it was permitted: *Tzara'at*<sup>2</sup> supersedes service in the Temple, for a cohen with *tzara'at* is disqualified even if there is no other to serve in his place. And the Temple service supersedes Shabbat, for there are a number of sacrifices that are offered on Shabbat although this entails performing otherwise forbidden work.

And circumcision supersedes *tzara'at*. For one of the prohibitions involved with *tzara'at* is that of cutting off the afflicted spot. Yet in a case where there was *tzara'at* on the foreskin, it would be permitted to cut it off to fulfill the mitzvah of circumcision.

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<sup>1</sup> A fortiori reasoning

## Perek 7 – 84a

Thus it would be logical to say that circumcision would also supersede Shabbat and surely Yom Tov, even if it was delayed beyond the eighth day, if the Torah had not specifically told us that this is not the case.

\*

**Rav Ashi said:** We never would have thought that the positive mitzvah of burning an offering that had been left over would supersede the prohibitions of Yom Tov. Because the mitzvah of “*shabbaton*” (cessation from work) that is mentioned **regarding Yom Tov is a positive** mitzvah. Thus there is a positive mitzvah obligating one to rest on Yom Tov, aside from the negative mitzvah prohibiting work.

**And a positive mitzvah does not supersede a negative mitzvah and a positive mitzvah together.**

### **Mishnah**

There are certain parts of a goat that are soft when it is young and are therefore edible. But when the animal ages they become hard and are no longer suitable as food.

One is never obliged to eat these parts of the goat, and therefore one would be permitted to leave them over.

The rule determining whether a part of an animal is edible is as follows:

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<sup>2</sup> A spiritually caused skin disease. Although often identified with leprosy, this is widely disputed.

## Perek 7 – 84a

**Anything that is eaten in a mature ox**, once the ox has grown to the stage that its meat has hardened fully, that corresponding meat **is eaten in a tender kid**.

However if a certain part of a mature ox is not edible, there is not mitzvah for one to eat the corresponding part in a tender kid, even though it was still edible.

**And** one may eat the cartilage at the **ends of the forelegs, and other cartilage**, such as the ears, and the cartilage in the ribcage and at the end of the spine. This is true even though these cartilages will eventually harden.

The Gemara will explain why these parts are edible.

### **Gemara**

**Rabbah posed a contradiction** to our Mishnah.

In the first clause **it taught: Anything that is eaten in a mature ox is eaten in a tender kid. And** this would imply that **whatever is not eaten** in a mature ox is **not** eaten in a kid.

**I will now say the latter clause** of the Mishnah: **“The ends of the forelegs and cartilage”** are eaten. Why should this be? **Surely these are not eaten in a mature ox!**

The Gemara replies: **Rather**, we must say that the first and latter clauses of the Mishnah represent the views of different Tannaim. And **it is** a disagreement between **Tannaim** as to the status of the ends of the forelegs and the cartilage.

## Perek 7 – 84a

**And this is what the Mishnah was saying: Anything that is eaten in a mature ox is eaten in a tender kid. And what is not eaten** in a mature ox after being cooked normally, **is not** eaten in a kid.

**And there are those who say: Even the ends of the forelegs and cartilage** are eaten. Given that they would be edible in the case of a mature ox after heavy boiling, with a tender kid are edible after simple roasting.

**Rava said:** The Mishnah was **taught** in the format of **“What are they?”** I.e. the latter clause came to explain the first.

**And this is what it was saying: Anything that is eaten in a mature ox,** even if this were only **by way of heavy boiling, is eaten in a tender kid by way of roasting. And what are they,** these parts that are eaten in an ox after heavy boiling? **The ends of the forelegs and the cartilage.**

\*

**It was taught** in a Baraita **in accordance with** the view of **Rava:**

**Anything that is eaten in a mature ox by way of heavy boiling is eaten in a tender kid by way of roasting. And what are they? The ends of the forelegs and cartilage.**

The Baraita continues:

**And soft tendons are judged as meat,** with regard to their being edible, and with regard to being eaten by those appointed to eat from the Pesach offering.

**It was said**<sup>3</sup> in a statement of Amoraim:

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<sup>3</sup> We have explained the upcoming section according to the first view of *Tosafot*, s.v. ‘Since’.

## Perek 7 – 84a

Regarding **the tendons** of a tender kid **that will eventually harden** and that are eaten in a mature ox after it has been heavily boiled—

**Rabbi Yochanan says: One may be appointed upon them for the Pesach offering.** If one were appointed as part of a group who brought a Pesach offering, with the understanding that one would eat from these parts of the animal, one would fulfill one's obligation.<sup>4</sup>

According to Rabbi Yochanan, the Baraita was referring to these tendons when it said that soft tendons are judged like meat.

**Reish Lakish said: One may not be appointed upon them for the Pesach offering,** and the Baraita refers to tendons that remain soft, never hardening.

The Gemara explains their views:

**Rabbi Yochanan said: One may be appointed upon them** because since they may be eaten in a mature ox after heavy boiling, and in this kid of the Pesach offering the tendons are soft, **we go after** the fact that they are **now** edible in deciding whether the tendons are judged like the meat of the animal.

**Reish Lakish said: One may not be appointed upon them** because **we go after** the fact that **in the end** they will become hard and inedible.

Even though the Baraita said that those parts of a mature ox that are eaten after heavy boiling may be eaten in a kid, this spoke about the ends of the forelegs and the cartilage which are still considered meat. But tendons, which do not have any real taste of meat,

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<sup>4</sup> *Rashi, Chulin 77a*

## Perek 7 – 84a

would not be considered like meat in these circumstances. And only if the tendons were always edible would they be judged like the meat of the Pesach offering.

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**Reish Lakish contradicted Rabbi Yochanan**, from the Baraita that was quoted above: **Anything that is eaten in a mature ox is eaten in a tender kid. And what are they? The ends of the forelegs and the cartilage.**

This shows that for **these** parts, **yes**, the fact that they are eaten in a mature ox after heavy boiling means that they are judged as meat. **But** for **tendons that will eventually harden**, even though they may be eaten now—**no**, they are not judged as meat.

Had these tendons also been considered like meat, the Baraita should have mentioned them explicitly. Because it would have demonstrated just how far this Halachah is applied.

Rabbi Yochanan **said to him**: This Baraita **taught** the case of **these** ends of the forelegs and the cartilage, **and the same law** would also apply **to those** tendons that eventually harden.

Because in the case of **these** cartilages, **what is the reason** that one may be appointed upon them for the Pesach offering? **Because they are eaten in a mature ox by way of heavy boiling.** But surely **those** tendons **are also eaten in a mature ox by way of heavy boiling.** This being so, and given that the tendons are presently tender, we should follow their present state and say that they are judged like the other meat of the offering.

According to Rabbi Yochanan, the fact that the Baraita did not mention the Halachah regarding tendons is no proof that they are not judged like meat. Because he holds that

## Perek 7 – 84a

the fact that they do not have the taste of meat does not make them less eligible to be considered meat.

\*

**Rabbi Yirmeyah said to Rabbi Avin: When I went before Rabbi Abahu he posed a contradiction** to Rabbi Yochanan's view.

**Did Rabbi Yochanan really say that one may be appointed upon tendons that will eventually harden,** meaning that we follow their present status?

**Surely Reish Lakish posed an inquiry to Rabbi Yochanan** regarding the susceptibility of foods to become impure:

**The skin of the head of a tender calf,** while the calf still suckles, is edible after one merely pours boiling water over it. However, in the end this skin will harden and become like any other leather, which is inedible and consequently is not susceptible to impurities that affect food. **What is its status at present regarding becoming impure,** given that it is presently edible?

**And Rabbi Yochanan said to him: It does not become impure.**

**Therefore** we see that according to Rabbi Yochanan, **we go after** its status at **the end.**

Rabbi Abahu **said to him:** The **one who posed this contradiction did not pay attention to his flour.** He did not pay attention to whether it was wheat that he was grinding or whether it was merely chaff. Through this metaphor, Rabbi Abahu told Rabbi Yirmeyah that the contradiction he wished to pose was not solidly based.

## Perek 7 – 84a

Because surely **Rabbi Yochanan retracted** from his answer **regarding that** inquiry **which Reish Lakish** had posed to him.

Because Reish Lakish went on, in Tractate *Chulin*, to raise a difficulty with Rabbi Yochanan's ruling, proving that the skin on the head of a tender calf is indeed susceptible to impurity. Reish Lakish cited a Mishnah in Tractate *Chulin* which states: These are [the animals] whose skin is like their meat... the skin on the head of a tender calf.

**And** Rabbi Yochanan **said to him: Don't annoy me** by challenging me from that Mishnah, **because I learned it as** expressing **the view of an individual**, rather than being an unnamed Mishnah expressing the normative view. According to Rabbi Yochanan, that Mishnah represents the view of Rabbi Elazar ben Yehudah<sup>5</sup>.

Therefore, we may say that Rabbi Yochanan also originally thought that we could learn from the Mishnah in *Chulin* that we follow the skin's status as it is now. And it was on the basis of that Mishnah that he made his first ruling, that one may be appointed for the Pesach offering upon tendons which will eventually harden.

However, when Rabbi Yochanan later said that the Mishnah merely represents the view of an individual, we must also say that he retracted from his original ruling that one may be appointed upon tendons that will eventually harden.

## Perek 7 – 84a

### Mishnah

Concerning **one who breaks a bone in a pure Pesach** offering, **note that he is lashed forty** times minus one, for transgressing the prohibition of “And you shall not break a bone in it”.

**But one who leaves over** meat from a **pure** Pesach offering, thereby transgressing the prohibition of “Do not leave over”—

**And one who breaks** a bone **in an impure** Pesach offering, or for that matter any other invalid Pesach offering—

In these cases, **he is not lashed forty** times.

### Gemara

The Gemara questions the Mishnah:

**It is all right** that **one who leaves over** from a **pure** offering is not lashed, even though he has transgressed the Torah prohibition of “Do not leave over”.

**For it was taught** in a Baraita: The verse states, “**Do not leave over** [meat] **from it until morning, and that which is left over from it until morning, you shall burn in fire.**” **Scripture comes to give a positive mitzvah**, “you shall burn in fire”, **after a negative mitzvah**, “Do not leave over”. This is **to say that one is not lashed** for transgressing the negative mitzvah.

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<sup>5</sup> See *Rashi* in *Chulin*.

## Perek 7 – 84a

From here we learn the general rule that one does not receive lashes for a negative mitzvah which may be rectified through a positive mitzvah. **These are the words of Rabbi Yehudah.**

**Rabbi Yaakov says: This is not the principle** because of which he is exempt from lashes.

**Rather**, he does not receive lashes **because it is a negative mitzvah that does not have a physical action** associated with it, given that one passively leaves over the meat, without performing any positive act. **And that is why one is not lashed for it.**

**But from where** do we know that **one who breaks a bone in an impure** Pesach offering does not receive lashes?

**Because the verse says “And you shall not break a bone *in it*”.** This implies: “*in it*”, in a **valid** offering, there is a prohibition. **But not in an invalid** offering.

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**The Rabbis taught** in a Baraita:

The Torah states: “**And you shall not break a bone *in it*”.** This implies: “*in it*” - in a **valid** offering **and not in an invalid** offering.

**Rabbi** i.e. Rabbi Yehudah HaNasi **says:** The Torah states “**In one house it shall be eaten**, do not take any of the meat outside, **and you shall not break a bone in it”.** We interpret first part of the verse, “it shall be eaten”, as referring to the end part of the verse, “and you shall not break a bone in it”.

## Perek 7 – 84B

This teaches: **Anything that is fit to eat has** a prohibition against breaking a bone, **and** anything **that is not fit to eat does not have** a prohibition against breaking a bone.

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The Gemara explains: **What is** the practical difference **between them**, between the way the first Tanna derived the prohibition and the way Rabbi derived it?

**Rabbi Yirmeyah said:** The case of a **Pesach** offering **that came** to be offered **in** a state of **impurity is** the difference **between them**. This takes place if the majority of the public is impure, for then it may be brought in a state of impurity.

**According to the one who said** that the prohibition applies only to a **valid** offering—

### **Ammud Bet**

There would be no prohibition against breaking a bone in this case, because **this** offering is termed **invalid**. Although it was permitted to bring it in a state of impurity, the prohibition of bringing a offering while impure was merely superseded, not completely permitted.

But **according to the one who said** that the prohibition depends on being **fit to eat**, **this** offering **is also fit to eat**. As we learned<sup>6</sup>, a Pesach offering that is brought in a state of impurity may be eaten in a state of impurity.

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<sup>6</sup> Mishnah 76b

## Perek 7 – 84B

**Rav Yosef** disagreed with Rabbi Yirmeyah's explanation of the difference between the first Tanna and Rabbi. According to Rav Yosef, Rabbi would concede that there is no prohibition against breaking a bone in an invalid offering, even if it was edible. Rather, Rabbi came to add an additional condition: that even if the offering was valid, but inedible, the prohibition would still not apply. Thus Rav Yosef **said**:

**In a case such as this** where the Pesach offering was brought in a state of impurity, **everyone** including Rabbi would agree that **there is no** prohibition against breaking a bone. [This is **because Rabbi comes to be lenient**]<sup>7</sup>, and **surely this** Pesach offering is termed **invalid**.

**Rather**, a case where the offering **had a period of validity**, at the time when its blood was thrown on the Altar, subsequently becoming invalid, there **is** the difference **between them**.

**According to the one who said** (the first Tanna) that the prohibition against breaking a bone applies only to a **valid** offering, it would apply here as well, because **surely it is valid**. Given that the offering was valid while its service was performed, it would still termed valid<sup>8</sup>.

But **according to the one who said** (Rabbi) that the prohibition applies only to an offering that is **fit for eating**, here it would not apply. Because **surely now it is not fit to eat**.

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**Abaye** disagreed with Rav Yosef and **said** a different explanation of the difference between the two views: **In any such case**, even though the offering was valid at the time

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<sup>7</sup> The Bach removes these words from the text of the Gemara.

<sup>8</sup> One would fulfill one's obligation to bring a Pesach offering with it (*Rashash*), however one would nonetheless be forbidden to eat it.

## Perek 7 – 84B

its blood was thrown, **everyone** agrees that **there is no** prohibition against **breaking a bone**.

**What is the reason?** Because **it is nonetheless invalid now**.

**Rather**, a case where **a bone was broken while it is still day** is the difference **between them**. At this time, since it is still Erev Pesach, the offering would not be termed ‘fit to eat’, given that the Pesach offering is eaten only at night.

Therefore, **according to the one who said** that the prohibition applies only to a **valid** offering, **surely this offering is valid**.

But **according to the one who said** that it applies when the offering is **fit to eat**, **here** the offering **is not yet edible**. Thus, one would not be liable for breaking one of its bones.

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**They** the scholars of the study hall **contradicted him**, Abaye’s explanation of Rabbi, from the following Baraita:

**Rabbi says: One may be appointed on** a Pesach offering to eat **the marrow** i.e. the brain **in the head** of the offering. This is sufficient in order to be considered among those who brought the offering.

Even if one were appointed with the stipulation that he eat only from the brain, he would still fulfill his obligation.

**And one may not be appointed upon the marrow in the thighbone** of the offering, given that it would be impossible to eat it without breaking a bone.

## Perek 7 – 84B

Rabbi said that one may be appointed **upon the brain that is in the head** of the offering. **What is the reason? Since one could drag** the brain through the animal's nose **and take it out** and eat it, without having to break any bones.

**And** the Gemara brings out the difficulty with Abaye's view: **If you would assume that breaking a bone while it is still day is all right** according to Rabbi, then **let one also break the thighbone** of the offering **while it is still day, and take out its marrow and be appointed upon it.**

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**Abaye would say to you: And according to your reasoning, when it gets dark** and one would certainly be forbidden to break a bone according to all views, **let one also bring a coal and place it on** the thighbone, **and burn it and take out its marrow and be appointed upon it.** Because burning a hole in the outside of the bone in order to extract the marrow would not be included in the prohibition of 'breaking' a bone.

**For surely it was taught** in a Baraita: **But for one who burns bones and one who cuts tendons there is no prohibition** against breaking a bone **at all.**

**Rather, what may you say** in order to explain why one would not be permitted to extract marrow from the thighbone using a coal?

**Abaye said:** One may not be appointed upon the marrow in the thighbone, **because it might split** when one places a coal upon it.

One would be forbidden to extract the marrow in this manner, lest the bone split in another place, away from where one placed the coal. If this were to happen, then the bone would be considered broken rather than burned.

## Perek 7 – 84B

And **Rava said: Because of the loss of consecrated** property that is incurred, **where one would actively cause a loss.** If one were to try to burn the outside of the bone in this way, **perhaps the fire would also consume some of its marrow.** Therefore, it would be preferable for one to passively leave over the marrow in such a bone rather than risk the prohibition of actively destroying it.

And in order to answer the difficulty raised to Abaye's view that one may break a bone while it is still daytime, yet one may not be appointed upon the marrow in the thighbone, Abaye would answer that **while it is still day,** the Rabbis **also** forbade one from breaking the bones of the Pesach offering. This was a **decree** applied **while it was still day due to** a concern that one might also come to break a bone **once it became dark.**

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**Rav Papa** disagreed with Abaye who said that on Erev Pesach, Rabbi holds that there is no prohibition against breaking a bone. He **said:**

**In any such case** where one broke a bone on Erev Pesach, according to **everyone** (even Rabbi) **there is** a prohibition against **breaking a bone.**

**What is the reason?** Because **in the evening it will be fit to eat.**

**Rather,** it is **about** the case of **a limb that was partially removed** from the area defined by the walls of Jerusalem **that they disagree.** Here, where part of the limb went outside the boundaries permitted to it, rendering it invalid, the first Tanna and Rabbi disagree whether one is permitted to break the limb in half in order to separate between the valid and invalid portions.

## Perek 7 – 84B

**According to the one who said** that the prohibition of breaking a bone applies only to a **valid** offering, **this offering is also valid**, given that the portion within the boundaries of Jerusalem is still valid.

But **according to the one who said** that the offering must be **fit to eat** in order for the prohibition to apply, one would be permitted to break the portion of the limb that was outside Jerusalem. Because **this offering, in this portion, is not edible<sup>9</sup>**.

**Similarly it was taught** in a Baraita: **Rabbi Yishmael son of Rabbi Yochanan ben Beroka says: For a limb that was partially removed from Jerusalem and broken, there is no prohibition against breaking a bone.**

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**Rav Sheshet son of Rav Idi** disagreed with Rav Papa's assumption that there is a prohibition against breaking a bone if part of the limb went outside Jerusalem. He **said:**

**In any such case**, where part of a limb went outside the boundaries of Jerusalem, **everyone** would agree that **there is no prohibition against breaking a bone. Because this limb is invalid.**

**Rather**, a case where the **breaking of the bone** was done **in a partially roasted** offering is the difference **between them.**

**According to the one who said** the prohibition against breaking a bone applies to a **valid** offering, **surely this offering is valid.**

But **according to the one who said** that it must be **fit to eat**, there would be no prohibition here, given that **now it is not fit to eat.**

## Perek 7 – 84B

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**Rav Nachman bar Yitzchak**, disagreeing with Rav Sheshet, **said** a different explanation of Rabbi's view.

**In any such case**, where the only problem with the offering was that it had not been roasted, everyone would agree **there is** a prohibition against **breaking a bone. Because surely it would be fit to eat, since one could roast it and eat it.**

**Rather, the breaking** of the bone in **the tail** of the Pesach offering **is** the difference **between them.**

**According to the one who said** that the offering must be **fit to eat, surely this tail is not fit to eat, because the tail is offered** on the Altar. As the verse states: “And if he offers a sheep as his offering. He shall offer on the Altar the Peace offering, a fire offering to Hashem - its choicest part - the entire tail.” This teaches that with a sheep or lamb, the fatty tail is part of the *eimurim*: those fats and organs that are burnt on the Altar. (The Pesach offering may be either a goat-kid or a lamb.)

\*

**Rav Ashi** disagreed with Rav Nachman bar Yitzchak, and **said** a different explanation:

**In any such case, there would certainly be no** prohibition against **breaking a bone, because** the tail is **certainly not fit to eat at all.**

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<sup>9</sup> *Rashi*. See *Tosafot* who are puzzled over why the limb would be considered ‘valid’ but not ‘fit to eat’ in such a case.

## Perek 7 – 84B

**Rather**, the case of a limb that does not have a *kazayit*<sup>10</sup> of meat on it is the difference between them.

**According to the one who said** that the offering must be **valid** for the prohibition to apply (i.e. the first Tanna), **surely** this offering is **valid**.

But **according to the one who said** that it must be **fit to eat** (i.e. Rabbi), there would be no prohibition here. Because **we need** the limb to comprise the Halachic **amount** for **eating, and there is not** a *kazayit* of meat on this bone<sup>11</sup>.

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**Ravina** disagreed with Rav Ashi, and **said** a different answer:

**In any such case**, where a limb did not contain a *kazayit* of meat, **there is no** prohibition against breaking a bone. **Because we need an amount** fitting for **eating**.

**Rather**, the case of a limb that does not have a *kazayit* of meat in this place (where the bone was broken), **but does have a *kazayit* of meat in another place**, that is the difference **between them**.

**According to the one who said** that the offering must be **valid, surely** this offering is **valid**.

But **according to the one who said** that the offering must be **fit to eat**, there would be no prohibition against breaking a bone. Because **we need an amount** for **eating in the place of the break, and surely** here **there is no** such amount.

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<sup>10</sup> *Kazayit*: 0.9 fluid oz. or 28 cu. cm.

<sup>11</sup> Generally, in order for one to Halachically be considered to have eaten something, one would have to have eaten at least a *kazayit*.

## Perek 7 – 84B

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**It was taught** in a Baraita **in accordance with** the views of **four of them**, namely Rav Yosef, Rav Ashi or Ravina, Rav Nachman bar Yitzchak and Abaye:

**For it was taught: Rabbi says:** The verse states, “**In one house it shall be eaten**, do not take any of the meat outside, **and you shall not break a bone in it**”. To teach us that it is **for a valid** offering that **one is liable** if he breaks a bone, **and one is not liable for an invalid** offering.

The Baraita details the types of invalid offerings that are excluded from the prohibition of breaking a bone:

1. Even if **it had a period of validity** when its blood was thrown on the Altar **and** subsequently **became invalid at the time of eating**, the offering would still be considered invalid, and **there would not be** a prohibition on **breaking a bone**. This would accord with the view of Rav Yosef above.
2. If **there was an amount** for **eating on it**, then **there is** a prohibition against **breaking a bone** in that limb. But if **there is not an amount** for **eating on it** then **there is no** prohibition against **breaking a bone**. This would accord with the view of Rav Ashi or alternatively that of Ravina.
3. In a part of the offering that is **fit for burning on the Altar**, such as the tail of a lamb, **there is no** prohibition against **breaking a bone**. This would accord with the view of Rav Nachman bar Yitzchak.
4. **At the time of eating** of the Pesach offering, on Pesach night, **there is** a prohibition against **breaking a bone**. But if it were **not at the time of eating**, i.e. it was still daytime,

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then **there is no** prohibition against **breaking a bone**. This would accord with Abaye's view.

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**It was said** in a statement of Amoraim:

Rabbi Yochanan and Rabbi Shimon ben Lakish disagree about Rabbi's view concerning **a limb that does not have a *kazayit* of meat on it in this place** where it was broken, **and has a *kazayit* of meat on it in another place**.

**Rabbi Yochanan said:** There is a prohibition against **breaking a bone** in this case.

But **Rabbi Shimon ben Lakish said:** There is no prohibition against **breaking a bone**, because we would need there to be a *kazayit* of meat in the place where the bone was broken in order for this prohibition to apply.

**Rabbi Yochanan contradicted Rabbi Shimon ben Lakish**, from the following Baraita:

The Torah states: “**And you shall not break a bone in it**”. Referring to **both a bone that has a *kazayit* of meat on it and a bone that does not have a *kazayit* of meat on it**.

**What** does the Baraita mean when it says “**does not have a *kazayit* of meat on it**”?

**If one will say that there is not a *kazayit* of meat on it at all**, then **why** would **there be** a prohibition against **breaking a bone** in such a case?

**Rather no, this is what** the Baraita is saying: **Both a bone that has a *kazayit* of meat on it in this place, and a bone that does not have a *kazayit* of meat on it in this**

## Perek 7 – 84B

**place—but does have a *kazayit* of meat on it in another place**—are included in the prohibition against breaking a bone in the Pesach offering.

This poses **a difficulty for Rabbi Shimon ben Lakish** who holds that there is no prohibition against breaking a bone when there is not a *kazayit* of meat in the place where the bone was broken.

Rabbi Shimon ben Lakish **said to him** in reply:

# Chavruta

## Pesachim – Daf Peh Heh

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[Rabbi Shimon ben Lakish **said to him**, to Rabbi Yochanan:] **No**, the Baraita is not to be understood as you have said. Rather, any limb that does not have a *kazayit*<sup>1</sup> of meat on it, in the place where it was broken, is not subject to the prohibition against breaking a bone in the Pesach offering. And this is what the Baraita was actually saying:

**Both a bone that has a *kazayit* of meat on it on the outside, and a bone that does not have a *kazayit* of meat on it on the outside but does have a *kazayit* of meat on it on the inside** (i.e. the marrow), are included in the prohibition against breaking a bone. If the meat were at the point where the bone was broken, there would be a prohibition against breaking a bone. Thus, the Baraita comes to teach that even the marrow may be included in the *kazayit* of meat required to apply this prohibition.

**And surely** a support for his view **was taught** in a Baraita:

The Torah states “**And you shall not break a bone in it**” to teach us: With **both a bone that has marrow in it**, where one might have thought that one could break the bone in order to extract the marrow, **and a bone that does not have marrow in it**, one is forbidden to break a bone in the Pesach offering.

**And** therefore, **in what** case may **I fulfill** the mitzvah of the Torah “**And you shall eat the meat on this night**”? Only **with meat that is on the bone**. However, one would not be able to eat the ‘meat’ inside the bone.

**Or** perhaps you might think that one could even fulfill the mitzvah **with meat that is within the bone**. **And** therefore **in what** situation would I **establish** i.e. apply the

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<sup>1</sup> *Kazayit*: 0.9 fluid oz. or 28 cu. cm.

## Perek 7 – 85a

Torah's prohibition of “**and you shall not break a bone in it**”? **In the case of a bone that does not have marrow in it. But in the case of a bone that does have marrow in it**, one would be permitted to **break** the bone **and eat** the marrow.

**And** you would say: **Do not be surprised** by this interpretation, **because surely** there is an established principle that **a positive** mitzvah may **come and supersede a negative** mitzvah.

However, this interpretation is incorrect. Because **when it**, the Torah, **said “and you shall not break a bone in it”** (*Bamidbar* 9:12), this was said in the passage speaking of the **Second Pesach** offering, brought one month later by those who were unable to bring it in Nissan.

**For there was not** any ostensible reason for **the Torah to state** this verse.

**Because surely it was already said** in respect to the Second Pesach offering that “**like all the laws of the Pesach** [offering], **you shall perform it**”, which would obviously include the prohibition against breaking a bone.

Therefore, **one** must **say** that the verse came for the additional teaching that **both a bone that has marrow in it and a bone that does not have marrow in it** are included in the prohibition against breaking a bone.

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Rabbi Shimon ben Lakish holds that the prohibition against breaking a bone would not apply if a limb did not have a *kazayit* of meat on it in the place where it was broken, even if it did have a *kazayit* elsewhere. **They contradicted him** from the following Mishnah:

## Perek 7 – 85a

Concerning a **limb that partially went outside** the walls of Jerusalem, where the section that went outside would be invalid and would have to be burned. One should make a **cut** around the meat, along the line which separates the part that went outside the boundaries of Jerusalem from the part that did not. **Until the point where one reaches the bone.**

**And** one should not break the bone, due to the prohibition against this. Rather, one should **peel** away the meat that did not leave the boundaries of Jerusalem **until one reaches the joint, and cut** the tendons that join that bone to the next. One could then discard the bone that partially left the boundaries of Jerusalem, and eat the meat that did not.

**And you will say:** For a **limb that does not have a *kazayit* of meat on it in this place** where it was broken, **and does have [a *kazayit* of meat on it]<sup>2</sup> in another place, there is no prohibition against **breaking a bone**, as Rabbi Shimon ben Lakish said.**

Thus, **why do I** need to **peel** the meat away **until one reaches the joint and** to then **cut** it?

**Let one peel** away a **small amount** of the meat **and break** the bone at the place where it left the boundaries of Jerusalem. Given that there would not be a *kazayit* of meat at the point where one broke the bone, this should be permitted.

**Abaye said** to resolve the contradiction: The suggested method is forbidden **because of splitting**. We are concerned that when he breaks the bone, it will split and also break in a place that does have a good amount of meat on it.

**Ravina said** a different answer: The Mishnah speaks **about the thighbone**, which contains a lot of marrow. Given that marrow is considered like meat, the entire bone

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<sup>2</sup> Emendation of the Bach

## Perek 7 – 85a

would always be considered a place that has a *kazayit* of meat on it, and one would never be permitted to break it.

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**It was taught** in a Mishnah **there** in the tenth chapter of Tractate *Pesachim*:

*Pigul*<sup>3</sup> and *notar*<sup>4</sup> **render the hands** of one who touches them **impure**, by Rabbinic decree, as the Gemara will explain.

**Rav Huna and Rav Chisda** disagreed as to the reason for the decree:

**One said** that it was **because of those cohanim who were suspect** of purposefully offering the sacrifices of their enemies with an intention that would cause them to become *pigul*. As a result, the Rabbis decreed that *pigul* would render their hands impure. Thus the inconvenience caused by having to purify themselves would deter the cohanim from doing this.

**And** the other **one said** that it was **because of the cohanim who were lax** in eating the sacrifices in their allotted time. The Rabbis decreed that *notar* would render one impure in order that the inconvenience involved in purifying themselves would serve as an incentive to eat the offerings more quickly.

The Gemara explains: Rav Huna and Rav Chisda do not differ over the meaning of the Mishnah. Rather, one **master taught** the reason **for *pigul***, and the other **master taught** the reason **for *notar***.

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<sup>3</sup> An invalidity caused when, at the time of performing the services of a sacrifice, the cohen intended that its meat be eaten after the permitted time.

## Perek 7 – 85a

**The master who taught** the reason for *pigul* explained that the reason was **because of the cohanim who were suspect.**

**And the master who taught** the reason for *notar* said that it was **because of the cohanim who were lax.**

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Rav Huna and Rav Chisda also differed over another aspect of this Mishnah:

One **master taught** that the amount of sacrificial meat that is *pigul* or *notar* required to render one's hands impure is a *kazayit*<sup>5</sup>.

**And** the other **master taught** that the amount required is a *kabeitzah*<sup>6</sup>.

The Gemara explains their reasoning:

The **master who taught** that a *kazayit* renders one impure holds that the amount required is **the same as its prohibition**. Just as one would be liable for eating a *kazayit*, so too this amount would render one impure.

And **the one who taught** a *kabeitzah* holds that the amount required is **like its impurity**. Had these sacrifices been impure by Torah law, rather than by Rabbinic decree, they would not impart impurity unless they comprised a *kabeitzah*.

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<sup>4</sup> An offering that was not eaten or burnt on the Altar, and left over past its permitted time, is classified as *notar* - leftover, and must be destroyed by burning.

<sup>5</sup> *Kazayit*: 0.9 fluid oz. or 28 cu. cm.

## Perek 7 – 85a

**They** the scholars of the study hall **posed an inquiry:** Concerning a sacrifice that **went out** from the area permitted to it, did **the Rabbis decree** a status of **impurity** upon it, in order that deter the lax cohanim, **or not?**

**Do we say** that only in the case of *notar* did they **decree impurity** on it, given that the cohanim **might come to be lax with it**, and as a result it would be left over, becoming *notar*? **But** in the case of a sacrifice that **went out**, we would not be concerned that the cohanim would remove it from its permitted area. Because this would involve **actively removing** the sacrifice from its area – and **they would not actively remove it**. Therefore **the Rabbis did not decree impurity on it**.

**Or perhaps** there is **no difference**, and there is even a possibility that they might take the sacrifice out.

**Come and hear** a proof from the Mishnah quoted above, that there is no decree of impurity on sacrificial meat that went out of its area:

Concerning a **limb that partially went outside** the boundaries of Jerusalem, **one** should **cut it until the point where one reaches the bone, and peel** away the meat **until one reaches the joint, and cut it**.

**And if you will say** that the **Rabbis decreed impurity on it, when one cut it, what help would this be?**

**Surely** since the meat was originally joined, the section that went out would have already **rendered it**, the section that remained inside, **impure**. This being so, what purpose would be served by peeling the meat away?

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<sup>6</sup> *Kabeitzah*: 1.9 fluid oz. or 57 cu. cm.

## Perek 7 – 85a

The Gemara answers: **It** the place where the two sections touched **is a hidden place**, since it is inside the meat. **And impurity in a hidden place does not render** other items **impure**.

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The Gemara raises a difficulty with the above answer: **And according to Ravina, who said that connected foods are not considered connected, and** on the contrary, **are considered as if they are separated, what is there to say?** Given that the two edges are considered separated, they could not be judged as a ‘hidden place’. And now **surely** the two ‘separate’ parts of the limb **would touch each other, and** the section that went out **would render** the other part **impure**.

**Rather**, the Gemara now answers the difficulty as follows: The Mishnah speaks about a case where the section of the limb that left the boundaries of Jerusalem did not comprise a sufficient amount to render other items impure.

**According to the one who taught** that the amount of *pigul* or *notar* required in order to render one impure is a *kazayit*, here the Mishnah refers to a case **where there is not a *kazayit* in it**, in the section that went out. Therefore it would not be able to impart impurity to the section that remained within the boundaries of Jerusalem.

**And according to the one who taught** that the amount required is a *kabeitzah*, our Mishnah refers to a case **where there is not a *kabeitzah* in it**.

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## Perek 7 – 85a

**Come and hear** a proof that there is no decree of impurity on sacrificial meat that went out:

If two groups, who separately offered two Pesach offerings, were to eat them in the same room, each group would be forbidden to take the meat of their offering to the place where the others were eating.

For this would be included in the prohibition stated in the Torah, “Do not take any of the meat from the house outside”. On this basis the Baraita states:

**If one takes meat of the Pesach offering from one group to another group, even though this is prohibited by a negative mitzvah, the meat is still pure.**

**Is it not** the case that the Baraita rules that it is pure, **and** nonetheless, the meat that ‘went out’ is **forbidden?**

**Because going out from one group to another group is considered like going outside the permitted boundaries. And** as a result, the meat would be **invalidated** through having ‘gone out’.

Given that the offering was invalid, it would be forbidden for one to eat it.<sup>7</sup> **And nonetheless,** the Baraita **taught** that it was **pure. Therefore** we see that **the Rabbis did not decree impurity** upon meat that went out.

The Gemara replies: **No,** the Baraita is not ruling that it is pure but forbidden.

Rather **it is pure and permitted. Because going out from one group to another group is not considered like going outside the boundaries.**

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<sup>7</sup> See 24a

## Perek 7 – 85a

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The Gemara rejects this answer: **And** is it true that meat that went out from one group to another is **not invalidated**?

**Surely the latter clause** of the Baraita **taught**: Concerning **one who ate** from such an offering, **note that he has** transgressed a **negative** mitzvah, given that the meat is invalid.

Now that the meat has been established as being invalid, yet it is pure, this surely proves that the Rabbis did not decree impurity on meat that went out.

**It is all right according to the one who said** that the meat would not impart impurity unless it comprised a *kabeitzah*. Because we could say that here it refers to a case **where there is a kazayit in it**, the amount through which one would transgress the prohibition of eating meat that was invalid, **and there was not a kabeitzah in it**. That is why it remains pure.

**But according to the one who said** that the decree of impurity applies even to a *kazayit*, **what is there to say?**

**Rather**, one may answer the difficulty differently: **In** the case of **a Pesach offering that went out, we do not have a question—because the Rabbis certainly did not decree impurity** on it.

And **what is the reason** that the Pesach offering is different from other sacrifices? Because **the members of the groups** who bring the Pesach offering **are zealous, and would certainly be careful with it**. Given that there were usually a large number of people in the group, most likely including people who were quite meticulous about keeping the laws of the Pesach offering, they would remind each other not to take the

## Perek 7 – 85B

offering beyond its boundary. Therefore, there was no need for the Rabbis to decree impurity upon the meat.

**But when we have a question**, it is **in** the case of ordinary **sacrifices: what** is the Halachah if one brought them outside their permitted boundaries?

The Gemara concludes: **Let it stand**, the question remains resolved.

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The Gemara now explains the Halachah regarding taking a Pesach offering from one group to another:

**And concerning one who took the meat of the Pesach offering...**

### **Ammud Bet**

**...from one group to another group**, in a case where they were both in one house. **From where do we** learn that this would be forbidden?

The Gemara answers: **For it was taught** in a Baraita: The Torah states, **“Do not take [any] of the meat from the house outside”**.

**I only have** a source to prohibit one from taking the Pesach offering **from the house** where he was eating it **to a different house**. But **from where** do I know that it would also be forbidden for one to take it **from one group to another group** within the same house?

## Perek 7 – 85B

The Torah says “outside”, to teach that one may not take the meat **outside** the group in order to eat it.

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**Rabbi Ami said: One who takes the meat of the Pesach offering from one group to another group is not liable** for the punishment of lashes **until he puts down** the meat after having taken it out.

Because when the Torah refers to this prohibition, the term “**taking out**” is written **about it, like Shabbat** where the Torah also uses the term “taking out” to describe the prohibition of transferring from one domain to another.

Therefore we may learn: **Just as for Shabbat**, one is not liable **until one performs a ‘picking up’ and a ‘putting down’**, so too here one is not liable **until one performs a ‘picking up’ and a ‘putting down’**.

**Rabbi Abba bar Mamel contradicted** Rabbi Ami, from a Mishnah in Tractate *Zevachim*:

Concerning the offerings of bulls and goats that are to be burned outside Jerusalem - **they would carry them on poles**, outside the city.

If **the first ones** who were at the head of the pole carrying the offering **went outside the walls of the Temple Courtyard and the last ones** still had **not gone out**, then **the first ones render** their **clothes impure** and they must be immersed in a mikveh<sup>8</sup>. This is because the Torah states in reference to these offerings: “And the one who burns them shall wash his clothing”. The Torah also states, “And take it outside the camp and burn it”. From a combination of the two verses we learn that once the offering is taken out

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<sup>8</sup> Purifying pool

## Perek 7 – 85B

from the Courtyard, the clothes of those who carry it are rendered impure. **And the last ones do not render their clothes impure**, given that they have not yet left the Courtyard.

This poses a difficulty for Rabbi Ami: Given that he said that we may learn the ‘taking out’ of the Pesach offering from the ‘taking out’ of Shabbat, where we require a picking up and a putting down. Here too the Torah uses the term ‘taking out’. Therefore the people carrying out the offering should not render their clothes impure until they put it down.

Therefore Rabbi Abba argues: **And surely** in the case in this Mishnah they did **not put down** the offering, given that they had merely removed it from the Courtyard and were in the process of taking it outside the entire city.

**He**, Rabbi Abba, **posed the contradiction and he answered it** himself: The Mishnah refers to a case where they **dragged** the offering across the ground, and this would be considered as putting down.

### **Mishnah**

Concerning **a limb** of the Pesach offering **that partially went outside** the walls of Jerusalem, becoming invalid.

One should **cut it**, making an incision around the point where it ‘went out’, **until one reaches the bone**.

**And** one should **peel** away the meat **until one reaches the joint, and cut** the tendons that join the two adjacent bones together.

## Perek 7 – 85B

Nonetheless, one should not break the bone at the point where it went out, because of the prohibition of breaking a bone in the Pesach offering.

**And** if part of a limb **of** other **sacrifices** went outside their permitted boundaries, one should **cut** that part away **with a hatchet, because there is no** prohibition against **breaking a bone** in the case of other sacrifices.

The Mishnah details the laws of the walls of Jerusalem, in relation to the Pesach offering and sacrifices of light sanctity (both of which may be eaten throughout the city of Jerusalem).

The walls of Jerusalem were of considerable thickness and their gates stood within that thickness. Within these gates themselves, there were three areas:

1. From the point where the doors were situated when closed, until the point where they banged on the surrounding frames when the doors were opened. This area was termed the *agaf* - doorway.
2. From the inner side until the *agaf* was termed ‘from the doorway inwards’.
3. From the *agaf* outward was termed ‘from the doorway outward’.

And the halachot pertaining to these places are as follows:

**From the doorway inwards** was considered **as the inside** the city. And one was permitted to eat the Pesach offering and other sacrifices of light sanctity there.

**From the doorway outwards** was considered **as the outside** of the city. This was true whether the gates were open or closed.

## Perek 7 – 85B

The law of the doorway itself will be explained in the Gemara.

**The windows** that spanned the thickness of the wall, **and the thickness** on top of the wall itself, were both considered **as the inside** the city.

### **Gemara**

**Rav Yehudah said** in the name of **Rav**: Just as the Mishnah described the halachot of a doorway with respect to the Pesach offering, **so too** a doorway has the same laws **with respect to prayer**. I.e. the same principle will apply when determining whether ten people are regarded as located in the same place, thus forming a minyan for public prayer.

If nine stood inside a house and the tenth stood from the doorway inwards, he would be considered inside and would join to make the minyan. However if he were standing outside the doorway he would not be considered as part of the minyan.

**And** in this matter, Rav **disagrees with Rabbi Yehoshua ben Levi**.

**For Rabbi Yehoshua ben Levi said: Even a partition** made of **iron does not separate between** the people of **Israel and their Father in Heaven**. I.e. Hashem does not consider any barrier significant, because everything is revealed to Him.

Therefore, even an iron partition will not separate between the ten joining for prayer.

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## Perek 7 – 85B

The Gemara returns to the Mishnah that stated: From the doorway inwards is considered inside, and from the doorway outwards is considered outside.

**Surely this is a difficulty in and of itself:**

In the first clause, the Mishnah **said: From the doorway inwards** is considered **as inside**. From here one could infer: **Surely the doorway itself** is considered **as outside**.

Let us now **say the latter clause** of the Mishnah: **From the doorway outwards** is considered **as outside**. From here we would infer: **Surely the doorway itself** is considered **as inside**.

The Gemara answers: It is **not a difficulty**. **Here** the Mishnah refers **to the gates of the Temple Courtyard**, and **here** it refers **to the gates of Jerusalem**.

Regarding the gates of the Courtyard, the doorway has the sanctity of the Courtyard itself (with the exception of the Gate of Nikanor, as will be explained later). This is inferred from the latter clause of the Mishnah.

But regarding the gates of Jerusalem, the doorways do not have the status of the city itself. This is inferred from the first clause of the Mishnah.

**For Rabbi Shmuel bar Rabbi Yitzchak said: For what** reason were **the gates of Jerusalem not sanctified** as were the windows and the tops of the walls?

**Because the *metzora'im*<sup>9</sup>**, who are sent outside the city of Jerusalem due to their severe degree of impurity, sat at the gates and **were sheltered under them, in the sunny season from the sun and in the rainy season from the rains**. This would not have been possible had the gates also been sanctified.

## Perek 7 – 85B

**And** furthermore, **Rabbi Shmuel bar Yitzchak said: For what reason was the Gate of Nikanor not sanctified?** This was the gate that opened from the Temple Mount onto the eastern side of the Courtyard, and served as the Courtyard's main entrance.

**Because the *metzora'im* stand there** on the eighth day of their purification, when they still lack the atonement to be achieved by the sacrifices they will bring, and are thus forbidden to enter the Courtyard. **And they extend the thumbs of their hands inside** the Courtyard in order for the cohen to apply the blood of the guilt offering to them.

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**Rav said: The roofs and attics** of Jerusalem were **not sanctified** with regard to the Pesach offering and sacrifices of light sanctity. The same was true of the roofs and attics of the Temple Courtyard, with regard to sacrifices of great sanctity. (The permitted boundary for these sacrifices is the Temple Courtyard alone.)

The Gemara questions this statement: **Is this so? Surely Rav himself said in the name of Rabbi Chiya:**

Large groups may not be appointed on one Pesach offering, unless each person would receive at least a *kazayit* of the **Pesach** offering to eat.

**And the Hallel would split the roof.** The sound of the masses of people reciting Hallel upon the rooftops made it feel as if the roofs were caving in.

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<sup>9</sup> Those afflicted with *tzara'at* - a spiritually caused skin disease. Although it is often identified with leprosy, this is widely disputed.

# Chavruta

## Pesachim – Daf Peh Vav

Translated by: *Rabbi Dov Grant*  
Edited by: *R. Shmuel Globus*

**Is it not the case that they ate the Pesach offering on the roof and they said the Hallel on the roof?**

And if this so, then the roofs of Jerusalem were indeed included in the sanctified area defined by the walls of the city of Jerusalem. Otherwise, it would be forbidden to eat the Pesach offering on the roof. This poses a difficulty to Rav, who said that the roofs were not sanctified.

The Gemara answers: **No**, they did not actually eat it on the roof. Rather, the case is **where they ate** the Pesach offering **on the ground** level i.e. inside the houses. **And they only said** the Hallel **on the roof**.

The Gemara asks: **Is that so?** For according to that answer, it emerges that it is permitted to leave while eating the Pesach offering to go say Hallel in a different place.

**But surely it was taught** in a Mishnah: **They may not *maftirim* after eating the Pesach offering, by way of an *afikoman*.**

**And Rav said** that this Mishnah teaches us: **That they may not leave (*maftirim*) the group** in which they ate the Pesach offering, **to eat other food in a different group.** (*Afikoman* is understood as a contraction of *afiku manaichu*, which means ‘take out your vessels’). For if they were to leave the group, they might come to eat the Pesach offering in two places, which is forbidden according to Rabbi Yehudah.

So how can it be permitted to leave the place where they are eating the Pesach offering, in order to say the Hallel on the roof?

## Perek 7 – 86a

The Gemara answers: **This is not a difficulty.**

For **here**, in the Mishnah of *afikoman*, it is **at the time of eating** the Pesach offering. At that time it is forbidden to leave the place of eating.

Whereas **here**, regarding the Hallel that they said, it was **after eating**. Thus it is permitted to leave the place of eating to say the Hallel.

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**Come and hear** a contradiction to Rav's view that the roofs and attics do not have the same sanctified status as the ground floor:

**Abba Shaul says: The attic of the Holy of Holies is more stringent than the Holy of Holies itself.**

For regarding **the Holy of Holies, the Cohen Gadol<sup>1</sup> enters it once a year** on Yom Kippur.

**But regarding the attic of the Holy of Holies, one may only enter it once in seven years. And some say: Twice every seven years. And some say: Once in fifty years.** This entry is in order **to know what it** the attic **needs** in terms of repair.

In any event, since they could not enter the attic any time, we see that the attic was sanctified. And this is contrary to the position of Rav. For he said that attics were not sanctified.

**Rav Yosef said** in reply: **Shall we arise and pose a difficulty from** the unique case of **the Temple attic?**

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<sup>1</sup> High Priest

## Perek 7 – 86a

**The Temple is different. For it states (*Divrei Hayamim*<sup>2</sup> 28:19): “And David gave to his son Shlomo<sup>3</sup> a plan of the Hall (*Ulam*<sup>4</sup>) and its rooms and storerooms *and attics and inner rooms and the room of the Ark-cover*<sup>5</sup>.”**

**And it is written** there: “**Everything in writing, from the Hand of G-d, He gave to me**”. Thus we see that the Temple attics were different, in that G-d Himself sanctified them. Thus Rav was not including the special case of the Temple when he said that attics were not sanctified.

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**Come and hear** a Mishnah (Tractate *Ma'aser Sheni* 3:8) that poses a second contradiction to Rav's position:

This is the Halachah regarding **the rooms that were built in the holy** area, i.e. the area on which stands the Temple Courtyard. **And** this is speaking about rooms that did not open onto the open grounds of the Courtyard itself, rather they **were open to the** relatively **non-holy** area, i.e. the surrounding Temple Mount.

**Their inside is not holy** with the holiness of the Courtyard. Rather, the rooms have the lower level of holiness of the Temple Mount.

**But their roofs** of those rooms **are holy**.

So we see that even the roofs of the Courtyard rooms were holy. And this contradicts Rav, who said that the roofs were not sanctified.

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<sup>2</sup> Chronicles

<sup>3</sup> Solomon

<sup>4</sup> The outer chamber of the Temple, leading from the Courtyard to the *Heichal* (Sanctuary).

## Perek 7 – 86a

**Rav Chisda explained** that the Mishnah is dealing with rooms **where their roofs are level with the floor of the Courtyard**. The rooms were built as tunnels under the floor of the Courtyard. Thus their roofs are treated as the floor of the Courtyard itself.

The Gemara poses a difficulty with this explanation: **If that is so, I will say the latter clause of that Mishnah:**

This is the Halachah regarding the rooms that were **built in the non-holy** area, on the Temple Mount. **And** specifically if **they were open to the holy** area, the Courtyard. **Their inside is holy** with the holiness of the Courtyard.

**And** there is a problem if **you assume**, as Rav Chisda does, that the first clause of the Mishnah is dealing with a case **where their roofs are level with the floor of the Courtyard**. For then, the latter clause must also be dealing with such a case. And if that is so, **they** the rooms in the relatively non-holy Temple Mount area, open to the holy area of the Courtyard, **will be tunnels**. **And Rabbi Yochanan** (daf 67) had **said: Tunnels were not sanctified**.

The Gemara answers: **When Rabbi Yochanan said** that tunnels were not sanctified, he was speaking **about** tunnels that were **open to the Temple Mount**. Whereas **when that** latter clause of the Mishnah **taught** that tunnels are sanctified, it was **regarding** the tunnels that were **open to the Temple Courtyard**.

The Gemara still has a difficulty with this: **But surely it was taught** in a Baraita: **Rabbi Yehudah says: The tunnels that were under the Sanctuary (*Heichal*<sup>6</sup>) are non-sanctified**. And presumably these tunnels were open to the adjacent Courtyard.

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<sup>5</sup> The Holy of Holies

<sup>6</sup> The area of the Temple between the Courtyard and the Holy of Holies. It contains the Menorah, Golden Altar and Table of Show Loaves.

## Perek 7 – 86a

The Gemara answers: **When that** Baraita **taught** that tunnels are not sanctified, it was **regarding** the tunnels that passed under the eleven-*ammot* area behind the Holy of Holies. These tunnels were **open to the** relatively **non-holy** area of the Temple Mount.

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**Come** and **hear** the latter part of the Baraita of Rabbi Yehudah just quoted. It poses a third difficulty to Rav's position that roofs were not sanctified:

**And its roof**, i.e. that of the *Heichal*, **is holy**.

The Gemara answers: **Do you really think** that it is possible **to explain** “and its roof is holy” to mean that the roof is fully sanctified?

**But surely it was taught** in that Baraita: Regarding **those roofs** of the Courtyard and its rooms: **They may not eat there the offerings of great sanctity**. Rather they must be eaten in the Courtyard proper.

**And they may not slaughter there the offerings of light sanctity**. Rather they must slaughter them in the Courtyard.

We thus see that the Baraita holds that roofs and attics are *not* sanctified. So we cannot say that the roof of the *Heichal* is holy!

**But, still, it is a difficulty**, for the Baraita itself states: **Its roof** i.e. that of the *Heichal*, **is holy**. And we have just established in the same Baraita that it is *not* holy!

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## Perek 7 – 86a

The Gemara answers: **Rav Chama bar Gurya said:** The roof of the *Heichal* was only sanctified for the purpose of placing there the vessels used in construction of the Temple, such as **the two “*ammot*”**. (These were measuring sticks used for measuring the work performed by the builders of the Temple, as will be explained.)

It was not sanctified, however, for placing vessels of the Altar there.

**For it was taught** in a Mishnah (Tractate *Keilim* 17:9): **Two** sticks, each measuring an *ammah*, known together as the “*ammot*”, **were** present in the Second Temple. They were placed **on the** structure situated on top of the gate that was shaped like *Shushan Habirah*<sup>7</sup>.

**One** of the sticks was placed **on the northeastern corner, and one** was placed **on the southeastern corner.**

**This stick that was placed on the northeastern corner was greater** in length **than** the *ammah* measurement **of Moshe**<sup>8</sup>. For Moshe received the tradition from Sinai that an *ammah* is six *tefachim*. And this stick measured **a half fingerbreadth** more.

**And that stick that was placed on the southeastern corner was greater** in length **than it,** the other stick, by **a half fingerbreadth. Thus,** this stick was **greater** in length **than** the *ammah* measurement **of Moshe** by **a full fingerbreadth.**

**And why were they** needed, the measurements of those two sticks, **one** of which was relatively **large and one** of which was relatively **small?** Surely the exact *ammah* measurement of Moshe should have been sufficient!

In order **that** the **craftsmen would** make the Temple according to the measurements of these sticks.

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<sup>7</sup> The capital city of Shushan, in Persia.

## Perek 7 – 86a

For **they** agreed to **take** a per-*ammah* payment rate for building the Temple, based **on the small** measure of the *ammah*, i.e. six *tefachim*. **But** after construction **they would go back** and take their pay **according to the large** measure of the *ammah*. Thus for every large *ammah* that they constructed, they charged only for a small *ammah*. Thus the craftsmen effectively gave up some of their wages.

**And** the reason: **In order that they should not come to *me'ilah*<sup>9</sup>** by receiving accidentally inflated wages from the Temple Treasury. For it is impossible to be so exacting in the measurements when constructing. Thus when the craftsmen do not quite meet the specifications, and charge according to the exact measures, they are guilty of inadvertently robbing the Temple Treasury.

The Gemara now explains this Mishnah:

**But why are two larger measures needed?** Surely, it is sufficient to have the measure of Moshe and to use one of the two larger measures when actually constructing!

Really, both are needed. The **one** measuring stick in the northeastern corner, which was only half a fingerbreadth more than the standard measure of Moshe, was **for** use with **silver and gold** materials. This ensured that the craftsmen would not lose too much money when working with such expensive materials yet charging under the standard rate.

**And** the **one** other stick, which was in the southeastern corner and was a full fingerbreadth more than the measure of Moshe, was **for** use in constructing **the building** itself.

c c õ d d

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<sup>8</sup> Moses

## Perek 7 – 86a

The Gemara has defended the position of Rav that the roofs and attics were not sanctified. However, according to that position, there remains a difficulty in understanding our Mishnah.

**It was taught** in our Mishnah: **The windows and the thickness on top of the Courtyard wall** are treated **like the inside** of the Courtyard itself. Surely these areas are similar to the roofs and attics, so why are they treated as being as holy as the Courtyard itself?

The Gemara elucidates its question: The case of the **windows is all right** i.e. poses no difficulty to Rav. For **it**, a case when the windows are holy, **can be found—when it** the window ledge **is level with the floor of the Courtyard**. Thus the windows are not like roofs.

**But** what of the case of **the thickness on top of the walls? How is it** such a case **found**, that the top of the wall is holy because it is level with the floor of the Courtyard? Surely the wall must be higher than the floor of the Courtyard!

The Gemara answers: **It can be found, in the** case of the **wall** called **“bar”**. This was a low wall located on the inside of the wall of the Courtyard.

For the floor of the Courtyard was built split-level<sup>10</sup>. The main floor of the Courtyard was higher than the lowered floor next to the wall of the Courtyard. The upper level of floor was joined to the lowered floor by steps.

Thus, the low wall located at the outer edge of the lowered floor reached only as high as the elevated floor of the main Courtyard. Thus it possessed the holiness of the Courtyard itself.

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<sup>9</sup> Misappropriation of Temple property or money

## Perek 7 – 86a

And this is **as it is written** (*Kohelet*<sup>11</sup> 2:8): “**And he caused to mourn the *chail* and the wall**”. And this was explained as follows: **Rabbi Acha, and some say Rabbi Chanina, said:** The wall and the *chail* are the **wall and the *bar wall***, respectively.

### **Mishnah**

It sometimes occurred that a large group of people were appointed to eat from one Pesach offering. If it was inconvenient for them to eat together as one group, the Sages permitted the group to divide up into separate groups. However, no individual is allowed to eat in two or more groups. The reason will be explained in the Gemara.

This is the Halachah regarding **two groups that were eating** the same Pesach offering **in one house**, after having fixed their respective places in the house: They are not required to act in a way that shows that they are all in the same appointed group.

Rather, **they** the members of one group may **turn their faces to one side and eat**. And **they** the members of the other group may **turn their faces to one other side and eat**.

This Tanna holds that it is completely permitted to eat the Pesach offering in many groups, as will be explained.

**And** similarly it is permitted to place **the urn**, from which both groups supply themselves with hot water for mixing and diluting the wine, **in between** the two groups. This was the usual position of the urn, allowing the servant to easily take care of the wine of both

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<sup>10</sup> The Mishnah in the second chapter of Tractate *Middot* describes the exact layout of the Temple.

## Perek 7 – 86a

groups. There is no need to change the normal position, out of concern that the urn appears to divide the groups from each other.

But it is forbidden for one person to eat the Pesach offering in two groups. Therefore, this is the procedure **when the servant** who was eating in one group **stands** up, with food in his mouth, **to dilute** the wine of the other group:

**He** must **tightly close his mouth** so that it not appear as if he is eating anything. **And** immediately after he mixes the wine **he turns back his face**, mouth shut, towards his group. In this way they will not suspect him of eating with the other group. He remains like this **until he arrives back to his group**.

Thus it is permitted to eat the Pesach offering even when the different groups turn their faces away from each other. There is no concern that this gives the impression that they are two separate groups.

**And** therefore, we can accommodate **a bride**. Since she is the center of attention, she might well be embarrassed to eat in front of the other members of her group. Thus, she is allowed to **turn her face** to the side, **and eat**.

## **Gemara**

**Our Mishnah** allowed the eating of the Pesach offering in two groups. **Whose view is it? It is** that of **Rabbi Yehudah**.

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<sup>11</sup> Ecclesiastes

## Perek 7 – 86a

**For it was taught** in a Baraita: It states (*Shmot* 12:7), “And they shall take from the blood and place it on ... **the houses where they shall eat it** [the Pesach offering]”.

The use of the plural term “houses” implies that the eating may be done in two or more houses. “They” implies two or more people. “It” implies only one Pesach offering.

Thus, **it** the verse **teaches that** when there are many participants, **the Pesach offering may be eaten** by them in two houses or **in two groups** (since that is like eating in two houses).

**You might have said that** even the **one who is eating should** be allowed to **eat in two places**. For example, he starts to eat in one room and then continues in a different room. Or he starts to eat with one group and then continues to eat with a separate “turned faces” group in the same room.

**Therefore, it** the verse (*Shmot*<sup>12</sup> 12:46) **teaches** to the contrary: **“In one house it shall be eaten (yei’acheil)”**. Yet the word is written *yochal* (he shall eat). Thus the verse reads, alternatively, “in one house he shall eat it (*yochal*)”.

Consequently the verse teaches that an *individual* must eat the Pesach offering in one house. And it is not interpreted according to its simple meaning, that the *Pesach offering* must be eaten in one place. (For we have learnt that in fact it may be eaten in more than one place, when there are many people).

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**From** that which we have learnt **here**, that one may not eat the Pesach offering in two places, **they** the Tannaim **said** the following in a Baraita:

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<sup>12</sup> Exodus

## Perek 7 – 86a

**The servant** would roast the Pesach offering in the special oven that was set up in a separate room. **If he ate a *kazayit*<sup>13</sup> of the meat by the side of the oven**, then he is not allowed to continue to eat with the other people of the group in the other room. Therefore, **if he is smart, he will fill himself up from it** while he is by the oven.

**And if the people of the group want to do him a favor** so that he should not feel lonely, **they can come and sit** and eat together **with him** in the oven room. These are **the words of Rabbi Yehudah**.

**Rabbi Shimon says:** It is the other way around. One is allowed to eat in two places. However, two groups may not eat from one Pesach offering in two houses. And this is the meaning of the verse (*Shmot* 12:7):

“They shall place the blood ... **on the houses where they shall eat it**”.

“They shall eat” is in the plural. But this means that *every one* of those eating the Pesach offering may eat “it”, the single Pesach offering, in “houses” i.e. two or more places.

Thus, **it the verse teaches that one who is eating the Pesach offering may eat it in two places**.

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<sup>13</sup> *Kazayit*: 0.9 fluid oz. or 28 cu. cm.

## Perek 7 – 86B

### **Ammud Bet**

You might have said that the Pesach offering should be eaten in two groups in two houses.

Therefore it the verse (*Shmot* 12:46) teaches to the contrary: “In *one* house, it [the Pesach offering] shall be eaten”. The verse is interpreted according to its simple meaning, *yei’acheil*.

This teaches that the Pesach offering should be eaten in *one* group, not two. However, an individual is permitted to eat it in two groups. For the word *yei’acheil*, it shall be eaten, refers to the Pesach offering and not the individual.

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The Gemara now explains the source of the different views:

**Rabbi Yehudah holds that there is precedence given to the tradition.** This refers to the tradition regarding how a verse is *written*. Therefore he interprets it as “He shall eat”, and the Halachah emerges that an individual may eat the Pesach offering in only one house.

**And Rabbi Shimon holds that there is precedence given to the way that the verse is read** i.e. pronounced. Therefore he interprets it as “It shall be eaten”, and the Halachah emerges that the Pesach offering may be eaten in only one house.

The difference between the views is expressed in the following cases:

## Perek 7 – 86B

1) If **they** the people appointed on the Pesach offering **were sitting** in one group, eating from its meat, **and** in the middle of their eating, **a partition was spread between them**, creating a situation as if they were eating in two houses—

**According to the words of the one who says that the Pesach offering may be eaten in two groups** (i.e. Rabbi Yehudah), it emerges that **they may** continue to eat.

This is not considered a change of place, because reducing the existing area is not considered creating a new place of eating.

But **according to the words of the one who says the Pesach offering may not eaten in two groups** (i.e. Rabbi Shimon), it emerges that **they may not** continue to eat, since there are now two groups formed by the partition.

2) If **they were sitting** in two groups in two houses, **and the partition** between the houses **was removed**, this is the Halachah:

**According to the words of the one who says that the person eating may eat in two places**, i.e. Rabbi Shimon, **they may** continue to eat.

But **according to the words of the one who says that the person eating may not eat in two places**, i.e. Rabbi Yehudah, **they may not** continue to eat. For the addition of space to either side is considered a change of place.

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**Rav Cahana was sitting** and teaching, and **he stated, in a clear-cut fashion**, the above Halachot regarding the removal of partitions.

## Perek 7 – 86B

**Rav Ashi said to Rav Cahana:** Why is this so clear-cut to you? Really, **you should have said** the subjects as **a question:**

Regarding the **removal of a partition and the erection of a partition: Is it really similar to two places and two groups?** Meaning: Does the act of removing a partition create two places; and does the act of making a partition create two groups?

The Gemara concludes: In truth, the matter is a question. And **let it** the Halachah **stand** unresolved.

c c ã d d

We learnt in the Mishnah: **The bride turns her head** and eats.

The Gemara elucidates: **What is the reason** that the bride is singled out? Why does the Mishnah assume that she wants to turn her face more than anyone else?

**Rabbi Chiya bar Abba said in the name of Rabbi Yochanan:** **Since she is** the center of attention she is **embarrassed** to eat in front of everyone.

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**Rav Huna the son of Rav Natan went to the house of Rav Nachman bar Yitzchak.**

**They said to him: What is your name? And he told them: Rav Huna.**

**They said** to him: **Let the Master sit on the couch** to eat. The couch was reserved for very important people. Ordinary people would sit on benches to eat.

## Perek 7 – 86B

**And he** Rav Huna **sat** down on the couch.

**They gave him a cup** of wine.

**He accepted it** immediately, rather than refusing it at first. Thus they only asked him **one time** and did not have to urge him to take the wine.

**And he drank it.** It took him **two times** i.e. two ‘swigs’, pausing in between, for him to do so.

**And he did not turn his head away** from the present company. He drank the wine in front of everyone.

**They said to him** to Rav Huna:

**What is the reason that you call yourself “Rav” Huna?**

**He said to them: It is my acquired name.** From childhood they referred to me as Rav Huna. (*Rashi*)

They further said to Rav Huna:

**What is the reason** why we asked you? Because **when they said to you: “Let him the Master sit on the couch”, he** the Master actually **sat!** Since sitting on a couch to eat is a sign of haughtiness and authority, Rav Huna should have first refused the request.

**He said to them:** I could not refuse the request. For **whatever the master of the home**<sup>14</sup> **tells you** to do, you must listen to him and **do it, except for** when he tells you **“leave!”**

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<sup>14</sup> Here the members of the company evidently took their authority from the master of the household.

## Perek 7 – 86B

They asked Rav Huna:

**What is the reason that when they gave you the cup of wine, you accepted it on the first time** that you were offered it? Etiquette demands that you should have refused it on the first request!

**He said to them: One may refuse** the request of a **small** i.e. a relatively unimportant **person**, unless he urges you. **But one may not refuse** the request of a **big** i.e. a relatively important **person**.

They further asked:

**What is the reason that you drank it the wine in two times** i.e. two ‘swigs’?

**He said to them: For it was taught** in a Baraita:

**One who drinks his cup of wine all at one time is called a glutton.** Whereas if he drinks it with **two** ‘swigs’, this is the way of **etiquette**.

**And one who drinks with three** ‘swigs’ is regarded as if he is **from haughty people**.

They asked further:

**What is the reason that you did not turn your face,** as is customary, when you were drinking the wine?

**He said to them: “A bride turns her face” was taught** in a Mishnah. This shows that it is not normal conduct for a man to act this way.

## Perek 7 – 86B

c c õ d d

**Rabbi Yishmael the son of Rabbi Yose went to the house of Rabbi Shimon the son of Rabbi Yose ben Lukunia.**

**They gave him a cup of wine. He accepted it from them at the first time that it was given, and drank it at one time.**

**They said to him: Does not the Master hold that one who drinks his cup all at one time is called a glutton?**

**He said to them: They did not say that statement regarding a small cup of wine, less than a *revi'it*<sup>15</sup> in volume. And they did not say it regarding sweet wine. And they did not say it regarding one whose stomach is wide.** (For Rabbi Yishmael the son of Rabbi Yose had a large stomach).

c c õ d d

**Rav Huna said:** When a group of people has formed, for instance at an inn, and they hire a servant to organize the meal, they should conduct themselves as follows.

**They should go in to eat as a group of at least three people.** For then the servant will not be able to refuse to serve them, even though this involves him in the extra effort of serving them separately before the rest of the group arrives.

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<sup>15</sup> *revi'it*: 86.4 cc or 2.9 fl. oz.

## Perek 7 – 86B

But two or more people do not constitute the minimum requirement for a *zimmin*<sup>16</sup>. Since they do not have this importance, the servant is not required to attend them separately.

**And they may leave one** by one. Thus if one or two are slower in their eating than the others, the servant must continue to attend them until they finish. For it is normal for different people to eat at a different pace.

\*

Rav Huna had said that three people could expect service from the servant, when they enter separately from the rest of the group. **Rabbah said** the following qualifications regarding this statement.

**And that is** only true **when they go in** to eat **at a time when people normally go in** to eat. They didn't go in to eat unduly early.

**And that** is only true **when the servant realizes about them** that they intend to conclude their meal and leave before the rest of the group. If, however, he believes that they intend to conclude with everyone else, he does not have to start attending to them until the others arrive.

\*

Rav Huna had said that if one or two are slower in eating than the rest, the servant must attend on them until they finish. Therefore, they may leave one by one. **Ravina said** the following qualifications to this statement.

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<sup>16</sup> The invitation to others to join in the *birkat hamazon*, grace after meals.

## Perek 7 – 86B

**But they** the “stragglers” still eating **must give** more **payment** as their share of the collective pay to the servant than the share paid by the other members of the group. For they are using him for a longer time than the others.

**And the last one needs to add** extra **payment** to give to the servant, more than he would otherwise receive.

**But the Halachah is not in accordance with him,** Ravina. The “stragglers” need not pay a greater share of the servant’s pay, nor to pay the servant extra. For Ravina holds that it is common practice for a servant to be hired on the basis of serving also the “stragglers”.

# Chavruta

## Pesachim – Daf Peh Zayin

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

### Perek Halshah

#### Mishnah

1) **A married woman - when she is in her husband's house** on the 14<sup>th</sup> of Nissan—

**If her husband slaughtered** the Pesach offering **for her** as one of his family, **and her father also slaughtered for her—**

**She eats from her husband's**<sup>1</sup> Pesach offering. We assume that she wants to be appointed on his Pesach offering, unless she says otherwise.

2) **But if she went for the first Yom Tov** after her marriage **to spend Yom Tov in her father's house** (as was customary), then the Halachah is as follows:

**If her father slaughtered for her and her husband also slaughtered for her**<sup>2</sup>—

**She eats in** whichever **place she wants**, because we are uncertain which one she was appointed for.

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<sup>1</sup> Even if this is the first Yom Tov after her marriage.

<sup>2</sup> Because he thought she would return to eat with him.

## Perek 8 – 87a

3) **An orphan whom** his two **guardians slaughtered for him**, both having him in mind to eat with them - **he eats where he wants** because we are uncertain which offering he was appointed for.

\*

4) **The slave of two partners**, whom each master appointed on his Pesach offering, **he may not eat from either of the two of them**, because each master did not give permission for his half of the slave to be appointed on the other master's offering.

\*

5) **If someone is half slave and half a free person,**<sup>3</sup> **he may not eat from his master's**, because the master presumably did not appoint the free half to eat from his Pesach offering.

## **Gemara**

Our Mishnah said that if a woman went on the first Yom Tov after her marriage to her father's home, and both her father and husband slaughtered a Pesach offering for her, she eats where she wants.

The Gemara deduces from this: **Hear from this** a proof **that there is** Halachic validity to the principle of *bereirah* – retroactive choice.

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<sup>3</sup> For example, if he had belonged to two owners and one owner freed him.

## Perek 8 – 87a

The Gemara often discusses whether this principle may be relied upon in Halachic matters. Do we say that the way something ends up indicates retroactively that it was like that from the beginning? Here, for example, does the woman's later decision retroactively make it as if the Pesach offering she chose to eat from was earlier offered on her behalf?

The Gemara rejects this proof: **What** does “She eats in the place **she wants**” **mean**? That she told us what she wants **at the time of slaughtering**.

c c õ d d

**They** the scholars of the study hall **posed a contradiction** to case 2 of our Mishnah, from a Baraita:

The Baraita says: **A** newly married **wife** (who went to visit her father's house, and both her father and her husband slaughtered a Pesach offering for her), **on the first festival** of Pesach following their marriage, **she eats from** the Pesach offering of **her father**.

**From then on, if she wants she eats from her father's, if she wants she eats from her husband's.**

But case 2 of our Mishnah says that even on the first Yom Tov following their marriage, she eats wherever she wants!

The Gemara answers: This is **not a difficulty**:

**Here** in the Baraita it is a case **that she often goes** to her father's house at other times as well. Therefore when she goes there on the first Yom Tov, she probably wants to eat her Pesach offering there.

## Perek 8 – 87a

But **here** in case 2 of our Mishnah, it is speaking about a case **that she does not go often** to her father's house at other times, and in such a case we are uncertain where she wants to eat the Pesach offering there even during the first year.

\*

The Gemara brings a verse from which we see that it is the way of women to often visit their father's home on the first Yom Tov:

**Because it is written** (*Shir HaShirim*<sup>4</sup> 8:10): **“Then I was in his eyes as one who is found perfect.”**

**And said Rabbi Yochanan: Like a bride “who is found perfect” in the house of her father-in-law**, i.e. with her husband. **And she often goes to say her praise in the house of her father.**

\*

The Gemara brings another verse where, as in the verse above, the people of Israel are compared to a wife:

**It is written** (*Hoshea*<sup>5</sup> 2): **“And it will be in that place, says Hashem: You will call Me *Ishi* (‘my Man’), and not call Me any more *Ba’ali* (‘my Husband’).”**

**Said Rabbi Yochanan**, in explanation of the verse: The people of Israel will be **like a bride in the house of her father-in-law** (who is fully married and calls her husband *ishi*), **and not like a bride still in the house of her father** (who is only betrothed, and calls her husband *ba’ali*).

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<sup>4</sup> Song of Songs

## Perek 8 – 87a

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The Gemara quotes another statement of Rabbi Yochanan on a verse from *Shir Hashirim*:

The verse says (*Shir Hashirim* 8): **“We have a small sister who has no breasts.”**

**Said Rabbi Yochanan: This is** the country of **Eilam, that merited that** the Prophet Daniel, who lived there, **learned** Torah in their country, **but did not merit to teach** and disseminate Torah there to the people of Israel.

On the other hand, Ezra in Baylon both learnt and taught others.

\*

The verse also says in *Shir Hashirim* (*ibid*): **“I am a wall and my breasts are like towers.”**

**Said Rabbi Yochanan: “I am a wall.” This is Torah** that protects those who study it like a town’s wall.

**“And my breasts are like towers.” These are Torah scholars** who teach others (like breasts that nourish), and who are like towers that protect the generation.

**And Rava said: “I am a wall.” This is the congregation of Israel** that surrounds itself with a wall and does not mix with the nations.

**“And my breasts are like towers.” These are the synagogues and study halls** of Torah that shield them.

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<sup>5</sup> Hosea

## Perek 8 – 87a

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**Said Rav Zutra bar Tuvia said Rav: What is the meaning of that which is written (Tehillim 144): “That our sons are like olive saplings grown in their youth, our daughters like corner stones, hewn the form of a Temple”?**

**“That our sons are like olive saplings,” these are the youths of Israel who did not taste the taste of sin.**

**“Our daughters like cornerstones (*kezaviyot*),” these are the virgins of Israel that tie their openings i.e. hold them closed, refraining from relations with other men and reserving themselves for their husbands.**

**And so it says: “And fill the cornerstones (*kezaviyot*) of the Altar with blood, like a vessel containing blood.”**

Just as *zaviyot* in this second verse refers to a vessel full of blood, so the word *zaviyot* in the first verse alludes to the fact that the virgin women have within them desire (“blood”<sup>6</sup>); nevertheless they reserve themselves for their husbands.

**And if you wish, I could say an alternative source, that from here we know that *zaviyot* connotes being filled with something: “Our corners (*mezaveinu*) are filled, providing [food] from this [year] to that [year].”<sup>7</sup>**

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<sup>6</sup> The heat of one’s blood is regarded as the seat of physical desire.

<sup>7</sup> This is the continuation of the verse: “That our sons are like olive saplings grown in their youth, our daughters like cornerstones, hewn the form of a Temple.”

## Perek 8 – 87a

The previous verse says: “That our sons are like olive saplings grown in their youth, our daughters like cornerstones, **hewn the form of a Temple.**”

**These and those**, the virtuous sons and daughters just mentioned, **the verse considers them as if the Temple was built in their days.**”

\*

Because the Gemara earlier quoted a verse from the Book of Hoshea (“And it will be in that place, says Hashem: You will call Me my Man, *Ishi*, and not call Me any more my Husband, *Baali*”) it now quotes another verse from Hoshea:

**“The word of Hashem that came to Hoshea ben Be’eiri, in the days of Uziyahu, Yotam, Achaz, Yechizkiya, the kings of Yehudah<sup>8</sup>.”**

**During this one time, four prophets—Hoshea, Yeshaya<sup>9</sup>, Amos and Michah—prophesied.**

**And the greatest of them all was Hoshea, because it says: “The beginning (*techilat*) of the word of Hashem [was with] Hoshea.”**

**But did he speak to Hoshea first? Were there not many prophets from Moshe<sup>10</sup> until Hoshea?**

Rather, **said Rabbi Yochanan:** It means Hoshea was **the foremost of the four prophets who prophesied at that time.**

**And these were them: Hoshea, Yeshaya, Amos and Michah.**

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<sup>8</sup> Judea

<sup>9</sup> Isaiah

<sup>10</sup> Moses

## Perek 8 – 87a

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The Gemara now explains why Hashem ordered Hoshea to marry a harlot, as it says: “And Hashem said to Hoshea: Take you a women of harlotry and children of harlotry, because the land is full of harlotry.”

The story began when **the Holy One said to Hoshea: Your sons** the people of Israel **have sinned!**

**And he Hoshea should have said:** You say that **they are “your”** (i.e. my) **sons?** Rather, O G-d, You should say: **They are My beloved sons, the sons of Avraham, Yitzchak and Yaakov<sup>11</sup>. Bring Your mercy on them!**

Yet **not only did Hoshea not say this, but he said before Him:**

**Master of the World! The whole world is Yours. Change them with another nation.**

**The Holy One said: What should I do with this old man** to teach him the proper concern for the people of Israel?

**I will say to him: Go and take a harlot, and give birth to children of harlotry,** whom you don't know if they are your children or not. **And afterwards I will say to him: Send her away from you.**

**If he can send her away, I too will send Israel away** and change them for another nation.

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<sup>11</sup> Abraham, Isaac and Jaacob

## Perek 8 – 87B

**Because it says: “Hashem said to Hoshea: Take for you a woman of harlotry and children of harlotry.”**

**And it is written: “And he went and took Gomer the daughter of Divlayim.”**

Why was she called **Gomer**?

**Said Rav: Because everyone fulfilled (*gomrim*) their desire with her.**

Why was she called **the daughter...**

### **Ammud Bet**

**...of Divlayim**, a name that connotes two *dibot*, ill reputations?

Because she was a woman of **ill repute (*dibah*)**, **the daughter of** a woman of **ill repute**.

**And Shmuel says:** She was called the daughter of Divlayim **because she was sweet in everyone’s mouth like a cake of pressed figs (*deveilah*)**.

**And Rabbi Yochanan says: Because everyone trampled** (a euphemism for relations) **her, like** is done to make **a cake of pressed figs**.

**Another interpretation** why she was called **Gomer: Said Rav Yehudah**, because they the gentile nations **sought to eradicate (*legameir*) the possessions of Israel, in her days**.

## Perek 8 – 87B

**Rabbi Yochanan said:** Not just **that they** sought to, but they actually **did pillage and eradicate** the possessions of Israel, as it says: **“The king of Assyria eradicated them, and made them like dust to trample.”**

\*

The Gemara continues with the story of Gomer:

**“And she conceived and bore him to a son. And Hashem said to him: Call his name Yizrael, because soon I will visit the blood of Yizrael on the House of Yehu, and I will return the kingdoms of the house of Israel.”<sup>12</sup>**

**“And she conceived again and bore a daughter. And He said to him: Call her ‘Lo Ruchama,’ because I will no longer have mercy (*arachem*) on the House of Israel, for should I forgive them?”**

**“And she weaned Lo Ruchama. And she conceived and bore a son. And He said: Call his name ‘Lo Ami,’ because you are not My nation (*lo ami*), and I will not be for you.”**

**After she bore him two sons and one daughter, the Holy One said to Hoshea: Should you not have learnt from our master Moshe? For since I spoke to him, he separated from the wife. You, too, separate yourself from her!**

**He Hoshea said to Him: Master of the World! I have children from her and I cannot remove her from the home or divorce her.**

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<sup>12</sup> Yehu had killed Achav, king of the Kingdom of Israel, in the place called Yizrael. Although Achav worshipped Baal and was deserving of death, because Yehu himself served idols he would later be punished for this act, by the death of his grandson Yeravam ben Ye’ush, and his royal line would end.

## Perek 8 – 87B

**The Holy One said to him: If for you, that your wife is a harlot and your children are the sons of harlotry, and you do not even know if they are of others, and it is so—that you cannot divorce her—**

**The people of Israel, who are My sons, the sons of My loved ones, the sons of Avraham, Yitzchak and Yaakov, and who are of the four acquisitions that I acquired in this world...**

The Gemara lists the four acquisitions:

**Torah is one acquisition, as it is written: “Hashem acquired me the beginning of His way.”**

**Heaven and earth are one acquisition, as it is written: “The Acquirer of heaven and earth.”**

**The Temple is one acquisition, as it is written: “This mountain that My right hand acquired.”**

**Israel is one acquisition, as it is written: “This nation that You acquired.”**

**...and yet, you said to Me: Exchange them for another nation!**

\*

**When he Hoshea realized that he had sinned by his remark, he stood up to ask for mercy on himself.**

## Perek 8 – 87B

**The Holy One said to him: Before you ask for mercy on yourself, ask mercy for Israel, since I decreed on them three decrees because of you (as explained in footnote).<sup>13</sup>**

**He Hoshea stood up and asked for mercy on Israel, and nullified the decree, and began to bless them, as it says that he declared: “And may the number of the sons of Israel like the sand on the seashore that cannot be measured and cannot be counted.”**

**“And it will be that instead of what He said to them, “You are not My nation,’ He will say to them: ‘The sons of the living G-d.’”**

**“And the sons of Yehudah and the sons of Israel will gather together.”** The first decree of exile will be nullified.

**“And I will sow her for Me in the Land, I will have mercy on the one that there was no mercy on (*lo ruchama*).”** The second decree will be nullified.

**“And I will say to that which is not My nation (*lo ami*), you are My nation.”** The third decree too will be nullified.

\*

**Said Rabbi Yochanan: Woe to rulership, for it buries those who possess it. Because there is no prophet that did not outlive four kings in his lifetime.**

**As it says: “The vision of Yeshayahu ben Amotz, that he saw concerning Yehudah and Yerushalayim<sup>14</sup> in the days of Uziyahu, Yotam, Achaz, Chizkiyahu, kings of Yehudah.”**

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<sup>13</sup> The three decrees were hinted in the names of his three children: Yizrael, that he would sow (*yizra*) them among the nations (see *Tosafot*), Lo Ruchama, that He would not have mercy on them, and Lo Ami, that they would not be treated as His nation.

## Perek 8 – 87B

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**Said Rabbi Yochanan: Why did Yeravam ben Yoash the king of Israel merit to be counted** in the verse (mentioned later) **among the kings of Yehudah?**

**Because he did not accept an evil report (*lashon hara*) concerning the Prophet Amos.**

**Where do we see that he was counted** with the kings of Yehudah?

**Because it is written: “The word of Hashem that was to Hoshea ben Be’eiri, in the days of Uziya, Yotam, Achaz, Yechizkiya, the kings of Yehudah, and in the days of Yeravam ben Yoash the king of Israel.**

**And from where do we see that he did not receive an evil report?**

**Because it is written: “And Amatzya the [idolatrous] priest of Beit El sent to Yeravam the king of Israel saying: He Amos has plotted against you.”**

**And it is written: “Because so says Amos: Yeravam will die by the sword.”**

**And he Yeravam said: G-d forbid that this righteous man said thus. And if he did say, what should I do to him? The Divine Presence must have told him this prophesy.**

\*

**Said Rabbi Elazar: Even at the time of the Holy One’s anger, He remembers mercy, as it says: “For I will have mercy on the House of Israel no longer.”** We see that while mentioning His anger He mentions mercy.

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<sup>14</sup> Jerusalem

## Perek 8 – 87B

**Rabbi Yosi bar Rabbi Chanina said** that we see it **from here**, from the verse's continuation: "For I will have mercy on the House of Israel no longer, **for should I forgive them?**" We see that he mentions forgiveness at the time of His anger.

\*

**And said Rabbi Elazar: The Holy One only exiled Israel among the nations to add converts to them, as it says: "And I will sow [i.e. exile] her [the people of Israel] for Me in the earth."**

**Does a person ever sow a *se'ah*<sup>15</sup> of wheat, except in order to gather in many *kur*<sup>16</sup> after it grows?**

**And Rabbi Yochanan said** that this teaching is learnt **from here**: "And I will have mercy on the one that there was no mercy on, and I will say to that which is not My nation [the gentiles], you are My nation [after they convert]."

\*

**Said Rabbi Yochanan in the name of Rabbi Shimon ben Yochai: What** is the meaning of that which is written: "Do not give a bad report of a slave to his master, lest he curse you and you are found guilty."

**And it is written** in the next verse: "A nation that curses its father, and does not bless its mother."

**Because it curses its father and does not bless its mother**, is that why we are told: **do not give a bad report** of a slave? What is the connection?

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<sup>15</sup> A small amount

## Perek 8 – 87B

**Rather**, this is what it means: **Even in a generation that** sins so much that **a person curses his father and does not bless his mother, do not give a bad report of a slave to his master.**

**From where** do we know this?

**From Hoshea**, who gave a bad report of the people of Israel by telling Hashem to exchange them for another nation. Even though the Jews had indeed sinned, Hashem punished Hoshea by telling him to marry a harlot.

\*

**Said Rabbi Oshaya: What** is the meaning of **that which is written**: “There they will give [voice to] the charitable deeds of Hashem, **the charitableness of His scattering of Israel**”?<sup>17</sup>

It means that **the Holy One did a charity with Israel that He scattered them among the nations**, because that prevents the nations from destroying them.

**And this is what a certain gentile said to Rabbi Chanina: We are better than you.**

Because **it is written of you**: “And when David was in Edom, when Yoav the general came up to bury the corpses, he killed every male in Edom. **For six months he dwelt there**, Yoav and all Israel, until he had cut off every male from Edom.”

**Yet concerning us, you Jews are with us in exile for many years and we have done nothing to you.**

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<sup>16</sup> A large amount

<sup>17</sup> The verse was translated in line with the Gemara’s coming interpretation.

## Perek 8 – 87B

**He Rabbi Chanina said to him: If you wish, one disciple will deal with you** and give you an answer.

**Rabbi Oshaya dealt with him.**

**He Rabbi Oshaya said to him:** You do not kill us **because you do not know how to do** it.

**If you** want to **kill them all**, you cannot because **they are not all with you** in your kingdom.

And if you want to kill only **that** portion of the Jews **that is with you**, **they** the remaining people **would call you** a ruler of a **diminished kingdom**.

**He** the gentile **said to him:** I swear by **the god of Rome**, that it is **with this** thought of how we cannot kill all the Jews that **we go around**. I.e. we are possessed by this thought all the time.

\*

**Rabbi Chiya taught: What** is the meaning of **that which is written: “G-d understands her way, and He knows her place”?**

**The Holy One knew** about **Israel**, that **they cannot bear the cruel decrees of Edom** (Rome). **Therefore he exiled them** beforehand to **Babylon** where the gentiles are less cruel.

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## Perek 8 – 87B

**And said Rabbi Elazar: The Holy One only exiled Israel to Babylon because it is as deep as the grave and therefore He will redeem them from there sooner, as it says: “I will save them from the pit, I will redeem them from death.”**

**Rabbi Chanina said: It was because their language, Aramaic, is close to the language of Torah—and Torah would not be forgotten so fast.**

**Rabbi Yochanan said: It was because He sent them back to the house of their mother, i.e. because Avraham came from there.**

**This can be compared to a man who was angry with his wife. Where does he send her? Back to the house of her mother.**

**And this is the same as the teaching of Rabbi Alexandri.**

**For he said: Three returned to where they were planted originally.**

**These are them: Israel, the money of Egypt, and the writing on the Tablets.**

Regarding **Israel**—this is explained by **that which we just said.**

Regarding **the money of Egypt**—this is explained by the fact that the money which the Jews took from Egypt returned to Egypt, **because it is written: “And it was in the fifth year of King Rechavam, Sheishak king of Egypt attacked Yerushalayim and he took all the treasures of the house of Hashem, and the treasures of the house of the king, and he took it all.”**

Regarding **the writing on the tablets**—this is explained by **that which is written** about Moshe: **“And I seized the Two Tablets and I threw them from my two hands and I broke them before your eyes (*le’eineichem*).”** Since the breaking of the Two Tablets is

## Perek 8 – 87B

described as “before your eyes”, instead of the more usual “before you” (*lifneichem*), it hints to the fact that the tablets broke in an unusual way that the eyes pay attention to.

And thus **it was taught** in a Baraita: **The Tablets were broken, and the letters flew** in the air, back to where they came from.

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Another reason the Jews went specifically to Babylon:

**Ula said: So that they could eat** [the **dates** that are abundant there, i.e. so they will have sufficient sustenance, **and occupy themselves in** the study of **the Torah.**]

# Chavruta

## Pesachim – Daf Peh Chet

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[Another reason the Jews went specifically to Babylon:

**Ula said: So that they could eat] the dates** that are abundant there, i.e. so they will have sufficient sustenance, **and occupy themselves in** the study of **the Torah.**

\*

**Ula came** from the land of Israel **to Pumbedita** (in Babylon). **They brought him a basket of dates.**

**He said to them: How much like this** can one buy **for a zuz?**

**They said to him: Three baskets for a zuz.**

**He Ula said** in rebuke: **A basketful of honey for a zuz, and the people of Babylon do not occupy themselves with** the study of **Torah?**

**In the night they** the dates **bothered him** with stomach pains **and he said** in praise: **A basketful of poison for a zuz in Babylon, and nevertheless, the people of Babylon occupy themselves with** the study of **Torah!**

\*

## Perek 8 – 88a

**And said Rabbi Eliezer: What is the meaning of that which is written concerning the Temple to be built in Messianic times: “And many nations will go and say: Go and let us go up to the mountain of Hashem, to the house of the G-d of Yaakov<sup>1</sup>.”**

Is He the G-d of Yaakov, and not the G-d of Avraham and Yitzchak?

**Rather**, this is what it means:

**Not like Avraham, in connection with whom it is written “mountain” about it** the Temple, **as it says:** “And Avraham called the name of the place: ‘Hashem is seen’, **that it is said today, Hashem is seen on the *mountain*.**” The word mountain connotes that the Temple was not settled as a house is, thus hinting that the first Temple would be destroyed.

**And not like Yitzchak, in connection with whom it is written “field” about it, as it says:** “**And Yitzchak went out to pray in the *field*.**” This, too, connotes that the Temple was not properly settled, and hints that also the second Temple would be destroyed.

**Rather like Yaakov who called it a “house”, as it says:** “**And he called the name of the place Beit El** (‘the house of G-d).”

The word “house” connotes that it was permanently settled, referring to the third Temple, yet to be built. (see *Maharsha*)

\*

**Said Rabbi Yochanan: The day of ingathering of exiles is as great as the day that heaven and earth were created.**

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<sup>1</sup> Jacob

## Perek 8 – 88a

Because it says: “And the sons of Yehudah<sup>2</sup> and the sons of Yisrael<sup>3</sup> will gather together, and put over them one leader, and rise up out of the land, for great is the *day* of Yizrael.”<sup>4</sup>

And it is written: “And it was evening and it was morning, one *day*.”

We see that the ingathering and the Creation are both connected with the word “day”, to teach that they are equally great.

c c õ d d

Our Mishnah said: **An orphan** with two guardians, **whose** two **guardians** both **slaughtered for him** a Pesach offering, **he eats where he wants** because we are uncertain which offering he is appointed on.

This depends on the principle of *bereirah* – retroactive choice.

The Gemara often discusses whether this principle may be relied upon in Halachic matters. Do we say that the way something ends up indicates retroactively that it was like that from the beginning? Here, for example, does the orphan’s later decision retroactively make it as if the Pesach offering he chose to eat from was earlier offered on his behalf?

The Gemara asserts: We may **hear** a proof **from this** ruling of our Mishnah **that there is** validity to the principle of *bereirah*. Because otherwise, how can we say that the orphan retroactively agreed to be appointed to one of the two offerings?

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<sup>2</sup> Judea

<sup>3</sup> Israel

<sup>4</sup> Yom Yizrael means the day of the ingathering.

## Perek 8 – 88a

The Gemara rejects the proof: **Said Rabbi Zeira**, The verse says, “They shall take for them a lamb for (every) house, a lamb for a house.”

The extra words “**a lamb for a house**” teach that one may take a lamb for his household **in any event**, even if they are unaware of it. Here too, the orphan does not have to be aware that he is being appointed, in order to share in a Pesach offering.

\*

The Gemara quotes a Baraita that supports Rabbi Zeira’s interpretation of the verse:

**The Rabbis taught:** The Torah writes, “A lamb for a house.” This teaches that a person may bring a Pesach offering and slaughter it for his small sons and daughters whom he has to educate in mitzvot, and for his non-Jewish male slave and female slave who are supported by him, either with their consent or without their consent.

**But he may not slaughter for his older sons and daughters, nor for his Jewish male slave and female slave, nor for his wife, without their consent.**

\*

The Gemara quotes another Baraita that adds a rule:

**It was taught in another Baraita:**

1) **A person may not slaughter for his older sons and daughters, nor for his Jewish male slaves and female slaves, nor for his wife, without their consent.**

2) **But he may slaughter for his small sons and daughters, and for his non-Jewish male slaves and female slaves, either with their consent or without their consent.**

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3) **And all of them, if they slaughtered** for themselves **and** also **their master slaughtered for them—they fulfill the mitzvah with that offering of their master, and do not fulfill the mitzvah with that offering of themselves.** This is with the exception of **one’s wife, because she can protest** that she does not want to be appointed on her husband’s Pesach offering.

The Gemara poses a difficulty: **Why is a wife different**, that she can protest, whereas older sons and daughters, and Jewish slaves, cannot protest? The Baraita said in case 1 that they too cannot be appointed without their consent!

The Gemara answers: **Said Rava**, the Baraita that means **a wife—and all who are like her**, listed in case 1—can protest.

\*

The Gemara finds a contradiction in the Baraita:

**But it the Baraita itself is difficult. You said** in case 3: **“except for one’s wife, who can protest.”** **The reason** she does not fulfill the mitzvah with her husband’s Pesach offering is **that she protested.**

**But if she did not protest, she fulfills the mitzvah with that of her husband.**

**But it is taught in the first clause**, case 1 of the Baraita: “A person may not slaughter for his older sons and daughters, nor for his Jewish male slaves and female slaves, **nor for his wife, without their consent.**” **But**, contrary to what is implied by case 3, here we see that **generally**, if they failed to give their positive consent, **they do not fulfill the mitzvah** with the offering of the master of the household, even if they did not protest.

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The Gemara answers: **What does “without their consent”** of the first clause **mean? Not that they** expressly **said yes**, we want to be appointed on this offering. **But even generally**, as long as they said nothing otherwise, we assume that they want to be appointed on it.

**And** this is **to exclude** only the case **where they** expressly **said no**, we do not want to be appointed on this offering. Only then are they not appointed the offering of the master of the household.

The Gemara contradicts this answer: **But** the Baraita says: **“And all of them, if they slaughtered** for themselves **and also their master slaughtered for them—they fulfill the mitzvah with that offering of their master.”**

**That** seems to be dealing with a **general case**, where they said nothing in protest.<sup>5</sup>

**And yet it is taught** in connection with that case: “with the exception of one’s wife (and all similar to her), **because she can protest.**” Thus we see that they do not have to expressly say no, in order to exclude themselves from the offering of the master of the household.

The Gemara answers: **Said Rava: Because they slaughtered** their own Pesach offering, **you do not have a greater protest than that.**

c c õ d d

Our Mishnah says: **The non-Jewish slave of two partners**, that each one appointed the slave on his Pesach offering, **he the slave may not eat from either of the two of them**,

## Perek 8 – 88a

because neither master allows his slave to be appointed on the other master's Pesach offering.

**Rav Eina Saba posed a contradiction to Rav Nachman:**

**It is taught** in our Mishnah: **“The slave of two partners, that each one appointed the slave on his Pesach offering, he the slave may not eat from either of the two of them.”**

**But it is taught** in a Baraita: The slave of two partners, that each one appointed the slave on his Pesach offering, **“If he the slave wants, he may eat from the offering of this master, and if he wants, he may eat from the offering of that master.**

The Gemara answers: **He Rav Nachman said to him, “Eina Saba!” And some say that Rav Nachman said to him, “O blackened vessel!”**<sup>6</sup>

**Through me** (i.e. my answer) **and you** (i.e. your question), **the teaching will be clarified.**

**The Mishnah is** speaking of a case **where they** the two partners are strangers to each other, and **are particular** about not giving undue financial benefit to the other. Therefore each one's half in the slave may not eat from the offering of the other, because each partner objects that it is not his responsibility to feed the other's dependents.

**The Baraita is** speaking of a case **where they** are friendly with each other and **are not particular about** not giving financial benefit to **each other**. Each one doesn't mind if the other's half in the slave benefits from his offering. Therefore the slave can eat from one master even though other partner is benefiting.

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<sup>5</sup> This seems to contradict the Gemara a few lines earlier, that interpreted “because she can protest” to mean that she actually did protest.

## Perek 8 – 88a

c c õ d d

Our Mishnah says: **Someone who is half slave and half a free person,<sup>7</sup> he may not eat from his master's** offering, because the master presumably did not appoint the free half to eat from his Pesach offering. But this person may eat from his own Pesach offering.

The Gemara raises a difficulty: **But it is taught** in a Baraita: **He may not eat from his own, nor from his master's.**

The Gemara answers: This is **not a difficulty**. **Here** in the Baraita, it is like the **original** statement of the following **Mishnah**, and **here** in our Mishnah, it is **like the latter** statement of the following **Mishnah**.

**Because it was taught** in a Mishnah: **“Someone who is half slave and half a free person, he serves his master one day and himself one day, according to Beit Hillel.**

**Beit Shammai say:**

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<sup>6</sup> Rashi in *Avodah Zarah* 16b says that this is a reference to *talmidei chachamim* who suffer in order to learn and do not wash their clothes.

<sup>7</sup> For example, if he belonged to two owners, and one owner freed him.

## Perek 8 – 88B

### **Ammud Bet**

Through this alternation between days **you have rectified** the situation as regards **his master**, who will receive a fair share of work from the slave. **But** the situation as regards **himself, you have not rectified** it.

**He cannot marry a female non-Jewish slave, because half of him is a free person** and forbidden to non-Jewish slaves.

**He cannot marry a free woman, because half of him is still a slave** and forbidden to free people.

**Shall** we say that due to this situation, **he** should therefore **refrain** from the mitzvah of having children?

**But note that the world was created only for being fruitful and multiplying, as it says: “He did not create it desolate; He created it for habitation.”**

**Rather, for the sake of the world’s betterment**—that it should be inhabited—**we force his master to make him a free person. And he** the slave **writes** a document of indebtedness **for half his value**, to the master.

**And Beit Hillel** retracted from their original ruling, and **reverted to rule like Beit Shammai** does. Our Mishnah is going according to this latter ruling. Since the Rabbinical Court forces the master to free this slave, it is considered as if he is already free, and he may bring his own Pesach offering.

## Perek 8 – 88B

### **Mishnah**

**If someone says to his slave: Go out and slaughter<sup>8</sup> my Pesach offering for me,** without specifying if it should be a lamb or kid.

**If he the slave slaughtered a kid, he the master may eat it. And if he slaughtered a lamb, he may eat it.**

**If he the slave slaughtered both a kid and a lamb, he the master should eat from the first to be slaughtered, and the second is to be burnt.**

If the master told the slave what animal to slaughter, **and he the slave forgot what he said to him, what should he the slave do?**

**He should slaughter both a lamb and a kid for Pesach offerings, and say beforehand: If my master told me to slaughter a kid, the kid is his and the lamb is mine.**

**And if my master told me to slaughter a lamb, the lamb is his and the kid is mine.**

If after all this, **his master himself forgot what he had told him, both animals go out to the place of burning** because we do not know which is for the master and which for the slave, and a Pesach offering may be eaten only by those specifically appointed upon it.

**And even though both are burnt, they the master and slave are exempt from performing** another offering on **Pesach Sheni<sup>9</sup>**, because in Heaven it is known which

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<sup>8</sup> The slaughtering of sacrifices need not be performed by a cohen. However, all subsequent services are valid only if performed by a cohen.

<sup>9</sup> The Second Pesach. This day falls a month later, and affords a second chance for bringing the Pesach offering.

## Perek 8 – 88B

offering was for each person. Thus they fulfilled the mitzvah, even though practically speaking they may not eat from its meat.

### **Gemara**

Our Mishnah stated: “If someone says to his slave: Go out and slaughter... without specifying... If the slave slaughtered a kid, he the master may eat it. And if he slaughtered a lamb, he may eat it.”

The Gemara raises a difficulty: This is **obvious!** Since the master was not particular about what type of animal should be used, of course he should be allowed to eat from whichever type the slave chose.

The Gemara explains the Mishnah’s case: **If he** the slave **slaughtered a kid, he** the master **may eat** from it, **even though he** the master **usually uses a lamb**. Similarly, **if he** the slave **slaughtered a lamb, he** the master **may eat** from it, **even though he usually uses a kid**.

c c õ d d

The Gemara finds a contradiction to our Mishnah:

**But it is taught** in a Baraita: **One may not be appointed on two Pesach offerings at one time**, having in mind to eat from only one of them, and later decide from which one he wants to eat. This is because the Tanna of this Baraita holds that we do not rely on the

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principle of *bereirah*<sup>10</sup> to determine which offering was really his at the time of slaughtering.

This contradicts our Mishnah, which rules in one of its cases that the slave should slaughter two Pesach offerings for his master.

The Gemara answers: **Our Mishnah** is speaking **about a king and queen** who have many delicacies available to them and do not care whether the offering is a kid or lamb. Therefore there is no need to apply the principle of *bereirah* since they are always happy to eat either one. Thus we do not have to determine retroactively which one of the two they actually wanted.

**And it** this answer **is taught in the** following **Baraita**, which says:

**One may not be appointed on two Pesach offerings at one time. And there is an incident in which a king and queen told their slaves: Go out and slaughter the Pesach offering for us. And they went out and slaughtered two Pesach offerings for them.**

**They came and asked the king** which one to use. **He said to them: Go and ask the wise queen.**

**They came and asked the queen. She said to them: Go and ask Rabban Gamliel.**

**They came and asked Rabban Gamliel.**

**He said to them: A king and queen are not particular** about which type of meat they eat for the Pesach offering, since they regularly eat from all types of delicacies. Therefore **they should eat from the first** one that was slaughtered.

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<sup>10</sup> Retroactive choice.

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But **we**, who are particular, in such a case we **should not eat either from the first** to be slaughtered **or from the second**. This is because it would involve the principle of *bereirah*.

\*

**And again** there was an incident with the same king and queen: **Once a lizard (*leta'ah*) was found in the royal kitchen, and they wanted to declare the whole banquet impure.**<sup>11</sup>

**They came and asked the king. He said to them: Go and ask the wise queen.**

**They came and asked the queen. She said to them: Go and ask Rabban Gamliel.**

**They came and asked Rabban Gamliel.**

**He said to them: Was the kitchen** (i.e. the pot the lizard was found in) **hot or cold?**

**They said to him: hot.**

**He said to them: Go and put a cup of cold water on it** the lizard.

**They went and put a cup of cold water on it and it wriggled.**

**And Rabban Gamliel declared the whole banquet pure**, because *sheratzim*<sup>12</sup> impart impurity only when they are dead.<sup>13</sup>

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<sup>11</sup> Because the lizard is one of the eight crawling creatures (*sheratzim*) mentioned in the Torah that impart impurity.

<sup>12</sup> See previous footnote

## Perek 8 – 88B

Thus we find that the king was dependent on the queen, and we find that the queen was dependent on Rabban Gamliel, and thus, we find that the whole banquet was dependent on Rabban Gamliel.

c c ã d d

The Gemara continues discussing our Mishnah:

Our Mishnah says: If the master told the slave what animal to slaughter, **and he** the slave **forgot what he said to him**, “What should he do? He should slaughter a lamb and a kid and say: If my master told me a kid, the kid is his and the lamb is mine. And if my master told me a lamb, the lamb is his and the kid is mine.”

The Gemara raises a difficulty: How can the slave say that “the lamb is **mine?**” The rule is that **whatever a slave acquires, his master** automatically **acquires** from him, since the slave is viewed as the hand of his master. So how can the slave possess his own offering?

The Gemara answers: **Said Abaye: He** the slave **goes to a shepherd whom his master often uses, that he** the shepherd **is interested in the good of the master** and wants what is best for him.

**And he** the shepherd **gives him** the slave **one of them** (either the lamb or kid – whichever one the master doesn’t want in the end) **on condition that his master has no ownership in it.** In this way, the slave indeed owns it. Thus the ruling of the Mishnah may be applied.

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<sup>13</sup> Because the verse says, “In their death.”

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Our Mishnah continues:

**“If his master forgot what he told him** the slave, both (animals) go out to the place of burning” because we don’t know which is for the master and which for the slave, and a Pesach offering may be eaten only by its appointees. “And even though both are burnt, they (the master and slave) are exempt from performing another offering on Pesach Sheni.”

**Said Abaye: We only learned this** halachah that they are exempt **if he** the master **forgot** what he said **after the throwing** of the blood on the Altar.

**Because then, at the time that the blood was thrown, it was fit to be eaten** since the master still remembered which one he wanted.

**But if he forgot before the throwing** of the blood, **that when the blood was thrown it was not fit to be eaten** because he did not remember which one he wanted, **they** the master and slave **are obligated to make a second Pesach** offering a month later.

\*

**Some teach it** Abaye’s above statement **as applying to the** following **Baraita** that says:

**Five people whose skins of their Pesach offerings got mixed with each other, and a wart was found on one of them,** which is a blemish that invalidates the offering made from that animal—

**All** the five offerings **go out to the place of burning** of invalid sacrifices, because each one might be the invalid sacrifice.

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**And they are exempt from making the second Pesach** offering a month later.

And concerning this, **Abaye said: We only learned this** halachah that they are exempt **if** their skins **got mixed after throwing** the blood.

**Because at least at the time of throwing the blood, it** each of the four valid offerings **was fit to eat.**

**But if they became mixed before throwing** the blood, none of the offerings was ever fit to be eaten. and **they are obligated to do a second Pesach** offering a month later.

\*

**The one who teaches** the statement of Abaye **as applying to the Mishnah**, that the master has to know which sacrifice he wants at the time of throwing the blood—

**How much more** would Abaye's statement apply **to the Baraita**, where one of the sacrifices is intrinsically invalid!

But the **one that teaches** Abaye's statement **as applying to the Baraita**, he holds this to be true only regarding the Baraita's case. **But regarding the Mishnah's** case, it is **not** true. The Mishnah's case is different: **since they** both offerings **are** intrinsically **valid**, **because if he** the master **remembered** which one he wanted, **it would be fit to eat**, we say that **to Heaven it is revealed** which offering the master wanted, and they fulfilled their obligation.

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## Perek 8 – 88B

The Gemara now discusses the Baraita:

**The master said:** “Five people whose skins of their Pesach offerings got mixed with each other, and a wart was found on one of them. All go out to the place of burning. **And they are exempt from making the second Pesach.**”

The Gemara raises a difficulty: **But there is surely one person among them who did not fulfill his obligation**, since his offering had an invalidating blemish. So why are they all exempt from the second Pesach?

The Gemara answers: **Because it is impossible** for them to bring offerings on the second Pesach. For **what should they do?**

**Should each one bring a Pesach offering?**

This cannot be done, because **they** the four who had valid offerings **would be bringing ordinary, non-consecrated animals into the Temple Courtyard** as sacrifices, **because four of them** already **fulfilled** their obligation during the first Pesach.

To avoid this prohibition, **should they all bring one Pesach offering?**

**It would turn out that a Pesach offering is eaten not by its appointees**, because four of them already fulfilled their obligation and cannot be appointed onto a Pesach offering of the second Pesach.

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The Gemara objects: **What is** the value of **this** explanation of the Baraita's ruling?

It has ignored an obvious solution: **Each one should bring his Pesach offering** at the Second Pesach, **and make a stipulation and say** as follows:

**If mine was blemished** with the wart, **this offering that I am bringing now** at the Second Pesach **should be a Pesach offering.**

**And if mine was unblemished, this offering that I am bringing now should be a peace offering (*shelamim*).**

The Gemara responds: This is **impossible!**

# Chavruta

## Pesachim – Daf Peh Tet

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

**[Each one should bring his Pesach offering at the Second Pesach, and make a stipulation and say as follows:**

**If mine was blemished with the wart, this offering that I am bringing now at the Second Pesach should be a Pesach offering.**

**And if mine was unblemished, this offering that I am bringing now should be a peace offering (*shelamim*).**

The Gemara responds: This is **impossible!**]

**Because there is the breast and thigh of the peace offering, which the cohanim eat it and not the owners. So with each person we will not know whether it is a peace offering where the cohanim eat these portions, or a Pesach offering where the owner eats these portions.**

\*

The Gemara objects that we can solve this problem: **Let each one of the five people bring a cohen with him** and appoint him on his Pesach offering. The cohen will then eat these portions.

The Gemara answers that this is impossible, because **this cohen, what is his status regarding the Pesach offering?**

**If he made a Pesach offering already, perhaps this is a Pesach offering and it turns out that the Pesach offering brought now will be eaten not by its appointees.** For the

## Perek 8 – 89a

cohen, who already brought a Pesach offering, cannot bring a Pesach offering a second time on the Second Pesach.

**And if he did not yet make a Pesach offering, perhaps** this offering now **is a peace offering, and** it will turn out that **he did not make a Pesach offering** at all, even now.

\*

The Gemara objects that we can still solve the problem:

**And let all the five people bring,** between them all, **one cohen who did not yet do a Pesach offering, and appoint him on these five Pesach offerings** they are bringing now.

**For whatever way you wish** to look at it, **there is one** of the five **who did not yet make a Pesach offering. And they** (that one person and the cohen) **will fulfill their obligation with it.**

The Gemara is therefore forced to find another reason why the five people cannot bring a Pesach offering on Second Pesach.

**Rather, the reason is because** by making the suggested stipulation that the animal is either a Pesach offering or a peace offering, as the case may be, **one is decreasing** the **time of eating of the peace offerings** (*shelamim*).

**Because while the Pesach offering is eaten for only a day and a night, the peace offering is eaten for two days and one night.** And since each of the five offerings must be treated with the stringencies of a Pesach offering, since we do not know which one is the true Pesach offering, it turns out that four peace offerings will have a decreased eating time.

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This is forbidden, since it is bound to lead to the meat being burnt the next morning, for it will be hard to finish it all in one night. Thus, meat which is probably valid sacrificial meat from a peace offering will have to be burnt due to the one-in-five possibility that it is meat of a Pesach offering that remained beyond its time and became *notar*.

\*

The Gemara objects that we can still solve the problem:

**But they should each bring a left over Pesach offering<sup>1</sup> and say: If my Pesach offering was blemished, this that I am bringing now should be a Pesach offering.**

**And if my Pesach offering was unblemished, this one that I am bringing now should be a peace offering.**

And he will not be minimizing its eating time, **because the left over Pesach offering too is only eaten for a day and night!**

The Gemara answers: **And do we set aside left over Pesach offerings in the first place?** It is something that happens accidentally.

The Gemara objects: **And let them make the effort** and find someone who has a left over Pesach offering, **and bring a left over Pesach**, making a stipulation as we explained earlier.

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<sup>1</sup> A left over Pesach offering comes to be either by someone dedicating two Pesach offerings and one is left over, or by dedicating money for a Pesach offering and having some left over. This animal or money is

## Perek 8 – 89a

In answer, the Gemara now gives another reason why the five people cannot bring lambs and stipulate that they are either a Pesach offering or a peace offering as the case may be:

**But** we cannot do it **because of** the mitzvah of **leaning** (*semichah*) on the animal before it is slaughtered. There is a mitzvah with certain sacrifices that the one who brings it must place his hands on its head, and lean his weight upon it.

**For the Pesach offering does not require *semichah***, and in fact it would be forbidden to do so because one would be using a consecrated animal to support one's weight.

Whereas **the left over Pesach offering**, which according to Halachah is automatically designated as a peace offering, **does require** the mitzvah of *semichah*.

Therefore one may not bring one animal for both purposes, through the suggested stipulation.

The Gemara objects: **That** which you answered **is all right** regarding **an offering of men**, who have the mitzvah of *semichah*.

But concerning **offerings of women**, who do not have the mitzvah of *semichah*, **what can one say** to explain why the suggested stipulation is problematic?

\*

In answer, the Gemara now offers another reason why one cannot bring an offering and make a stipulation that is either for the Pesach offering or for the left over Pesach offering as the case may be:

**Rather**, the problem is **because of placements** of blood on the Altar.

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used for a peace offering, but it can only be eaten with the stringencies of a Pesach offering, for a day and

## Perek 8 – 89a

**For the Pesach offering** has **one placement** of blood on one corner of the Altar.

Whereas **the peace offering** has “**two which are four**”. I.e. the cohen places the blood on two opposite corners (northeast and southwest) and the blood goes on all four walls of the Altar by spreading beyond the corners.

The Gemara objects to this answer as well: **What practical difference comes out from this**, i.e. from the differing laws regarding placement of the blood on the Altar? **But it was taught** in a Mishnah: **All** the blood of sacrifices **that is put on the outside Altar** i.e. the Altar standing in the Temple Courtyard, where the blood of most sacrifices is to be placed, **if it the blood was put with only one placement**, this produces **atonement** after the fact, even though it was not performed in the preferred way.

\*

Therefore the Gemara attempts another answer: **Rather**, the suggested stipulation cannot be implemented **since the** blood of the **Pesach offering** is put on the Altar by **pouring** it above the Altar’s foundation, whereas **the** blood of **the peace offering** is put on the Altar by **throwing** the blood from far off.

The Gemara objects: **What practical difference comes out from this**, i.e. from the differing methods of placing the blood on the Altar? **But it was taught** in a Baraita: **All** the offerings **that** their bloods **are** meant to be **put by throwing**, **if they were put by pouring**, **one fulfilled** one’s obligation nevertheless.

Therefore we can still bring one animal and make the suggested stipulation.

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night.

## Perek 8 – 89a

The Gemara answers: **I will say that we say** the halachah cited in the above Baraita only applies **after the fact** (*bedi'avad*). But do we also say this **in the first place** (*lechatchila*)? I.e. we may not change the method of applying the blood to the Altar. Only if this happened inadvertently, then we say that the sacrifice is not thereby invalidated.

Therefore we cannot bring one animal and make the suggested stipulation.

### **Mishnah**

**If someone says to his sons: I am slaughtering the Pesach offering for whichever of you comes up first to Jerusalem.**

**Once the first one puts his head and most of his body into Jerusalem, he acquires his portion, and he acquires on behalf of his brothers that they are appointed with him on the Pesach offering.**

### **Gemara**

The Gemara often discusses *bereirah* – retroactive choice. The question is whether this principle may be relied upon in Halachic matters. Do we say that the way something ends up indicates retroactively that it was like that from the beginning? Here, for example, the first son to arrive is appointed to the Pesach offering retroactively, since at the time that the offering was slaughtered, it was not yet known which son would arrive first.

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The Gemara says: **Hear a proof from this**, from the fact that the father may retroactively appoint the son who comes first, that **there is** Halachic validity to the principle of *bereirah*.

The Gemara rejects this proof: **Said Rabbi Yochanan:** Our Mishnah is not a case of retroactive case. The father actually appointed *all* his sons on the Pesach offering at the time he slaughtered it. And **he** only **said** to them that he was appointing the one who arrives first **in order to make them zealous in keeping mitzvot**.

**One can also deduce** that this is the correct interpretation of the Mishnah, **because it is taught in the Mishnah:** “**And he acquires on behalf of his brothers with him.**”

**It is all right if you say that he** the father **appointed them all from the beginning** when he slaughtered the Pesach offering. Then it comes out **well**.

**But if you say that he did not appoint them all from the beginning**, then **after he slaughtered**, can he **appoint them** the remaining brothers?

**But it is taught** otherwise **in the next Mishnah:** “**They may be appointed and withdraw from it** the Pesach offering **until it is slaughtered.**”

**Hear from this** a proof that the father must have appointed them all before he slaughtered the Pesach offering.

**It is also taught thus** in a Baraita that the father merely says this to make his children zealous in mitzvot: There is **incident where the daughters preceded the sons** to Jerusalem, **and thus the daughters were zealous and the sons were lazy**.

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### Mishnah

People may **always be appointed on it** the Pesach offering, **as long as there is in it a *kazayit*<sup>2</sup>** volume of meat **for each one** of the appointees.

**They may be appointed and withdraw from it until it is slaughtered.**

**Rabbi Shimon says:** People may withdraw **until the blood is thrown** on the Altar.

### Gemara

The Mishnah said that there must be enough for each person to have a *kazayit* of meat.

The Gemara asks: **What new law is it teaching us?** Since they are appointed on it in order to eat from it, it is obvious that each one needs the minimum amount required to be considered an act of eating.

The Gemara answers that the Mishnah is emphasizing a different point: **It is teaching us that even though this group was appointed to it, they may all withdraw, and people of another, totally different group may be appointed on it.**<sup>3</sup>

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<sup>2</sup> *Kazayit*: 0.9 fluid oz. or 28 cu. cm.

<sup>3</sup> Rabbi Yehudah and Rabbi Yosi argue about this later (99a). Rabbi Yosi says that a totally new group may be appointed, while Rabbi Yehudah says it may not.

## Perek 8 – 89a

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The Mishnah states: **They may be appointed and withdraw from it until it is slaughtered.** Rabbi Shimon says: until the blood is thrown.

**Said Abaye: The disagreement between them is concerning the ability to withdraw.**

**For the Rabbis** i.e. the first Tanna **hold:** One may withdraw only until it is slaughtered, because it says, “*Ve'im yim'at habayit, miheyot miseh,*” which the Gemara expounds as meaning: “If the house is reduced (by people withdrawing),” it should be done *michiyutei deseh*, “**while the lamb is alive.**”

**And Rabbi Shimon holds** that *miheyot miseh* means *mihavayatei deseh*, “**While there is still something to do** (throwing the blood) **with the lamb.**”

**But to appoint** new people, **everyone agrees** that they may do so only **until one slaughters** the Pesach offering.

**Because the verse** (*Shmot*<sup>4</sup> 12) **says:** “And he and his neighbor who is near to his house shall take **according to the amount of people,**” **and then it** the verse **continues,** “each person, according to his eating, **you shall slaughter the lamb.**”

Thus it is clear that the people to eat from it must be appointed before the slaughtering.

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<sup>4</sup> Exodus

## Perek 8 – 89B

It is also taught so in a Baraita:

**They may be appointed and withdraw from it until it is slaughtered.**

**Rabbi Shimon says: They are appointed until it is slaughtered, and withdraw until the blood** is thrown.

### **Ammud Bet**

### **Mishnah**

**If someone** appointed to eat from a Pesach offering **appointed another person** as well **in his portion—**

**The members of the group are permitted** to separate from him **and give him his** portion, to divide with that person—

**And he eats of his** share with that person.

**And they** the rest of the group **eat of theirs** separately.<sup>5</sup>

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<sup>5</sup> Our Mishnah holds that it is permitted to split into two groups to eat a Pesach offering. This was subject to a disagreement earlier on *daf* 86a.

## Perek 8 – 89B

### Gemara

**They** the scholars of the study hall **posed an inquiry:** Regarding **a group, that the hands of one of them are greedy** and he eats more than his share.

**May they** the other members **say to him: “Take your portion and go out”?**

The two sides of the question are:

**Do we say that he can tell them: “But you accepted me** as I am, to eat as much as I can in return for my money”?

**Or perhaps they can tell him: “When we accepted you** to join us, it was **for the benefit of the offering** that nothing should be left of it by morning. But **on condition that you may eat more than us—we did not accept you.”**

\*

**Come and hear** an answer to the inquiry, from our Mishnah:

**“If someone** appointed to eat from a Pesach offering **appointed another person** as well **in his portion, the members of the group are permitted** to separate from him **and give him his** portion, to divide with that person, **and he eats of his** share with that person. **And they** the rest of the group **eat of theirs** separately.”

**What is the reason** they may give the person who has an extra partner his portion and ask him to leave?

## Perek 8 – 89B

Is it **not because it** having an extra person to eat **is like when the hands of one of them are greedy** and he eats more than his share?

**And if you think that** in the case of when **the hands** of one of them **are greedy, he can tell them: You accepted** me as I am—

**This** case of the Mishnah too **should be like greedy hands**, and they should not be entitled to separate from him.

The Gemara rejects the comparison: **I will say that no**, introducing altogether **different people** into the group, like in the case of the Mishnah, is **different**.

**Because even if they both eat** as little as **one member of the group, they** the other members **can still tell them that we do not want a stranger with us**.

\*

The Gemara attempts to answer the inquiry based on a different source:

**Come and hear** a proof that they may prevent one member from taking a larger share:

A Baraita says: **If the waiter ate a kazayit of meat next to the oven**, he cannot continue eating elsewhere with the rest of his group, because it is forbidden to eat from the Pesach offering in two different places.

**And if he** the waiter **is wise, he fills his stomach from it**, from this meat, before serving the people in the group. Because once he leaves his location, he will not be able to eat more of the meat.

## Perek 8 – 89B

**And if the members of the group want to do him a favor, they come and sit at his side and eat**, so that he may continue eating as he serves them. This is **according to Rabbi Yehudah** who holds that the Pesach offering may not be eaten in two places.<sup>6</sup>

The Gemara brings out the point:

**If they want** to do him a favor, **yes**, they come and join him. But **if they do not want**, **no**.

**But why not? Let him say to them: But you accepted** me according to my individual eating requirements!

So we see that they do not have to accommodate his requirements. Similarly, a group should be allowed to prevent a big eater from eating as much as he likes.

The Gemara rejects this proof: **There it is different, because they say to him** the waiter: **When we accepted you** in our group, **it was with the idea that you would trouble yourself on our behalf** and serve us. But **for us to be troubled for you, we did not accept you**.

Whereas in the case of the greedy person, the group should have inquired beforehand if he was greedy or not. And because they did not, it means that they accepted him as he is.

\*

The Gemara now brings conclusive proof from another Baraita:

**Come and hear** a proof from a Tosefta that they may prevent a member from taking a larger share: **The members of a group that one of them had greedy hands are**

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<sup>6</sup> Rabbi Shimon (86a) disagrees and holds that one may eat it in two places.

## Perek 8 – 89B

**permitted to say: Take your portion and go out. And furthermore, even if there are five people who did *sibolet* (an arrangement that they share their meals on a regular basis), they are permitted to tell him a greedy person: Take your portion and go out.**

\*

The Gemara asks about the end of the Baraita: **What** does it mean, “**And furthermore?**” Why is this case a more far-ranging application of the law?

The Gemara answers: **It** is saying “**not only.**”<sup>7</sup>

**Not only** on **Pesach** may the group say “take your portion”, **because** it is reasonable that **they can say to him: When we received you**, we did so **for the benefit of the offering** that there should be nothing left of it, and for that we only want someone who eats normally.

**But even** concerning **shared meals**, **which** people eat together **for mere company** and one may have thought that for friendship sake they don’t mind if a member eats more than his share, even there **they are permitted to tell him: Take your portion and go out.**

\*

A different version of the previous discussion:

**Some say:** Regarding **this**, whether the group may prevent the greedy person from taking more, **we do not pose an inquiry.** It is obvious that they may.

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<sup>7</sup> Lit. “There is no question.”

## Perek 8 – 89B

**Rather, this is about which we are posing an inquiry: May the members of the group divide the Pesach offering and eat separately, or are they not permitted to divide and they must eat it together?**

**Come and hear a proof from a Tosefta that they may not divide: The members of a group that one of them had greedy hands are permitted to say: Take your portion and go out.**

We may deduce from that: **If his hands are greedy, yes, but if his hands are not greedy, no** – and the group must eat together.

The Gemara concludes: **Hear from this** a conclusive proof that the group may not divide up.

\*

The Gemara brings a story of someone who ate more than everyone else:

**Rav Pappa and Rav Huna the son of Rav Yehoshua shared bread with each other at a meal.**

**While Rav Huna the son of Rav Yehoshua ate one piece of bread, Rav Pappa ate four.**

**He Rav Huna said to Rav Pappa: Divide with me** and let us eat separately.

**Rav Pappa said to him: You have accepted me** to eat with you as much as I want.

**He Rav Huna contradicted him, with all these contradictions** from the Baraitot quoted previously.

## Perek 8 – 89B

**And he Rav Pappa answered as we answered.**

**He Rav Huna then contradicted him from the final Baraita** that said that the members of the Pesach group can tell the greedy person to leave.

**He Rav Pappa said to him: There,** the reason they can do it is **because they say to him: When we received you,** we did so **for the benefit of the offering** that there should be nothing left of it, and for that we only need someone who eats normally.

But here, you wanted my company and friendship.

Then **he contradicted him** from the end of that Baraita, which applies the same rule to regular **shared meals**.

Rav Pappa finally agreed that Rav Huna was correct, **and split it** the bread and they separated.

\*

The Gemara brings the sequel to the above story:

**He Rav Huna went and shared bread with Ravina.**

**While Rav Huna the son of Rav Yehoshua ate one piece of bread, Ravina ate eight.**

**He Rav Huna said: Better a hundred Rav Pappas, and not one Ravina.**

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## Perek 8 – 89B

**The Rabbis taught: If someone appoints others on his Pesach offering or on his *chagigah* offering brought on the 14<sup>th</sup> of Nisan to eat together with the Pesach offering—**

**The money that is in his hand**, which they paid him for their portion, is **ordinary**, non-consecrated money. This is because its previous sanctity (they had set this money aside for use as an offering) is transferred onto the Pesach offering or *Chagigah* in which they bought a portion.

**But if someone sells his burnt offering or peace offerings** after he dedicated them for his own atonement, he **did not accomplish anything** because his offerings cannot atone for anyone else.

**And the coins, however much they were**, retain their sanctity, and **go for voluntary offerings.**<sup>8</sup>

The Gemara raises a difficulty: **And seeing that he did nothing, why must the money go for voluntary offerings?** The money should revert to its original state and be returned to the purchaser, since the entire transaction was null and void.

**Said Rava:** This is a **fine**, to prevent people from buying someone else's offering.

\*

The Gemara inquires: **What does “however much they were” mean?**

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<sup>8</sup> There were special shofar-shaped collection boxes in the Temple where people put money that was used to bring “burnt offerings volunteered by the public” at times when no other sacrifices were being offered on the Altar.

## Perek 8 – 89B

The Gemara explains: **Even if they** the burnt offering and peace offering **were only worth four zuz, and he gave him five zuz** to purchase them, **even for that extra money too, they fined him** and it must be donated for voluntary offerings.<sup>9</sup>

\*

The Gemara goes back and discusses the first part of the Baraita:

**Said Ula, and if you want, Rabbi Oshaya:**<sup>10</sup> **Perhaps our Babylonian colleagues know the rationale of this matter:** The Baraita said: “If someone appoints others on his Pesach offering or on his *chagigah*” offering brought on the 14<sup>th</sup> of Nisan to eat together with the Pesach offering—

“The money that is in his hand” that they paid him is ordinary, non-consecrated money because its holiness was transferred onto the Pesach or *Chagigah*.

How can that be?

**This person #1 separated** (i.e. consecrated) **a lamb for his Pesach offering, and that person #2 separated** (i.e. consecrated) **money for his Pesach offering** and gave it to person #1.

**How could the consecrated item** (the money) **become ordinary** by using it **for** the lamb, which is itself **a consecrated item**, such **that the Baraita teaches:** “**The money that is in his hand is ordinary**”? If the lamb was ordinary, the sanctity of the money would indeed transfer to the lamb. But here the lamb is *already* sanctified, so it cannot take the place of the sanctity of the money.

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<sup>9</sup> One should not think that the fifth zuz was given as a mere gift.

<sup>10</sup> Both of them were from the land of Israel.

# Chavruta

## Pesachim – Daf Tzaddik

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[Said Ula, and if you want, Rabbi Oshaya:<sup>1</sup> Perhaps our Babylonian colleagues know the rationale of this matter: The Baraita (Baraita #1) said: “If someone appoints others on his Pesach offering or on his *chagigah*” offering brought on the 14<sup>th</sup> of Nisan to eat together with the Pesach offering—

“The money that is in his hand” that they paid him is ordinary, non-consecrated money because its holiness was transferred onto the Pesach or *Chagigah*.

How can that be?

**This person #1 separated** (i.e. consecrated) **a lamb for his Pesach offering, and that person #2 separated** (i.e. consecrated) **money for his Pesach offering** and gave it to person #1.

**How could the consecrated item** (the money) **become ordinary** by using it **for** the lamb, which is itself **a consecrated item**, such **that the Baraita teaches: “The money that is in his hand is ordinary”**? If the lamb was ordinary, the sanctity of the money would indeed transfer to the lamb. But here the lamb is *already* sanctified, so it cannot take the place of the sanctity of the money.]

The Gemara now gives two answers to explain how the consecrated money used to buy a portion of the consecrated Pesach offering reverts to be ordinary (*chulin*) money. 1) The *money* is consecrated on condition that when it buys a portion in a Pesach offering, its sanctity will disappear. 2) The *Pesach offering* retains enough ordinariness to receive the sanctity of the money used to buy a portion in it.

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<sup>1</sup> Both of them were from the land of Israel.

## Perek 8 – 90a

These two ideas emerge from a discussion later on this *daf*, which is presented here in abridged form:

**(It was taught in a Mishnah (Temurah 30b):**

**“If someone gave her (a harlot) animals consecrated to be used as sacrifices, as her wage, these are permitted** to be used for sacrifices. (case #1)

But if he gave her **ordinary birds, these are forbidden** to use for a sacrifice, because the Torah forbids the wages of a harlot to be used for a sacrifice.” (Mishnah #1)

The Gemara then quotes a Baraita that explains that sacrifices given as a harlot’s wage are not invalidated because of **the verse that says:** “Do not bring the wage of a harlot and the price of a dog (to) the house of Hashem your G-d *for every vow,*” to **exclude** a consecrated animal **that is already vowed.**

The Gemara then deduces from the above Baraita: **But the reason** that the law of a harlot’s wage does not apply to consecrated animals is **because the Torah wrote,** “**Every vow.**”

**But if not for that, I would have said that the prohibition of a harlot’s wage does apply to them.**

**But** how can that be? **A person cannot prohibit something that is not his,** and consecrated animals belong to the Temple. So how could we entertain the thought that a person could make consecrated animals prohibited by giving them as wages to a harlot, such that we need this verse to tell us that sacrifices are permitted?

## Perek 8 – 90a

The Gemara answers: **Said Rabbi Oshaya:** The Baraita is talking **about someone who appoints a harlot on his Pesach offering**, as payment of her wage. **And it is** according to the view of **Rabbi** i.e. Rabbi Yehudah HaNasi, that a Pesach offering is not wholly consecrated – therefore without this verse, the Pesach offering would have become forbidden as a harlot’s wage.

The Gemara asks: **What is** the basis of this view of **Rabbi** that a Pesach offering is not wholly consecrated?

**For it was taught** in a Baraita: **“If the house is too small** to [afford **the expenses of**] **the lamb**, then he and his neighbor who is close to his house shall take [i.e. purchase the lamb] according to the number of people.”

As the Baraita understands this verse, it is speaking of a household that laid out more money than they can afford, in order to purchase an animal for a Pesach offering. Now, they wish to replenish their personal funds by selling a portion in the offering to the neighboring household. What may be bought with the money given by the neighbor?

The Sages say: “The expenses of the lamb” means they may **replenish** funds **from the lamb** only if there is too little money **for eating** it, for example, if the household needs money to buy wood to cook it.

**But** they may **not** take money from the sale of the lamb **for buying** something not connected to the Pesach offering.

**Rabbi**, however, **says:** They may **also** sell someone a portion in their Pesach offering if they have too little money **for buying** what they need in general.

## Perek 8 – 90a

**That if he does not have** enough money for buying what he needs in general, **he may appoint another person on his Pesach offering and his *Chagigah*, and the money that is in his hands** from the sale **becomes ordinary.**

**Because on this condition, Israel consecrated their Pesach offerings:** that the lamb should not be completely consecrated, but ordinary enough that other people can buy a portion in it with their consecrated money, thereby transferring the money's sanctity to the ordinary part of the Pesach offering. Baraita #2)

*End of summary.*

\*

We said earlier that the Gemara will give two answers to explain how the consecrated money used to buy a portion of the Pesach offering becomes ordinary, in Baraita #1.

Answer #1) The *money* is consecrated on condition that when it buys a portion in a Pesach offering, its sanctity will disappear. Answer #2) The *Pesach offering* itself retains enough ordinariness to receive the sanctity of money used to buy a portion in it.

The Gemara now points out that according to Rabbi Oshaya, who holds that Rabbi said, concerning a harlot's wage, that the Pesach offering is not totally consecrated, we can resolve the difficulty with answer #2. Abaye, however, disagrees with Rabbi Oshaya, and will resolve it with answer #1.

\*

**Said Abaye: If not that Rabbi Oshaya established that** Mishnah #1, discussing a harlot's wage, **as dealing with someone who appoints a harlot on his Pesach offering, and said that that** Mishnah is like **Rabbi** in Baraita #2, who holds that the Pesach

## Perek 8 – 90a

offering is not totally consecrated (like answer #2). If not for that, **I would have established it** Mishnah #1 as speaking **of** a different case.

I would have said that it is speaking of all **sacrifices of light sanctity**.<sup>2</sup> **And** I would have explained that **it**, the Baraita's position that we need a verse to tell us that consecrated animals do not become forbidden if used as a harlot's wage, **is according to Rabbi Yosi Hagelili**.

For it is he **who says that sacrifices of light sanctity** until they are slaughtered **are the property of the owners**,<sup>3</sup> i.e. they remain ordinary property despite their consecration. Therefore they could become forbidden if used as a harlot's wage.

And I would have disagreed with Rabbi Oshaya, and said that even according to Rabbi, **in the Pesach offering** itself, **a person does not leave** any part of it ordinary. He consecrates it completely. In short, Abaye does not hold like answer #2.

And if you ask: if so, how can Rabbi allow a person to buy anything he likes with the money given to him by his neighbor for a portion of his Pesach offering?

It is because Rabbi holds that **in the money** that a person consecrates to buy his portion in a Pesach offering, **a person certainly leaves** them partly unconsecrated, i.e. he consecrates them on condition that they will revert to be ordinary, as explained before. **Because from the beginning, when he sets them** the coins **aside, he sets them aside with this in mind**, that they should become ordinary when he gives them over to purchase his portion in the offering. This is like answer #1.

**And this** Baraita #1 of the previous *daf*, which says that the money of someone who buys a portion in a Pesach offering becomes ordinary, **is going according to Rabbi**.

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<sup>2</sup> Sacrifices of lesser sanctity listed in *Perek Eizehu Mekoman*.

<sup>3</sup> Those who disagree with Rabbi Yosi Hagelili hold that they belong to the Temple, as do sacrifices of great sanctity.

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**And therefore the money in his the seller's hands is ordinary.**

Because, as I said, **in coins, a person certainly leaves** them partly unconsecrated, like answer #1.

**And that** Mishnah #1 about the wages of a harlot, **that Rabbi Oshaya establishes like Rabbi,** saying that the person gave the harlot a portion in his Pesach offering, **I do not establish it like Rabbi** does.

**Because a person leaves nothing** unconsecrated **in his Pesach offering.**

\*

Abaye continues: **But** nevertheless, I am forced to accept answer #2 in order to explain Baraita #1 of the previous *daf*, because **that** Baraita **cannot be established like Rabbi Yosi Hagelili** who says that all sacrifices of light sanctity belong to their owners, and that is why the money used to buy a portion in the Pesach offering is ordinary.

**Because it is taught in it,** in that Baraita at the end: **And if someone sells his burnt offering and peace offering, he did nothing.**

But according to Rabbi Yosi Hagelili, sacrifices of light sanctity such as peace offerings belong to their owners, and they could sell them.

\*

**But now that Rabbi Oshaya establishes it,** the Baraita about a harlot's wage, as **concerning someone who appoints a harlot on his Pesach offering, and** says that **it is like Rabbi—**

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We may **hear from that** a proof **that he holds that a person leaves** a portion **even of his Pesach offering** unconsecrated, like answer #2.

And surely Rabbi will agree to answer #1, that a person leaves the money consecrated to buying a Pesach offering partially ordinary. For if the offering itself has limited sanctity, surely this is true of the money consecrated to purchase it.

\*

The Gemara now discusses the differing views of Abaye and Rabbi Oshaya at length.

**What is** that statement **of Rabbi Oshaya** that Abaye disagrees with?

**For it was taught** in a Mishnah:

**If someone gave her** a harlot **animals consecrated to be used as sacrifices, as her pay, these are permitted** to be used for sacrifices.

But if he gave her **ordinary birds, these are forbidden** to use for a sacrifice, because the Torah forbids the wages of a harlot to be used for a sacrifice.

The Mishnah, questioning its own reasoning, suggests that it is obvious that the birds are forbidden, since this is clearly stated in a verse—so why does the Mishnah need to tell us this?

It is not obvious at all. **Because it would be logical** to say that birds are permitted.

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One could reason as follows: **If already consecrated animals, that a blemish invalidates them, and the law of a harlot's pay and the price of a dog do not apply to them,** since they are already the property of the Temple—

Regarding ordinary **birds, that a blemish will not invalidate them**—since the invalidity of a blemish does not apply to sacrifices brought from fowl—**is it not logical that the law of a harlot's pay and the price of a dog do not apply to them?**

To teach us that this is not so, **the verse says:** “Do not bring the wage of a harlot and the price of a dog (to) the house of Hashem your G-d **for any vow.**” The word “any” comes **to include ordinary birds.**

\*

The Gemara raises a difficulty on the above Mishnah, citing a Baraita: But **from now,** we should apply a *kal vachomer*<sup>4</sup> to **consecrated animals,** and deduce that they too should be permitted.

Because, **if it is true with ordinary birds which blemishes do not invalidate them,** that the invalidity of a harlot's **wage and the price** of a dog does **apply to them**—

Then **consecrated animals which blemishes invalidate them, is it not logical to say that a harlot's wage and the price** of a dog should **apply to them?**

The Baraita answers that a Torah decree tells us otherwise: **The verse says: “For any vow,” to exclude a consecrated animal that is already vowed.**

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<sup>4</sup> A fortiori reasoning

## Perek 8 – 90a

\*

The Gemara deduces from the above Baraita: **But the reason** that the law of a harlot's wage does not apply to already consecrated animals is **because the Torah wrote, "Any vow."**

**But if not for that, I would have said that the prohibition of a harlot's wage applies to them.**

**But** how can there be such a possibility? **A person cannot prohibit something that is not his**, and consecrated animals belong to the Temple. So how could a person make already consecrated animals prohibited by giving them as wages to a harlot?

\*

The Gemara answers: **Said Rabbi Oshaya:** The Baraita is speaking **about appointing a harlot on one's Pesach offering**, as payment of her wage. **And it is** according to the view of **Rabbi**, that a Pesach offering is not wholly consecrated.

**What is** the basis of this view of **Rabbi**?

**"If the house is too small** to [afford **the expenses of**] **the lamb**, then he and his neighbor who is close to his house shall take [i.e. purchase the lamb] according to the number of people."

As the Baraita understands this verse, it is speaking of a household that laid out more money than they can afford, in order to purchase an animal for a Pesach offering. Now, they wish to replenish their personal funds by selling a portion in the offering to the neighboring household. What may be bought with the money given by the neighbor?

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The Sages say: “The expenses of the lamb” means they may **replenish** funds **from the lamb** only if there is too little money **for eating** it, for example, if the household needs money to buy wood to cook it.

**But** they may **not** take money from the sale of the lamb **for buying** something not connected to the Pesach offering.

**Rabbi**, however, **says**: They may **also** sell someone a portion in their Pesach offering if they have too little money **for buying** what they need in general.

**That if he does not have** enough money for buying what he needs in general, **he may appoint another person on his Pesach offering and his *Chagigah*, and the money that is in his hands** from the sale **becomes ordinary**.

**Because on this condition, Israel consecrated their Pesach offerings:** that the lamb should not be completely consecrated, but ordinary enough that other people can buy a portion in it with their consecrated money, thereby transferring the money’s sanctity to the ordinary part of the Pesach offering.

\*

**Rabbah and Rabbi Zeira** differ over how to interpret the disagreement between the Sages and Rabbi, in the above Baraita.

**One of them says: Concerning wood to roast it** the Pesach offering, **everyone agrees** that they may use the neighbor’s money to buy wood. **For since it wood is for the benefit of the Pesach offering, it is like the Pesach offering itself.**

**When they disagree, it is concerning** using the money for buying **matzah and maror**, which by Torah law are to be eaten with it.

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**The Rabbis** i.e. the Sages mentioned in the Baraita **hold** the view: **This is a different eating** and not an intrinsic part of eating the Pesach offering.

**And Rabbi holds** the view: **Because it is something needed for the Pesach offering, it is like the Pesach offering itself.**

**And the other one says:** **Concerning matzah and maror too, everyone concurs that because it is written** concerning the Pesach offering, **“On matzot and maror you shall eat it,” that since they are something needed for the Pesach offering, they are like the Pesach offering itself.**

**They disagree when** someone wants **to buy a shawl** or any other regular item **with it,** with the money accruing from the sale of a portion in the offering.

**The Rabbis hold** the view: **The Torah said:** **“To [afford the expenses of] the lamb,”** to teach that we may **provide for the lamb’s needs** with the money.

**And Rabbi holds** the view: **“To [afford the expenses of] the lamb”** means even to **provide your own needs from selling the lamb.**<sup>5</sup>

\*

The Gemara raises a difficulty to Abaye, from the wording of the Baraita.

**And according to Abaye who said: If not that Rabbi Oshaya established that Baraita as someone who appointed a harlot on his Pesach offering, and said that it is like Rabbi who holds that the Pesach is not completely consecrated—**

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<sup>5</sup> *Tosafot* say that Rabbi Oshaya can be understood only according to this second opinion.

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**I would have established it the Baraita as speaking about sacrifices of light sanctity, and according to Rabbi Yosi Hagelili who says that sacrifices of light sanctity are the property of the owners.**

**But concerning the Pesach offering, a person does not leave part of it unconsecrated.**

The Baraita is difficult for Abaye because **the Baraita says expressly: Because on this condition, Israel consecrated their Pesach offerings.**

This seems to be saying like Rabbi, that people leave part of the Pesach offering unconsecrated!

The Gemara answers: We should alter the text of the Baraita and **say: Because on this condition, Israel consecrated the money of their Pesach offerings,** that it not be totally consecrated.

## **Mishnah**

*Introduction:*

People with different forms of impurity have different procedures for becoming pure:

1) A *zav*<sup>6</sup> who has one emission immerses himself in a *mikveh*<sup>7</sup> after nightfall and may eat from sacrifices.

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<sup>6</sup> Someone who has an emission which is not semen.

<sup>7</sup> Purifying pool.

## Perek 8 – 90a

If he had two emissions on one day, or emissions on two concurrent days: he counts seven days, immerses on the seventh day and eats from sacrifices after nightfall.

If he had three concurrent emissions: he counts seven days, immerses on the seventh day, brings atoning offerings on the eighth day, and eats from sacrifices after nightfall of the eighth day.<sup>8</sup>

2) If a woman has an emission of blood, this begins a seven day period in which any blood she sees is considered blood of a *nidah*<sup>9</sup>. Then come eleven days when any blood she sees is considered blood of *zivah*<sup>10</sup>. After those eleven days she once again has seven days of a *nidah*.

After seeing the blood of *nidah* she is always impure seven days, even if she sees blood non-stop during those seven days. If she has stopped seeing blood by the end of the seventh day, she waits until nightfall, immerses and is pure for most intents and purposes. (This is according to Torah law. As regards being permitted to her husband, there are additional Rabbinic restrictions.) But she may only eat from sacrifices after the end of the eighth day.

If she sees blood during one day in the period of *zivah* (even many times on the same day), she has to keep “a day corresponding to a day.” I.e. she checks the next day to make sure that she has no blood, then she immerses herself in a *mikveh*, and may eat from sacrifices after nightfall.

But if she sees blood of *zivah* for three concurrent days she must count seven subsequent clean days. On the seventh day she immerses, on the eighth day she brings atoning offerings, and she may eat from sacrifices after nightfall of the eighth day.

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<sup>8</sup> The Rabbis require him to immerse once more after bringing his sacrifices on the eight day.

<sup>9</sup> Menstruating woman.

<sup>10</sup> Impure blood not attributable to the menstrual cycle.

## Perek 8 – 90a

3) Someone who touches a corpse is impure for seven days and must have the purifying water of the red heifer sprinkled on him on the third and seventh days, and then he may eat from sacrifices after nightfall of the seventh day.

4) Someone who touches a *sheretz*<sup>11</sup> is impure for that day. He immerses on that day and may eat from sacrifices at night.

5) A *tevil yom* is someone who has immersed himself in a *mikveh* that day, and remains slightly impure (thus he may not eat from sacrifices) until nightfall.

6) *Mechusar kippurim* is someone who has immersed and waited until nightfall, but has not yet brought the atoning offerings required from him on the eighth day—and even if he has brought them, he has not waited until nightfall of the eighth day. Until then, he may not eat from sacrifices.

The Mishnah rules that one may slaughter a Pesach offering on behalf of people who may not yet eat from offerings, so long as they will be permitted to eat from offerings after nightfall.

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**A zav who had two emissions, we slaughter** a Pesach offering **for him** on the 14<sup>th</sup> of Nisan if it falls **on the seventh day** of his impurity, because he will be pure by nightfall.

**If he saw three emissions, we only slaughter for him** on the 14<sup>th</sup> if it falls **on the eighth day**, because he has to bring atoning offerings and may eat offerings only after nightfall of the eighth day.

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<sup>11</sup> One of the eight types of crawling creatures mentioned by the Torah as having impurity.

## Perek 8 – 90B

A *zavah* who is **keeping a day corresponding to a day, we slaughter for her on her second day.**

**If she saw an emission of blood for two concurrent days, we slaughter for her on the third day.**

If a *zavah* had an emission for three days, we slaughter for her on the eighth day.

### **Gemara**

**Said Rav Yehudah said Rav: We slaughter the Pesach offering and throw its blood on the Altar for a *tevul yom* on his seventh day, and for a *mechusar kippurim* on his eighth day.**

### **Ammud Bet**

**But we do not slaughter and throw blood for a person who is still impure from a *sheretz* (or for any other impure person) who has not immersed himself in a *mikveh* at all.**

**And Ula disagreed and said: We also slaughter the Pesach offering and throw its blood for a person who is still impure from a *sheretz* and has not immersed himself in a *mikveh* at all, and the same applies to someone impure from a corpse who still needs the purifying water to be sprinkled on him on the seventh day.**

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## Perek 8 – 90B

The Gemara questions Rav's view:

**And according to Rav** who says that we do not slaughter the Pesach offering for an impure person:

**Why is a *tevul yom* different** that we do slaughter for him? **Because he will be fit** to eat the Pesach offering **in the evening**.

If so, we should slaughter for **someone who is impure from a *sheretz***, because he **too will be fit in the evening!** All he has to do is immerse himself in a *mikveh*, which is something well within his ability.

The Gemara answers: The impure person still **lacks immersion**.

The Gemara challenges that answer: But **a *tevul yom*, too, still lacks the onset of dark!**

The Gemara replies: **The sun goes down automatically**, whereas the impure person has to actively immerse himself. He is thus lacking a positive action that must be undertaken in order to change his status of impurity.

The Gemara questions further: But **a *mechusar kipurim*, too, is missing** the act of bringing **an atoning offering**. So why do we bring a Pesach offering for him?

The Gemara answers: The case is **that his bird** that he wants to bring for atonement is already **in his hand**, and he can bring it immediately.

The Gemara replies: **Someone impure from a *sheretz* too, the *mikveh* is before him** and he can immerse whenever he wants!

## Perek 8 – 90B

The Gemara answers: **He might be negligent** and not immerse himself.

The Gemara replies: **If so, a *mechusar kipurim* too, perhaps he will be negligent** and not bring his atoning offerings!

The Gemara answers: **The case is that he already delivered them** his atoning offerings **to the Rabbinical Court** of the cohanim, to be offered on his behalf. Thus we may safely assume that they will be offered in their time, without further action on the part of the *mechusar kipurim*.

**And** our Mishnah goes **like** the rationale of **Rav Shemaya who said: There is a presumption that the Rabbinical Court of cohanim do not leave from there**, the Temple Courtyard, **until they finish the coins in the shofars**<sup>12</sup>, given by people for their atoning offerings.

\*

The Gemara continues to question the view of Rav:

**And** it emerges from the previous discussion that **according to Rav**, the only reason we may not bring a Pesach offering for a person impure from a *sheretz* is that we are concerned that he will be negligent and fail to immerse himself. Thus we may infer that **according to Torah law, he** an impure person who has not yet immersed **is certainly fit** to have a Pesach offering slaughtered on his behalf, **and it is the Rabbis who decreed on him** that we do not offer it because concern over negligence.

How can that be? **But** note that **Rav said** (on *daf* 80b) that if half the people were pure and half impure, then in order to avoid bringing the Pesach offering in two groups (see

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<sup>12</sup> Shofar-shaped money boxes.

## Perek 8 – 90B

footnotes),<sup>13</sup> **we make one of them** the pure people **impure with a *sheretz***, and then even the pure people may bring the Pesach offering in impurity, since the impure are now the majority.<sup>14</sup>

The point is as follows: if this person made impure with a *sheretz* is allowed by Torah law to have a Pesach offering brought on his behalf, how can he be counted among the impure people, to render them the absolute majority?

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The Gemara answers by explaining Rav's rationale differently:

**Rather, according to Rav, by Torah law too, he is not fit** to have a Pesach offering brought on his behalf.

**Because it is written** (*Bamidbar*<sup>15</sup> 9:6): “And there were people who were impure from the corpses of man, and could not do the Pesach on that day (the 14<sup>th</sup> of Nissan).”

“And Hashem spoke to Moshe<sup>16</sup> to say: **If any man is impure from a corpse**, or on a distant road, to you or your generations, he shall make a Pesach to Hashem (a month later)” (verses 9, 10).

**Are we not dealing** with a case **that his seventh day fell on Erev**<sup>17</sup> **Pesach**, so that he could be pure that night, and **that is the same as the impurity of a *sheretz***, which a person becomes pure of by night?

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<sup>13</sup> Each half is regarded as a majority. Therefore the pure people may not bring the Pesach offering in impurity because they are a majority, while the impure people may bring it in impurity because they too are considered a majority. Therefore the Pesach offering would be brought in two separate groups.

<sup>14</sup> Because then the pure people will be in the minority in which case the whole nation is permitted to bring the Pesach offering in impurity.

<sup>15</sup> Numbers

<sup>16</sup> Moses

<sup>17</sup> The Eve of

## Perek 8 – 90B

**And** nevertheless, **the Torah said to delay him** to Pesach Sheni (The Second Pesach). This proves that if someone is impure from a *sheretz*, we may not bring a Pesach offering on his behalf.

**And if you say** in reply: **From where** do you know **that** the case mentioned in the verse is like **this**? Perhaps the verse is speaking about someone who is six days or less after touching a corpse, and will not be pure by night to eat the Pesach offering!<sup>18</sup>

The answer is: **He Rav holds like Rabbi Yitzchak who said: They** the people mentioned in the verse, who told Moshe that they were impure, **were impure from a *meit mitzvah*<sup>19</sup>, that its handling had caused their seventh day to fall on Erev Pesach.**

\*

How did Rav Yitzchak know that Erev Pesach was their seventh day?

**Because it says** in the continuation of the verse: **And they could not make the Pesach offering on that day.” “On that day” they could not do it. But** this implies that **on the morrow they could do it.**

**And** concerning that case, **the Torah said that they are delayed** to Pesach Sheni.

And this is Rav’s source from the Torah that we do not bring a Pesach offering for an impure person, even if he can purify himself by evening.

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<sup>18</sup> And this fits in well with the verse, because if the case is of a *tamei meis* on the seventh day, why doesn’t the verse talk about the less ambiguous case of someone impure from a *sheretz*?

## Perek 8 – 90B

The Gemara contradicts Rav's view, from our Mishnah:

**It is taught** in our Mishnah: **A zav who had two emissions, we slaughter** the Pesach offering **for him on the seventh** day of his impurity.

**Is it not** the case **that he did not yet immerse**, and still we slaughter for him?

**And** we may **hear from this** a proof that **we slaughter** the Pesach offering **and throw** its blood on the Altar **for someone** who is **impure from a sheretz** before he immerses, since the cases are comparable.

The Gemara answers: **No**, the case is **that he the zav immersed**.

The Gemara replies: **If he immersed, what is it** the Mishnah **telling us?** Obviously we will slaughter for him!

The Gemara answers: **It is telling us that** we slaughter for him **even though he is still missing the onset of dark**. **It is telling us that** because **the sun goes down automatically**, it doesn't matter that it did not happen yet.

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The Gemara proves that the case is indeed that the *zav* already immersed himself.

**This too stands to reason** that the *zav* already immersed, **from that which is taught in the latter clause** of the Mishnah: **If he the zav had three emissions, we slaughter for him on the eighth day**.

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<sup>19</sup> A corpse that no one else was available to bury. And for the mitzvah of burying it, it was permitted for them to become impure even though this would prevent them from bringing the Pesach offering.

## Perek 8 – 90B

**It is all right if you say that we slaughter for a *zav* that had two emissions only if he immersed.** Then **one needs** the Mishnah to mention the case of three emissions, because **you might have thought to say** that we slaughter **on the seventh** for **him**, the *zav* **who had two emissions**, because **he is not lacking an action**, since he already immersed.

**But if he had three emissions**, we would **not** slaughter for him on **the eighth** because **he still lacks an action**, because he is still **lacking** bringing the offering of **atonement**.

Therefore **it** the Mishnah **tells us that even though he is still lacking** the offering of **atonement**, we **slaughter and throw** the blood for **him**.

**But if you say** that the case of **having two emissions** where we slaughter for him **on the seventh** day is even **that he did not immerse—**

**Why do I** need the case that if someone **had three emissions**, we slaughter for him **on the eighth?**

Now, **if we say** that we **slaughter on the seventh day** for **someone who saw two emissions** even though **he did not immerse**, such **that he is absolutely impure—**

**If someone had three emissions**, such **that he** already **immersed on the seventh** day, such **that the impurity** on the eighth day is now **weak**, **how much more that we would slaughter and throw** blood for **him** on the eighth day!

**But no, hear from this** a proof that the case of **someone who had two emissions**, that we **slaughter and throw** blood for **him on the seventh** day, is **that he immersed**.

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## Perek 8 – 90B

The Gemara rejects this proof.

**No, in truth you can say that he** the *zav* who had two emissions **did not immerse. And** nevertheless the Mishnah still **needs** to tell us that we bring a Pesach offering on the eighth day for someone who had three emissions.

Because **you might have thought to say** that we slaughter for the *zav* who had two emissions **on the seventh, because it is in his ability to rectify** himself by immersing himself in a *mikveh*.

But to slaughter **on the eighth** day for someone who had three emissions, **that it is not in his ability to offer** his atoning **offering**, because that is done by the cohen. Thus **I** could say that perhaps **the cohanim will be negligent with it** and not offer it in time, and therefore we should not slaughter a Pesach offering for him on the eighth day.

**So it** the Mishnah **tells us** that we do slaughter for him, **like that** rationale of **Rav Shemaya**. He said that there is a presumption that the Rabbinical Court of the cohanim does not leave the Temple Courtyard until they have used up all the money put into the *shofarot* for atonement offerings, thus ensuring that all the people's offerings were performed that very day.

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Our Mishnah continues: **And** if a *zavah* (had an emission for three days), **we slaughter** for her on the eighth day.

A “tanna”<sup>20</sup> recited a Baraita<sup>21</sup> **in front of Rav Ada bar Ahava:**

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<sup>20</sup> Someone who recited Tannaic teachings

## Perek 8 – 90B

**And if a *zavah* (had an emission for three days), we slaughter for her on the seventh day.**

**He Rav Ada said to him: Is a *zavah* fit that they should bring offerings on her behalf on her seventh day?**

**Even according to the view of Ula, who says that we slaughter the Pesach offering and throw its blood on the Altar for someone impure from a *sheretz* who did not yet immerse, those words of his apply only to someone impure from a *sheretz*, who is fitting to eat in the night if he immerses that day.**

But **this *zavah* on the seventh day, she is not fitting to eat from an offering until tomorrow, the eighth day, when she brings a offering of atonement.** So how can we bring a Pesach offering for her?

Rather, you should **say** instead that we slaughter a Pesach offering for her **on the eighth day.**

The “tanna” questioned Rav Ada: If so, this law is **obvious.** What is the Baraita coming to teach us?

Rav Ada answered: The new teaching is that **you might have said that because she still lacks an offering of atonement, we do not slaughter a Pesach offering for her even on her eighth day, because the cohanim might be negligent.**

**So it the Baraita tells us like that teaching of Rabbi Oshaya, who said that there is a presumption that the Rabbinical Court of the cohanim does not leave the Temple**

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<sup>21</sup> The Maharsha explains why it is clear that he was not explaining our Mishnah.

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Courtyard until they have used up all the money put into the *shofarot* for atonement offerings.

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The Gemara now gives a different version of the above discussion.

**Ravina said:** The “tanna” never recited a Baraita saying that we slaughter on the seventh day for a *zavah* who had three emissions. Rather, he **taught in front of him** Rav Ada concerning a *nidah*, and said: **We slaughter** a Pesach offering **for a *nidah* on her seventh day.**

**And he** Rav Ada said to him: **Is a *nidah* fit** to be slaughtered for **on the seventh** day?

**Even** according to **the view** of Ula, **who says** that **we slaughter** the Pesach offering **and throw** its blood **for someone impure from a *sheretz*** who has not yet immersed, that it is **because he is fit** to eat it **in the night** if he immersed that day.

**But a *nidah* immerses** only **during the night of** (i.e. following) **the seventh day.** Therefore, **she is not fitting** to eat the Pesach offering **until the eighth day**, by when **she had nightfall** after immersing on the night following the seventh day.

So how can you say that we slaughter for her on the seventh?

**Rather,** you should **say** that we slaughter for the *nidah* **on the eighth day.**

The “tanna” questioned Rav Ada: If so, it is **obvious** that we slaughter for the *nidah* on the eighth day. Why should the Baraita have to tell us this?

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Because **now, if we slaughter** a Pesach offering **and throw** its blood **on the eighth** day for a *zavah*, **who still lacks** an offering of atonement—

**Does one** even **have to say** that **we slaughter** the offering **and throw** its blood on the eighth day **for a *niddah*, who does not lack** an offering of atonement?

Rav Ada answered him: Yes, **it** the Baraita **needs** to mention the case of *nidah*.

Because **it is telling us** that **on the eighth day** – **yes**, we slaughter for her. But **on the seventh day** – **no**. This teaches us that she may not immerse before dark following the seventh day.

**As it was taught** in a Baraita: **All those obligated to immerse, their immersion is on the last day** of their impurity.

But a *nidah* and a woman after childbirth, **their immersion is on the night** after their days of impurity are complete.

From where do we know this?

**Because it was taught** in a Baraita: **You might** have thought **that she a *nidah* immerses while it is still day** on her seventh day.

Therefore **the verse says**: “**Seven days she shall be in her impurity,**” and the Sages interpreted this to mean: **She remains in her state of being a *niddah* for all seven days**, until the night following the seventh day.

**And a woman after childbirth is juxtaposed to *nidah*** in a Torah verse, as it says concerning the woman after childbirth: “Like the days of her flow of *niddah*, she [the

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woman after childbirth] shall be impure.” This teaches that they have the same law regarding immersing at night.

# Chavruta

## Pesachim – Daf Tzaddi Alef

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### Mishnah

The Mishnah deals with various situations in which there is reason to suspect that the one who brought his Pesach offering will become incapable of eating from it on Pesach night, despite the fact that on Erev Pesach<sup>1</sup>, at the time when it was slaughtered, he was still capable of eating it.

**Someone** who was just **bereaved** (*onen*) of one of the seven relatives whom he is required to see to their burial and mourn for. However he has not yet buried him at the time for slaughtering the Pesach offering, and is therefore not yet impure<sup>2</sup>.

**And one who**, at the time for slaughtering the Pesach offering, **was in the process of digging through a pile of rubble** from a structure which had fallen on someone, and it is not known whether the buried person will be found alive. This exposes the rescue worker to the possibility of becoming impure through contact with the corpse which might be found buried underneath.

And **one who** was jailed, at the time of slaughtering the Pesach offering, in a prison outside of Jerusalem<sup>3</sup>, but **had been assured release from prison** in time to arrive in Jerusalem for eating the Pesach offering.

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<sup>1</sup> Pesach Eve.

<sup>2</sup> One is required to bury seven close relatives, namely his father, mother, brother, sister, wife, son, and daughter. As such, he would become impure through his contact with the corpse, and therefore be incapable of partaking of the Pesach offering which must be eaten in a state of purity.

<sup>3</sup> The Pesach offering must be eaten in Jerusalem. If one is too far away, then he brings his Pesach offering on the Second Pesach, on 14 *Iyyar*, exactly one month later.

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**And one who is ill or elderly, who are capable,** at the time of slaughtering, **of eating** at least a *kazayit*<sup>4</sup>-sized piece of meat from the Pesach offering. However, they might not be feeling well enough to do so at the time for eating it, on Pesach night.

In any of these situations, **we slaughter** the Pesach offering **on their behalf**, if they are part of a group with others.

**But we do not slaughter for any of them by themselves,** since **they will perhaps cause the Pesach offering to become invalid** through their becoming unable to partake of the Pesach offering<sup>5</sup>.

Since it is permitted to slaughter on behalf of any of these aforementioned people if they participate together with others in a group, **therefore, if** the offering's blood had been sprinkled on their behalf upon the Altar, and then **something happened to them which rendered them invalid**, and therefore incapable of partaking of the Pesach offering, **they are exempt from observing the Second Pesach.** This is because they had been capable of eating from their Pesach offering at the time that its blood was sprinkled upon the Altar.

This is true **except** for the case of the rescue worker **who is in the process of digging through a pile of rubble.** If it turned out that the victim buried underneath was dead, the rescue worker must observe the Second Pesach, **since** we assume that **the victim had been dead at the outset**, thus imparting impurity to the rescue worker even before the Pesach offering had been slaughtered on his behalf.<sup>6</sup> This is because standing over the yet-to-be uncovered corpse is subject to *ohel*<sup>7</sup> impurity.

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<sup>4</sup> *Kazayit*: 0.9 fluid oz. or 28 cu. cm.

<sup>5</sup> The mourner may become impure through burying his corpse, the rescue worker may find the collapse victim dead, the prisoner may have his release remission revoked, and the sick and elderly may become too frail.

<sup>6</sup> Up until we discover that he had died, we assume that he is alive since that is his status quo. Once he is discovered to be dead, however, we assume that he had been dead the whole time. *Tosafot* explains that with regard to doubtful situations of impurity such as this one, where the moment of death is uncertain, then

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### Gemara

The Mishnah ruled that we do not bring a Pesach offering solely on behalf of one who had been promised to be released from prison in time to arrive in Jerusalem to eat his Pesach offering.

**Said Rabbah son of Huna in the name of Rabbi Yochanan: This ruling was taught only with respect to a gentile prison,** as there is a possibility that they will renege on their promise, and not release him. Therefore he is required to participate in a group, so as not to invalidate the Pesach offering.

**But** with respect to a **Jewish prison**, the ruling of the Mishnah does not apply, and **we slaughter** the Pesach offering even **on his behalf alone**. We assume that **since they had promised him, they will, indeed, release him, as it is written, (Tzefaniah<sup>8</sup> 3) “The remnant of Israel will neither act in deceit, nor will they speak lies.”**

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The Gemara now comments on Rabbah son of Huna’s ruling. **Said Rav Chisda: That which you have said,** that with respect to a prisoner of a **gentile prison**, we will **not** slaughter solely on his behalf, this **was only stated** regarding a prison that was located **outside the walls of Beit Pagi**, the furthestmost point in Jerusalem. **But** if it is located **within the walls of Beit Pagi**, we will indeed **slaughter** even **on his behalf alone**.

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we must presume the whole duration to have had the same status as the moment of discovery. Therefore, we assume that he had died from the outset.

<sup>7</sup> Lit. “a tent”, i.e. something positioned over a corpse.

<sup>8</sup> Zephaniah

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**What is the reason** for this? Since it is so close to Jerusalem, then even in the event that they fail to release him, **it is possible to bring it to him** in prison, **and he can eat it** there.

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The Gemara proceeds to analyze another aspect of the Mishnah which had stated: **Therefore, if something occurred** to invalidate any of the people listed by the Mishnah, he is exempt from observing the Second Pesach, except for the rescue worker who was digging through a pile of rubble. This is because the buried victim is assumed to have been dead all along, thus imparting impurity to the rescue worker.

**Said Rabbah son of bar Channah in the name of Rabbi Yochanan:** The Mishnah's ruling that the rescue worker must observe the Second Pesach **was taught only** in a situation where the **pile** of rubble was **round**, and the corpse was lying beneath its center. In this case, when the rescue worker was standing on the peak of the rubble, a tent was definitely formed, and thus impurity was conveyed.<sup>9</sup>

**But** if it was a **long pile**, there is a possibility that at the time of slaughtering, the rescue worker had not yet stood above the point where the corpse was located, and therefore no impurity was conveyed. As such, **he is exempt from observing the Second Pesach**, because **I would say that he was still pure at the time of the slaughtering**.

The Gemara substantiates this ruling: Similarly, **it was taught** in a Baraita **also in accordance with this** view.

**Rabbi Shimon son of Rabbi Yochanan ben Baroka says:** One who is digging through a pile of rubble **at times is exempt** from observing the Second Pesach, and **at times is liable** to observe the Second Pesach. **How so?** If it is a **round pile**, and

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**impurity is discovered beneath it**, he is **liable** to observe the Second Pesach; if it is a **long pile, and impurity is discovered beneath it**, he is **exempt** from observing the Second Pesach. Because **I would say that he was still pure at the time** that the Pesach offering was **slaughtered**.

### **Mishnah**

**We do not slaughter a Pesach offering on behalf of a single individual. These are the words of Rabbi Yehudah.** The Gemara will shortly explain his rationale.

**And Rabbi Yossi permits this.** According to him, the number of people is irrelevant. It is their ability to eat a *kazayit*-sized piece that matters. As such, **even with a group of one hundred participants – if they cannot eat a *kazayit*-sized piece – we do not slaughter on their behalf.**

**Also, we do not form a group of women, slaves, or minors<sup>10</sup>.** The Gemara will explain the reason behind this ruling.

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<sup>9</sup> Since there is not at least one *tefach* (3.1 in., 8 cm) of open space above the corpse, but below the rubble, the impurity is not contained—bringing impurity upon the rescue worker.

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### Gemara

The Gemara explains Rabbi Yehudah's ruling that we do not slaughter a Pesach offering on behalf of a single individual.

**Our Rabbis taught** in a Baraita: **From where** is it known **that we do not slaughter the Pesach offering on behalf of a single individual? The Torah says** (*Devarim*<sup>11</sup> 16) regarding the prohibition of bringing the Pesach offering outside of its permitted area, **“You may not sacrifice the Pesach [offering] in *one* of your gates.”** The Baraita interprets: **“You may not sacrifice the Pesach offering as *one* [individual].”** **These are the words of Rabbi Yehudah.**

**And Rabbi Yossi says:** If a single individual is capable of eating it, then we will slaughter on his behalf; if they are a group of even ten people, but cannot eat even a *kazayit*-sized piece of it, we will not slaughter on their behalf.

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The Gemara raises a difficulty with Rabbi Yossi's view. **And** according to **Rabbi Yossi**, **this** verse stating “You may not sacrifice the Pesach [offering] **in *one*** of your gates,” **what does he do with it**, in explanation of the extra word “one”?

The Gemara answers that **he needs it to** teach the following ruling **of Rabbi Shimon**.

**As it was taught** in a Baraita: **Rabbi Shimon says: From where** is it known **that one who sacrifices his Pesach offering upon a private *bamah* (altar)<sup>12</sup> during the era** in

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<sup>10</sup> One who has not yet reached the age of bar or bat mitzvah.

<sup>11</sup> Deuteronomy

<sup>12</sup> During the forty years in the Wilderness, sacrifices were brought only upon the public Altar in the Tabernacle, and private altars, called *bamot*, were prohibited. Upon entry into the land of Israel, all public

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which use of *bamot* was **prohibited, that he** has violated a **negative mitzvah**, even if he has brought his offering before its proper time<sup>13</sup>, i.e. not on Erev Pesach?

The **Torah says: “You may not sacrifice the Pesach [offering] in *one* of your gates.”** Had one done so at the proper time for sacrificing the Pesach offering, i.e. Erev Pesach, one would have been liable for *karet*.<sup>14</sup> This we know without this verse. So this verse must be dealing with a case where he sacrificed it before the proper time, and the verse teaches us that he has violated a negative mitzvah.

Rabbi Shimon continues to explain how he derives this ruling from the verse: It is **possible** to have thought that this is **so even during the era** in which *bamot* were **permitted**, that one would have violated a negative mitzvah for bringing his Pesach offering before its proper time, on a *bamah*. **The Torah says**, however, “You may not sacrifice the Pesach [offering] **in *one* of your gates.**” From this we see that this prohibition **was only stated during the era when all of Israel gather together inside one gate**, namely, the single gates of the Temple, and not inside individual gates of towns containing *bamot*<sup>15</sup>.

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sacrifices were brought upon the public Altar, but individual ones were permitted upon *bamot*. The Pesach offering, however, was considered a public offering with respect to this issue. Upon construction of the Tabernacle in Shiloh, however, all *bamot* were forbidden. Following the destruction of Shiloh by the Philistines, *bamot* were once again permitted until King Solomon built the Temple in Jerusalem, upon which all sacrifices were to be brought.

<sup>13</sup> One who brought a public sacrifice upon a *bamah* was liable for the punishment of *karet* only if it would have been an otherwise suitable offering, had it been brought upon the public Altar. If not, then he was not liable for *karet*. Rabbi Shimon’s case is where the Pesach offering was brought upon a *bamah*, but before its proper time, thus rendering it unsuitable. Although based on what we have just said, he would not be liable for *karet*, Rabbi Shimon interprets the verse as teaching us that he did, nevertheless, violate a negative mitzvah.

<sup>14</sup> Spiritual excision.

<sup>15</sup> Rabbi Shimon explains the words of the verse “in one of your gates” in a new manner. According to him, this phrase of the verse is coming to define during which era the prohibition applies, namely when there is a prohibition of *bamot*.

## Perek 8 – 91a

The Gemara will now discuss the view of Rabbi Yehudah, who differed with Rabbi Shimon in the Baraita. He held that “in one of your gates” teaches the prohibition of slaughtering the Pesach offering on behalf of a single individual. **And** according to **Rabbi Yehudah**, **this** ruling of Rabbi Shimon that when *bamot* were permitted there was no prohibition in slaughtering the Pesach offering upon a private *bamah* before the proper time, **from where does he** derive it? Since he explains the verse “in one of your gates as teaching something different, it is unavailable to teach this ruling, and Rabbi Yehudah will therefore require some other source for it.

The Gemara answers that Rabbi Yehudah holds that **both** rulings can be **derived from it** (this verse).

**And** according to **Rabbi Yossi**, **how** does he know that the verse is **for that** teaching **which Rabbi Shimon had said? Maybe** it is **for that** teaching **which Rabbi Yehudah had said** that the verse **is coming** to teach, that it is forbidden to sacrifice a Pesach offering for a single individual?

The Gemara answers: Rabbi Yossi will **tell you** that **you should not assume** that the verse is to be interpreted as Rabbi Yehudah did **because it is written** in a different verse (*Shmot*<sup>16</sup> 12): “each **man, according to his** [ability to] **eat it**, shall you appoint to the lamb.” In other words, even a single individual may be appointed to the Pesach offering, provided that he has the ability to eat from it a minimum amount.

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**Mar Ukva bar Chinena from Parishna**<sup>17</sup> **posed to Rava a contradiction** to Rabbi Yehudah’s view:

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<sup>16</sup> Exodus

<sup>17</sup> The name of a place.

## Perek 8 – 91a

**Did Rabbi Yehudah really say that we do not slaughter the Pesach offering on behalf of a single individual?**

**And he posed a contradiction to this**, from a Baraita: **A woman, on the First Pesach**, is obligated to participate in a Pesach offering. And **we slaughter** it even **on her behalf alone**. And she is not obligated **on the Second Pesach**, so we will not slaughter the Pesach offering entirely on her behalf. But **we make her an auxiliary to others** in a group of men who are observing the Second Pesach. **These are the words of Rabbi Yehudah.**

In any event, the Baraita says that according to Rabbi Yehudah, we will indeed slaughter on the First Pesach on behalf of an individual woman!

Rava **said to him**, altering the text of the Baraita: **Do not say** that Rabbi Yehudah said *“bifnei atzmah,”* that we slaughter on her behalf. **Rather say** that Rabbi Yehudah said *“bifnei atzman,”* on *their* behalf, i.e. for two or more women. Thus Rabbi Yehudah is saying that women may form their own group to partake of the Pesach offering.

Rav Ukva bar Chinena raised a difficulty with this answer. **He said** to Rava: **Do we really make a group** that consists **entirely of women? But it was taught** in our Mishnah that **we do not make a group of women, minors, or slaves!**

**Why not say** that this is referring to a group of **women by themselves, and slaves by themselves, and minors by themselves?** If so, Rabbi Yehudah’s view would be contradicted by our Mishnah.

**He Rava said back to him: No**, our Mishnah does not prohibit women from forming a group by themselves. Rather, the Mishnah prohibits a group made up of **women, and slaves, and minors** together.

## Perek 8 – 91B

Rava explains the rationale: **Women and slaves** may not form their own group, **because** there is a concern that they will come to engage in **licentiousness** between males and females.

**Minors and slaves** may not form their own group, **because** there is concern that they will...

### **Ammud Bet**

...come to engage in **lewd behavior** between males.

c c õ d d

Regarding the above-mentioned statement **itself**: **A woman, on the First** Pesach, is obligated to participate in a Pesach offering, and **we slaughter** it even **on her behalf alone**. **And** she is not obligated **on the Second** Pesach, thus we will not slaughter the Pesach offering entirely on her behalf. But **we make her an auxiliary to others** in a group of men who are observing the Second Pesach. **These are the words of Rabbi Yehudah**.

**Rabbi Yossi says**, continues the Baraita, **A woman** is obligated to observe **the Second** Pesach, **and we will** therefore **slaughter it even on her behalf alone**. **Needless to say**, then, that the same holds true **with respect to the First** Pesach.

**Rabbi Shimon says**, continues the Baraita, With respect to **a woman**, even **on the First** Pesach, **we only make her an auxiliary to others** in a group of men, as she is not

## Perek 8 – 91B

obligated. **On the Second Pesach, we do not slaughter on her behalf at all**, even if she were to join a group of men, since she is not in any way able to observe it.

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The Gemara asks: **Over what** underlying issue are Rabbi Yehudah, Rabbi Yossi, and Rabbi Shimon **differing?**

The Gemara answers: **Rabbi Yehudah holds** that the verse (*Shmot* 12) “**according to the number of souls** [i.e. people] shall you assign to a lamb” implies any people, **and even women.**

**And if you will say: If** this is **so**, then **even on the Second Pesach**, we **also** should slaughter on behalf of women alone. Rabbi Yehudah would respond: **It is written** (*Bamidbar*<sup>18</sup> 9) regarding someone who is obligated to observe the Second Pesach, but failed to do so, “**this man shall bear his sin.**”

This implies that for a “**man,**” **yes**, he shall bear his sin. But for a **woman, no**, there is no sin on her part for failing to bring a Pesach offering on the Second Pesach. Thus we see that a woman is exempt from observing the Second Pesach.

**And if you will further ask: If so**, that a woman is exempt from observing the Second Pesach, then **she should not even be auxiliary** to a group of men who are obligated to observe **the Second Pesach**. Rabbi Yehudah would respond: The verse “**according to all the statutes of the [First] Pesach** shall you perform it [the Second Pesach]” is **effective** in creating a limited participation for women in the Second Pesach, similar to the First Pesach. This is with respect **to** being **merely an auxiliary** to a group of men who are bringing an offering on the Second Pesach.

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<sup>18</sup> Numbers

## Perek 8 – 91B

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The Gemara now asks: **And** according to **Rabbi Yossi**, who ruled that we may slaughter on behalf of an individual woman on both the First and Second Pesach, **what is the rationale** behind this?

**Because it is written regarding the First Pesach, “according to the number of souls.”** This implies all souls, **even** that of a woman. **Similarly, it is written regarding** failure to observe **the Second Pesach, “and that soul shall be cut off<sup>19</sup> from Israel.”** Here as well, **“soul”** implies all souls, **even** that of a woman.

The Gemara raises a difficulty. **But** the verse **“this man shall bear his sin,”** which Rabbi Yehudah understood as exempting women from the Second Pesach, **what is it to exclude** according to Rabbi Yossi?

The Gemara answers: It is **to exclude a minor from** the punishment of *karet* if he failed to observe the Second Pesach. For the word “man” implies adults, not minors.

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The Gemara now asks: **And** according to **Rabbi Shimon**, who said that on the First Pesach a woman may only be an auxiliary to a group of men, and she may not participate in the Second Pesach at all, what is his rationale?

The Gemara answers: **It is written regarding the First Pesach: “man,”** which teaches that **a man, yes,** he is obligated to observe the First Pesach. But **a woman is not** obligated to observe the First Pesach. **And if you will say: if this is so,** that she is exempt from observing the First Pesach, then **even** as an **auxiliary,** she should **not** participate.

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<sup>19</sup> This refers to the punishment of *karet* which involves a premature death.

## Perek 8 – 91B

Rabbi Shimon would respond that the verse “according to the number of souls,” which implies that even the soul of a woman is included in the mitzvah of the Pesach offering **is effective** in including a woman **as an auxiliary** to a group of men.

The Gemara further questions Rabbi Shimon’s view: **And if you will say**, according to this, that even on the Second Pesach **as well**, let a woman participate as an auxiliary to a group of men.

Rabbi Shimon would respond: **The Merciful One** i.e. the Torah **has** completely **excluded** women **on the Second Pesach, as it is written**: “This **man shall bear his sin.**” This teaches that **a man, yes**, he may participate in the Second Pesach. But **a woman may not.**

The Gemara brings out the point: **From what** is the verse **excluding her?**

**If** it is **from** her **obligation**, this is not plausible. **Now** since it is already known that **on the First Pesach**, she is **not** obligated, **on the Second Pesach is it necessary** to mention that she is exempt from obligation? Bringing an offering on the Second Pesach is no more than a rectification for failure to do so on the First Pesach!

**Rather** we must say that **no**, the verse is not excluding her from obligation alone. The verse is excluding her even **from** participating as an **auxiliary** to a group of men.

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**And** of **which** verse containing the word “**man**” did **Rabbi Shimon speak**, when he derived that women are exempt?

**If we say** that he was referring to the verse written regarding the First Pesach (*Shmot* 12) which says, “**And they will take for themselves, each *man*, a lamb for his household,**”

## Perek 8 – 91B

this is not plausible. The word “man” in that verse is not superfluous, as **it is required** for the ruling **of Rabbi Yitzchak who had said** that **a man** is capable of making an **acquisition** on behalf of another, when he purchases an animal for his Pesach offering on behalf of his entire household. This implies that **a minor is not** capable of **acquiring** on behalf of others, thus the word “man” in this verse is not superfluous.

**Rather**, we must say that Rabbi Shimon learned it **from** the verse “**Each man, according to his ability to eat** [the Pesach offering].” But this, too, is not plausible:

**From** the fact **that Rabbi Yossi concurs with Rabbi Shimon** regarding the meaning of the verse “you may not eat the Pesach [offering] in *one...*”, as explained by the Gemara on the previous *ammud*, it follows that **Rabbi Shimon also concurs with Rabbi Yossi** regarding the verse “each *man* according to his ability to eat it.”

**And** as such, Rabbi Shimon **needs that** verse, “each *man* according to his ability to eat it,” to teach **that we slaughter the Pesach** offering even **on behalf of a single individual**, and he therefore cannot derive from it the ruling that women are exempt.

The Gemara replies: Rabbi Shimon **will tell you: If** that is **so**, that the verse is only teaching that it is permissible to slaughter the Pesach offering on behalf of a single individual, then **let the Merciful One** i.e. the Torah **write** only “**according to his ability to eat.**” This will be understood as referring only to an individual.

**Why** does the verse have to also say “**each man**”? As such, we may **hear from this** verse a source for **both** rulings: that it is permissible to slaughter the Pesach offering on behalf of a single individual, and that only men are obligated to bring a Pesach offering.

c c õ d d

## Perek 8 – 91B

The Gemara will now discuss the previously mentioned view of Rabbi Elazar (79B).

**According to whose view goes that statement which Rabbi Elazar said, that a woman, on the First Pesach, is obligated, and on the Second Pesach is permitted to participate but not obligated, and that it supersedes Shabbat?**

The Gemara first seeks to clarify Rabbi Elazar's statement: **If** women on the Second Pesach are merely **permitted**, but not obligated, then **why** did Rabbi Elazar say that it **supersedes Shabbat**?

The Gemara answers: **Rather**, we should **say** that Rabbi Elazar meant: **On the Second** Pesach it is **permitted**, but not obligatory. **And on the First** Pesach it is **obligatory, and** therefore **supersedes Shabbat**. But on the Second Pesach, it does not supersede Shabbat.

Now the Gemara returns to original question: **According to whose** view does Rabbi Elazar go?

The Gemara answers: Rabbi Elazar's view is **like Rabbi Yehudah's**, that on the First Pesach, we slaughter on behalf of a woman, even by herself, but on the Second Pesach, we make her an auxiliary to a group of men. She may be an auxiliary since she is permitted, but not obligated.

c c õ d d

The Gemara makes the following statement, in connection with our Mishnah's discussion of which types of people may join together to partake of the Pesach offering.

**Said Rabbi Yaakov in the name of Rabbi Yochanan: We do not make a group composed entirely of converts, out of concern that maybe they will be too strict and**

## Perek 8 – 91B

**exacting in its laws**, due to their relative ignorance of Halachah—and they will unnecessarily **determine it** to be **invalid**.

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**Our Rabbis taught** in a Baraita: Eating the **Pesach** offering **and matzah and maror**<sup>20</sup> **on the first** night of Pesach is **obligatory**. **From then on**, it is **permissible**, but not obligatory. This is the view of the first Tanna.

**Rabbi Shimon says: For men it is obligatory, and for women it is permitted**, but not obligatory.

The Gemara seeks to clarify the ruling of the first Tanna. When he said “From then on, it is permissible but not obligatory,” **to which** of the three mitzvot was he **referring**: the Pesach offering, the matzah, or the maror?

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**If you say** that he was referring **to the Pesach** offering, and the first Tanna is saying that it is permissible but not obligatory to eat from during the entire seven days of Pesach, that is impossible. For **is** it true that **the Pesach** offering is slaughtered or eaten during **the entire seven** days of Pesach? Certainly it is not!<sup>21</sup>

**Rather**, he must have been referring **to matzah and maror**. They, according to the first Tanna, are permissible but not obligatory during the rest of the seven days.

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<sup>20</sup> Bitter herbs

<sup>21</sup> The Pesach offering may be brought only after noon on Erev Pesach, and it must be consumed Pesach night. It may not be left over until morning.

## Perek 8 – 91B

The Gemara points out that this is problematic according to Rabbi Shimon's view in the Baraita. It is **said in the latter clause** in the Baraita: **Rabbi Shimon says: For men it is obligatory, and for women it is permitted** but not obligatory.

If the first Tanna is speaking of matzah and maror, it emerges that according to Rabbi Shimon, only men are obligated in these things on the first night; women are permitted but not obligated.

**And does not Rabbi Shimon hold of that statement which Rabbi Elazar said?** He said that **women are obligated in the mitzvah of eating matzah by Torah law, as it is said** regarding the Pesach offering (*Devarim*<sup>22</sup> 16), **“You shall not eat upon it chametz – seven days you shall eat upon it matzot.”** In this verse, the Torah juxtaposed the prohibition of chametz to the mitzvah of eating matzah. This teaches that **whoever has the prohibition of not eating chametz also has the mitzvah to go and eat matzah.**

Therefore **women, since they have the prohibition not to eat chametz,**<sup>23</sup> **they also have the mitzvah to go and eat matzah!**

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The Gemara concludes: **Rather,** we must **say** that the view of the first Tanna is to be understood as follows.

Eating the **Pesach** offering, **matzah and maror, on the first** night of Pesach, is **obligatory. From then on,** matzah and maror are **permissible,** but not obligatory. **Rabbi Shimon says:** Eating the **Pesach** offering **for men is obligatory, and for women is permissible** but not obligatory. With respect to matzah, however, women are indeed obligated.

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<sup>22</sup> Deuteronomy

<sup>23</sup> For women are obligated to refrain from violating any of the prohibitions of the Torah.

# Chavruta

## Pesachim – Daf Tzaddi Bet

Translated by: *Rabbi Eliezer Zev Reinitz*  
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### Mishnah

An *onein* (someone in bereavement due to the death of a close relative) **immerses** himself in a mikveh<sup>1</sup> on Erev<sup>2</sup> Pesach in order to purify himself,<sup>3</sup> just as other people do, **and may eat** from **his Pesach offering after nightfall** like other people. Although the burial did not yet take place, he is permitted to eat from the Pesach offering since by Torah law, the prohibitions of *aninut* (bereavement) apply only on the day of death. The ensuing night, the prohibitions apply only by Rabbinic law, and the Rabbis waived them in order to enable the *onein* to fulfill the Torah mitzvah of sacrificing and eating the Pesach offering.

**But he may not** partake **in** the eating from **other sacrifices**, even at night, due to the Rabbinic prohibitions of *aninut*.

**Someone who** just now **hears of** the death of **his dead** relative, **or one who gathers** the bones of his deceased father or mother in order to rebury them somewhere else and is thus obligated in the laws of *aninut* for that day – such a person **immerses** himself in a mikveh **and may eat** from all **sacrifices** that night. The Sages did not require him to keep the laws of *aninut* that night since his state of *aninut* even during the day was only by Rabbinic decree.

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<sup>1</sup> Purifying pool.

<sup>2</sup> The Eve of

<sup>3</sup> This assumes he did not touch the corpse or stand under the same roof as it, in which case his purification process will take seven days. Thus he will be delayed to the Second Pesach.

## Perek 8 – 92a

The status of **a convert who converted on Erev Pesach** is a matter of dispute. This is because the process of conversion entails undergoing circumcision. **The House of Shammai say that he immerses** himself in a mikveh as is required of all converts, **and he eats his Pesach offering that night.**

**But the House of Hillel say that one who separates from his foreskin** through the act of circumcision is **like one who separates from a grave**, i.e. he is rendered impure for seven days, as is the case with corpse impurity. Since this convert received a circumcision on Erev Pesach, he will not be able to partake in the Pesach offering.

### **GEMARA**

The Mishnah stated that an *onein* on the fourteenth of Nisan immerses himself in a mikveh and eats his Pesach offering that night. The Gemara discusses this point:

**What is the reason** that the *onein* is allowed to eat the Pesach offering? Because the Mishnah **holds** that *aninut of the night* following the death of a close relative is an institution **from the Rabbis**. **And regarding the Pesach offering**, the Rabbis did **not uphold their words** to prohibit the eating of the offering, **in the place of *kareit*** which is the punishment for one who purposely does not bring the Pesach offering.

But **regarding other sacrifices**, they did **uphold their words** to prohibit consumption, **in the place of** the regular **positive mitzvah** that applies to eating from such sacrifices. Thus they prohibited an *onein* from eating them.

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## Perek 8 – 92a

The Mishnah continued: “**One who hears of his dead** relative or one who gathers the bones of his deceased father or mother in order to rebury them somewhere else...”

The Gemara raises a difficulty: How can the Mishnah say that **one who collects the bones** of his father or mother to rebury them somewhere else, immerses himself and eats the Pesach offering that night? **But note that he requires sprinkling** from the purifying water of the *parah adumah* (Red Heifer) on the **third and seventh** day! Thus he should be considered impure for seven days and unable to eat the Pesach offering that night.

The Mishnah is therefore explained differently: Rather, **say** that the case in our Mishnah is that **others collected the bones for him**.

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The Mishnah continued: “**A convert who converted...**”

**Said Rabbah bar bar Chanah: So said Rav Yochanan**, that the **dispute** between the House of Shammai and the House of Hillel is only **regarding** an **uncircumcised gentile** who receives a circumcision in order to convert. He is not impure by Torah law, since a gentile does not receive impurity. And until the conversion process is finished, including the subsequent immersion in a mikveh, he is still judged as a gentile.

Nevertheless, **the House of Hillel holds** that he is impure by Rabbinic law. This impurity is a **decree, lest he become impure** again for a different reason, by Torah law, **on the year following**—when he will be already be a full Jew. **And he will say: Last year, did I not immerse** in a mikveh **and** become fit to **eat** the Pesach offering immediately? **And he will not know that last year** was different because **he was a gentile and he did not receive impurity**, as opposed to **now** that he is a **Jew and he receives impurity** by Torah law. This confusion will cause him to eat the Pesach offering in a state of impurity.

## Perek 8 – 92a

For one who is impure from a corpse must wait seven days in order to immerse in a mikveh and become pure.

**And the House of Shammai hold that we do not decree** based on such a concern.

**But** regarding **an uncircumcised Jew** who would like to circumcise himself and eat the Pesach offering, all concur that he **immerses** himself in a mikveh **and he eats his Pesach offering at night**, and we do not Rabbinically prohibit an uncircumcised Jew on the account of the decree against an uncircumcised gentile.

This is because the House of Hillel do not hold that the foreskin actually imparts impurity to the person it is removed from. They merely required that we treat it as we would treat contact with a grave, because of the confusion that might arise next year for a convert, as explained. This does not apply to a Jew who was circumcised and immersed himself. For a Jew who is circumcised has no Torah obligation to immerse himself in a mikveh. This Jew's immersion was like everyone else's immersion that day: it was merely to purify himself for the coming Festival. (See *Tosfot Yom Tov*)

**It is also taught** in a Baraita like **this**, to distinguish between the law of an uncircumcised Jew and an uncircumcised gentile. **Said Rabbi Shimon ben Elazar:** there was **no disagreement** between the House of Shammai and the House of Hillel **regarding an uncircumcised Jew** who circumcised on Erev Pesach. For everyone agrees **that he immerses** in a mikveh **and eats his Pesach offering at night**.

**With regards to what then, did they differ? Regarding an uncircumcised gentile** who converts on Erev Pesach. **That the House of Shammai say he immerses and eats his Pesach offering at night, and the House of Hillel say one who separates from the foreskin** by receiving a circumcision is **like one who separates from a grave**.

c c õ d d

## Perek 8 – 92a

**Said Rava:** In the cases of 1) **an uncircumcised person** 2) **sprinkling** of purification water 3) **and** of a circumcision **knife**, the Rabbis **upheld their words in the place of *kareit***. In each of these three cases the Rabbis decreed that the Pesach offering may not be brought by this person, even though one who deliberately fails to bring the Pesach offering is liable for the punishment of *kareit*.

And in these other cases of 1) *onein* 2) *metzora*<sup>4</sup> **and** 3) *beit hapras*<sup>5</sup>, **they did not uphold their words in the place of *kareit***. They allowed their decree to be waived so that the Pesach offering could be brought.

The Gemara now explains each of these cases:

The case of an **uncircumcised person** is **that which we** have already **said** above regarding one who converts on Erev Pesach, where the House of Hillel decreed that he may not partake of the Pesach offering that night.

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The case of **sprinkling** refers to the following: One who is impure from a corpse must be sprinkled with purification water on the third and seventh day. If the seventh day falls on Shabbat, the Rabbis forbade him from performing the second sprinkling that day (see *daf* 65b). From where do we know that it is forbidden to sprinkle the purification waters on Shabbat even if it falls on Erev Pesach? **For said the Master**<sup>6</sup>: It is forbidden to **sprinkle** the purification water on Shabbat, because it is a **Rabbinic decree**. **And nevertheless it does not supersede Shabbat** that falls on Erev Pesach even though this decree will prevent someone from bringing the Pesach offering, if this is his seventh day.

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<sup>4</sup> One who is impure due to a spiritually caused skin disease called *tzara'at*. Although it is commonly identified with leprosy, this is widely disputed.

<sup>5</sup> To be explained later.

## Perek 8 – 92a

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The case of a circumcision **knife** is the following: The Torah commanded us to circumcise our sons on the eighth day even if it falls on Shabbat. Yet the Rabbis decreed that it is forbidden to transfer the circumcision knife through a semi-public domain in order to use it.

Regarding this **it is taught** in a Baraita: **Just as we do not bring a circumcision knife through a public domain on Shabbat, since this is a Torah-forbidden form of work, so too we do not bring it by way of adjoining roofs or courtyards or enclosed areas.** And even though the circumcision is required in order for the infant's father to be fitting to bring the Pesach offering, the Rabbis upheld their words in this case and did not allow him to perform the circumcision in this manner.

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The Gemara now explains those cases in which the Rabbis did not uphold their words in the place of *kareit*:

The case of *onein* refers to **that which we** already **said** above: even though *aninut* at night is a Rabbinic decree, the Rabbis allowed an *onein* to eat his Pesach offering although he was in a state of *aninut* in Erev Pesach.

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The case of *metzora* – **what is this** case? It is that **which was taught** in a Baraita: A *metzora* immerses himself in a mikveh on the seventh day following his healing, and then brings an atoning offering on the eighth day. He is still slightly impure on the eighth day,

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<sup>6</sup> This is a reference to Rabbi Akiva whose view is quoted in the Mishnah on 65b.

## Perek 8 – 92a

until after the offering's services are performed. Thus he cannot enter the Temple. Consequently he stands in one of the gates of the Temple Courtyard and the cohen standing inside the Temple Courtyard places on his thumbs the purification blood of the offering, as required by Torah law.

Regarding a *metzora* whose eighth day fell on Erev Pesach but **then had a seminal emission that day**. If it had not been Erev Pesach, he would not be allowed to enter the Temple Mount and stand in the gate and complete his purification process, due to this one-day impurity. Rather, he would delay it until the next day.

But if it is Erev Pesach, and without completing his purification process today he will be unfitting to eat from the Pesach offering that night, his entrance to the Temple Mount is permitted. Thus, such a person **immerses** in the mikveh **and may eat** the Pesach offering **that night**.

**Said the Rabbis: Even though** in general, a *tevul yom*<sup>7</sup> (such as this person, who had a seminal emission that day and who subsequently immersed himself) **may not enter** the Temple Mount. But **this one may enter** in order to complete his purification process from being a *metzora*, and become fitting to bring the Pesach offering.

For **it is preferable that a positive mitzvah that carries a liability of *kareit*** (i.e. the Pesach offering) **should come and supersede a positive mitzvah that does not carry a liability of *kareit*** (the obligation of a *tevul yom* to leave the Temple Mount).

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<sup>7</sup> Literally: one who has immersed that day. This refers to someone who was impure and immersed himself but must wait until nightfall before he becomes completely pure.

## Perek 8 – 92a

And said Rabbi Yochanan regarding this Baraita: **By Torah law, there is not even a positive mitzvah** at all in this prohibition for a *tevul yom* to be on the Temple Mount. It is only a Rabbinic decree, as it says<sup>8</sup>: **“And Yehoshaphat stood among the congregation of Judah and Jerusalem, in the House of Hashem in front of the new Courtyard.”** What is the “new courtyard?” That the Rabbis innovated something regarding it, and they said: A *tevul yom* of a seminal emission **may not enter the camp of the Levites** i.e. the Temple Mount. Thus when the Rabbis permitted this *metzora* on his eighth day of purification, who had a seminal emission, to come to the gates of the Temple Courtyard once he had immersed, they were waiving their decree in the face of *kareit*.

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The case of *beit hapras* refers to the following: The Rabbis decreed that a field that contains a plowed-over grave is considered impure, since the bones are scattered throughout. The House of Shammai and the House of Hillel differed regarding the status of a Nazirite who walked through such a field.

The House of Shammai rule that we check the field, and if we find a bone in the field, the Nazirite is impure. The House of Hillel rule that we do not check for bones, because even if we do not find one, the Nazirite is still suspected of being impure. **And it was taught** in a Mishnah that **both the House of Shammai and the House of Hillel are in agreement...**

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<sup>8</sup> Chronicles II 20:5

## Perek 8 – 92B

### **Ammud Bet**

...that we check the field when it comes to those making the Pesach offering, but we do not check for those who eat *trumah*<sup>9</sup>. We see that the Rabbis relaxed this decree to allow someone to make the Pesach offering.

The Gemara asks: **What** does the Mishnah mean by “we check?”

**Said Rav Yehudah: So said Shmuel – one blows on the ground of the *beit hapras* and walks through it.**

**Rav Yehudah bar Abaye in the name of Rav Yehudah said: A *beit hapras* that is trampled by many people is considered pure, since any remaining bones have assumedly been broken into tiny particles that do not impart impurity.**

## **Hadran Alach Ha'Ishah**

### **We Will Return to You, Perek Ha'Ishah**

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<sup>9</sup> A portion of the crop from the land of Israel that must be given to a cohen. It may not be eaten in a state of impurity.

## Perek Mi Shehayah Tamei

### *Introduction:*

The Torah tells us<sup>10</sup> that if someone was unable to bring the Pesach offering on the fourteenth of Nissan, as a result of being impure or too far away from Jerusalem, he must bring it one month later on the fourteenth of Iyar. This day is called *Pesach Sheini* or the Second Pesach. Our *perek* discusses the laws pertaining to the Second Pesach.

### Mishnah

**Someone who was impure, or on a road far away from Jerusalem on the fourteenth of Nissan, and thus did not make the First Pesach offering, must make the Second Pesach offering one month later on the fourteenth of Iyar. Similarly if he inadvertently failed to bring the First Pesach offering (for instance he forgot the day), or if he was constrained from doing so due to circumstances beyond his control, or even if he deliberately did not make the First Pesach offering—in all of these cases he must make the Second Pesach offering.**

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<sup>10</sup> See *Bamidbar* (Numbers) 9:10

## Perek 9 – 92B

The Mishnah asks:

But **if** this is **so**, that all of these people who failed to bring the First Pesach offering are required to bring the Second Pesach offering, **why does the Torah mention** only those who were **impure or on a road far away** from Jerusalem on the fourteenth of Nissan?

The answer is **because these** cases mentioned in the Torah **are exempt from *kareit*<sup>11</sup>**. **And those** other cases in the Mishnah **are liable for *kareit*** for failure to fulfill their obligation on the First Pesach, although they have an obligation on the Second Pesach.

### **Gemara**

**It was said** in a statement of Amoraim: If someone **was on a road far** from Jerusalem on the fourteenth of Nissan and was not able to reach the Temple that day in order to slaughter the Pesach offering, but he did make it to Jerusalem that night in time to eat the Pesach offering. **And** in the meantime, **others** had **slaughtered** the offering **and sprinkled** its blood on the Altar **on his behalf**, having in mind that he would partake in the eating that night—

**Rav Nachman** said that the offering is **accepted** on High, i.e. it is judged as valid, thus exempting him from bringing an offering on the Second Pesach.

**Rav Sheishet** said the offering is **not accepted** on High, and he must bring an offering one month later on the Second Pesach.

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<sup>11</sup> Spiritual excision

## Perek 9 – 92B

The Gemara explains the reasoning behind the two views:

**Rav Nachman said** the offering is **accepted** on High, because the underlying reason for Second Pesach is because **Hashem took pity on him** (the person who is far from Jerusalem). The Torah did not want to trouble such a person by requiring him to send a messenger to Jerusalem to bring the offering on his behalf at the proper time.

**But if he** voluntarily **made** the First Pesach offering through a messenger, he has fulfilled his obligation, **and** furthermore, **he is worthy of blessing** for seeing to it that his Pesach offering was brought at its proper time, on the fourteenth of Nisan.

**And Rav Sheishet said** the offering is **not accepted** on High, because **the All-Merciful One has pushed him away** by depriving him of the ability to perform the Pesach offering, **as** if he was **impure**. In other words, just like an impure person is disqualified from bringing the Pesach offering, so too is a person too far from Jerusalem. He is disqualified from bringing the Pesach offering.

\*

**Said Rav Nachman: From where do I** have a source to **say this** position, that one who is far away from Jerusalem may send others to slaughter the First Pesach offering on his behalf?

**Because it is taught** in our Mishnah: “**Someone who was impure, or on a road far away** from Jerusalem on the fourteenth of Nissan, **and did not make the First** Pesach offering, he **must make the second** Pesach offering.” This **implies** that the only reason he did not make the First Pesach was because he chose not to. But **if he wanted** to make the First Pesach, **he** could have **made it**. The particular wording of the Mishnah (“Someone who was impure or on a road far away, *and did not make the first*”)

## Perek 9 – 92B

seemingly implies that there was a possibility of fulfilling his obligation despite being far away, yet he chose not to take advantage of it.

Rav Sheishet rejects the proof:

**And Rav Sheishet** would have **said to you: If it is so**, like Rav Nachman explained the Mishnah, then there is a problem with understanding the **latter clause** of our Mishnah.

**For it is taught:** “If he **inadvertently** failed to bring the First Pesach offering, **or if he was constrained** from doing so due to circumstances beyond his control, **and did not make the First Pesach, he must make the Second** Pesach offering.”

Should we say here, too, **that from** the fact **that** the Mishnah states “**and he did not make the first, he must make the second**”, that **implies that if he wanted to** he could have **made** the First Pesach offering? **Note that** it is impossible to explain this clause of the Mishnah that way, since we are dealing with a person who **inadvertently** forgot, or who **was constrained**. Clearly, he could not bring the First Pesach even if he wanted to.

**Rather**, we must say that the latter clause of the Mishnah included a case of **deliberate** refusal to bring the First Pesach, which was **taught among these** other cases, and the phrase “and he did not make the first” is referring back to the case of deliberate refusal. In that case, he could indeed have brought the First Pesach if he chose to do so, as the phrasing implies.

And **here too**, in the first clause of our Mishnah, we can explain the phrase “and he did not make the first” as referring to an unspoken case of an *onein*<sup>12</sup>, that **was taught among these** other cases. An *onein* could make the Pesach offering for himself, since he will be fitting by Torah law to eat from the offering that night. Thus if he chooses not to, he is like one who deliberately refused to bring the Pesach offering.

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<sup>12</sup> One whose close relative has died but has not yet been buried.

# Chavruta

## Pesachim – Daf Tzaddi Gimel

Translated by: *Chavruta staff of scholars*

Edited by: *R. Shmuel Globus*

[**Rather**, we must say that the latter clause of the Mishnah included a case of **deliberate** refusal to bring the First Pesach, which was **taught among these** other cases, and the phrase “and he did not make the first” is referring back to the case of deliberate refusal. In that case, he could indeed have brought the First Pesach if he chose to do so, as the phrasing implies.

And **here too**, in the first clause of our Mishnah, we can explain the phrase “and he did not make the first” as referring to an unspoken case of an *onein*<sup>1</sup>, that **was taught among these** other cases. An *onein* could make the Pesach offering for himself, since he will be fitting by Torah law to eat from the offering that night. Thus if he chooses not to, he is like one who deliberately refused to bring the Pesach offering.]

**Said Rav Ashi**, the language of our **Mishnah is also indicative** of such an interpretation in **that it teaches**: “**Because these** cases mentioned in the Torah **are exempt from kareit**<sup>2</sup>. **And those** other cases in the Mishnah **are liable for kareit** for failure to fulfill their obligation on the First Pesach, although they have an obligation on the Second Pesach.

Now, **to which** cases was the Mishnah referring when it said “and those are liable for *kareit*”? **If you say** that it is referring **to the cases of inadvertently** not bringing the First Pesach offering, **or being constrained** due to circumstances beyond one’s control, it is not plausible. These cases are surely not liable for *kareit*, since they are unintentional. Rather, it must be referring to a case of deliberate refusal to bring the First Pesach, and a case of *onein* that is comparable to deliberate refusal.

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<sup>1</sup> One whose close relative has died but has not yet been buried.

## Perek 9 – 93a

**And Rav Nachman would have said to you: In truth,** the phrase “and those are liable for *kareit*” refers **to** a case of **deliberate** refusal to bring the Pesach offering **only**. And it would have been reasonable for the Mishnah to have taught “he is liable” in the singular. And the fact that it is written in the plural form, “and those are liable”, can be explained as follows. **Since it was taught in the first clause** of the Mishnah in the plural form, **“and these are exempt” it was also taught in the latter clause** of the Mishnah in the plural form, **“those are liable.”**

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On the previous *ammud*, the following case was discussed: “If someone was on a road far from Jerusalem on the fourteenth of Nissan and was not able to reach the Temple that day in order to slaughter the Pesach offering, but he did make it to Jerusalem that night in time to eat the Pesach offering. And in the meantime, others had slaughtered the offering and sprinkled its blood on the Altar on his behalf, having in mind that he would partake in the eating that night.”

Regarding this case, Rav Sheishet stated that the offering is not accepted on High, i.e. it is invalid. Consequently he must bring an offering one month later, on the Second Pesach.

**Said Rav Sheishet: From where do I have a source to say this** is so, that the offering is not accepted?

**That it is taught** in a Baraita: **Rabbi Akiva says, The Torah says “One who is impure” and “One who is on a road far away from Jerusalem”,** juxtaposing the two.

Thus we learn about one from what is true about the other: **Just as one who is impure** is a case **that it is in his physical ability to perform** the Pesach offering, i.e. he is in

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<sup>2</sup> Spiritual excision

## Perek 9 – 93a

Jerusalem and he is not distant. He is able to perform the Pesach offering, but the Torah prohibited him **and** said that **he may not perform it**.

Thus we learn that **even** one who was **on a road far away, also** this is a case **that it is in his ability to perform** the Pesach offering, as he could appoint a messenger to sacrifice the Pesach offering for him. Nevertheless, the Torah prohibited him to do this **and** said that **he may not perform it**.

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**And Rav Nachman**, who stated on the previous *ammud* that in such a case, the offering is indeed accepted on High, he **would say to you** in answer:

In truth, Rabbi Akiva holds the view expressed by Rav Sheshet. But there are other Tannaim who disagree with Rabbi Akiva, and I follow their view.

For **Rabbi Akiva follows his own reasoning** in this matter, in **that he holds that we may not slaughter** the Pesach offering **and throw** its blood on the Altar **for one who is impure from a *sheretz***<sup>3</sup> on the 14<sup>th</sup> of *Nisan*. This is despite the fact that one who is impure from a *sheretz* is only impure that day, and has the ability to immerse himself in a *mikveh*<sup>4</sup> and eat from the Pesach offering that night.

And following this reasoning, Rabbi Akiva said: “Just as one who is impure (from a *sheretz*), that it is in his ability to perform the Pesach offering”, i.e. he is able to immerse and eat in the night. Yet, “and he may not perform”, that it is prohibited for him to perform the Pesach offering. Similarly when he is distant, that he is able to perform it, he may not do so.

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<sup>3</sup> One of the eight types of crawling creatures enumerated in Vayikra 11 as having impurity.

<sup>4</sup> Purifying pool.

## Perek 9 – 93a

**But I, Rav Nachman, hold like the one who said: “We may indeed slaughter the Pesach offering and throw its blood on the Altar for one who is impure from a *sheretz*”,** since he is able to immerse whilst it is still day, and eat that night from the Pesach offering.

And according this, the type of impure person that the Torah said to delay until *Pesach Sheni*<sup>5</sup>, the Second Pesach, is someone who is impure for seven days (and he had not yet reached the seventh day of his impurity), that he is not able to immerse and eat from the Pesach offering that night.

According to this, the law may not be learned from the juxtaposition of the two cases. For one who is impure, that it is in his ability to perform the offering, will in fact not be disqualified from eating the Pesach offering. If so, one who was far away is not disqualified either.

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**The Rabbis taught** in a Baraita:

**These types of people perform the Second Pesach offering: The *zavim*<sup>6</sup> and *zavot*<sup>7</sup>, those men and women with *tzara'at*<sup>8</sup>, and *nidot*<sup>9</sup>, and those who had relations with *nidot*, and women after childbirth<sup>10</sup>.** All of these are impure for more than one day.

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<sup>5</sup> The Torah gave a second opportunity to bring the Pesach offering on the 14<sup>th</sup> of Iyar to one who was not able to bring it on the 14<sup>th</sup> of Nisan.

<sup>6</sup> Sing. *Zav*. A man impure due to emissions approximately resembling semen. The laws of *zav* are listed in Vayikra 15.

<sup>7</sup> Sing. *Zavah*. A woman impure due to emissions of blood not attributable to her menstrual cycle. The laws of *zavah* are listed in Vayikra 15.

<sup>8</sup> A spiritually caused skin disease. Although often identified with leprosy, this is widely disputed.

<sup>9</sup> Sing. *Niddah*. A woman impure due to menstrual blood. See Vayikra 15.

<sup>10</sup> A woman after childbirth has impurity similar to that of a *niddah*.

## Perek 9 – 93a

And similarly, someone who **inadvertently** failed to bring the First Pesach offering (for instance he forgot the day), **or if he was constrained** from doing so due to circumstances beyond his control, or even **if he deliberately did not make the First** Pesach offering. **And one who is impure** from contact with a corpse, **and one who was distant** from Jerusalem. All of these perform the Second Pesach offering.

The Baraita raises a difficulty: Since we said that all of these people perform the Second Pesach offering, **if so, why did it** (the Torah) **say** specifically the case of someone who was **“impure”**?

The Gemara interrupts the citing of the Baraita, in order to discuss it:

What did the Baraita mean by asking: **“Why did it** (the Torah) **say** specifically the case of someone who was **“impure”**? It is clear that the Torah needed to state this case in order to teach **that if he wishes to perform the First** Pesach offering, **we do not allow him** to do so, as it is prohibited to appoint him on the Pesach offering.

**Rather**, we must say that the text of the Baraita requires correction. The question of the Baraita should read as follows: **If so, why did it** the Torah **say** the case of **“on a road far away** from Jerusalem”?

The Baraita answers: **To exempt him from *kareit***. This needs to be stated because someone who deliberately fails to bring the Pesach offering is liable for *kareit*.

The Gemara deduces: **And** it must be that this Baraita holds **the view of the one who said that it** the Pesach offering of someone on a road far away **is accepted** on High, if he sent an emissary to Jerusalem to bring it on his behalf. For according to the view that it is not accepted on High, there is no difficulty with the phrase “on a road far way”: It comes to teach exactly that law, that such an offering is not accepted on High.

## Perek 9 – 93a

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And now, the Gemara discusses the words of the Baraita that listed *zavot* and *nidot* and women after childbirth amongst those obligated in the Second Pesach.

The Gemara is puzzled: **Is a woman obligated in the second** Pesach offering?

**But surely it was taught** in a Baraita: **I would have thought that there should be amongst those that bring the Second** Pesach offering **only** the cases of **one impure from a corpse and one who was on a road far away**, that it was those that the Torah was discussing.

**Zavim, and those with tzara'at, and those who had relations with nidot, from where** is it known that they bring the Second Pesach offering?

**The verse says: “Any person (*ish ish*)** who shall be impure from a corpse”. The verse repeats the word “*ish*” to include those other types of impurity.

This Baraita spoke only of *zavim* and men with *tzara'at* and those who had relations with *nidot*, but not of *zavot*, *nidot* and women after childbirth. This implies that women do not bring the Second Pesach offering!

The Gemara answers: **It is not a difficulty.**

**This** Baraita that obligates women in the Second Pesach offering follows the view of **Rabbi Yosi**, who obligates women to bring it (earlier 91a).

And **that** Baraita that does not obligate women follows the view of **Rabbi Yehudah** (who says that women are not obligated, but are permitted to bring the Second Pesach

## Perek 9 – 93a

offering if they wish to do so) **and** the view of **Rabbi Shimon** (who says that women are not allowed to bring the Second Pesach at all).

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The Gemara brings a Baraita that discusses when the punishment of *kareit* applies for one who does not bring the Pesach offering.

**The Rabbis taught** in a Baraita: Whoever deliberately refrains from sacrificing the Pesach offering **is liable for *kareit*, for not performing the First** Pesach offering.

**And he is also liable for *kareit*** for not performing **the Second** Pesach. I.e. failure to perform either one makes him liable for *kareit*.<sup>11</sup> **These are the words of Rabbi** (i.e. Rabbi Yehudah HaNasi).

**Rabbi Natan says: He is liable for *kareit* for the First, and exempt for the Second.** Thus if he was inadvertent for the First and deliberate for the Second, he is exempt.

**Rabbi Chananya son of Akavia says: Even for the First,** if he deliberately failed to bring it, **he is not liable for *kareit*—unless he also deliberately did not perform Second.**

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<sup>11</sup> In truth, it is impossible to be punished twice with *kareit*, which is a Heavenly administered punishment of death. Since he already became liable for this punishment of *kareit* when he refrained from bringing the First Pesach offering, it is impossible to add onto this and administer the same punishment of *kareit* for not bring the Second Pesach, as one cannot be killed twice.

Nevertheless, there is a practical difference in becoming liable for not bring the Second Pesach, that if he was inadvertent in not bringing the First Pesach offering but he was deliberate in not bring the Second, he is liable for *kareit*.

## Perek 9 – 93a

But if he performed the Second, or he failed to bring it inadvertently, he is exempt. This is because the Second Pesach comes to replace the service of the First Pesach. Therefore, he has not fully transgressed regarding the First Pesach until he deliberately refrains from bringing the Second Pesach too.

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**And they** (Rabbi and Rabbi Natan) **follow their rationale** as expressed elsewhere.

**As it was taught** in a Baraita: **A convert that converted between the two Pesach offerings** i.e. between 14<sup>th</sup> of Nisan and 14<sup>th</sup> of Iyar, that he never had an obligation to bring the First Pesach offering—

**And similarly a minor that matured**, i.e. he reached the age of bar or bat mitzvah **between the two Pesach offerings**, that he never had an obligation to bring the First Pesach offering—

In both these cases, **he is obligated to perform the Second Pesach** offering, since *Pesach Sheni* is considered to be an independent mitzvah with its own separate obligation, applying even to a person that was not obligated to bring the First Pesach offering. **These are the words of Rabbi.**

**Rabbi Natan says: Whoever is required** (i.e. obligated) **in the First Pesach offering, is required in the Second. And whoever is not required in the First is not required in the Second.**

The Gemara asks: **Over what do they disagree?**

The Gemara answers: **Rabbi held that *Pesach Sheni* is an independent festival**, and he is obligated in the Second Pesach offering even if he was not obligated in the First.

## Perek 9 – 93a

And **Rabbi Natan held that *Pesach Sheni* is a completion of the First** Pesach offering's obligation. Therefore, if he was never obligated in the First Pesach offering, he does not bring the Second Pesach offering.

Nevertheless, as regards **rectifying** his failure to bring his Pesach offering on **the First**, and thereby exempting himself from *kareit* in the case that he deliberately refrained from the First Pesach offering, **it does not rectify for him.**

**And Rabbi Chananya son of Akavia held that the Second rectifies the First**, even if the First was deliberately not brought.

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**And all three of them explicated one** and the same **verse**, yet derived from it different halachot:

It says (*Bamidbar*<sup>12</sup> 9:10), “Any person who shall be impure from a corpse, or on a road far away, whether you or your generations [for the First Pesach], you shall do the [Second] Pesach for Hashem.”

And further on, the verse says (verse 13), “**And a man who was pure and was not on the road** and refrained from doing the Pesach offering. And this soul shall be cut off (*kareit*) from its people, as (*ki*) he did not sacrifice the offering of Hashem at its appointed time. That man shall bear his sin.”

Simply speaking, this verse speaks of a person who refrained from bringing the First Pesach offering. The disagreement is over the explanation of the end of the verse: “as (*ki*)

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<sup>12</sup> Numbers

## Perek 9 – 93a

he did not sacrifice the offering of Hashem at its appointed time. That man shall bear his sin.”

**Rabbi held that** it means as follows: The beginning of the verse—“**and refrained from doing the Pesach offering. And this soul shall be cut off (*kareit*) from its people**”—is speaking of a man **who did not do the First** Pesach offering. And the end of the verse—“as (*ki*) he did not sacrifice the offering of Hashem at its appointed time. That man shall bear his sin”—is speaking of the Second Pesach.

The word “*ki*” (translated above as “as”) bears four possible meanings:

1) If 2) Perhaps 3) But 4) As

The view of Rabbi is that “*ki*” in this context is to be understood as “if”.

And this is the explanation of the verse: **If also “he did not sacrifice the offering of Hashem at its appointed time”, on the Second** Pesach, “that man shall bear his sin”. He is liable for *kareit* for his sin.

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The Gemara raises a difficulty: **And from where** did Rabbi know **this**, that the phrase “**he shall bear his sin**” is the punishment of *kareit*?

## Perek 9 – 93B

### **Ammud Bet**

The Gemara answers: Rabbi derives it through a *gezeirah shavah*<sup>13</sup>. As it also says about one who cursed Hashem: “and he shall bear his sin” (*Vayikra*<sup>14</sup> 24:15); and it is known that one who commits this sin is liable for *kareit*.

However, the Torah does not explicitly state that *kareit* is the punishment for the sin of cursing. Rather, it says (*Bamidbar* 15:30), “And the soul who shall do with a high hand, from the resident or from the stranger, it is Hashem who he has blasphemed (*megadef*), and his soul *shall be cut off* from among its people”.

The Tannaim disagree as to what is “*megadef*”. Some say that it is one sings and plays instruments for an idol. But Rabbi **held that *megadef* is “one who curses<sup>15</sup> Hashem”**.

We therefore see that according to Rabbi, one who curses Hashem is punished with *kareit*. **And it is written about one who curses Hashem** (*Vayikra* 24:15): **“and he shall bear his sin”**.

**And he Rabbi derived**, through a *gezeirah shavah*, to **this** instance of “he shall bear **his sin**” mentioned here, about the *Pesach Sheni*, **from** “he shall bear **his sin**” mentioned there, about one who curses Hashem.

**Just as over there**, about one who curses Hashem, he is liable for *kareit*, **so here**, about the *Pesach Sheni*, **also** he is liable for *kareit*.

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<sup>13</sup> I.e. when different verses have a similar wording, they are often connected. This is *gezeirah shavah*, one of the means by which Scriptural verses are interpreted. There are many verses with similar wording, and *gezeirah shavah* interpretation is only made when there is a tradition of the Oral Torah (as handed down from Mt. Sinai) that these two verses are indeed linked.

<sup>14</sup> Leviticus

<sup>15</sup> lit: “blesses”, a euphemistic expression.

## Perek 9 – 93B

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And Rabbi Natan held that one may explain differently the verse of: “and refrained from doing the [First] Pesach offering. And this soul shall be cut off (*kareit*) from its people, as (*ki*) he did not sacrifice the offering of Hashem at its appointed time”.

For this instance of “*ki*” is a term meaning “as”.

And this is what it (the verse) was saying: As he did not sacrifice the offering of Hashem at its appointed time of the First Pesach, in such a case, that man shall bear his sin. The end of the verse is explaining the beginning of the verse: And this soul shall be cut off. Why? Because he did not sacrifice the offering of Hashem at its appointed time of the First Pesach. Therefore, he shall bear his sin.

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The Gemara raises a difficulty: And Rabbi Natan, this conclusion of the verse: “he shall bear his sin”, what does he do with it to explain it?

The Gemara answers: He Rabbi Natan held that the *megadef* that is liable for *kareit* is not one who curses Hashem. Rather, a *megadef* is one who sings to an idol.

And from where do we know that one who curses Hashem is liable for *kareit*?

He derived it through a *gezeirah shavah*, to this instance of “his sin” mentioned there about one who curses Hashem, from this instance of “his sin” mentioned here, about the Pesach offering.

Just as here, he is liable for *kareit*, so too there, one who curses Hashem is liable for *kareit*.

## Perek 9 – 93B

It emerges that the Torah states about the Pesach offering: “he shall bear his sin”, in order to teach about one who curses Hashem that he is punishable by *kareit*.

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**And Rabbi Chananya son of Akavia held** that one may explain the verse as follows:

**“...And refrained from doing the Pesach offering. And this soul shall be cut off (*kareit*)”**. And it states further on, “As he did not sacrifice the offering of Hashem at its appointed time”.

**If he did not sacrifice the offering of Hashem in its appointed time**, meaning **on the Second** Pesach, he then becomes liable for *kareit* for failing to bring it on the First Pesach. But if he brought it on the Second Pesach, he is exempt from *kareit* for the First.

The Gemara asks: **And Rabbi Chananya, what does he do with “he shall bear his sin”**, it explain it?

The Gemara answers: **As we have said**. Regarding this point, he agrees with Rabbi Natan.

\*

The Gemara now elucidates the Halachah that emerges from the disagreement between Rabbi, Rabbi Natan and Rabbi Chananya son of Akavia, regarding the punishment of *kareit* for one who refrains from bringing the Pesach offering.

## Perek 9 – 93B

**Therefore:**

- 1) **If he was deliberate in this and in that**, i.e. he deliberately refrained from bringing both the First and the Second Pesach offerings, **all agree that he is liable.**
  
- 2) **If he was inadvertent in this and in that**, **all agree that he is exempt.** (One who sins inadvertently is exempt from all punishments mentioned in the Torah, although in certain cases he is liable to bring a sin offering).
  
- 3) **If he was deliberate in the First and inadvertent in the Second**, the Halachah is as follows:

**According to Rabbi and Rabbi Natan, he is liable** for *kareit*. They hold that the Second Pesach does not rectify the First in this way, and since he was deliberate in the First, he is liable.

And **according to Rabbi Chananya son of Akavia he is exempt**, as he held that the Second Pesach rectifies the First, thus the transgression is not finalized until he deliberately refrained from bringing the Second Pesach too.

- 4) **If he was inadvertent in the First and deliberate in the Second:**

**According to Rabbi, he is liable**, as the Second Pesach is an independent obligation that is punishable by *kareit*.

And **according to Rabbi Natan and Rabbi Chananya son of Akavia he is exempt**, as the Second Pesach is a completion for the First and does not have an independent punishment of *kareit*.

## Perek 9 – 93B

### **Mishnah**

**What is the definition of “a road far away from Jerusalem”, that exempts a person from bringing the First Pesach offering?**

**From the town called Modi'im and outwards.**

**And like its measurement, i.e. the distance between Jerusalem and Modi'im, so it is in every direction.**

**These are the words of Rabbi Akiva.**

**Rabbi Eliezer says: Anywhere from the threshold of the Temple Courtyard and outwards is considered to be on a road far away.**

**Rabbi Yosi said to him Rabbi Eliezer: Therefore it has a dot in the Torah scroll, over the letter *hei* at the end of the word *rechokah*, “distant”. Whenever a word or letter in the Torah has dots on top, this limits the import of the dotted word. Here, the dot is to say:**

One is **not** exempt **because he is truly distant**, such that he is not able to reach the Temple Courtyard by the time of the slaughtering of the Pesach offering. **But rather**, it is sufficient to be exempt even if he is only **from the threshold of the Temple Courtyard and outwards.**

## Perek 9 – 93B

### Gemara

**Said Ula: From Modi'im and outwards, until Jerusalem, is a distance of fifteen mil<sup>16</sup>.** From this distance, he will not be able to reach the Temple Courtyard.

The Torah-ordained time period for slaughtering the Pesach offering is from midday and until sunset, on Erev<sup>17</sup> Pesach, a total of six hours. In six hours, an average man is able to walk fifteen *mil*.

**He Ula held like that** statement of **Rabbah son of bar Channah in the name of Rabbi Yochanan: How much does a man walk in a day**, from the crack of dawn until all the stars come out that night? **Ten *parsa'ot***, which is forty *mil*.

And out of those forty *mil*, one walks **from the crack of dawn (*alot hashachar*) until sunrise<sup>18</sup>: five *mil***. And similarly, **from sunset until all the stars come out<sup>19</sup>**, one walks **five *mil***.

**Thirty *mil* will therefore remain**, for the distance one walks from sunrise until sunset. That is: **fifteen *mil* from the morning until midday, and fifteen *mil* from midday until evening**.

It emerges that during the time of slaughtering the Pesach offering, one is able to walk fifteen *mil*.

**And Ula was going according to his reasoning.**

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<sup>16</sup> aprox. 1 kilometer

<sup>17</sup> The Eve of

<sup>18</sup> A period of 72 minutes according to one view, and 90 minutes according to another.

## Perek 9 – 93B

**For said Ula: What is the definition of someone on “a road far away”? Anyone that cannot come from his present location and enter the Temple Courtyard at the time of slaughtering.** If at the beginning of the time of slaughtering the Pesach offering, at midday, he would be far enough from Jerusalem that he could not reach the Temple Courtyard by sunset, he is exempt from the First Pesach.

\*

**Said the Master** (i.e. Rabbi Yochanan): **From the crack of dawn until sunrise: Five mil.**

The Gemara asks: **From where do we know** this measurement?

The Gemara answers **As it is written** (*Breishit*<sup>20</sup> 19:15) concerning the destruction of Sodom:

**“And as dawn was breaking, and the angels urged Lot, saying, ‘Get up, take your wife and your two daughters who are present, lest they be swept away because of the sin of the city.’”**

**And it is written** (verse 23), **“The sun came out over the land [i.e. sunrise], and Lot came to Tzo’ar”.**

It emerges that from the crack of dawn until sunrise is the time it takes to walk from Sodom to Tzo’ar.

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<sup>19</sup> A period of similar length. According to many views, this is later than the time that marks the beginning of night.

<sup>20</sup> Genesis

## Perek 9 – 93B

**And said Rabbi Chananya: For me, I saw this place** (this distance between Sodom and Tzo'ar), **and it is five mil.**

We learn from here that between the crack of dawn and sunrise, a man is able to walk five *mil*.

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Regarding the above-mentioned statement **itself: Said Ula: What is “a road far away”?** **Anyone that cannot enter** the Temple Courtyard **at the time of slaughtering**, i.e. from midday until sunset.

**And Rav Yehudah said: Anyone that cannot enter at the time of eating.**

Rav Yehudah exempts someone who at midday, when they begin to slaughter the Pesach offering, is far enough from Jerusalem that he will not be able to arrive before the end of the time of eating the Pesach offering. (According to Rabbi Akiva, Torah law permits it to be eaten the entire night. The Sages hold that Torah law permits it to be eaten only until midnight.)

**Rabbah said to him Ula: According to you, there is a difficulty. And also according to Rav Yehudah, there is a difficulty.**

**According to you there is a difficulty, that you said that anyone who cannot enter at the time of slaughtering** is exempt from bringing the First Pesach:

**And surely** there is the case of **one who is impure from a *sheretz***, which seems to contradict your view. For such a person has not yet immersed himself in a mikveh, such **that he is not able to enter at the time of slaughtering**, and nevertheless **you**

## Perek 9 – 93B

**said** yourself that **one may slaughter** the Pesach offering **and throw** its blood on the Altar **for one who is impure from a *sheretz***, since he will be fitting at the time of eating, at night.

This shows that whoever will be fitting at the time of eating, even if he is not fitting at the time of slaughtering, we slaughter for him!

**And according to Rav Yehudah there is a difficulty, as he said that anyone who cannot enter at the time of eating**, we do not slaughter for him. But if he is fitting at the time of eating, we do slaughter for him:

**And surely** there is the case of **one who is impure from a *sheretz***, which seems to contradict this view. For such a person has not yet immersed himself in a mikveh. But the case is **that he is able** to immerse whilst still day **and enter at the time of eating**, at night. **And** nevertheless, **he** Rav Yehudah **said** (*daf* 90a–b) that **one may not slaughter** the Pesach offering **and throw** its blood on the Altar **for one who is impure from a *sheretz***. Although he is fitting at the time of eating, we do not slaughter for him, since he is not fitting at the time of slaughtering.

If so, why did Rav Yehudah say that we slaughter for one who is fitting at the time of eating alone?

\*

**He Ula said to him** Rabbah:

**According to me it is not a difficulty, and according to Rav Yehudah it is not a difficulty.**

## Perek 9 – 93B

**According to me it is not a difficulty**, because the exemption of “a road far away” is stated about the performing of the Pesach offering not about eating it. As it says (*Bamidbar* 9:13), “And a man who is pure and was not on the road and refrained from *performing* the Pesach, and that soul will be cut off from its people.”

And the exemption of being on **a road far away** at the time of slaughtering is said specifically **for one who is pure. And** the exemption of **a road far away is not for one who is impure.** Thus, the case of someone impure from a *sheretz* is irrelevant to the case of someone on a road far away.

# Chavruta Pesachim – Daf Tzaddi Dal ed

Translated by: *Chavruta staff of scholars*  
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And also **according to Rav Yehudah**, who says that the exemption from the Pesach offering of being on a road far away from Jerusalem depends on the time of eating, **it is not a difficulty** that the exemption for someone impure from contact with a *sheretz*<sup>1</sup> depends not on the time of eating, but on the time of slaughtering.

Regarding **one impure from a *sheretz***, the Torah pushed him away from bringing the Pesach offering, even though he will be suitable at the time of eating. **For it is written: “Any person who will be impure from a corpse”. Are we not speaking** even of someone who is impure from a corpse, **whose seventh day falls on Erev**<sup>2</sup> **Pesach**, thus he will be pure that night, in time to eat from the Pesach offering?

**And nevertheless, the Merciful One** i.e. the Torah **said that he should be pushed away** from bringing the offering. Thus he may not bring it until *Pesach Sheni*<sup>3</sup>, the Second Pesach, when he will be pure.

This shows that the exemption of impurity does not depend on the time of eating, but the time of slaughtering. This does not affect the halachah regarding one who was on a road far away from Jerusalem.

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<sup>1</sup> One of the eight types of small crawling creatures mentioned by the Torah as having impurity.

<sup>2</sup> The Eve of

## Perek 9 – 94a

**The Rabbis taught** in a Baraita:

**If he was standing outside of Modi'im and he is able to enter** the Temple Courtyard in time for the Pesach offering by riding **on horses or mules, I might think that he would be liable** for *karet*<sup>4</sup> if he did not bring a Pesach offering.

Therefore **the verse says: “And he was not on a road...and this soul shall be cut off (*karet*)”.** **And this one was on a road far away**, since outside of *Modi'im* is a road far away.

**If he was standing within** the distance from *Modi'im* to Jerusalem, **and he is not able to enter** the Temple Courtyard in time **because** he has **camels and wagons** on which he is transporting the members of his household, and they **hold him back** from reaching Jerusalem, **I might think that he is not liable** for *karet*.

Therefore **the verse says: “And he was not on a road** and he refrained from doing the Pesach, and this soul shall be cut off”. **And surely he was not on a road far away**, as he could have walked to Jerusalem had he been alone.

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<sup>3</sup> The Torah gave a second opportunity to bring the Pesach offering on the 14<sup>th</sup> of Iyar to one who was not able to bring it on the 14<sup>th</sup> of Nisan.

<sup>4</sup> Spiritual excision

## Perek 9 – 94a

### *Introduction:*

The next topic discussed by the Gemara is the amount of time that elapses between the crack of dawn (*alot hashachar*) and sunrise, as well as between sunrise and sunset, and between sunset and when all the stars come out. (According to many views, the point at which all the stars come out occurs later than the onset of night.)

The Gemara views the daily movement of the sun as follows: in the daytime the sun moves underneath the heavens, from east to west, and illuminates the earth. And at night, the sun traverses the same course (this time from west to east) but above the heavens. Since the heavens prevent its light from reaching the earth, the nighttime is dark.

Twilight, both of dawn and of dusk, is caused by the sun entering or exiting the thickness of the heavens. (This is according to the explanation of *Rabbeinu Chananel* and *Maharsha*.)

\*

**Said Rava: 6000 *parsah*<sup>5</sup> is the distance that the sun must travel to go across the world,** from east to west.

**And the thickness of the heavens is 1000 *parsah*.**

From where did Rava know these measurements?

**One** measurement, that of 6000 *parsah*, **it is a tradition** passed down to him from his masters.

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<sup>5</sup> parasang, approx. 2.7 miles or 4.3 kilometers.

## Perek 9 – 94a

**And one** measurement, that of 1000 *parsah*, **it is derived from his own understanding**, based on what his masters taught that the size across the world is 6000 *parsah*.

How did Rava derive his measurement of 1000 *parsah*?

**He held of this statement that Rabbah son of bar Channah said in the name of Rabbi Yochanan:**

**How far does an average man walk in a day? Ten *parsa'ot***, which is forty *mil*<sup>6</sup>.

And amongst these 40 *mil*, **from the break of dawn until sunrise** he walks **five *mil***.

And similarly, **from sunset until the stars come out** he walks **five *mil***.

It emerges that between sunrise and sunset, he walks 30 *mil*.

As explained above, from the time of sunset until all the stars come out (at which point it is completely dark) the sun is entering the thickness of the heavens. And the same takes place in reverse from the break of dawn until sunrise.

And according to the principal of Rabbi Yochanan, there is a walking distance of five *mil* between the break of dawn and sunrise, and between sunset and when the stars come out. Whereas between sunrise and sunset there is a walking distance of 30 *mil*. Since five is 1/6<sup>th</sup> of 30, **it comes out that the thickness of the heavens is 1/6<sup>th</sup> of the movement of the sun in a day.**

And since Rava received from his masters that the distance across the world is 6000 *parsah*, he deduced that the thickness of the heavens is 1000 *parsah*.

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<sup>6</sup> *Mil*= aprox. 1 kilometer

## Perek 9 – 94a

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**They** the scholars of the study hall **contradicted him** Rava, from a Baraita:

**Rabbi Yehudah says:** The time that the sun passes through **the thickness of the heavens is 1/10<sup>th</sup> of a day.**

**You may know** that this is so, because **how much does an average man walk in a day,** from the break of dawn until the stars come out? **Ten *parsa'ot*** (which is 40 *mil*).

**And from the break of dawn until sunrise is** a walking distance of **four *mil*.** And similarly, **from sunset until the stars come out is** a walking distance of **four *mil*.**

Four *mil* is 1/10<sup>th</sup> of forty *mil*, thus it comes that the thickness of the heavens is 1/10<sup>th</sup> of the distance across the world.

And since Rabbi Yehudah said that between the break of dawn and sunrise, as well as between sunset and the stars come out, it is a walking distance of four *mil*, we find that from sunrise until sunset is a walking distance of 32 *mil*, i.e.  $40 - (4+4) = 32$ .

And this is **a contradiction to Rava;** as he holds that from the break of dawn until sunrise, as well as from sunset until the stars come out, it is five *mil*. And between sunrise and sunset is a walking distance of thirty *mil*.

And similarly it is **a contradiction to Ula,** who said on the previous *ammud* that a man walks thirty *mil* in a day, and that from the break of dawn until sunrise, as well as from sunset until the stars come out, it is five *mil*.

And the Gemara concludes: **It is indeed a contradiction.**

## Perek 9 – 94a

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**Shall we say that it will be a contradiction also to Rabbi Yochanan?** Rabbah son of bar Channah said in Rabbi Yochanan's name (93b) that a man walks ten *parsa'ot* in a day. The Gemara is assuming that the rule of five *mil* between the break of dawn and sunrise, as well as between sunset and when the stars come out, was also stated in the name of Rabbi Yochanan. The Baraita will therefore contradict this statement of Rabbi Yochanan, since the Baraita said that it is a walking distance of only four *mil*.

**He** (Rabbi Yochanan) **would say to you** to resolve this:

**I was only speaking about the day.** I merely said that a man walks ten *parsa'ot* in the entire day, but I did not explain the amount he walks before sunrise and after sunset.

**And the Rabbis** (Ula and Rava) **were the ones who were mistaken** in thinking that I had said that before sunrise and after sunset is five *mil*, because **they took into account those people who travel early and at night.** They saw that generally, people leave their lodgings in the morning in time to travel five *mil* before sunrise, and do not take lodgings at night until five *mil* after sunset.

But this is not an accurate sign, because these travelers set out on the road a little before the break of dawn, and settle down for the night a little after the stars come out.

\*

The Gemara raises a further difficulty: **Let us say that it** the Baraita **should be a contradiction to Rabbi Chanina.** For Rabbi Chanina had said (94b) that between Sodom and Tzo'ar is a distance of five *mil*. And the Torah explains that Lot left Sodom at the break of dawn and arrived at Tzo'ar at sunrise. Whereas Rabbi Yehudah said in the Baraita that between the break of dawn and sunrise, a man walks only four *mil*!

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The Gemara resolves the difficulty: **No**, even though a man normally walks only four *mil* between the break of dawn and sunrise, as Rabbi Yehudah said in the Baraita, Lot walked swiftly from Sodom to Tzo'ar—as it says (*Breishit*<sup>7</sup> 19:15), “**And** the angels *urged* Lot”. Thus Lot’s gait was **different** from that of other people.

\*

The Gemara now challenges Rava’s statement that the distance across the world is 6000 *parsah*:

**Come and hear** a Baraita: **Egypt was 400 *parsah* by 400 *parsah*.**

**And Egypt is 1/60<sup>th</sup> of Cush.**

**And Cush is 1/60<sup>th</sup> of the world.**

**And the world is 1/60<sup>th</sup> of the Garden** that was in Eden.

**And the Garden is 1/60<sup>th</sup> of Eden** itself.

**And Eden is 1/60<sup>th</sup> of Gehinnom**<sup>8</sup>.

**It comes out that the entire world is like the lid of a pot**, i.e. very small, compared to **Gehinnom**.

This contradicts Rava. Since Egypt is 400 x 400 *parsah*, and Cush is 60 times that, and the world is 60 times the size of Cush, it comes out that the world is many times larger than 6000 *parsah*.

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<sup>7</sup> Genesis

## Perek 9 – 94a

The Gemara concludes: **It is indeed a contradiction.**

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**Come and hear** a further contradiction to Rava, from another Baraita:

**As it was taught in the House of Eliyahu: Rabbi Natan says: All of the inhabited area of the world rests underneath one star.**

**You may know** this is true, **for a man looks at one star** and sees it positioned opposite him.

**If he walks to the east** and he looks at that star, **it is positioned opposite him.** And similarly, when a man walks **to the four directions of the world**, the star is still **positioned opposite him.**

Whereas if the inhabited area of the world would be larger than a star, he would see it at a diagonal.

**One can deduce from here that all of the inhabited area rests underneath one star.**

And since each one of the countless stars above is as large as the entire inhabited area of the earth, and we see that the inhabited area is larger than 1000 *parsah*, it comes out that the entire world is much larger than 6000 *parsah*.

The Gemara concludes: From here is indeed **a contradiction** to Rava.

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<sup>8</sup> Hell

## Perek 9 – 94a

**Come and hear** a proof against Rava, from another Baraita:

**Taurus** is found **in the north** of the heavens.

**And Scorpio** is **in the south** of the heavens.

**And all of the inhabited area rests only** in the small region that is found **between Taurus and Scorpio**, since every person sees Taurus in the north and Scorpio in the south.

(However, the inhabited area is not the same size as the area between these two constellations, as there are many stars between them, and each star is as large as the entire inhabited area.)

**And all of the inhabited area is only one hour in the day** during which the sun passes from beginning to end of the world.

**You may know** this is true, **as at the fifth hour of the day the sun is in the east, and at the seventh hour the sun is in the west.** And only from **half the sixth hour and** until half the **seventh hour, is the sun is positioned above the head of every person.**

We find that the inhabited area of the world is  $1/12^{\text{th}}$  of the world, as the sun passes the inhabited area during one hour, which is  $1/12^{\text{th}}$  of the day.

Thus the distance across the entire world is twelve times the distance across of the inhabited area, and the inhabited area is larger than 1000 *parsah*. It comes out that the entire world is much larger than 6000 *parsah*.

The Gemara concludes: From here there is indeed **a contradiction** to Rava.

## Perek 9 – 94B

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**Come and hear** another proof against Rava, from the words of Rabbi Yochanan ben Zakkai:

**As Rabbi Yochanan son of Zakkai said:** In the Book of Yeshayahu<sup>9</sup> (14:14), it says about Nebuchadnezzar the king of Babylon that he said to himself, “I will rise above the tops of the clouds; I will be likened to the Most High”.

Rabbi Yochanan son of Zakkai asked: **What did the Heavenly Voice reply to that evil person at the time that he said “I will rise above the tops of the clouds; I will be likened to the Most High”?**

### **Ammud Bet**

**A Heavenly Voice came out and said to him: O Evil one, son of the evil one, grandson of Nimrod the evil one,** the ancient king of Babylon. It was he **who caused the entire world to rebel against Me with his kingdom** in the generation of the Tower of Babylon, when he advised the people of his generation to build a tower in order to wage war against the host of Heaven!

How can you say, “I will rise above the tops of the clouds; I will be likened to the Most High”?

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<sup>9</sup> Isaiah

## Perek 9 – 94B

**How many are the years of a man? Seventy years, and [if he is a man] with might, eighty years. As it says (*Tehillim*<sup>10</sup> 90:10), “The days of our years amongst them are seventy years, and with might, eighty years.”**

**From the earth to the heavens is a walking distance of 500 years, and the thickness of the heavens is a walking distance of 500 years, and from heavens to heavens is a walking distance of 500 years. And similarly, between each heavens and the next of the seven heavens, there is a walking distance of 500 years.**

Therefore the Prophet Yeshayahu replied to Nebuchadnezzar (*Yeshayahu* 14:15), “**But you have been lowered to the depths, to the bottom of the pit**”, for you will die and you will not reach the highest heavens.

This is a contradiction to Rava, as Rabbi Yochanan ben Zakkai said that from the earth to the heavens is a walking distance of 500 years. And the distance across the world is the same as its height, i.e. until the first heavens. (This the Gemara derives in Tractate *Chagigah* 12a, from the verse, “from the day that G-d created man on the earth, and from the end of the heavens and until the end of the heavens”). It comes out that the distance across the world is a walking distance of 500 years.

A man walks ten *parsah* in a day. Therefore, the length of the world is many thousands of *parsa’ot* (365 days in a year X 10 *parsah* in a day, is 3650 *parsah* in a year. For 500 years, this is 1,825,000 *parsa’ot*).

The Gemara concludes: From here is indeed **a contradiction** to Rava.

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<sup>10</sup> Psalms

## Perek 9 – 94B

### *Introduction:*

The Gemara views stars and constellations as arranged in a spherical area above the earth. This sphere is referred to as “firmament” or “heavens” (*Rambam*, Chapter 3 of *Hilchot Yesodei HaTorah*).

This gives rise to a question: When we see the movement of stars and constellations, what is actually happening? Do the stars remain in their place in the heavens, and when the sphere turns, they turn with it? Or perhaps the sphere remains stationary while the stars rotate around the sphere? The coming Baraita discusses this question.

\*

**The Rabbis taught** in a Baraita:

**The Sages of Israel say: The sphere is fixed and the constellations rotate** around the sphere.

**And the sages of the nations of the world say: The sphere rotates, and the constellations are fixed** in their place in the sphere.

**Rabbi** (Rabbi Yehudah HaNasi) **said a response to their words** (of the sages of the nations): **We have never found Taurus to be in the south, or Scorpius in the north.**

And according to the theory that the sphere rotates, we should expect to see Taurus and Scorpius rotating from north to south, just as the sun and the stars rotate, since the sphere moves them all together. How could it be that the sun rotates fully while Scorpius and Taurus merely move slightly and then return to their place?

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**Rav Acha son of Yaakov challenged this proof:** In truth, one could say that the sphere is fixed and the constellations rotate, like the view of the sages of the nations. As to why the sun makes a complete rotation and the constellations move only slightly, one could answer as follows:

**And perhaps** the sun and the constellations are not fixed in the same sphere, but rather, they are in two separate spheres, one inside the other.

And the form of the spheres are **like the iron of millstones.**

Just as millstones, that are made from two parts:

- 1) A stone base with a hole
- 2) A piece like a plate

A protrusion of iron comes out from it and enters into the hole in the base and the base of the millstones stands in its place. And the iron that is fixed in the base rotates above it inside of the hole.

And similarly, it is possible to say that the sphere in which the constellations are fixed stands in its place, and above it is a sphere in which the sun is fixed and it rotates.

And similarly the other way, if the base would be turned by itself, the iron that is on top of it stands in its place. And similarly, it is possible to say that the sphere in which the sun is positioned is below, and rotates by itself. And the sphere in which the constellations are fixed stands above it and does not move.

**Or alternatively:** It is **like the door hinge.** I.e. the hole in the doorframe in which the axel of the door is fixed (in Talmudic times, a door would be made with protrusions on top and on bottom, and they bored holes in the frame on top and on bottom. It was into these holes that they would fix the door.)

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And when we rotate the door, the door rotates and the upper hole of the doorframe stands in its place. And similarly, one could say that the sphere in which the sun is fixed rotates below. And the sphere in which the constellations are fixed stands in its place. And similarly, one could say that the sphere in which the sun is fixed rotates below. And the sphere in which the constellations are fixed remains in its place above the sphere of the sun.

And similarly the other way, if we would rotate the frame in which the axel is inserted, the frame will rotate but the door will stand in its place. And similarly, one could say that the sphere of the sun is the upper sphere and it rotates above and underneath it is the lower sphere in which the constellations are fixed, that stands in its place.

\*

The Gemara now cites the continuation of the Baraita discussed above. The Baraita mentions an additional point over which there is a disagreement between the Sages of Israel and the sages of the nations:

**The Sages of Israel say: In the day, the sun moves below the heavens** (from east to west) and illuminates the world, **and at night the sun moves above the heavens** (from west to east), and the heavens obscure it from our vision.

**And the sages of the nations say: In the day, the sun moves below the heavens** and illuminates the world, **and at night it moves below the earth** and is not visible.

**Said Rabbi: And their words are more correct than our words, for in the day, the springs are cold and at night they are hot.** Why is this so? Since the sun moves at night underneath the earth and warms the springs that are close to it that spring forth from the

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depths of the ground. And in the daytime, the sun is beneath the heavens and the springs are therefore cold.

\*

**It was taught** in a Baraita:

**Rabbi Natan says: In the summer days, the sun moves at the top of the heavens**, in the center of the heavens. **Therefore, the entire world** is hotter than in the winter days, since in the summer the sun stands directly opposite the earth. **And the springs are colder** than in the winter as the sun is further from their source.

But **in the winter days, the sun moves at the incline of the heavens** on the southern side of the heavens, close to the ground. **Therefore the entire world is colder** than in the summer, because the sun is not standing directly opposite the earth. **And the springs are warmer** as the sun is closer to their source.

**The Rabbis taught** in a Baraita: **At four sides** of the heavens **the sun moves**: During the months of *Nisan, Iyar and Sivan*, it moves above the mountains in order to melt the **snows**.

During the months of *Tammuz, Av and Elul*, it moves above the inhabited area in order to ripen the produce for human consumption.

During the months of *Tishrei, Cheshvan and Kislev*, it moves above the seas in order to calm the rivers.

During the months of *Tevet, Shevat and Adar*, it moves above the desert, in order not to dry out the crops that people planted in the inhabited areas.

## Perek 9 – 94B

c c o d d

It was stated in the Mishnah: **Rabbi Eliezer says: From the threshold** of the Temple Courtyard and outwards (is considered to be on a road far away).

The Gemara is puzzled: One who stands outside the threshold and does not enter, **and** he really exempt from *karet*, **even though he is able to enter? And do we not tell him to enter?**

**But surely it was taught** in a Baraita: **An uncircumcised Jew who did not circumcise** and thereby held himself back from performing the mitzvah of the Pesach offering, **he is punishable with *karet*. These are the words of Rabbi Eliezer.** An uncircumcised person is not fitting to bring this offering. Nevertheless, Rabbi Eliezer said that he is punishable with *karet*, since we say to him “Go and circumcise yourself!” If so, even in the matter of being on a road far away, we should tell him: “Go and enter!”

**Said Abaye** in answer: The exemption of being **on a road far away** is not because of his inability to perform the mitzvah. Rather, the Torah exempted any person who is distant, even if he is in fact able to enter the Temple Courtyard. And this is specifically referring **to one who is pure** who is on a road far away.

**And** the exemption of **on a road far away** is **not** comparable **to one who is impure.** The Torah exempted one who is impure because he is in fact unable to eat from the Pesach offering. And similarly, when one is uncircumcised, the Torah exempted him only because he is unable to eat from it. The very fact that he is uncircumcised or impure is not the cause for his exemption; it is his inability to rectify the situation that causes the exemption. Therefore, in a case where he is in fact able to circumcise himself, he is not exempt from bringing the Pesach offering.

## Perek 9 – 94B

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**Rava said** another answer: **There is a disagreement between Tannaim** over what Rabbi Eliezer said: The Tanna of our Mishnah holds that according to Rabbi Eliezer, a person who is able to enter the Courtyard and does not enter is exempt from *karet*, and similarly, also an uncircumcised person who did not perform circumcision is exempt from *karet* for failing to bring the Pesach offering.

Whereas the Tanna of the Baraita rules differently, when he said in the name of Rabbi Eliezer that a person who is uncircumcised and did not perform circumcision is punishable by *karet* for failing to bring the Pesach offering. He holds that according to Rabbi Eliezer, also in the case of someone able to enter the Courtyard and does not enter, he is liable for *karet*. He is considered to be on a road far away only when he is from *Modi'im* and outwards, where he will not be able to enter at the time of slaughtering.

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And there is indeed a source that the Tannaim disagreed over the view of Rabbi Eliezer:

**As it was taught** in a Baraita: **Rabbi Eliezer says: It** Scripture **states** the exemption of **being in a distant place concerning the Pesach** offering (*Bamidbar* 9:10), where it is written: “or on a road far away”. **And it states** the exemption of **being in a distant place concerning** the matter of redeeming *ma'aser sheni*<sup>11</sup> (*Devarim*<sup>12</sup> 14:24): “Because that place is far from you”. And this is explicated through a *gezeirah shavah*<sup>13</sup>:

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<sup>11</sup> The second tithe. It must be eaten in Jerusalem. But the Torah allows a person who will find it difficult to bring the produce to Jerusalem to redeem it onto money and then take that money to Jerusalem and buy food with it.

<sup>12</sup> Deuteronomy

<sup>13</sup> I.e. when different verses have a similar wording, they are often connected. This is *gezeirah shavah*, one of the means by which Scriptural verses are interpreted. There are many verses with similar wording, and *gezeirah shavah* interpretation is only made when there is a tradition of the Oral Torah (as handed down from Mt. Sinai) that these two verses are indeed linked.

## Perek 9 – 94B

**Just as further on**, concerning being distant for redeeming the *ma'aser sheni*, it is discussing a distance that is **outside of** the place of **its eating**. If a person has produce of *ma'aser sheni* and he is located outside of Jerusalem, which is the required place of eating, the Torah permitted him to redeem the produce and take the money to Jerusalem.

**So too here**, the exemption of being distant regarding the Pesach offering is speaking about when he is **outside of its** place of **eating**. And the Pesach offering may be eaten in all of Jerusalem. Therefore, only if he is beyond the walls of Jerusalem is he exempt from *karet* for failing to bring it.

**Rabbi Yosi son of Rabbi Yehudah says in the name of Rabbi Eliezer:** We indeed learn the law regarding the Pesach offering from the law regarding redeeming *ma'aser sheni*, but in another way: Just as being distant for *ma'aser sheni* refers to being outside of the place fitting for it, so too being distant for the Pesach offering refers to being outside of the place fitting for it. This refers to being **outside of where it is performed**, i.e. the Temple Courtyard.

Thus the definition of being distant, according to Rabbi Yosi son of Rabbi Yehudah's explanation of Rabbi Eliezer, is from the threshold of the Courtyard and outwards (like the view of the Tanna of our Mishnah).

And since we see that Tannaim indeed disagree in the Baraita over the view of Rabbi Eliezer regarding what is considered distant, we may postulate that there is even a third explanation among the Tannaim regarding Rabbi Eliezer's view: that being distant means to be from *Modi'im* and outwards. And according to this explanation, someone who is uncircumcised and did not perform circumcision would liable for *karet*, since the exemption is only for someone truly unable to perform the offering.

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## Perek 9 – 94B

**Like whose view** (among the above Tannaim) **does this** following statement **follow?**

**For Rabbi Yitzchak son of Rav Yosef said:** If most of the congregation are impure, the Pesach offering is brought in impurity. How do we determine if most of the congregation are impure?

Rabbi Yitzchak son of Rav Yosef said about this: **Regarding impure people, we follow those who are standing in the Courtyard.** If the majority of them are impure, we perform the Pesach offering in impurity, even if most of the people who are outside are pure.

The Gemara asks: **Like whose view** did Rabbi Yitzchak follow?

The Gemara answers: **Like Rabbi Yosi son of Rabbi Yehudah who said in the name of Rabbi Eliezer,** that those who are outside of the Courtyard are considered to be “on a road far away” and are exempt from performing the Pesach offering. Since they are exempt from the Pesach offering, we do not count them amongst the congregation who are obligated in the Pesach offering.

**c c õ d d**

It was stated in the Mishnah: **Rabbi Yosi said to him: Therefore** there is a dot above the letter *hei* of the word “*rechokah*” to say that it is not because he is certainly distant but rather, he could be merely from the threshold of the courtyard and outwards.

**It was taught** in a Baraita: **Rabbi Yosi the Galilian says:** It is written (*Bamidbar* 9:10): “a road far away”. **I would understand** from the simple meaning of the phrase that a road far away is **a walking distance of two or three days.**

## Perek 9 – 94B

But the Torah passage goes on to say: “And a person who is pure and was not on a road, and he refrains from doing the Pesach, and that soul shall be cut off from its people”.

**And when it says “and was not on a road”**, rather than saying: “and was not on a road *far away*”, **it tells** us that there is no need for the road to be truly distant. Rather, **that from the threshold of the Courtyard and outwards it is called “a road”**, and he is exempt from *karet*.

# Chavruta

## Pesachim – Daf Tzaddi Heh

Translated by: *Rabbi Dov Zimmel*  
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### Mishnah

**What are the differences between the First Pesach and the Second Pesach<sup>1</sup>?**

- (1) **On the First Pesach it is forbidden** to possess chametz – because of the prohibitions of **“it should not be seen” and “it should not be found”**.

**But on the Second** it is permitted to keep **chametz and matzah together with him in the same house**. I.e. there is no prohibition to possess chametz on the Second Pesach.

- (2) **The first** Pesach offering **requires** the recital of **Hallel<sup>2</sup>** at the time **one eats it**.

**But the second** one **does not require** the recital of **Hallel** at the time **one eats it**.

Now the Mishnah lists the similarities between the two Pesachim:

**This** (the First Pesach offering) and **that** (the Second Pesach offering) both **require Hallel** to be recited, **while they are being performed**. I.e. at the time that they are being offered up in the Temple, the Levites should recite the Hallel.

**And** both Pesach offerings **are eaten roasted, together with matzah and bitter herbs (*maror*)**.

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<sup>1</sup> For those people unable to bring the Pesach offering on the 14<sup>th</sup> of Nissan (due to being impure or too far away from Jerusalem), they are given another chance to bring it one month later on the 14<sup>th</sup> of Iyar.

<sup>2</sup> Psalms 113-118.

## Perek 9 – 95a

**And** both offerings **supersede the Shabbat**. If the fourteenth of Nissan or of Iyar falls on Shabbat, we still bring the Pesach offering (even though it involves doing different types of work which are normally forbidden to do on Shabbat).

### Gemara

**The Rabbis taught** in a Baraita:

The verse states (*Bamidbar*<sup>3</sup> 9:12), “**According to all the laws of the [First] Pesach, they should perform it** [the Second Pesach]”.

Because the verse states they should perform “*it*”, this implies that **the verse is only speaking about** those **mitzvot which are intrinsic to** the Pesach offering **itself**: E.g. how it is offered, and that it is eaten roasted. The verse is teaching that these mitzvot should be done on the Second Pesach, just like they were done on the First Pesach.

But mitzvot not related to the offering itself – e.g. the prohibition to possess chametz – are not spoken of in the verse. This implies that these mitzvot do not apply to the Second Pesach.

Concerning those **mitzvot which relate to** the offering **itself**, but are not intrinsic to it, e.g. that the Pesach should be eaten with matzah and bitter herbs, **from where** do we know that these are also included in the mitzvot of the Second Pesach?

Because the verse (*ibid*, v.11) **teaches**: “**They should eat it** [the Second Pesach] **with matzot and bitter herbs**”.

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<sup>3</sup> Numbers

## Perek 9 – 95a

**I might** think that we should include in the mitzvot of the Second Pesach **even** those **mitzvot which are not related to** the offering **itself**, like the prohibition to possess chametz—

Therefore the verse (ibid, v.12) teaches: **“They should not break a bone in it”**. **Just like the breaking of its bone is unique** in that **it is a mitzvah which is intrinsic to** (i.e. related to) the offering **itself**, **so too any mitzvah which is intrinsic to** (i.e. related to) the offering **itself** applies to the Second Pesach. This comes to exclude any mitzvah which is not related to the offering itself, but still includes mitzvot that are not intrinsic to the offering.

**Isi ben Yehudah says:** It is not necessary to derive it from the verse of “They should not break a bone in it”. For the verse (ibid) states: **“they should perform it”**. This implies that **the verse is only speaking of mitzvot which are intrinsic to** (i.e. related to) the offering **itself**.

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**Said the master** in the above Baraita: **“I might** think that we should include **even** those **mitzvot which are not related to** the offering **itself”**.

The Gemara raises a difficulty: But **note** that **you** already **said** otherwise at the start of the Baraita. From the verse, “According to all the laws of the [First] Pesach they should perform it [the Second Pesach]”, the Baraita derived that **the verse is only speaking of** those **mitzvot which are intrinsic to** the offering **itself!** If so, why would you think that even mitzvot which are not related to the offering itself would be included in the mitzvot of the Second Pesach?

The Gemara answers: **This is what he** the Tanna of the Baraita **was saying** when he said, “I might think...” **Now that you have** just **said** that even mitzvot related to the offering

## Perek 9 – 95a

itself, but not intrinsic to it, are included in the mitzvot of the Second Pesach – as we derive from the verse, **“They should eat it [the Second Pesach] with matzot and bitter herbs.”** Thus we see that when the verse says, **“they should perform it”**, this is not referring **exclusively** to mitzvot which are intrinsic to the offering itself.

If so, we could say that the verse is like a ‘specific case (*prat*) followed by a generalization (*klal*)’. First it specifies the mitzvah of not breaking its bones. Then it generalizes the performing the offering as “according to all the laws of the Pesach”.

**And** there is a principle stating that when a specific case is followed by a generalization, we say that **the generalization adds onto the specific case**, and it comes **to include everything**. Thus we would rightly think that even mitzvot which are not related to the offering itself would also apply to the Second Pesach.

Therefore the verse **teaches us**: “They should not break a bone in it”. Only mitzvot that are related to the offering itself (although not necessarily intrinsic to it) are included in the mitzvot of the Second Pesach.

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The Baraita taught that Isi ben Yehudah says that from the phrase “They should perform it” we can derive that the verse is speaking only of mitzvot which are intrinsic to (i.e. related to) the offering itself.

The Gemara raises a difficulty: But according to **Isi ben Yehudah**, that phrase of “And they should not break **a bone** in it”, **what does he do with it** to explain it?

The Rabbis (i.e. the first Tanna of the Baraita) derived from this phrase that mitzvot not related to the offering itself do not apply to the Second Pesach. What does Isi ben Yehudah derive from it?

## Perek 9 – 95a

The Gemara answers: **He** Isi ben Yehudah **needs it** to teach that the prohibition of breaking a bone of the Pesach offering applies **whether** it is **a bone that has marrow in it, or whether** it is **a bone which does not have marrow in it.**

For I might have said that even on the First Pesach it is permitted to break a bone with marrow in it, for the following reason: There is a positive Torah mitzvah of eating the Pesach offering, and marrow is generally considered like the meat of the offering itself. Since positive mitzvot generally supersede negative mitzvot, it would be reasonable to say that removing the marrow from the bone in order to eat it would supersede the prohibition of not breaking a bone.

Therefore this verse comes to teach that even for the Second Pesach offering (which has more leniencies than the First), one may not break any bone, even one that has marrow in it. From here we derive that surely this would be forbidden on the First Pesach.

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The Gemara now raises a difficulty with the view of the Rabbis, i.e. the first Tanna of the Baraita.

**And** according to **the Rabbis**, the phrase of “**They should perform it**”, **what do they do with it** to explain it? Isi ben Yehudah derived from here that only mitzvot relating to the Pesach offering itself apply to the Second Pesach. But according to the Rabbis, what is the verse coming to teach?

The Gemara answers: **They need it** to teach **that** if possible, **we should not slaughter the Second Pesach for an individual.** This is derived from the words “*they* should perform”, which is written in the plural, teaching that the offering should preferably be slaughtered for more than one person.

## Perek 9 – 95a

And from here we derive another teaching: **That we will go as far as possible** to arrange that the Second Pesach will be eaten by more than one person. Even if it means making another person impure before the First Pesach, to ensure he too will need the Second Pesach.

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**The Rabbis taught** in a different Baraita, which explicates the same verse discussed in the first Baraita:

It is written in the verse (*Bamidbar* 9:12), “**According to all of the laws of the** [First] **Pesach they should perform it** [the Second Pesach]”.

**I might think that just like on the First Pesach it is forbidden** to possess chametz – because of the prohibitions of “**it should not be seen**” and “**it should not be found**”. **So too on the Second Pesach one is forbidden** to possess chametz because of the prohibitions of “**it should not be seen**” and “**it should not be found**”.

Therefore the verse **teaches: “They should eat it** [the Second Pesach] **with matzot and bitter herbs**”. Just like these mitzvot are related to the Pesach offering itself, so too all mitzvot on the Second Pesach must be related to the Pesach offering itself. This excludes mitzvot like the prohibition to possess chametz.

But if the verse would only teach this, then **I would only** know that **a positive mitzvah** stated regarding the First Pesach applies to the Second Pesach as well, something similar to the matzah and bitter herbs, which are positive mitzvot.

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**From where** would I know that also a **negative mitzvah** stated regarding the First Pesach applies to the Second Pesach as well?

Therefore the verse (ibid v.12) **teaches: “Do not leave over from it until the morning”**. This teaches that even negative mitzvot stated regarding the First Pesach apply to the Second Pesach as well.

But if the verse would only teach this, then **I would only** know that a **negative mitzvah that may be rectified by** the fulfillment of a related **positive mitzvah** applies to the Second Pesach as well. For such is the case if a person transgressed the negative mitzvah of not leaving over meat of the offering: he has a positive mitzvah to burn the leftover meat, and thereby rectify the transgression.

**From where** would I know that even a **complete negative mitzvah**, i.e. one which is not rectified by a positive mitzvah, applies to the Second Pesach as well?

Therefore the verse (ibid) **teaches: “They should not break a bone in it”**. This is a complete negative mitzvah, yet it applies to the Second Pesach as well. This teaches that all such mitzvot stated regarding the First Pesach apply to the Second Pesach as well.

The Baraita now summarizes the various teachings it taught above:

**Just like the specific cases** mentioned in the verse are either a **positive mitzvah, or a negative mitzvah that is rectified by a positive mitzvah, or a complete negative mitzvah** – so too everything included in the generalization is either a **positive mitzvah, or a negative mitzvah rectified by a positive mitzvah, or a complete negative mitzvah**.

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## Perek 9 – 95a

The verses cited above stated a specific case, to eat the Pesach offering together with matzot and bitter herbs, followed by a generalization, that the Second Pesach should be performed according to all the laws of the First Pesach. Now the Baraita asks regarding this:

**What cases is the Torah coming to include, through a generalization** after the specific case **of** eating it with **matzot and bitter herbs**? Which positive mitzvah is the verse teaching us to perform even on the Second Pesach?

The Baraita answers: The positive mitzvah that the offering should be eaten only **roasted with fire**.

The Baraita asks: **Through the specific case** of eating the offering with matzot and bitter herbs, **which** positive mitzvah that applies to the First Pesach is the verse **coming to exclude**, and say that it does not apply on the Second Pesach?

The Baraita answers: It is coming to exclude **the eradication of leaven**. This positive mitzvah does not apply on the Second Pesach.

The Baraita questions its own reasoning: **I could reverse** this! Why not include the eradication of leaven in the mitzvot of the Second Pesach, and exclude the mitzvah of eating the offering roasted by fire?

The Baraita answers: **The mitzvah intrinsic** to the offering **itself is preferable** to be included, i.e. the mitzvah of eating the offering roasted by fire. Since the verse specifies the mitzvah of not breaking its bones, this implies that other included mitzvot should be similar to it – that they too should relate to the Pesach offering itself.

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## Perek 9 – 95a

The Baraita asks another question on the teachings it brought above:

**What is the Torah coming to include, through a generalization** after the specific case of **“Do not leave over from it until the morning”**? Which negative mitzvah, which is rectified by a positive mitzvah, is the verse teaching that we should do even on the Second Pesach?

The Baraita answers: The verse is including the negative mitzvah of **“Do not take** [the offering] **out from it** [the house]”.

Regarding the First Pesach the verse states (*Shmot*<sup>4</sup> 12:46), “In one house eat it; do not take the meat out of the house to the outside”. If a person transgressed this negative mitzvah it can be rectified by the positive mitzvah of returning it to the place it was taken from. The verse here teaches that these mitzvot also apply to the Second Pesach.

[This negative mitzvah of not taking the meat outside the house **is comparable to** the mitzvah of not leaving over meat of an offering beyond its allotted time. **For that becomes invalid by leaving it over, and this becomes invalid by taking it out** of the house].

The Baraita asks: **Through the specific case** of “Do not leave over from it until the morning”, **which** negative mitzvah (that is rectified by a positive mitzvah) is the verse **coming to exclude**, and say that it does not apply on the Second Pesach?

The Baraita answers: It is coming to exclude the prohibitions of **“it should not be seen”** and **“it should not be found”**. These negative mitzvot may be rectified by the positive mitzvah of eradicating chametz from one’s home. The verse of “Do not leave over from it until the morning” comes to exclude these negative mitzvot, telling us that they do not apply to the Second Pesach, and therefore one may keep chametz in his possession.

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<sup>4</sup> Exodus

## Perek 9 – 95a

[The negative mitzvot of “it should not be seen” and “it should not be found” **are comparable to** the negative mitzvah of not to leave over meat of an offering beyond its allotted time. **For that one does not receive lashes** for transgressing it **because it is a negative mitzvah that is rectified by a positive mitzvah. And for these, too, one does not receive lashes** for transgressing them, **because they are negative mitzvot which are rectified by a positive mitzvah.**]

The Baraita questions its own reasoning: **I could reverse** this! Why not say that the negative mitzvot of “it should not be seen” and “it should not be found” apply to the Second Pesach. And the negative mitzvah of not taking the meat of the Pesach offering out of your house does not apply to the Second Pesach.

The Baraita answers: **The mitzvah intrinsic** to the offering **itself is preferable** to be included, i.e. the mitzvah of not taking the meat of the offering out of the house. Since the verse specifies the mitzvah of not leaving over the meat of the offering until the morning, this teaches that other mitzvot of the Second Pesach should be similar to it. I.e. that they relate to the Pesach offering itself.

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The Baraita asks another question on the teachings it brought above:

**By making a generalization**, “According to all the laws of the [First] Pesach, you should perform it [the Second Pesach]”, after the specific case of **“Do not break a bone of it”...**

## Perek 9 – 95B

### **Ammud Bet**

...**what** case is the Torah **coming to include**? Which negative mitzvah is the verse teaching is included in the mitzvot of the Second Pesach?

The Baraita answers: The mitzvah of **“Do not eat from it raw”**. I.e. not to eat the Pesach offering unless it is properly roasted.

The Baraita asks: **Through the** verse **specifying** not to break a bone of the Pesach offering, **which** negative mitzvah **is it coming to exclude**, and teach that it does not apply on the Second Pesach?

The Baraita answers: It is coming to exclude the mitzvah of not owning chametz while the Pesach offering is sacrificed, learned from: **“Do not offer the blood of My sacrifice while chametz is in your possession”**. This negative mitzvah does not apply on the Second Pesach.

The Baraita questions its own reasoning: **I could reverse** this! Why not include the mitzvah of not owning chametz while the Pesach offering is sacrificed, and exclude the mitzvah of “Do not eat from it raw”?

The Baraita answers: **The mitzvah intrinsic** to the offering **itself is preferable**, i.e. the mitzvah of not eating the Pesach offering in a raw state. Since the verse specifies the mitzvah of not breaking a bone of the Pesach offering, and then has a generalization, this teaches that mitzvot which apply to the Second Pesach need to be similar to not breaking a bone of the Pesach offering. I.e. mitzvot relating to the offering itself.

## Perek 9 – 95B

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It was stated in the Mishnah: “**The First** Pesach offering **requires Hallel** to be recited **whilst one is eating it**. But the Second Pesach does not require the Hallel to be recited whilst one is eating it.”

The Gemara inquires: **From where** did the Mishnah derive **these words**?

The Gemara answers: **Said Rabbi Yochanan in the name of Rabbi Shimon ben Yehotzedek: The verse states** (*Yeshayahu*<sup>5</sup> 30:29), “**The song will be yours like the night of the festival’s consecration**”. The verse is speaking of the song the Jewish people will sing upon being saved from the attack of Sancheriv<sup>6</sup> and his army. It compares it to the song which the Jewish people sings on the night consecrated to the festival. This refers to the first night of Pesach.

This implies: Only **the night which is consecrated to a festival requires Hallel** to be recited at the time one is eating the Pesach offering. I.e. the first night of the First Pesach. **But the night which is not consecrated to a festival** – i.e. the night of the Second Pesach, which is not a festival – **does not require Hallel** to be recited while one is eating the Pesach offering.

c c õ d d

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<sup>5</sup> Isaiah

<sup>6</sup> Sannacherib, king of Assyria

## Perek 9 – 95B

It was stated in the Mishnah: Both **this and that require Hallel** to be recited **as they are being performed**. I.e. both the First and Second Pesach offerings require Hallel to be recited while the Pesach sacrifices are being offered.

The Gemara inquires: **What is the reason?** Why does the Second Pesach require Hallel to be recited when it is being offered? Why do we not say that just as one does not recite Hallel when this Pesach is eaten, also when it is being offered we do not recite Hallel?

**If you wish, I could say: A night was excluded** by the verse. For it states (ibid), “The *night* of the festival’s consecration”. And since the Pesach offering is eaten at night, therefore the verse excludes the night of the Second Pesach – it does not require that Hallel should be said on it. However, **a day was not excluded** by the verse. And since the Pesach offering is offered in the day, its Hallel is not excluded by the verse.

**And if you wish, I could say** as an alternative answer: The Gemara later on (117a) brings a Baraita in which Rabbi Yosi says, “**Is it possible that the Jewish people will slaughter their Pesach offerings, and take their *lulavim* on Succot, yet not recite Hallel?** Similarly when they are offering the Second Pesach, could they refrain from reciting Hallel?”

c c õ d d

It was stated in the Mishnah: Both this [the First Pesach offering] and that [the Second Pesach offering] require that Hallel is recited when performing them, **and they are eaten roasted**, and they are eaten with matzot and bitter herbs, and they both supersede the Shabbat.

The Gemara makes an inference: Concerning the superseding of **Shabbat** – yes, they are equal. But concerning the superseding of impurity – **no**, they are not equal. For only the

## Perek 9 – 95B

First Pesach supersedes impurity. If most of the Jewish people are impure, the Pesach offering is still offered. However regarding the Second Pesach, if most of the Jewish people are impure the offering is not brought.

**The Mishnah is therefore not like the view of Rabbi Yehudah.**

**For it was taught** in a Baraita: The offering of the Second Pesach **supersedes Shabbat but it does not supersede impurity.**

**Rabbi Yehudah says: It even supersedes impurity.**

The Gemara asks: **What is the reason of the first Tanna?**

The Gemara answers: **He** the impure person **was pushed away** and forbidden to bring his offering **because of impurity**, i.e. because he was impure on the First Pesach. **Should he now go back and do** the offering **in a state of impurity?** If so, what did he gain by waiting until the Second Pesach? Therefore it is better that he does not bring the offering in a state of impurity, even though it means he will not bring the Pesach offering at all.

**And Rabbi Yehudah** held the view: Even though **the Torah sought to have him perform it in a state of purity**, however if **he did not merit** this, **he should** at least **perform it in a state of impurity.**

c c õ d d

## Perek 9 – 95B

**The Rabbis taught** in a Baraita:

**The First Pesach supersedes Shabbat. The Second Pesach also supersedes Shabbat.**

**The First Pesach supersedes impurity. The Second Pesach also supersedes impurity.**

**The First Pesach requires** that those who brought it **stay overnight** in Jerusalem on the first night of Pesach. Then the next day they may leave the city, providing they stay within the *techum*<sup>7</sup>. **The Second Pesach also requires** that those who brought it **stay overnight** in Jerusalem on the first night.

The Gemara raises a difficulty: From the first clause of the Baraita, which states that the Second Pesach **supersedes impurity**, it seems the Baraita is **in accordance with whose view? In accordance with Rabbi Yehudah's**.

However in the latter clause of the Baraita, it states that the Second Pesach requires those who brought it to stay overnight. **But does Rabbi Yehudah hold** that the Second Pesach **requires** those who brought it **to stay overnight** in Jerusalem?

**But note that it was taught** in a Baraita: **Rabbi Yehudah says: From where** do we know **that the Second Pesach does not require** those who brought it **to stay overnight** in Jerusalem?

**Because it is stated** (*Devarim*<sup>8</sup> 16:7), **“And in the morning you should turn back and go to your tents”**. From here we derive that one needs to stay overnight in Jerusalem. **And it is written** right after this (*ibid*, v.8), **“For six days you should eat matzot”**. This refers to the First Pesach on which we eat matzah for six additional days, since it is forbidden to eat chametz all of the festival.

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<sup>7</sup> An area within which a person is allowed to go on Shabbat or Yom Tov.

## Perek 9 – 95B

Rabbi Yehudah derived from these verses the following teaching: The First Pesach, when matzah is **eaten for six** additional days, **requires** the one who brought it to **stay overnight**. However the Second Pesach when matzah is **not eaten for six** additional days **does not require** the one who brought it **to stay overnight**.

If so, the first clause of the Baraita seems to follow the view of Rabbi Yehudah, whereas the latter clause of the Baraita does not follow the view of Rav Yehudah. So who is the Tanna whose view is expressed in the Baraita?

The Gemara answers: **There are two Tannaim**, who disagree **over the view of Rabbi Yehudah**, whether the Second Pesach requires the one who brought it to stay overnight in Jerusalem.

The first Baraita is indeed following the view of Rabbi Yehudah, but it is according to that Tanna who says that Rabbi Yehudah holds that even the Second Pesach requires the owner to stay overnight in Jerusalem.

## **Mishnah**

Concerning **the Pesach offering that is brought in a state of impurity**, when most of the Jewish people are impure—

The following people **may not eat from it: *Zavin*<sup>9</sup> and *zavot*<sup>10</sup>, *niddot*<sup>11</sup> and women who have given birth**. They may not eat from it, because only those who are impure

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<sup>8</sup> Deuteronomy.

<sup>9</sup> Men who are impure due to an emission resembling semen.

<sup>10</sup> Women who are impure due to an emission of blood not attributable to the menstrual cycle.

<sup>11</sup> Menstruant women.

## Perek 9 – 95B

from contact with a corpse are permitted to eat from a Pesach offering brought in a state of impurity.

**But if they ate** from it **they are exempt from *karet*<sup>12</sup>**, even though usually, one who eats from sacrificial meat when in a state of impurity is punishable by *karet*. The Gemara will explain why this case is different.

**And Rabbi Eliezer exempts** them from *karet*, **even for their entering the Temple** in a state of impurity. Whereas first Tanna holds that they are liable for *karet* for entering the Temple.

## Gemara

**The Rabbis taught** in a Baraita:

Concerning *Zavin* and *zavot*, *niddot* and women after birth who ate from a Pesach offering which was brought in a state of impurity: **I might think that they would be liable** for *karet* for eating it.

Therefore the verse (*Vayikra*<sup>13</sup> 7:19–20) **teaches: “Any pure person may eat the flesh. A person who, while he is impure, eats flesh from the peace-offering that is Hashem’s, that soul will be cut off (*karet*) from his people”.**

Bases on the juxtaposition of these two verses, the Sages derived the following teaching: Concerning the meat of offerings which **may be eaten** only **by those that are pure** – one who is impure that eats this meat **will be liable *karet* for eating it, because of his**

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<sup>12</sup> Spiritual excision.

<sup>13</sup> Leviticus.

## Perek 9 – 95B

**impurity.** This is derived from the fact that the first verse spoke of a person eating it in a state of purity. Only regarding this case does the following verse state the punishment of *karet*, for one who eats the meat when he is impure.

**However,** the meat of offerings **which is not only eaten by those that are pure,** rather it is eaten also by those who are impure – **the impure** who eat from it **will not be liable *karet* for eating it because of their impurity.** This refers to types of impurity other than from a corpse.

**Rabbi Eliezer says:** Concerning *Zavin* [or *metzora'im*<sup>14</sup>] **who forced their way into the Temple Courtyard at a time when the Pesach offering was brought in a state of impurity—**

**I might think that they would be liable** for the punishment of *karet*, just like other impure people who enter the Temple in a state of impurity.

Therefore the verse (*Bamidbar* 5:2) **teaches: “They should send away from the camp every *metzora*, and every *zav*, and anyone impure from a corpse”.**

This implies: **At a time when those impure from a corpse are sent away, also the *zavin* and the *metzora'im* are sent away.** But **at a time when those impure from a corpse are not sent away** – as in the case of the Pesach offering brought in a state of impurity – then **the *zavin* and *metzora'im* are also not sent away.** I.e. they are not liable for *karet* if they enter into the Temple area.

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<sup>14</sup> Those impure due to white or light colored spots on the body.

## Perek 9 – 95B

At a time when the Pesach offering is brought in a state of impurity, it is certainly permissible for a person to come into the Temple Courtyard while he is impure in order to bring the Pesach offering. But there is no need for him to go into the *Heichal*, the inner Sanctuary of the Temple, since the Pesach offering is performed in the Temple Courtyard, where the Altar is located. (The Sanctuary has a higher level of holiness than the Courtyard. Even pure cohanim are not allowed to enter there unless for a particular reason.)

**Rav Yosef posed an inquiry:**

**If those who were impure from a corpse forced their way into the Sanctuary, at a time when the Pesach offering was performed in a state of impurity, what is the Halachah?**

Do we say: **since impurity was permitted in the Courtyard, impurity is also permitted in the Sanctuary?**

**Or perhaps we say: whatever was permitted is permitted. But whatever was not permitted, such as entering the Sanctuary, is not permitted!**

**Said Rava to answer the inquiry: The verse states (*Bamidbar 5:2*), “They should send away *from the camp*”. The phrase ‘*from the camp*’ implies that they should send them away **even from part of the camp**. This teaches that there is a situation where impure people are permitted to come into the Temple Courtyard, but still must be sent away from the Sanctuary.**

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## Perek 9 – 95B

Some say that **Rava said** as follows: **The verse states** (ibid), **“They should send away from the camp** every *metzora* and every *zav* and anyone who was impure from a corpse”. In the next verse (v.3) it says, **“To the outside of the camp, you should send them away”**.

Rava explicated the verses as follows:

**Wherever we read** i.e. apply the verse of **“To the outside of the camp, you should send them away”** – i.e. we send the impure person completely out of the camp, even from the Courtyard – there **we also read** the verse of **“They should send away from the camp”**. Only in such a case do we say that we should send them away from the Sanctuary. However, when the Pesach offering is brought in a state of impurity, since they are allowed into the Courtyard, they will not be punished with *karet* for entering into the Sanctuary.

**c c õ d d**

The Torah permits those impure from a corpse to eat from a Pesach offering which was brought in a state of impurity. But the *eimurim* of the offering – those fats and organs to be burnt on the Altar – are forbidden to be eaten, even by those who are pure. This is because they must be burnt upon the Altar.

**Rav Yosef posed an inquiry:**

**If those who were impure from a corpse forced themselves forward and ate from the *eimurim* of a Pesach offering which was brought in a state of impurity, [what is the Halachah? Are they liable for *karet* due to their impurity?]**

# Chavruta

## Pesachim – Daf Tzaddi Vav

Translated by: *Rabbi David Schallheim*  
Edited by: *R. Shmuel Globus*

**[Rav Yosef posed an inquiry:**

**If those who were impure from a corpse forced themselves forward and ate from the *eimurim*<sup>1</sup> of a Pesach offering which was brought in a state of impurity,] what is the Halachah? Are they liable for *karet*<sup>2</sup> due to their impurity?**

Do we say: **Since** the Torah **permitted the impurity of the meat** that is meant to be eaten, automatically the Torah **permitted the impurity of the *eimurim* as well**, at least as far as removing the liability for *karet*?

Even though the Torah prohibits eating the *eimurim* even by those who are pure, because they are meant for the Altar's consumption alone, in any case, there would be no liability for *kareit*.

**Or perhaps, that which was permitted**—the Pesach offering's meat, which the Torah permitted to be eaten in impurity in a case where most of the congregation is impure—that **was permitted**. But **that which was not permitted**—the *eimurim*, which were never meant to be eaten—**is not permitted**.

**Rava said**, in answer to Rav Yosef's inquiry. **Let us see: The impurity of the *eimurim*, from where are they included?** I.e. where does the Torah teach us that an impure person who eats from the *eimurim* is liable for *kareit*?

It is learned **from the impurity of the meat**, i.e. from the liability of one who eats the offering's meat in impurity. **As it is written:** “A person who eats the meat of a peace

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<sup>1</sup> Those fats and organs to be burnt on the Altar

## Perek 9 – 96a

offering **that is to Hashem**, while his impurity is upon him, that soul shall be excised from its people” (*Vayikra*<sup>3</sup> 7:20).

From the extra word “that”, we derive that the Torah **includes the *eimurim*** in the prohibition of eating from an offering while one is impure. One who eats the *eimurim* in impurity is liable for *kareit* just as is one who eats the meat of the offering.

Rava learnt from here: **Wherever there is impurity of the meat**—wherever one is liable *kareit* for eating the offering’s meat in impurity—**there is liability of *kareit* for eating the *eimurim* in impurity** as well. But **wherever there is no liability for eating the meat in impurity**, for instance, the Pesach offering brought in impurity; **there is no liability for eating the *eimurim* in impurity**.

Thus, Rava answered Rav Yosef’s inquiry, proving that there is no *kareit* for those who ate the *eimurim* of a Pesach offering brought in impurity.

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**Rabbi Zeira posed an inquiry:**

**The *eimurim* of the Pesach offering in Egypt—where did they burn them?** The Tabernacle (*Mishkan*) was not yet built, and the Torah does not mention that they built an Altar in Egypt!

**Abaye said to him: And who would tell us that they did not roast them** on the spits and eat them? In Egypt they ate these parts along with the rest of the offering’s meat, and did not burn them on the Altar at all.

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<sup>2</sup> Spiritual excision

<sup>3</sup> Leviticus.

## Perek 9 – 96a

**And furthermore**, there is a proof that those parts that in future generations would be burnt on the Altar were eaten in Egypt. For **note that Rav Yosef taught** from a Baraita:

**There were three ‘Altars’** in Egypt on which to throw the blood of the Pesach offering:  
**On the door’s lintel and on the two doorposts.**

**And nothing else was there** to serve as an Altar for burning parts of the offering. Therefore they must have eaten the entire Pesach offering, including the *eimurim*.

### **Mishnah**

**What is the difference between the Pesach offering** they brought in **Egypt and the Pesach offering** that the Jewish people offer throughout the **generations?**

The **Pesach of Egypt was taken on the tenth**. The Jews in Egypt designated and consecrated the lamb (or kid) on the 10<sup>th</sup> of Nissan to be used the Pesach offering. But for generations they need not do so.

**And** the blood of the Pesach of Egypt **needed to be sprinkled with the bundle of hyssop and on the door’s lintel and on the two doorposts**, whereas the blood of the Pesach of the generations is received in a utensil during slaughter, and then thrown on the Altar.

**And** the Pesach of Egypt **was eaten in haste**, whereas there is no requirement to eat the Pesach of the generations in haste.

## Perek 9 – 96a

The Pesach of Egypt was eaten **in one night, and the Pesach of the generations is practiced all seven**. This statement will be explained in the Gemara.

### Gemara

The Mishnah taught: The Pesach of Egypt was taken on the tenth, but the generations need not do so.

**From where** do we learn this matter?

The Gemara answers: **As it is written** concerning the Pesach in Egypt: “**Speak to the entire community of Israel, saying, ‘On the tenth of *this* month**, let each one take a lamb for each parental home, a lamb for each household” (*Shmot*<sup>4</sup> 12:3).

The Gemara derives the law from the extra word “this.” Only “**this**”—the Pesach of Egypt—is **taken from the tenth** of Nissan, **and the Pesach of the generations is not** required to be **taken from the tenth**.

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The Gemara raises a difficulty. **Rather, now** we are forced to say as follows, since we exclude the Pesach of the generations from the extra word “this”:

It is written concerning the Pesach of Egypt: “**And you shall keep it [the lamb] for inspection until the fourteenth day of *this* month**” (ibid. 6). The Sages learnt from this

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<sup>4</sup> Exodus.

## Perek 9 – 96a

verse that the Pesach offering must be examined for a blemish for a four-day period, prior to the 14<sup>th</sup> of Nissan when it is offered.

Thus shall we say that **here as well**, we derive from the extra word “this” that only **this** one, the Pesach of Egypt, **requires examination for four days before slaughtering, and another**—the Pesach of the generations—**does not require examination?**

This is not correct. **And note that it was taught in a Baraita: Ben Bag Bag says: From where do we learn that a *Tamid*<sup>5</sup> offering requires examination four days before slaughtering?**

**As it says** concerning the *Tamid* offering: “Command the Children of Israel and say to them: My offering, My food for My fire offerings, a spirit of satisfaction for Me, **you shall take care (*tishmeru*) to offer to Me at its appointed time**” (*Bamidbar* 28:2).

**And below it says:** “**And you shall keep it [the lamb] for inspection (*lemishmeret*)**” (*Shmot* 12:6).

The Gemara derives the following teaching, through a *gezeirah shavah*<sup>6</sup> from these two words which share a common root, *tishmeru* and *lemishmeret*:

**Just as below**—where the Torah used the language of *shmirah*, keeping or taking care—**it requires examination four days before slaughtering; so too here**, concerning the *Tamid* offering, **it requires examination four days before slaughtering.**

From the words of Ben Bag Bag in the Baraita we see that even though the Torah wrote the extra word “this” in the verse about the examination of the Pesach offering (*Shmot* 12:6), it did not exclude other offerings, as we learnt the *Tamid* from Pesach.

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<sup>5</sup> Continual daily offering.

## Perek 9 – 96a

In the same way, we should say that the Pesach for the generations is not excluded from the word “this” in the verse about separating the lamb on the tenth (Ibid. 3).

The Gemara answers: **It is different there.** The verse about examination of the Pesach offering (Ibid. 6) is different. In spite of the fact that it is written “this,” the *gezeirah shavah* taught us not to exclude the *Tamid* offering. **As it is written: “Tishmeru”** (*Bamidbar* 28:2) for the *gezeirah shavah*.

And Pesach for the generations requires examination as well, for **note that it is written** concerning the Pesach offering: **“And you shall perform this service in this month”** (*Shmot* 13:5). The Sages derived from here **that all the service of the month** of Nissan, whether for Pesach in Egypt or the Pesach of the generations, should be **this one like that one**, i.e. the same.

This teaches us that the Pesach for the generations also needs examination for four days, because the Torah equated it to the Pesach of Egypt.

The extra word “this” that was written concerning the examination of the Pesach in Egypt—“And you shall keep it [the lamb] for inspection until the fourteenth day of *this* month” (Ibid. 6)—is needed for the following teaching:

**Rather, that word “this” teaches to exclude the Pesach Sheni<sup>7</sup>, which is similar to it.**

It excludes the Pesach Sheni which resembles the Pesach of Egypt, for both of them are for one day alone.

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<sup>6</sup> Two topics are linked in the Torah through a similar word.

<sup>7</sup> The Second Pesach, on the 14<sup>th</sup> of Iyar, as it was said: “Speak to the children of Israel saying, If any man will become impure through a human corpse, or is on a distant journey, whether among you or in future generations, he shall make a Pesach offering for Hashem. In the second month, on the fourteenth day, in the afternoon, they shall make it” (*Bamidbar/Numbers* 9:10–11).

## Perek 9 – 96a

In summary, the Gemara has explained that there is a source that the Pesach of the generations is equated to the Pesach of Egypt in a general rule: “And you shall perform this service in this month” – all the service of Nissan should be the same.

The exception is where the Torah excludes Pesach for the generations from the rule, such as the law of separating the Pesach offering on the tenth, which is excluded from the word “this.” The law of examining the Pesach for the generations for four days remains in the general rule, and the word “this” in the section of examination excludes the Pesach Sheni from the law of examination.

Although the Pesach for generations must be examined for four days, it does not need to be separated and consecrated on the tenth of Nissan. One could examine a few lambs for four days, without specifically designating them, and then choose one on the fourteenth for slaughter.

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The Gemara poses another difficulty: **Rather, from now**—since “this” concerning the taking of the lamb on the tenth excludes Pesach of the generations—

**That which is written** concerning the Pesach of Egypt: “**And on *this* night, they shall eat the meat**” (*Shmot* 12:8). From here we learn that the Pesach offering’s meat is eaten at night.

Thus shall we say that **here as well**, we derive from “this” **that** only **this** one, the Pesach of Egypt, **is eaten at night, and another**—the Pesach of the generations—**is not eaten at night**? This cannot be, since all views agree that the Pesach of the generations is eaten only at night!

## Perek 9 – 96a

The Gemara answers: **The verse said:** “**And you shall perform this service in this month**” (*Shmot* 13:5). The Sages derived that all the service of the month of Nissan should be the same.

The Gemara asks: **Rather, “this” why do I** need it? What is the purpose of the extra word “this” concerning the law of eating the Pesach offering at night?

The Gemara answers: It is needed **for that** teaching of **Rabbi Eliezer ben Azariyah and Rabbi Akiva**, who both explicated this verse but disagreed over its interpretation (Tractate *Brachot* 9a).

Rabbi Eliezer ben Azariyah held that we learn a *gezeirah shavah* from the word “this”, to teach that the Pesach offering is eaten only until midnight. Rabbi Akiva held that the Pesach offering may be eaten the entire night. He derives from “this” that the Pesach offering may be eaten only one night, and not for the usual two nights and the day in between, as with peace offerings.

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The Gemara poses the difficulty another time: **Rather, now** that we have explained as we did, a difficulty arises: **that** verse which **is written** concerning the Pesach of Egypt: “**But no uncircumcised male may partake of it.**” (*Shmot* 12:48). From here we learn that no Jew who is uncircumcised may eat from the Pesach offering, even if his failure to circumcise is only because his brothers died as a result of their circumcision, and there is reason to be concerned that the same could happen to him.

Shall we say that **here as well**, we derive from the extra word “it” **that** only **it**, the Pesach of Egypt, **may not be eaten** by an uncircumcised Jew, **but he may eat from the Pesach of the generations?** This cannot be, because all views agree that an uncircumcised Jew certainly may not eat the Pesach of the generations!

## Perek 9 – 96a

The Gemara answers: **The verse said:** “**And you shall perform** this service in this month” (*Shmot* 13:5), all the service of the month of Nissan should be the same.

The Gemara asks: **Rather, “it” why do I** need it?

The Gemara answers: It teaches that in **it**, the Pesach offering, an uncircumcised Jew **may not eat, but he may eat the matzah and maror.**<sup>8</sup>

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The Gemara poses another difficulty: **Rather, now** that we have explained as we did, a difficulty arises: that verse which is written concerning the Pesach of Egypt: “**No estranged one may partake of it**” (*Shmot* 12:43). From here we learn that no Jew who converted to another religion may eat from the Pesach offering.

Shall we say that **here as well**, we derive from the extra word “it” **that** only **it**, the Pesach of Egypt, **may not be eaten** by an estranged Jew, **but he may eat from the Pesach of the generations?** This cannot be, because all views hold that he is forbidden to do so.

The Gemara answers: **The verse said:** “**And you shall perform** this service in this month,” all the service of the month of Nissan should be the same.

The Gemara asks: **Rather, “it” why do I** need it?

The Gemara answers: It teaches that in **it**, the Pesach offering, **conversion** to another religion **invalidates** him, but **conversion does not invalidate** him from eating *trumah*<sup>9</sup> if he happens to be a cohen.

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<sup>8</sup> Bitter herbs.

## Perek 9 – 96a

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**And it is necessary to write** in the Torah that **an uncircumcised** Jew may not eat the Pesach offering, **and it is necessary to write** in the Torah that **an estranged** Jew may not eat from it. We cannot learn one from the other.

**For if the Merciful One**, i.e. the Torah, **wrote** the prohibition of eating about **an uncircumcised** Jew alone, we might think that an uncircumcised Jew is invalid **because it is repulsive** to be uncircumcised. **But an estranged** Jew, who is circumcised, **is not repulsive** and will be permitted to eat from it.

Therefore, **it is necessary** to write the prohibition concerning the estranged Jew as well.

**And if we only heard** the prohibition concerning the **estranged** Jew alone, I might think that an estranged Jew is invalid **because his heart is not directed to Heaven, but an uncircumcised** Jew whose **heart is directed to Heaven, I might say** that **no**, he is not disqualified from eating it.

Therefore, **it is necessary** to write the prohibition concerning the uncircumcised Jew as well.

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The Gemara poses another difficulty: **Rather, now** that we have explained as we did, a difficulty arises: **that** verse which **is written** concerning the Pesach of Egypt: “**A sojourner or a hired hand may not partake of it.**” (*Shmot* 12:45). From here we learn that a sojourner (a non-Jew who has abandoned idol worship), a hired hand, and an idol worshiper may not eat the Pesach offering.

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<sup>9</sup> The portion of agricultural produce in the land of Israel given to the cohanim for their consumption.

## Perek 9 – 96a

Shall we say **here as well, that** only “it,” the Pesach of Egypt, **may not be eaten** by a sojourner or hired hand, **but he may eat from the Pesach of the generations?**

The Gemara answers: **The verse said:** “**And you shall perform** this service in this month,” all the service of the month of Nissan should be the same.

The Gemara asks: **Rather, “it” why do I** need it?

The Gemara answers: It teaches that in **it**, the Pesach offering, **conversion** to another religion **invalidates** him, but **conversion does not invalidate** him from eating *terumah*.

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The Gemara poses another difficulty: **Rather, now** that we have explained as we did, a difficulty arises with **that** verse which **is written** concerning the Pesach of Egypt: “**And every man's slave, purchased for his money, you shall circumcise him; then he will be permitted to partake of it.**” (*Shmot* 12:44). The Sages taught: Who may then partake of it? The slave’s master. For as long as the slave is uncircumcised, the master may not eat from it. The same halachah applies to a father with uncircumcised sons.

Shall we say **here as well, that** only **it**, the Pesach of Egypt, **may not be eaten** by a master of an uncircumcised slave, **but he may eat from the Pesach of the generations?** This cannot be, since all views forbid this.

The Gemara answers: **The verse said:** “**And you shall perform** this service in this month,” all the service of the month of Nissan should be the same.

The Gemara asks: **Rather, “it” why do I** need it?

## Perek 9 – 96a

The Gemara answers: It teaches that regarding **it**, the Pesach offering, **the circumcision of his male** sons and **slaves prevents** him from eating from the Pesach offering, **but the circumcision of his males and slaves does not prevent** him from eating *terumah*, if he is a cohen.

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The Gemara poses another difficulty: **Rather, now** that we have explained as we did, a difficulty arises with **that** verse which **is written** concerning the Pesach of Egypt: **“Neither shall you break any of its bones.”** (*Shmot* 12:46).

Shall we say **here as well, that** only concerning “**it**,” the Pesach of Egypt, one **may not break a bone, but one may break it from the Pesach of the generations?** This cannot be, since all views forbid this.

The Gemara answers: **The verse said: “And you shall perform** this service in this month.”

The Gemara asks: **Rather, “it” why do I** need it?

The Gemara answers: It teaches that for **it**, a **valid** Pesach offering, one may not break a bone, but the prohibition does **not apply for an invalid** offering. It is permitted to break the bones of an invalid offering.

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The Gemara poses another difficulty: **Rather, now** that we have explained as we did, a difficulty arises with **that** verse which **is written** concerning the Pesach of Egypt: **“You shall not eat it rare”** (*Shmot* 12:9). This verse teaches that the meat of the offering must be fully roasted before it may be consumed.

## Perek 9 – 96a

Shall we say that only “it,” the Pesach of Egypt, you **may not eat** it rare, **but you may eat the Pesach of the generations rare**? This cannot be, since all views forbid this.

The Gemara answers: **The verse said: “And you shall perform** this service in this month.”

The Gemara asks: **Rather, “it” why do I** need it?

The Gemara answers: It teaches **like that** teaching of **Rabbah in the name of Rabbi Yitzchak** (Tractate *Yevamot* 74a). He learned a *gezeirah shavah* from Pesach to *ma’aser sheni*<sup>10</sup>, using this extra word.

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We learnt in our Mishnah: The Pesach of Egypt **was eaten in haste**, whereas there is no requirement to eat the Pesach of the generations in haste.

The Gemara asks: **From where** do we know that the Pesach of the generations is not eaten in haste?

The Gemara answers: **The verse said: “And you shall eat it in haste”** (*Shmot* 12). **“It,”** the Pesach of Egypt, **shall be eaten in haste, and another,** the Pesach of the generations, **is not eaten in haste.**

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<sup>10</sup> The Second Tithe, to be eaten by the owner of the produce, within the walls of Jerusalem.

## Perek 9 – 96B

c c o d d

We learnt in our Mishnah: The Pesach of Egypt was eaten in one night, **and the Pesach of the generations is practiced all seven days.**

The Gemara asks: **What is it** the Mishnah **referring to**, when it says that it is practiced all seven days: the mitzvah of eating the offering, or the prohibition of eating chametz?

**If we shall say** that it refers to eating **the Pesach** offering—eating the **Pesach** offering all **seven** days, **is there** such a thing? The Pesach offering surely is eaten only the first night!

### **Ammud Bet**

**Rather**, shall we say it refers to **chametz**? This would imply the Pesach of generations has the prohibition of chametz seven days, but the Pesach of Egypt would be prohibited in chametz only on the first night.

For the Mishnah stated: It was eaten in haste in one night, **which implies that the Pesach of Egypt was** prohibited only **one night** in chametz, **and no more**. This cannot be, for the following reason:

**And note that it was taught** in a Baraita: **Rabbi Yossi the Galilee says, from where** do we know **that the Pesach of Egypt was prohibited in chametz only one day**, and not seven? **The Torah says: “You shall not eat chametz”, and close by it says: “Today you are going out,”** which teaches that chametz was prohibited all day on the 15<sup>th</sup> of Nissan, not just at nighttime.

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The Gemara answers: **Rather**, the Mishnah is missing words, and **this is what it is saying**: The Pesach of Egypt is eaten **one night, and the same halachah applies for the Pesach of generations.**

And **its** prohibition of **chametz** applies **all the day** of the 15<sup>th</sup>, whereas the prohibition of chametz of the **Pesach of the generations applies all seven.**

### **Mishnah**

The Torah says regarding choosing an animal for a sacrifice: “He shall not distinguish between good and bad, nor shall he offer a substitute for it. And if he does substitute for it, then it and its substitute are holy; it cannot be redeemed” (*Vayikra* 27:33). This teaches that one may not designate an animal as a substitute (*temurah*) by transferring the sanctity from a consecrated animal to an unconsecrated substitute. And if one does so, both will be consecrated.

**Rabbi Yehoshua said: I received** from my masters **that a substitute of a Pesach offering is sacrificed** as a peace offering (*shlamim*). I also received from them a contradictory teaching, **that a substitute of a Pesach offering is not sacrificed** at all. **And I do not know how to explain it.**

**Rabbi Akiva said, I will explain:** The halachah mentioned by Rabbi Yehoshua applies to the Pesach offering itself, as well as its substitute.

Regarding a **Pesach** offering that was lost, and he consecrated another, and the first one **was found before they slaughtered** the second **Pesach** offering. At the time of

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slaughtering, both lambs (or kids) were present, so the first lamb retains the designation of a Pesach offering, but he chose to slaughter the second one. Thus, the first lamb was rejected through the selection of the second one in its stead. Halachah dictates in such a case that it **shall go to pasture until it develops a blemish, and then he will sell it and bring a peace offering with the money**, as is the halachah for invalid offerings.

**And so too its substitute.** If he made a third lamb as a substitute for the first one, before the slaughtering of the second Pesach, then at the time of slaughtering, the substitute as well has the designation of a Pesach offering. Since it was rejected through the choice of the second animal, it goes to pasture, and they bring a peace offering with its money after it is sold.

This is the substitute of a Pesach offering that is not sacrificed at all, as mentioned by the masters of Rabbi Yehoshua.

However, if the first one was found only **after** the second **Pesach**-designated animal **was slaughtered**, they **sacrifice it** the first animal **as a peace offering, and so too** is the Halachah for **its substitute**. This is because at the time of slaughtering the Pesach offering, the first animal was nowhere to be found, so it did not retain the designation of a Pesach offering. Thus it was never rejected. Therefore, it is sacrificed as a regular peace offering, as is the halachah for a left over Pesach offering.

This is the substitute of a Pesach offering that is sacrificed as a peace offering, as mentioned by the masters of Rabbi Yehoshua.

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### **Gemara**

We learnt in our Mishnah: Rabbi Yehoshua said: I heard that a substitute of a Pesach is sacrificed, and that a substitute of a Pesach is not sacrificed.

The Gemara raises a difficulty: **Let the Mishnah say that a Pesach offering itself is sometimes sacrificed, and a Pesach offering itself is sometimes not sacrificed!** Since the halachah of the Mishnah applies to the Pesach offering itself, not just its substitute, why did it speak of the substitute?

The Gemara answers: **This** the wording of the Mishnah **informs us that there is** a case of **a substitute of the Pesach offering that is not sacrificed**: not only the Pesach offering itself is rejected, but also its substitute.

Rashi explains that I might have thought the substitute which was made before the slaughtering always will be a peace offering, and will not receive the designation of a Pesach offering even at the time of slaughtering the second animal, and therefore is not rejected.

Therefore, the Tanna wished to let us know that the substitute does indeed receive the designation of a Pesach offering, since it would have been sacrificed on the 14<sup>th</sup> of Nissan. Since it was not sacrificed it became invalid as a rejected offering.

\*

**It was said** in a statement of Amoraim: **Rabbah said**: When the Mishnah discussed a Pesach offering that was found either before or after the slaughtering of the second animal, **before the actual slaughtering and after the actual slaughtering** is what **was taught** in the Mishnah.

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**Rabbi Zeira said: Before midday and after midday** is what was **taught** in the Mishnah.

I.e. if the first animal was still missing at the time of midday, but was found before the second animal was actually slaughtered, Rabbah would call this “before the slaughtering”, whereas Rabbi Zeira would call this “after the slaughtering.”

They disagree over what fixes the designation of a Pesach offering on the animal: Rabbah held that its presence while the second one was slaughtered gives it the designation, whereas Rabbi Zeira held that its presence at the time that it was fitting to slaughter a Pesach offering—which is midday—gives it the designation.

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The Gemara poses a difficulty: **And according to Rabbi Zeira, this statement that our Mishnah taught: “Before the slaughtering of the Pesach”**—it should have said before midday!

The Gemara answers: Modify the Mishnah to **say before the *time of slaughtering the Pesach***.

It is **like** a disagreement of **the Tannaim** in a Baraita:

**A Pesach offering that was found before slaughtering should go to pasture, and after slaughtering, it should be sacrificed. Rabbi Eliezer says: before midday, it should go to pasture, and after midday, it should be sacrificed.**

\*

## Perek 9 – 96B

We learnt in our Mishnah that if the first Pesach offering was found **after the second Pesach was slaughtered**, they **sacrifice it** the first animal **as a peace offering**.

**Rabbah said: We only learnt** that the substitute is sacrificed **when the first Pesach was found after the slaughtering, and he made the substitute for it after the slaughtering**. In this way, both the first animal and its substitute never received the designation of a Pesach offering, and consequently were not rejected.

**But** if the first Pesach **was found before slaughtering**, even though **he made the substitute for it after the slaughtering, its substitute comes from the sanctity of a rejected offering, and is not sacrificed**.

Since the first animal was found before slaughtering, it received the designation of a Pesach offering, and was rejected. Thus it is invalid. Therefore, although he made a substitute for it after the slaughtering, at a time when the substitute would not receive the designation of a Pesach offering, nevertheless the substitute is also rejected. For it is judged as an extension of the first, rejected animal.

\*

**Abaye contradicted him**, Rabbah, from a Baraita.

The Baraita speaks of the peace offerings. The Torah states the laws of the cattle, sheep, and goats: “And if his sacrifice for a peace offering to Hashem is from the flock, whether male or female, unblemished he shall bring it. **If he brings a sheep** as his sacrifice, then he shall bring it before Hashem” (*Vayikra* 3:6–7).

The Baraita asks: **What does the Torah** mean when it **says: “If he brings a sheep?”** It said previously “from a flock,” and we could not think that means a goat, because the Torah speaks of a goat only later on.

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It is to be interpreted as follows: **It includes a substitute of a Pesach offering** that was found **after a Pesach offering**, to teach **that it is sacrificed as a peace offering**.

Abaye asks: **What is the case** spoken of in the Baraita? **If we would say** that it speaks of a Pesach animal that **was found after the slaughtering, and he made the substitute for it after the slaughtering, this is obvious** that it is sacrificed as a peace offering! **Why would I need the verse?**

Since the original animal and its substitute never were fixed with the designation of a Pesach offering, thus were not rejected, it is obvious they would both be offered as peace offerings.

**Rather, is it not** a case in which the first animal **was found before the slaughtering, and he made the substitute after the slaughtering?** The Baraita thus tells us a case where the first animal was rejected, yet its substitute is sacrificed, since the substitute itself was never rejected! This contradicts Rabbah.

\*

Rabbah answers: **No, in truth the Baraita** is speaking where the first animal **was found after the slaughtering, and he made the substitute after slaughtering**.

**And the verse is a support alone.** The Torah did not really write “If he brings a sheep” to teach that the substitute is sacrificed as a peace offering. The Baraita only wished to find a written allusion to a halachah that we already know from reasoning.

The Gemara asks: **Rather, what does the verse come for?**

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Rabbah answers: **For what** the Rabbis **taught** in a Baraita: “If he brings a **sheep**”—**to include the Pesach offering for the tail fat**. This teaches that if one chooses to bring a lamb as one’s Pesach offering, instead of bringing a kid goat, then the tail fat of the lamb is to be burnt on the Altar, along with the other fats and organs ordinarily burnt. Since the Torah did not expressly write the tail fat by the Pesach offering, it needed to include it here.

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The Gemara cites the continuation of the Baraita: **When** the verse **says**: “*If* he brings a **sheep**,” from the extra word “if,” we learn **to include a Pesach offering that passed its year**, i.e. it is now over a year old. This teaches that since it is no longer fit as a Pesach offering, it is sacrificed as a peace offering.

The Baraita continues: **And the peace offerings that come as a result of a Pesach offering have all the mitzvot of the peace offerings**. This refers to a substitute for a Pesach offering, or a Pesach offering that was lost and the owners brought another in its place, and then the first one was found. **They require leaning (*smichah*) on the head of the sacrifice, libations, and waving the breast and the thigh**, which are all laws exclusive to peace offerings and not the Pesach offering.

The Baraita concludes: **And when the Torah says: “And if his sacrifice is a goat,”** the extra word “if” **interrupts the matter, to teach that the Torah does not require the tail fat of a goat** to be burnt on the Altar.

\*

**There are those who taught** the words of Rabbah as **referring to the first clause** of the Mishnah. According to this version, Rabbah was speaking of the case where the substitute is not sacrificed as a peace offering:

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The Mishnah said: A **Pesach** offering that was lost, and he consecrated another, and the first one **was found before they slaughtered** the second **Pesach** offering. It **shall go to pasture until it develops a blemish, and then he will sell it and bring a peace offering with the money, and so too its substitute.**

**Rabbah said: We only learnt** that the substitute is not sacrificed **when the** first Pesach **was found before the slaughtering, and he made the substitute for it before the slaughtering.** In this way, both the first Pesach and its substitute were fixed with the designation of a Pesach offering, and were rejected.

**But** if the first Pesach **was found before slaughtering, and he made the substitute for it after the slaughtering, its substitute is sacrificed** as a **peace offering.**

**What is the reason?**

**When** does **the slaughtering fix** the designation of a Pesach offering on an animal? Only **something that was fitting for it**, an animal that was already consecrated and fitting to be sacrificed as a Pesach offering! But **something that was not fitting for it**, an unconsecrated animal, such the lamb he took for the substitute, which at the time of slaughtering was not fitting to be sacrificed as a Pesach offering, the slaughtering **does not fix** its designation.

In this version, Rabbah rules that even though this substitute comes from the sanctity of a rejected offering, it is fitting to be sacrificed because it was never rejected in and of itself.

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**Abaye contradicted him** from a Baraita: **“If he brings a sheep...”** What does the **Torah** mean to **say**? It said previously “from a flock,” and we could not think it means a goat, because the Torah speaks of a goat only later on.

**It includes a substitute of a Pesach offering** that was found **after a Pesach offering**, to teach **that it is sacrificed as a peace offering**.

# Chavruta Pesachim – Daf Tzaddi Zayin

Translated by: *Chavruta staff of scholars*  
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[In this version, Rabbah rules that even though this substitute comes from the sanctity of a rejected offering, it is fitting to be sacrificed because it was never rejected in and of itself.

**Abaye contradicted him** from a Baraita: **“If he brings a sheep...”** **What does the Torah mean to say?** It said previously “from a flock,” and we could not think it means a goat, because the Torah speaks of a goat only later on.

**It includes a substitute of a Pesach offering** that was found **after a Pesach offering**, to teach **that it is sacrificed as a peace offering.**]

The Baraita continues: **I might have thought that this is so even before the Pesach offering.** The Gemara will explain the Baraita’s question.

Therefore **the verse says:** (*Shmot*<sup>1</sup> 11:11), **“It is a Pesach [offering].”** The word “it” teaches us that only **“it”** – a valid Pesach offering – **is offered, but substitutes (*temurot*) of a Pesach offering are not always offered.**

The Gemara examines the Baraita: **What is the case** of a substitute (*temurah*) Pesach offering that is not offered?

**If we say** it is speaking of a Pesach offering **that is found before slaughtering** the second animal, **and he also substituted for it before slaughtering, it is obvious** that its substitute is not offered. Since at the time of slaughtering, its designation was fixed as a

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<sup>1</sup> Exodus

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Pesach offering, it was rejected when the second animal was chosen in its stead. If so, **why do I need a verse** to teach this law?

**Rather, surely** the case is **where it is found before slaughtering and he substituted for it after slaughtering.**

It thus emerges that the Baraita teaches that a Pesach offering that is found before slaughtering, and he substituted another animal in its place after slaughtering, that substitute animal is not offered. And this is **a refutation to Rabbah.**

And the Gemara concludes: **It is indeed a refutation!** In this version of the discussion between Rabbah and Abaye, Rabbah's view is rejected.

**c c õ d d**

If an animal designated to be slaughtered as a sacrifice becomes disqualified, in many cases it will be put out to graze, until it develops an invalidating blemish. Then it will be sold, and the money accruing from the sale will be used to buy another animal, which will be offered as a sacrifice. This process of transferring the disqualified animal's sanctity to different animal, which is fitting to be offered, is called "redeeming" the disqualified sacrifice.

However, there are five cases of sin offerings that become disqualified and may not be redeemed. Rather they are put in a closed room where they are not given food, and left to die.

**Shmuel said** a rule with regards to the Pesach offering: **Whatever is left to die in** the case of **a sin offering**, is **offered** as a peace offering (*shlamim*) if the equivalent situation would arise **in a Pesach offering.**

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**And whatever** is put out to **graze in** the case of a **sin offering**, is **also** put out to **graze in** the equivalent situation with a **Pesach offering**.

**And Rabbi Yochanan** differs with Shmuel and **says: A Pesach offering is only offered as a peace offering if it is found after slaughtering** the animal designated in its place. **But** if it is found **before slaughtering, it is not** offered, even if it is found after midday.

Since Rabbi Yochanan is differing with Shmuel, we may infer that Shmuel holds that a Pesach offering found after midday is to be offered as a peace offering, even if it is found before slaughtering the animal designated in its place. And this is like the view of Rabbi Zeira who said (on *daf* 96b) that the animal's designation is fixed as a Pesach offering at midday. Later, the Gemara will show this may be seen from Shmuel's words themselves.

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The Gemara will now explain Shmuel's rule comparing the sin offering to the Pesach offering. Firstly, by way of introduction, we will explain in which circumstances a sin offering is left to die, and in which it is put out to graze.

The five sin offerings that are left to die are:

1. The offspring of a sin offering: The mother is offered and the offspring is left to die.
2. The substitute of a sin offering: The owners receive atonement through the sin offering but its substitute is left to die.
3. A sin offering whose owner died: A sin offering is only fit to atone for its owners during their lifetime. After the owners die, the sin offering is disqualified and the animal is left to die.

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4. A sin offering whose owner received atonement through another: The owners of a lost sin offering brought another one in its place. The original sin offering that is subsequently found is left to die.

5. A lost sin offering which was found before the owner received atonement through another: According to the Rabbis it is only left to die if it has an additional invalidity such as a blemish. According to Rabbi (i.e. Rabbi Yehudah HaNasi) and Rabbi Shimon, any lost sin offering that was found is left to die.

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And there are sin offerings which are unfit to be offered, yet they are put out to graze rather than left to die:

1. A lost sin offering that was found before the owner received atonement on another, and that has no additional invalidity: According to the Rabbis it is put out to graze. However, according to Rabbi and Rabbi Shimon it is left to die.

2. A sin offering whose first year has passed, i.e. it is now over one year old: According to the Rabbis and Rabbi, it is put out to graze. But according to Rabbi Shimon it is left to die.

\*

The Gemara now discusses Shmuel's rule.

**Rav Yosef challenged it** i.e. Shmuel's rule: **But is it an absolute rule**, that whenever a sin offering is put out to graze, an equivalent Pesach offering is also put out to graze?

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**But surely there is the sin offering that passed its year, which is put out to graze. For Rabbi Shimon ben Lakish said: a sin offering that passed its year is not left to die but we view it as if it is a valid sin offering that was standing in the graveyard.** I.e. it is in a situation where a cohen is unable to offer it up. This expresses the fact that the invalidity of an offering that passed its year is not intrinsic to it, but rather external. Therefore it is not left to die. It is put out to graze.

**However, a Pesach offering in such a case is offered as a peace offering.**

**For it was taught in a Baraita: The word “lamb” (*seh*)<sup>2</sup> comes to include the Pesach offering with respect to its tail-fat, teaching that its tail-fat is also burnt on the Altar.**

**And when it the verse says “if a lamb”, the word “if” comes to include the case of the Pesach offering that passed its year, and the case of a peace offering that comes on account of a Pesach offering (e.g. as a substitute Pesach offering), with respect to all laws of peace offerings. This means that they require leaning (*semichah*) on the offering, libations, and waving the breast and the thigh.**

**When it the verse says “If a goat”, the extra word “if” interrupts the subject and teaches about a goat, that it does not require tail-fat to be burned on the Altar.**

We see from the Baraita that a Pesach offering that passed its year is offered as a peace offering. However, Resh Lakish said that a sin offering that passed its year is put out to graze. This is a difficulty for Shmuel who said that whenever a sin offering is put out to graze, an equivalent Pesach offering is also put out to graze.

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<sup>2</sup> meaning either lamb or kid goat

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And the Gemara answers: **He said to him, when did Shmuel say his rule?** Only **with regards to lost** sin offerings. However, Shmuel did **not say** his rule **regarding rejected** sin offerings, such as an offering whose owner died. Since there is no case where it is put out to graze, it can not fit with Shmuel's rule. Also regarding an offering that passed its year, Shmuel did not apply his rule. Thus, even though as a sin offering it would be put out to graze, as a Pesach offering it is offered as a peace offering.

\*

The Gemara raises a difficulty: **And** regarding the case of **a lost** sin offering, **does it** Shmuel's rule always **apply**?

**But surely** a sin offering that was only **lost at the time**, and **it** the replacement was **separated**, then the first animal was found after the replacement was slaughtered, **it is put out to graze, according to the Rabbis.**

**For it was taught** in a Mishnah: regarding **someone who separated his sin offering and lost it, and separated another in its place.** The Halachah dictates that if the original one was found **and in fact both of them are standing** before us, **one of them is offered and the second is left to die**, these are **the words of Rabbi.**

**And the Sages say:** A lost **sin offering is only left to die if it is found after the owners have received atonement** through the second animal.

**Note that** we may infer from the words of the Sages that if it was found *before the owners received atonement* through the second animal, the first animal would be put out to graze.

**However, regarding a similar Pesach offering, where it was lost and then found after midday,** the Halachah is as follows: even though it was found **before slaughtering** the

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replacement, it is **offered as a peace offering**. For, as explained above, Shmuel holds like Rabbi Zeira, that its designation is fixed as a Pesach offering at midday.

The case of an offering that was lost, and then found *before* the owner receives atonement, is thus a difficulty for Shmuel who said, “whenever a sin offering is put out to graze, a similar Pesach offering is also put out to graze.” For if it was a sin offering, it would be put out to graze. Whereas if it was a Pesach offering, it would be offered as a peace offering.

The Gemara answers: **Shmuel holds like the view of Rabbi. For he Rabbi said** that a sin offering that was lost is **left to die**. This fits with Shmuel’s rule: a Pesach offering that is found after midday is offered as a peace offering, and a similar lost sin offering is left to die.

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Now that the Gemara has answered that Shmuel holds like Rabbi, a further difficulty arises:

**But according to Rabbi, all** sin offerings that are **lost** are left to die, **but regarding a lost Pesach offering** there is a circumstance where it is not offered as a peace offering. For example, **where it was lost before midday and it was found before midday**. In this case, its designation was fixed as a Pesach offering when noon arrived, and then it was rejected through the choosing of the second animal. Thus it is put out to **graze**. If so, how can Shmuel say: “‘Whenever’ a sin offering is left to die, a Pesach offering is offered as a peace offering?”

The Gemara answers: A Pesach offering that was lost and then found **before midday is not** considered to be **lost** at all. For before midday, even had it not been lost it would not have been fit to be offered. Consequently, being lost before this time does not affect the

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animal's status. Only when midday arrives and it is suitable to be offered may it be termed 'lost'.

This is **like that** statement which **Rava** said with regards to a lost sin offering. **For Rava said:** a sin offering that was **lost at night**, which is not the time for offerings, and was found before morning, **is not called lost**. Even Rabbi agrees that in such a case the animal is not left to die.

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Although the first part of Shmuel's rule has stood up under the Gemara's analysis, there is a difficulty with the second part: "Whatever is put out to graze in the case of a sin offering, is also put out to graze in the equivalent case of a Pesach offering."

**But** since Shmuel holds like Rabbi, the following difficulty arises. **According to Rabbi**, all sin offerings that are lost are left to die. If so, **how does there exist** a case of a sin offering that was lost that is **put out to graze**?

### **Ammud Bet**

The Gemara answers: We have found such a case, **in accordance with Rabbi Oshiya**.

**For Rabbi Oshiya said:** Regarding someone who is liable to bring a sin offering, and he **separated two sin offerings as security**, so that if one of them was lost he will offer the other, the law is: **he receives atonement through one of them, and the second one is put out to graze**.

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Rabbi agrees that even if the second one was lost, it is not left to die. This is because from the moment they were separated, one of them was not meant to be offered but to be rejected.

And just like it is put out to graze when it is not lost, it is put out to graze if it is lost.  
(*Tosafot*)

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The Gemara raises a difficulty: Shmuel said, “Whatever is put out to graze in the case of a sin offering, is also put out to graze in the equivalent case of a Pesach offering.” **But surely a Pesach offering in such a case** where he separated two Pesach offerings for security would be **offered as a peace offering**, and not put out to graze.

The Gemara answers: **Rather**, in truth Shmuel holds that where someone separates two sin offerings for security, the second is left to die. And he does not agree with the view of Rabbi Oshiya.

And **Shmuel holds like Rabbi Shimon, who said**: The **five cases of sin offerings** that are left to die, they are always left to die, in all cases.

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The Gemara raises a further difficulty: **But according to Rabbi Shimon, there is no case at all** of a lost sin offering that is put out to **graze!** If so, how could Shmuel say “Whatever is put out to graze in the case of a sin offering, is also put out to graze in the equivalent case of a Pesach offering”?

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And the Gemara answers: **Shmuel also** only **said one** rule. He did not say the rule regarding grazing, but only the first one. I.e. **whatever** lost offering **is left to die in** the case of **a sin offering**, it is **offered** as a peace offering **in** the case of a **Pesach offering**.

Just as a lost sin offering is always left to die, so too a lost Pesach offering is always offered as a peace offering. And any Pesach offering that is lost after midday is offered as a peace offering.

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The Gemara raises a further difficulty: Now that Shmuel stated only one rule regarding a lost Pesach offering, surely this rule is unnecessary, for it can be learnt from our Mishnah. For it was stated in the Mishnah that a Pesach offering that is found after the slaughtering of the second animal is offered as a peace offering. And Rabbi Zeira explains that the expression “after slaughtering” in the Mishnah means after midday i.e. after the *time* of slaughtering begins. And we learn from here that any Pesach offering that is lost, it is offered as a peace offering, since an offering lost and then found before midday is not considered to have been lost at all. **And** if so, **what** new point **is he, Shmuel, teaching us?**

The Gemara answers: Shmuel is coming **to exclude** the view of **Rabbi Yochanan**. **For he** Rabbi Yochanan **said: A Pesach offering is only offered as a peace offering if it is found after slaughtering. But** if it is found **before slaughtering, it is not** offered as a peace offering, even if it is found after midday.

Rabbi Yochanan explains that our Mishnah literally, that only a Pesach offering found after actual slaughtering is offered as a peace offering.

**This shows** that Rabbi Yochanan holds **that** actual **slaughtering fixes** the animal’s designation as a Pesach offering, not midday.

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Shmuel thus **informs us** that **midday fixes** the designation as a Pesach offering.

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**Another version** of the above discussion:

Shmuel said: “Whatever is left to die in the case of a sin offering, is offered as a peace offering in the equivalent case of a Pesach offering. And whatever is put out to graze in the case of a sin offering, is also put out to graze in the equivalent case of a Pesach offering.”

The Gemara earlier established that Shmuel was only referring to lost offerings.

Thus the Gemara raises a difficulty: Does Shmuel’s rule always fit with regards to a lost offering? Surely a sin offering that was only lost at the time its replacement was separated, but found before the replacement was slaughtered, is put out to graze—according to the Rabbis.

**However, regarding a similar Pesach offering, where it was lost and then found after midday**, the Halachah is as follows: even though it was found **before slaughtering** the replacement, it is **offered as a peace offering**.

In the first version, above, the Gemara answered that Shmuel held like Rabbi does. But in this version the Gemara answers differently:

**Shmuel holds like** the view of **Rabbah, who said** that **slaughtering fixes** the designation of the animal as a Pesach offering. Thus a Pesach offering that is found after midday, but before the slaughtering of the second animal, is put out to graze. This is because the slaughtering fixes the animal as a Pesach offering, and if the first animal is

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present at that time, it becomes rejected. And similarly regarding the sin offering according to the Rabbis: if it is found before atonement through the replacement, it is put out to graze.

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The Gemara raises a difficulty: **But surely, since Rabbi Yochanan said about it: A Pesach offering is only offered as a peace offering if it is found after slaughtering, but if it is found before slaughtering, it is not** offered as a peace offering, even if it is found after midday. Rather, it is put out to graze. With this statement, Rabbi Yochanan differed with Shmuel. This shows that Shmuel does not hold the view attributed to him above.

For Rabbi Yochanan said: This **implies that Shmuel differs, and holds that midday fixes** the designation as a Pesach offering. For if Shmuel holds that slaughtering fixes designation, over what does he differ with Rabbi Yochanan?

\*

**Rather**, the Gemara retracts its answer and says that Shmuel holds like Rabbi Zeira who says that midday fixes the Pesach offering.

If so, the difficulty raised above remains unanswered: According to the Rabbis, a sin offering that was found before the replacement was slaughtered is put out to graze. However, a similar Pesach offering that was found after midday but before slaughtering the replacement is offered as a peace offering.

(From this point on, the second version is identical to the first version above.)

## Perek 9 – 97B

The Gemara answers: **Shmuel holds like the view of Rabbi. For he, Rabbi, said:** A sin offering that was **lost** is always **left to die**, even if it was found before the second animal was slaughtered. This fits with Shmuel's rule: a Pesach offering that is found after midday but before slaughtering is offered as a peace offering, and an equivalent sin offering that is lost and then found, is left to die.

\*

Now that the Gemara has answered that Shmuel holds like Rabbi, there is a further difficulty: **But according to Rabbi, all** sin offerings that are **lost** are left to die, **but regarding a lost Pesach offering** there is a circumstance where it is not offered as a peace offering. For example, **where it was lost before midday and it was found before midday**, where it was fixed as a Pesach offering when midday came, and then rejected through the slaughter of the second animal. Thus is put out to **graze**. If so, how can Shmuel say: “‘Whenever’ a sin offering is left to die, a Pesach offering is offered as a peace offering”?

And the Gemara answers: A Pesach offering that was lost and found **before midday is not** considered to have been **lost** at all. For before midday, even when it is not lost, it is not yet fit to be offered. Consequently, being lost before this time has not affected the offering's status. Only at midday when it is suitable to be offered can it be termed 'lost'. Shmuel was thus not discussing such a Pesach offering.

\*

The second part of Shmuel's rule is now discussed: “And whatever is put out to graze in the case of a sin offering, is also put out to graze in the equivalent case of a Pesach offering”.

## Perek 9 – 97B

A difficulty arises, for according to Rabbi, all lost sin offerings are left to die. If so, how can Shmuel say: “Whatever is put out to graze in the equivalent case of a lost sin offering”? There seems to be no such case.

Above, the Gemara attempted to answer by saying that Shmuel hold like Rabbi Oshiya does, but then rejected this answer.

The Gemara concludes that Shmuel only stated the first part of the rule originally attributed to him: “Whenever a sin offering is left to die, a Pesach offering is offered as a peace offering.”

And he comes to teach us that a Pesach offering found after midday is offered as a peace offering, even if it is found before slaughtering the second.

**And Shmuel holds** that **midday fixes** the designation as a Pesach offering, and not the actual slaughtering. And since the first Pesach offering was not present at midday, it did not have a designation of a Pesach offering fixed onto it. Consequently, it was not rejected through the slaughtering of the second animal, and may be offered as a peace offering.

## **Mishnah**

A Pesach offering must be a male sheep or goat less than a year old. As it says (*Shmot* 12:5), “An unblemished lamb (*seh*<sup>3</sup>), a male, within its first year shall it be for you.”

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<sup>3</sup> also meaning kid goat

## Perek 9 – 97B

Regarding **one who separated a female animal for his Pesach offering, or a male animal in its second year: It is put out to graze until it becomes unfit** i.e. it develops an invalidating blemish. **And it is then sold, and its money goes to purchase an animal for a voluntary offering, to be brought as a peace offering.**

The female animal that was separated may not itself be offered as a peace offering even though a female peace offering is ordinarily fit. This is because once a person designates an unfit animal as his Pesach offering, it is as if the designation of a Pesach offering becomes fixed to it, and it becomes rejected. Therefore, it is permanently unfit to be offered for any offering. However, an offering may be brought through the transferal of its sanctity onto money.

# Chavruta

## Pesachim – Daf Tzaddi Chet

Translated by: *Rabbi Dov Grant*  
Edited by: *R. Shmuel Globus*

This is the Halachah regarding **one who designates his** animal for a **Pesach offering** for himself alone, **and he then dies**:

**His son** that comes **after him** by inheritance **should not bring it** the animal **for the purpose of a Pesach offering**.

For no one else was appointed to eat from this offering. And one may not slaughter a Pesach offering if it has no owners, i.e. eaters.

**Rather**, the son may offer it **for the purpose of a *shlamim*<sup>1</sup>**. For the general rule is that a left over Pesach offering is offered as a *shlamim*. The Gemara will discuss what the specifics of this case are.

### Gemara

The Mishnah had taught (*daf* 97b): “Regarding one who separated a female animal for his Pesach offering, or a male animal in its second year: It is put out to graze until it becomes unfit i.e. it develops an invalidating blemish. And it is then sold, and its money goes to purchase an animal for a voluntary offering, to be brought as a peace offering (*shlamim*).”

## Perek 9 – 98a

**Rav Huna, the son of Rav Yehoshua, said: Learn from this Mishnah three Halachot** regarding offerings that rejected:

**A) Learn from it that living things**, i.e. as yet unslaughtered offerings, **may be rejected** and thus may never be offered.

This matter is the subject of a disagreement between Rabbi Yehudah and Rabbi Shimon in Tractate *Yoma* (*daf* 63b). Rabbi Shimon holds that an offering is permanently disqualified only after slaughter. Rabbi Yehudah holds that this is true even while it is still alive, before slaughter. Our Mishnah seems to uphold this latter view since it states that certain live animals must be put out to pasture, rather than offered as *shlamim*.

**B) And learn from it that a rejection at the start** before the animal is designated as an offering, i.e. a pre-existing disqualification, **is regarded as a permanent rejection**, and the animal may not be offered on the Altar. This we see in the Mishnah from the fact that the animal is rejected just by being female, which disqualifies it as a Pesach offering. Thus, once designated as a Pesach offering, it may not be brought as a *shlamim*.

This is the subject of a disagreement in Tractate *Succah* (*daf* 33b): One view holds that permanent rejection only applies to an animal that was fitting to be offered at the start, but afterwards became unfit. According to this view, and unlike our Mishnah, if the animal was unfit at the start, for instance where it was a female animal taken for the Pesach offering, then it is *not* permanently rejected from being offered.

**C) And learn from it that the law of permanent rejection applies to animals that are consecrated only for their value.** This we see in the Mishnah from the fact that the animal that was permanently rejected only has sanctity in respect to its value.

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<sup>1</sup> A peace offering. So called since it “makes peace” between the owner, the cohen and Hashem. For one portion goes to the owner, one to the cohen and one to the Altar. It is among the offerings of lesser sanctity (*kodoshim kalim*).

## Perek 9 – 98a

For the case of the Mishnah is a female animal that was set aside for a Pesach offering. This has no intrinsic sanctity, since it can not itself be offered. Its sanctity holds only in respect to the money obtained on its sale, used to acquire another animal as an offering.

### c c õ d d

We learnt in the Mishnah: This is the Halachah regarding **one who designates his** animal as a **Pesach** offering **and** then **dies**. His son that inherits him should not offer the animal as a Pesach offering, rather as a *shlamim*.

**The Sages taught** in a Baraita:

Regarding **one who designates his Pesach** offering **and dies**. **If his son was appointed with him** to eat from it, then the Pesach still has an owner. Therefore, **he** the son **should bring it** the animal **as a Pesach** offering.

But if **his son was not appointed with him**, then the offering has no owner. Therefore, **he** the son **should bring it as a shlamim on the sixteenth** of Nissan.

The Gemara infers from the end of the Baraita: **On the sixteenth**, the first of the intermediate days of the Festival, **yes**, he may bring the offering. But **on the fifteenth** of Nissan, the Yom Tov itself, **no**, he may not bring the offering. Why may he not bring the offering on the fifteenth?

The reason is that **he** the Tanna of the Baraita **holds** that **vowed and voluntary offerings are not offered on Yom Tov**.

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## Perek 9 – 98a

The Gemara now discusses the rest of the Baraita:

When it says **that the father died, when** exactly did he die?

A problem arises **if you say that he** the father **died before midday**. For how could the Baraita have taught that if **his son was appointed with him**, that **he** the son **should bring it** the animal **as a Pesach** offering? **Surely** the Torah-ordained laws of *aninut*, bereavement, **applied to him** the son, preventing him from offering it, **from before the start** of the time of the obligation to bring the Pesach offering!

**Rather**, you must say the case is **that he** the father **died after midday**.

Thus the son, although he is in bereavement, may bring the Pesach offering. For the obligation to bring the offering preceded the bereavement.

However, this presents a difficulty with the rest of the Baraita.

For it says: **If his son was not appointed with him, he** the son **should bring it as a shlamim**.

**But surely** when **midday** came, that moment **fixed its** (the animal's) designation as a Pesach offering!

And when the father, the owner of the animal, died, the offering became automatically rejected.

And when the Pesach offering is rejected, it becomes *permanently* rejected. Thus it may not be offered even as a *shlamim*!

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## Perek 9 – 98a

**Rabbah said** in reply:

**In truth**, the Baraita is dealing with a case **where he** the father **died before midday**. Since midday had not yet arrived, the animal had not been permanently fixed as a Pesach offering. Therefore, if no one else had been appointed on it, it was fitting to become a *shlamim*. Yet when the son was appointed on it, it remained a valid Pesach offering, since it has an owner. However, the problem raised above remains:

When the son was appointed with the father, and the father died before midday, the son entered bereavement *before* midday, before the obligation to bring the Pesach offering began. So how could the son offer the Pesach offering in a state of *aninut*?

Rabbah answers this potential objection: **And what** is the meaning of the Baraita when it states **“he should bring it as a Pesach offering”**? It means that he should bring it **as a Pesach *Sheni*<sup>2</sup> offering**.

\*

**Abaye said** a different answer: **It** the Baraita **was taught as** two different **sides** i.e. parts:

A) The first part of the Baraita is dealing with where **he** the father **died after midday**.

And therefore it says: “If **the son was appointed with him**, **he** the son **should offer it as a Pesach** offering”. For the son was obliged to bring the offering, on which he was appointed, before he entered *aninut*.

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<sup>2</sup> The Second Pesach. The offering brought on the fourteenth of Iyar, exactly a month later, by those who were unable to bring their Pesach offering in Nisan due to extenuating circumstances.

## Perek 9 – 98a

But in this situation (where the father died *after* midday) the Baraita did not state what would be the Halachah if the son was *not* appointed on the offering. For that can be deduced from the Mishnah on 96b.

The Mishnah there deals with a Pesach offering that became lost. If its designation was fixed as a Pesach offering and then it was rejected, it is disqualified as a *shlamim*.

Here also, when the father died after midday, and the son is not appointed on the offering with him, we can say the same. The animal (after midday) is automatically fixed as a Pesach offering and is rejected from being offered.

B) The second part of the Baraita is dealing with where **he** the father **died before midday**.

And therefore it says: “If **his son is not appointed with him**”, and thus the would-be Pesach offering now has no owners, it may not be offered as a Pesach offering. Therefore, **he should bring it as a *shlamim***. (Since it was not fixed as a Pesach offering when midday arrived, because it was automatically switched to be a *shlamim* due to its lack of owners, it was not rejected as an offering).

But in this situation (where the father died *before* midday) the Baraita did not state what the Halachah would be if the son was indeed appointed on the offering. For that case is obvious. Since the Pesach still has an owner, i.e. the son, he brings it the following month as a Pesach Sheni. (On the fourteenth of Nisan he may not bring it, due to *aninut*.)

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## Perek 9 – 98a

**Rav Sheravya said** a different answer, returning to the position originally adopted by the Gemara:

**In truth**, the Baraita is dealing with a case **where he** the father **died after midday**. And, as above, there is no problem in understanding that the son, who was appointed on the Pesach offering, brings it as such. For the obligation at midday to bring the Pesach offering preceded his status of *aninut*.

However, there was an objection as to how the Baraita could then state that if the son was *not* appointed, then he offers the animal as a *shlamim*. For surely at midday the animal's designation became fixed as a Pesach offering. And then it became rejected when the owner died. And this rejection is a *permanent* one, preventing it from being offered as a *shlamim*.

To this objection, Rav Sheravya said: **The case is where his father was in death throes at midday**. And such a person is presumed to die shortly after. Therefore, the animal's designation was not fixed as a Pesach offering. Thus, when the father died after midday, the offering was not permanently rejected. And since the son was not appointed on the offering, it is brought as a *shlamim*.

\*

**Rav Ashi said** a different answer: **In truth**, the Baraita is dealing with a case **where he** the father **died after midday**.

**And** in regards to the above-stated objection, we could say that **it** the Baraita **is** in accord with the view of **Rabbi Shimon**. **For he said** that **living animals are not permanently rejected** from being offered. Therefore, the animal that became fixed as a Pesach offering at midday may be offered as a *shlamim* when the father dies.

## Perek 9 – 98a

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**Ravina said** a different answer: **The case** of the Baraita **is where he** the father **designated it** the animal **after midday**. **And then the owners** i.e. the father **died after midday**.

**And** in regards to the above-stated objection, we could say that **he** the Tanna of the Baraita **holds** the same view as Rabbi Zeira (*daf* 96b), that only **midday fixes** the animal as a Pesach offering. After midday, it is too late to fix its designation as a Pesach offering, even though in general, slaughtering is performed until sunset.

Therefore, since the father designated the animal only *after* midday, its status never became fixed as a Pesach offering. Once the father died, it could be offered as a *shlamim*.

### **Mishnah**

This is the Halachah regarding a **Pesach offering that became mixed up with other offerings**. For instance: three lambs, designated for a Pesach offering, a guilt offering and a burnt offering respectively, mingled with each other—confusing the owners as to their identities.

**They must be sent to pasture until they develop an invalidating blemish and then they must be sold. And he must bring** from the money, **according to the value of the most expensive of them**, an offering **from this type**, e.g. a Pesach offering. **And** he must bring, **according to the value of the most expensive of them**, an offering **from that type**, e.g. a guilt offering. And similarly for the burnt offering.

## Perek 9 – 98a

**And** in this way **he loses the extra amount from his own house** i.e. his own purse. For he is effectively overpaying for two of the three offerings.

And this is what he must do if the most expensive lamb is worth, for instance, a *sela*: He brings three *sela'im* from his house. He takes one *sela* and declares: “The designated burnt offering, wherever it is located, is hereby redeemed on this coin”. He then buys an animal for a burnt offering with this *sela*. He then repeats this procedure with each of the other two *sela'im*, for the guilt offering and Pesach offering.

According to Rabbi Shimon, the Halachah is different when **it**, the Pesach offering, **becomes mixed up with firstborn offerings (*bechorot*)**, which shares certain similar characteristics with the Pesach offering.

The blood of both is placed on the Altar by one throw towards the base of the Altar. And they both are characterised by a *lack* of certain requirements. For in both cases, the chest and leg parts do not have to be waved. And, further, there is no requirement for the act of *semichah*<sup>3</sup>, or any accompanying wine libation.

Therefore, **Rabbi Shimon says: If** the party appointed on the Pesach offering was **a group of cohanim**, then all the lambs are to be slaughtered on the fourteenth of Nissan. And the cohanim should intend that they are slaughtering the animal as its designated offering, whatever it may be. Thus if it was designated for a Pesach offering, it is being slaughtered as such, and if it was designated as a firstborn offering, then it is being slaughtered as such.

And **they**, the cohanim, may **eat** all the lambs—since the firstborn offerings are always eaten by the cohanim.

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<sup>3</sup> Laying hands on the head of the animal, prior to its slaughter.

## Perek 9 – 98B

However, we are still in doubt as to which lamb is actually the Pesach offering. And the Halachah is that the Pesach offering may be eaten only until midnight. Therefore, *all* the lambs must be consumed by midnight, since each lamb is possibly a Pesach offering.

### **Ammud Bet**

### **Gemara**

In the Mishnah, Rabbi Shimon ruled that a group of cohanim may eat a Pesach offering that became mixed up with firstborn animals.

The Gemara poses a difficulty with this: How is it possible to offer an animal that is an uncertain firstborn and treat it as an uncertain Pesach offering?

**But surely he**, the cohen, **is** thereby causing the **bringing of offerings to the “house of invalid offerings”!** This is because firstborn offerings may be eaten for a full two days (and the night between). And here, the uncertain firstborn animal will be treated as if it were a Pesach offering. This restricts the eating of the animal until midnight, with the uneaten remains being burnt in the morning. But if it really is a firstborn offering, then it must be eaten, not burnt!

The Gemara answers: **Rabbi Shimon**, who permits a possible firstborn to be treated as a Pesach, **is consistent with his reasoning** elsewhere.

**For he said that one may** restrict the eating-time of an offering. And we are not concerned that this causes the cohen to **bring** the uneaten firstborn **offerings to the**

## Perek 9 – 98B

“**house of invalid** offerings”. For Rabbi Shimon holds that it is preferable to restrict the allowable eating period for the offering, rather than take it outside to pasture until it develops a blemish.

**For it was taught** in a Mishnah (Tractate *Zevachim* 75b): What should one do with a **guilt offering that became mixed up with a *shlamim***?

**Rabbi Shimon says:** Normally, a *shlamim* may be slaughtered anywhere at any side of the Altar. Here, however, **both of them are** subject to the more stringent Halachah of the guilt offering, and are **slaughtered only at the north** side of the Altar.

**And they are eaten in accord with the more stringent of them** i.e. the guilt offering. The guilt offering is more stringent than the *shlamim* in three respects. It is eaten only by male cohanim. It is eaten only for a day and the night that follows. It is only eaten in the Temple Courtyard.

(In contrast, most of the *shlamim* may be eaten by any person. And the priestly portions may be eaten by the wives and servants of the cohanim. It is eaten for two days and the intervening night. And it is eaten anywhere in Jerusalem).

**They the Sages said to him** to Rabbi Shimon: **One may not** create a situation which causes a cohen to **bring valid offerings to “the house of invalid offerings”**. Therefore, one may not slaughter an animal that has the uncertain status of a guilt offering and *shlamim*. For if the animal is in reality a *shlamim*, then we are unnecessarily restricting the time period when it may be eaten. And meat that remains after this time, instead of being eaten as it should, will be burnt.

Rather, it is preferable to send the animals out to pasture. And the higher value of the two animals is used to calculate the cost of each of the two new replacement animals. These animals will then be designated and slaughtered as a guilt offering and a *shlamim*.

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The Gemara poses a difficulty: **But** a problem arises according to **the Sages**. In the Mishnah in *Zevachim* they hold that one may not cause valid offerings to be burnt, by restricting the time period of eating. **How should we act** in regard to the case of our Mishnah, where a Pesach offering has become mixed up with a firstborn offering?

For the case of a firstborn is more stringent than other offerings, since the Torah (*Bamidbar*<sup>4</sup> 18:17) states that it may not be redeemed at all. Therefore we cannot suggest that the two animals should be sent to graze until a defect develops. For even if the firstborn is subsequently sold, this does not transfer its sanctity to the money. Thus, no substitute offering may be brought from its sale. Halachah dictates that a firstborn animal with a blemish is simply to be eaten by a cohen without being offered as a sacrifice at all.

But a Pesach offering that has developed a blemish must indeed be redeemed. With the money, a new animal is purchased and designated as an offering. The Pesach offering may *not* be eaten without it being redeemed.

**Rava said**, in answer: **We wait until they become blemished, and bring an animal that has been designated** according to the value of the best of them. **And then we say: Wherever there is a Pesach offering here, its sanctity will rest on this one**—this designated animal. Then, the designated animal is slaughtered as a Pesach offering. (This assumes that the whole procedure took place before the fourteenth of Nisan.)

**And then he eats them**, the two lambs that have developed a blemish, **according to the law of the firstborn that has a blemish**. For the special law of the blemished firstborn is that it is not slaughtered and sold in the butcher shop, nor is it weighed, although it is eaten without being offered as a sacrifice.

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<sup>4</sup> Numbers

## Perek 9 – 98B

### **Mishnah**

Regarding a **group that lost its** designated Pesach animal, **and said to someone else: “Go and search** for the lost animal, **and slaughter it for us** as our agent”. **And he** the agent **went, found it and slaughtered it** for the group. **And they** in the meantime **bought** another lamb for the Pesach **and slaughtered it**.

In such a case, the Halachah depends on the following:

**If his** the lamb of the agent **was slaughtered first**, then all the members of the group have fulfilled their obligation with his lamb.

And so **he eats from** the lamb that was slaughtered by **his** hand. **And they eat with him from his** lamb. For they were appointed to eat from his lamb, together with him, by virtue of appointing him to slaughter for them. And they are no longer appointed on the animal that they had designated. Therefore, their Pesach offering has no owners, becomes invalid and is burnt.

**But if their** lamb **was slaughtered first**, then **they eat from their** lamb. For when they slaughter their animal, we regard it as if they have retracted from the lost lamb and do not wish to fulfil their obligation through it. Thus they are appointed on their lamb.

**But he eats from his** lamb. For he was not appointed with them.

**And if it is not known which one had been slaughtered first, or it is known that they both slaughtered together**, then the Halachah is as follows:

## Perek 9 – 98B

**He eats from his** lamb, since he had not been appointed with them. **But they do not eat with him** from his lamb. For there is a possibility that *they* slaughtered first, effectively retracting from his lamb.

**But their** lamb goes out to the “**house of the burning**” i.e. it is disposed of by burning, in a special place for invalid offerings, not in the Temple. For there is a possibility that *he* slaughtered first, preventing them from being appointed on their lamb.

**And they are exempt from making the Pesach Sheni offering**, although they never ate from their Pesach offering. For in the final analysis, they fulfilled their obligation to bring the Pesach offering with whichever animal had been slaughtered first. We just lack knowledge which animal it was. And failing to eat from the meat of the Pesach offering (due to such an uncertainty) does not prevent one from fulfilling one’s minimal obligation.

\*

Regarding a group that instructed someone to be their agent to find their lost Pesach animal, but did not instruct him to slaughter it. And **he** the agent **said to them: “If I delay** in coming, then **go out and slaughter for me** as well. **And then he went and found** the lost Pesach offering **and slaughtered** it. **And they bought** a lamb for a Pesach offering **and slaughtered** it.

In such a case the Halachah is the following:

**If their** lamb **was slaughtered first**, then **they eat from their** lamb. For, as above, when they slaughter their animal, we regard it as if they have retracted from the lost lamb and do not wish to fulfil their obligation with it.

## Perek 9 – 98B

**And he** the agent **eats with them**, since he was appointed with them. And his lamb is disposed of by burning, since it effectively has no owners.

**And if his** lamb **was slaughtered first**, then **he eats from his** lamb.

**But they eat from their** lamb. For they had not instructed him to slaughter for them.

**And if it is not known which of them had been slaughtered first**, or it is known **that they both slaughtered together**, then the Halachah is as follows:

**They eat from their** lamb, since they had not instructed him to slaughter for them and therefore they cannot fulfil their obligation with him. **But he does not eat with them**, since he might have slaughtered his lamb first, effectively removing himself from being appointed with them.

And he may not eat from his lamb, either. For it is possible that they slaughtered first. And since he had made them his agents, he is removed from his lamb when they slaughter first. For he then fulfils his obligation with their Pesach offering, which he had been appointed on. **And so his lamb goes out to be burnt** i.e. disposed of by burning.

**But he is exempt from making a Pesach Sheni** offering, even though he may not eat from their Pesach offering. For he has fulfilled his obligation to bring the Pesach offering through whichever Pesach offering was slaughtered first. And failing to eat from it does not interfere with his fulfillment of the mitzvah, as explained.

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Regarding a group that instructed someone to be their agent to find their lost Pesach animal. **And he said to them:** “If I delay in coming, go out and slaughter for me as well”. **And they said to him:** “Slaughter for us the lost Pesach animal when you find it”.

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The Halachah is: **They all eat from the first one** that is slaughtered, since they are his agents and he is their agent.

**And if it is not known which one of them the lambs was slaughtered first, then both of them go out to be burnt.** Neither he or they are permitted to eat from either lamb. For there is a possibility that the other party really slaughtered first. Nevertheless, everyone has fulfilled his obligation to bring a Pesach offering. Therefore, no one has to bring a Pesach Sheni offering.

\*

Regarding a group that instructed someone to be their agent to find their lost Pesach animal. And **he did not say to them** to slaughter for him, **and they did not say to him** to slaughter the lost lamb when he finds it.

The Halachah is: **They are not responsible for each other.** Neither party needs to know what the other party did and which animal was slaughtered first. Rather, they eat from the lamb that they slaughtered, and he eats from the lamb that he slaughtered.

This concludes the various scenarios of a group that lost its Pesach lamb and appointed an agent to search for it.

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This is the Halachah regarding **two groups**, e.g. one of cohanim and one of levites, **whose Pesach lambs became mixed up with each other.**

**These** the cohanim **draw for themselves one** lamb, **and those** the levites **draw for themselves one** lamb.

## Perek 9 – 98B

**One of them** from the cohanim **comes to them** the levites. **And one of them** from the levites **comes to them** the cohanim.

**And this is what they** the cohanim **say** to the levite who came to them:

**If this Pesach** lamb that we drew for ourselves **is** really **ours**, then we are appointed on it, as we were at the beginning. But in regards to you, the levite, **your hands are drawn** away **from your** lamb, i.e. you are no longer appointed on it. **And** from now on **you are appointed on our** Pesach offering.

**And if this Pesach** lamb that we drew for ourselves **is** really **yours**, then you are appointed on it, as you were at the beginning. But in regards to us, **our hands are drawn** away **from ours** i.e. the other lamb **and we are** now **appointed on your** offering.

The Gemara explains why a levite has to go to the group of cohanim and perform the procedure in the above way. Ostensibly it would be sufficient for each group to draw a lamb for itself and declare the following: “If this animal that we have drawn to ourselves is the one originally designated by us, all well and good. And if not, we withdraw from ours and are now appointed on this one.”

The Gemara explains that this may not be done. For if a designated Pesach offering becomes ownerless, even for an instant, it becomes permanently invalid. And in the above situation, the animal might be rendered ownerless.

For instance, in a case where the cohanim in reality drew the lamb of the levites. And they then said to the levites, as suggested above: “We withdraw from ours and are appointed on yours”. This momentarily renders ownerless the original lamb of the cohanim. This now prevents the levites from appointing themselves on that lamb, leaving them without a Pesach offering.

## Perek 9 – 98B

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**And, similarly,** the Halachah is the same when there is a mix-up of the Pesach offerings in the following examples: **Five groups** consisting of **five** people in **each** group, **or** ten groups consisting of **ten** people in **each** group.

The Halachah is: **They** the individual members of all the groups **draw to themselves one** person **from each group**. I.e. five members of each original group separate. Then they each form five new groups containing members of all five of the original groups.

Each new group then draws for itself a lamb. **And** four of the group **say** to one: “If this is your Pesach offering, then we four withdraw from our four respective lambs and now are appointed with you”.

Then four of the group make the same declaration to a different member of the group. This continues until all the members of the group have been addressed by all the other members.

This procedure continues until all the groups are covered.

This ensures that no offering has remained without owners, at any time. Thus all the offerings remain valid.

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This is the procedure for **two** people **whose Pesach offerings became mixed up**.

**This one** Reuven **draws one** lamb **for himself, and that one** Yosef **draws one** lamb **for himself**.

## Perek 9 – 98B

Now, it will not be sufficient for Reuven to declare: “If this lamb is mine, all well and fine. And if not, I withdraw from my lamb and I now register on this, your lamb”. For this causes the original animal of Reuven (that is now held by Yosef) to become momentarily ownerless, if they indeed had switched animals.

Rather, **this one** Reuven **appoints an outsider** (“Shimon”) **with him** on his offering. Reuven says to Shimon: “I hereby appoint you on my Pesach offering that I originally designated, wherever it may be”.

**And**, similarly, **that one** Yosef **appoints an outsider** (“Binyamin”) **with him** on his offering, wherever it may be.

Then **this one** Reuven **comes to that one** Binyamin, **and that one** Yosef **comes to this one** Shimon. **And this is what they** Reuven and Yosef, respectively, **say** to those whom they have come to.

Reuven says to Binyamin: **If this Pesach** lamb here, that Yosef drew for himself, **is** really **mine**, i.e. the one I had originally designated, then I declare the following. **Your hands are** hereby **withdrawn from yours**. That is, you are no longer appointed on the lamb (now held by Shimon) that Yosef had originally designated. **And** from now on **you are appointed on mine**, which is in front of us now.

**But if this Pesach** lamb here **is** really **yours**, i.e. the one originally designated by Yosef that you are appointed on. Then, **my hands are** hereby **withdrawn from mine and I am** now **appointed on yours**.

Yosef similarly declares the same to Shimon.

## Perek 9 – 98B

In this way, neither offering remains without owners at any time, and are both therefore valid.

### **Gemara**

The Mishnah dealt with a group that lost its designated Pesach lamb and appointed an agent to find it.

**Our Sages taught** in a Baraita: Regarding a case where **he** the agent **said to them** that if he delays in returning, they should slaughter a lamb for him as well. **And they said to him** that he should slaughter the lost Pesach animal for them, when he finds it. The Halachah is: **He**, each one, **eats from the first** lamb that is slaughtered.

And if no one knows which lamb was slaughtered first, then both lambs are sent for disposal by burning.

If **he** the agent **did not say to them** that they should slaughter a lamb for him. **And they did not say to him** that he should slaughter the lost Pesach lamb for them, when he finds it. The Halachah is: **They are not responsible for each other**. No one need be concerned for who slaughters first. Rather, each party eats the lamb that it slaughtered.

# Chavruta

## Pesachim – Daf Tzaddi Tet

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[If **he** the agent **did not say to them** that they should slaughter a lamb for him. **And they did not say to him** that he should slaughter the lost Pesach lamb for them, when he finds it. The Halachah is: **They are not responsible for each other**. No one need be concerned for who slaughters first. Rather, each party eats the lamb that it slaughtered.]

**From here** the above statement of the Baraita **the Sages** inferred a lesson in proper behavior, and **said** the following.

Conducting oneself with **silence is good practice for the wise**. **How much more** is it true that silent conduct is good **for the foolish**. This is **as stated** in a verse (*Mishlei*<sup>1</sup> 17:28): “**Even a fool who keeps silent is considered a wise man**”.

For we see that there is a real gain when both the group and its agent remain quiet. If each does not instruct the other to slaughter for them, then each may eat from the Pesach lamb that it has drawn for itself.

However, if each instructs the other to slaughter for them, a loss could result. For in a situation where no one knows which lamb had been slaughtered first, both lambs are sent for disposal by burning.

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<sup>1</sup> Proverbs

## Perek 9 – 99a

We learnt in the Mishnah: This is the procedure for **two** people (Reuven and Yosef) **whose Pesach offerings became mixed up.**

This one (Reuven) draws a lamb for himself, and that one (Yosef) draws a lamb for himself. This one (Reuven) appoints someone else with him (e.g. Shimon) on his originally designated offering.

And that one (Yosef) appoints someone else (e.g. Binyamin) with him on his originally designated offering.

Then this one (Reuven) comes to that one (Binyamin), and this one (Yosef) comes to that one (Shimon). Reuven says to Binyamin: If this Pesach lamb here is really yours, i.e. the one originally designated by Yosef that you were then appointed on. In such a case, I withdraw from my lamb and now appoint myself on yours. (And similarly Yosef declares to Shimon).

In this scenario, Reuven has now withdrawn from his originally designated Pesach offering, currently held by Shimon. And now Yosef is appointed with Shimon, on the Pesach offering that was originally designated only by Reuven.

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From the above we see that a Pesach offering is still valid even though the only one who originally designated the offering is no longer appointed on it.

The Gemara now discusses this last point.

**Is this to say that our Mishnah is not in accordance with Rabbi Yehudah?**

## Perek 9 – 99a

**For it was taught** in a Baraita: It states (*Shmot*<sup>2</sup> 12:4): “**And if the household will be small (*yim’at*) for a lamb**, then he and his neighbor next to his house shall take it according to the count of people.”

And Rabbi Yehudah expounded as follows. “*Yim’at* (will be small)” **teaches that they** the members of the group **may leave** the group, thereby its **becoming reduced** in numbers, but the Pesach offering still remains valid. **Provided that there will be one person, from the members of the group** that had originally appointed on the offering, still **existing** as a member of it. For “*yim’at*” implies that there still remains “a small” amount of people from the original group. These are **the words of Rabbi Yehudah**.

**Rabbi Yosi says:** All the original members of the group may leave, **as long as they do not leave the Pesach offering alone** without any owners, even for a moment. I.e. if they all wish to leave, a new member must be previously appointed to it.

The Mishnah stated that the Pesach offering is valid even though no members of the original appointment remain. Whereas Rabbi Yehudah maintains that one person must remain.

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**Rabbi Yochanan said:** You can even say that our Mishnah reflects the view of **Rabbi Yehudah, since Rabbi Yehudah said** (*daf* 91a) that **one may not slaughter the Pesach offering for a single individual**.

Therefore, in spite of the fact that Reuven alone owns the Pesach offering at the beginning, it is understood that before it is slaughtered he will have someone else join him on it. Thus, **at the outset, it the designated Pesach lamb was meant to have appointed another person on it**.

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<sup>2</sup> Exodus

## Perek 9 – 99a

So when Reuven came **and** appointed Shimon along with him, **he Shimon is regarded as** if he had been **one of the members of the original group**.

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**Rav Ashi said: One may infer** that what Rabbi Yochanan just said is true, **from** the wording of **our Mishnah** itself.

**For it was taught** in our Mishnah: **And, similarly**, the Halachah is the same when there is a mix-up of the Pesach offerings in the following example: **Five groups** consisting of **five** people in **each** group. In such a case the Halachah is: They the individual members of all the groups draw to themselves one person from each group. I.e. the five members of each original group separate. Then they each form five new groups containing members of all five of the original groups.

This implies that only if there were **five** people in each group, **yes**, there is a remedy for the situation. **But** if there were four groups of **five members**, and one group of **four** members, **no**, there is no remedy.

And why is there no remedy? Surely, someone may be added to the group of four, in order to make it into a group of five!

**Is it not** an unacceptable remedy for the following reason? **Because** in such a case, **not one of the group** that had originally been appointed on the offering **remains** appointed **on it** when they all split off into other groups. And adding someone else will not help, since he was not one of the originally appointed group.

## Perek 9 – 99a

Thus it would be difficult to explain the Mishnah in accordance with Rabbi Yose. For why would he be concerned when none of the original group remains appointed on the offering? Rabbi Yose holds that even a newly appointed member is sufficient.

We are forced to say that our Mishnah expresses the view of Rabbi Yehudah. And later appointment of someone on a Pesach offering only helps when the Pesach lambs of *two* people get mixed up. For a Pesach offering may not be slaughtered for just one individual, consequently we say that the offering originally was meant to have someone else on it. Thus we view the second member as if he had been in the original group.

But for a group of *four* people, to appoint someone later is no remedy. The Pesach offering had been fitting at the outset, without adding anyone else. Thus, the original members may not all leave the offering.

And so, **we learn from it** that our Mishnah indeed reflects the view of Rabbi Yehudah.

**Hadran Alach Mi Shehayah Tamei**

**Uslika Lah Pesach Shenai**

**We Will Return to You,**

**Perek Mi Shehayah Tamei**

**And the Second Pesach is Completed**

## Perek Arvei Pesachim

### Ammud Bet

### Mishnah

On the **Eves of Pesach**, when it comes **close to**<sup>3</sup> the time for **Minchah**<sup>4</sup>, **a person may not eat** a meal, **until nightfall** when he eats the matzah and the meat of the Pesach offering. This is in order to enhance the mitzvah of eating matzah that night, by eating with an appetite.

**Even the poorest person among the people of Israel may not eat** on the night of Pesach **until he reclines** at the table, in the manner of wealthy, free people.

**And** the treasurer of the charity fund **is not** to give each poor person **less than four**<sup>5</sup> **cups of wine.**

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<sup>3</sup> I.e. a half hour before

<sup>4</sup> The afternoon prayer. Here it refers to the preferable time for this prayer, which is nine and a half hours after sunrise. This comes out half an hour after the middle of the afternoon.

<sup>5</sup> The Sages enacted the drinking of four cups of wine on Pesach night, corresponding to the four expressions of redemption from Egypt written in the Torah.

## Perek 9 – 99B

**And even** if a poor man receives food **from the tamchui**<sup>6</sup>, the treasurer must still see to it that he receives a full four cups of wine. Only those so poor that they do not have food even for two meals to make it through the day are eligible to receive from the *tamchui* fund. Here, the Mishnah is informing us that someone who has food for the day, and otherwise would not stoop to take from the *tamchui*, should do so in order to be able to fulfil the mitzvah of the four cups. (*Tosafot* and *Maharsha*)

### **Gemara**

**Why is the Mishnah dealing** specifically with **the Eves of Pesach**? Is there not a Halachah that **also on the Eves of Shabbat and Yom Tov**, it is forbidden to eat a meal close to Minchah? **As stated** in a Baraita: **A person may not eat on the Eves of Shabbat and Yom Tov, from the time of Minchah and onwards, in order that he will enter the Shabbat when he is desirous** to eat the Shabbat meal. **These are the words of Rabbi Yehudah. Rabbi Yosi says he may continue to eat until nightfall.**

**Rav Huna** proposes an answer and **says: It was only necessary** for the Mishnah to state specifically the Eves of Pesach **for the view of Rabbi Yosi, who says one may continue to eat until nightfall.** Thus, the Mishnah tells us that **these words** of Rabbi Yosi apply to the **Eves of Shabbat and Yom Tov. But on the Eve of Pesach**, even Rabbi Yosi agrees that it is forbidden to eat from close to Minchah on, **because of the obligation of matzah** (that it should not be eaten by one who feels full and satisfied).

However, **Rav Pappa** says a different answer: **You could even say** that our Mishnah is according to the view of **Rabbi Yehudah. There** the Baraita stated that **on the Eves of Shabbat and Yom Tov, he forbids eating from Minchah and onwards.** That is from

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<sup>6</sup> Food that was collected door to door, from households, and immediately distributed to the poor.

## Perek 9 – 99B

nine-and-a-half hours and onward. Whereas **close to Minchah**, which is from nine hours and onward, it is permitted. **But on the Eve of Pesach, even close to Minchah is forbidden.**

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A difficulty is raised regarding Rav Pappa's view. **Is it permitted to eat close to Minchah on the Eve of Shabbat** according to Rabbi Yehudah? Note that it was stated in a Baraita: **A person may not eat on the Eves of Shabbat and Yom Tov from nine hours and onwards, in order that he will enter the Shabbat when he is desirous to eat. These are the words of Rabbi Yehudah. Rabbi Yosi says he may continue to eat until nightfall.**

**Mar Zutra** says to answer the difficulty: **Who will tell us that** this Baraita **is more correct** than the previous one, such that it may be used as a source from which to challenge Rav Pappa's explanation?

# Chavruta

## Pesachim – Daf Kuf

Translated by: *Rabbi Yehuda Peiser*

Edited by: *R. Shmuel Globus*

[A difficulty is raised regarding Rav Pappa's view. **Is it permitted to eat close to Minchah on the Eve of Shabbat** according to Rabbi Yehudah? Note that it was stated in a Baraita: **A person may not eat on the Eves of Shabbat and Yom Tov from nine hours and onwards, in order that he will enter the Shabbat when he is desirous to eat. These are the words of Rabbi Yehudah. Rabbi Yosi says he may continue to eat until nightfall.**

**Mar Zutra says to answer the difficulty: Who will tell us that this Baraita is more correct** than the previous one, such that it may be used as a source from which to challenge Rav Pappa's explanation?]

**Perhaps the** text of the latter Baraita is the one that is **faulty**, and the text should read "from nine-*and-a-half* hours and onwards" or "from Minchah and onwards", in line with the earlier Baraita. There would thus no longer be a difficulty with Rav Pappa's view.

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**Mereimar, and some say Rabbi Yeimar, said to Mar Zutra: I happened to come to the lecture of Rav Pinchas son of Rav Ami. And a "tanna"<sup>1</sup> got up and taught this latter version of the Baraita in front of Rav Pinchas son of Rav Ami, and he accepted it from him!** This latter Baraita is thus correct.

**If so**, if this latter Baraita is correct, **it is difficult** to establish that our Mishnah expresses the view of Rabbi Yehudah. The Baraita already presents Rabbi Yehudah as stating that even on the Eves of Shabbat and Yom Tov, one may not eat close to Minchah. Why then

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<sup>1</sup> Someone expert in reciting the precise texts of Mishnahs and Baraitas.

## Perek 10 – 100a

does our Mishnah mention specifically the Eve of Pesach, implying the exclusion of the other days? The explanation of Rav Pappa is thus difficult.

The Gemara concludes: **Rather, the correct explanation is like Rav Huna's**, that our Mishnah expresses the view of Rabbi Yosi.

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The Gemara raises a difficulty: **Does it come out well according to Rav Huna's explanation?** For **Rabbi Yirmeya said, quoting Rabbi Yochanan, and some say Rabbi Abahu said, quoting Rabbi Yosi son of Rabbi Chanina: The Halachah is in accordance with Rabbi Yehudah on the Eve of Pesach**, that it is forbidden to begin eating a meal close to Minchah. **And the Halachah is in accordance with Rabbi Yosi on the Eve of Shabbat**, that one may begin eating until nightfall, i.e. sunset.

The Gemara brings out the point: Since he said that **the Halachah is in accordance with Rabbi Yehudah on the Eve of Pesach – that implies that Rabbi Yosi disagrees** in this case as well. Thus, **with both** the eves of Shabbat and of Pesach, eating will be permitted until sunset. This is difficult for Rav Huna, who said Rabbi Yosi agrees with Rabbi Yehudah on the Eve of Pesach that it is forbidden to eat close to Minchah.

The Gemara answers: **No, that** statement that the **Halachah** is in accordance with Rabbi Yehudah is not implying that Rabbi Yosi disagrees about when one may begin to eat. Rather, it **implies they disagree over the** matter of making a **break** during the meal.

The case is that one began eating when it was permitted. For example, he began eating on the Eve of Pesach before the time of 'close to Minchah'. His meal then continued into the night, past the time the Yom Tov or Shabbat began. Rabbi Yehudah would say at nightfall to stop the meal to recite Kiddush, while Rabbi Yosi would not necessitate such a break.

## Perek 10 – 100a

As it is stated in a Baraita: **One should make a break for Shabbat meals. These are the words of Rabbi Yehudah. Rabbi Yosi says one need not make a break**, rather he may continue his meal even after nightfall. When he completes his meal, he then recites Kiddush.

**And there was an incident involving Rabbi Shimon ben Gamliel and Rabbi Yehudah and Rabbi Yosi, who were reclining** i.e. sitting in a meal **in Acco** on the Eve of Shabbat, **and the day became sanctified upon them** i.e. it became dark, and Shabbat commenced.

**Rabbi Shimon ben Gamliel said to Rabbi Yosi the great<sup>2</sup>: “Is it your will to make a break** in this meal, **in concern for the words of Rabbi Yehudah our colleague**, whose view is to break at nightfall in order to recite Kiddush?” **Rabbi Yosi replied to him: “Every day you show preference for my words before those of Rabbi Yehudah. And now you show preference for Rabbi Yehudah’s words before mine? ‘Would you also subjugate the queen while I [the king] am in the house’ (Ester 7)?”** I.e. would you so embarrass me, even in my presence?

**Rabbi Shimon ben Gamliel said to him: “If so, let us not make a break. Perhaps the disciples will observe us making a break, and based on our precedent, they will set the Halachah for generations** that one is required to break, as per the view of Rabbi Yehudah.”

**They said: They** Rabbi Yosi and Rabbi Shimon ben Gamliel **did not move from there until they set the Halachah in accordance with Rabbi Yosi**, that one is not required to break.

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<sup>2</sup> *Berivi*

## Perek 10 – 100B

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**Said Rav Yehudah, said Shmuel: The Halachah is not like Rabbi Yehudah** who says one must make a break by “removing the table”, which entails practically concluding the meal and reciting the necessary after-blessings immediately upon nightfall. **Nor** is the Halachah **like Rabbi Yosi** who said **one need not make a break**, and may continue the meal past nightfall—and when one finishes the meal at one’s leisure, one then recites Kiddush.

**Rather**, upon nightfall, one should **spread a cloth** upon the bread that is on the table, **and recite Kiddush** over a cup of wine. Then one may continue the meal.

The Gemara raises a difficulty: **Is this really so**, that Shmuel holds such a position? **Note that Rav Tachlifah son of Avdimi said in the name of Shmuel: “Just as one is required to make break for Kiddush...**

### **Ammud Bet**

**...so too** is he required **to make break for Havdalah!** If they ate a meal on Shabbat day and continued into the night, they are required to stop their meal in order to recite Havdalah.

The Gemara brings out the point: **What is** the meaning of **“making a break”**? **Does it not** mean removing **the table**, that one is required to conclude the meal completely and recite the after-blessing? This contradicts the statement of Rav Yehudah in the name of Shmuel, for he said spreading a cloth is sufficient.

## Perek 10 – 100B

The Gemara answers: **No**, “making a break” only means **to** spread a **cloth** and recite Kiddush, or spread a cloth and recite Havdalah. Then one may continue the meal.

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**Rabbah son of Rav Huna happened to be in the house of the *Reish Galuta*<sup>3</sup>. They brought a table before him** after returning from synagogue on Shabbat night. **He spread a cloth** over the bread **and made Kiddush**. The Gemara will explain later that it is preferable not to bring the bread at all, until after Kiddush which declares the sanctity of the Shabbat. This is so everyone will see that the meal is coming for the honor of Shabbat. If they already brought the bread, one is required to cover it so that it is considered as if it is not there.

**This was also taught** in a Baraita: In a case where they began their meal before Shabbat, Rabbi Yosi holds that one is not required to break when Shabbat enters. Nevertheless, Rabbi Yosi agrees **that** in the first place, it is best **not to bring the table unless he** already **made Kiddush**. A{even though they only had intention to eat after Kiddush} **And if they brought** it, then one should **spread a cloth and recite Kiddush**.

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Rabbi Yehudah and Rabbi Yosi have a disagreement about both the issue of beginning a meal on the Eve of Shabbat and about the issue of making a break in the meal when Shabbat commences.

**It was taught in one** Baraita: They (Rabbi Yehudah and Rabbi Yosi) have **the same** view, and hold **not to begin** a meal close to the time of Minchah.

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<sup>3</sup> Exilarch. Leader of Babylonian Jewry.

## Perek 10 – 100B

Whereas **it was taught in another** Baraita: They have **the same** view, and hold that one is indeed allowed **to begin** eating close to the time of Minchah.

**It is well with** the Baraita **that taught** “They have **the same** view, and hold **not to begin**”. **This case is found on the Eve of Pesach.** As mentioned earlier, Rabbi Yosi agrees that on the Eve of Pesach it is forbidden to begin eating a meal close to the time of the Minchah prayer.

**But** the other Baraita, **that taught** “They have **the same** view, and hold that one is indeed allowed **to begin**”, **when** is this applicable?

**If it was said** regarding **the Eve of Shabbat** – **note that they surely differ** with each other in this case. Rabbi Yehudah forbids beginning a meal close to Minchah on the Eve of Shabbat.

The Gemara answers: This is **not a difficulty: Here**, in the latter Baraita, it is speaking of eating on the Eve of Shabbat **prior to nine** hours. All agree that it is permitted to begin a meal then. Whereas **there**, where they differ with each other, it is speaking of **after nine** hours on the Eve of Shabbat.

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The Gemara now discusses the custom of reciting Kiddush on Shabbat night in the synagogue, for the community.

**Those people who have the custom to recite Kiddush in the synagogue: Rav said they have not fulfilled their obligation** for the blessing over the **wine**. Thus if they want to drink wine thereafter, in their homes, they are required to recite a new blessing over

## Perek 10 – 100B

the wine. For they have already taken their minds off the blessing recited in the synagogue, due to their change of location.

Rav continues: But **they have fulfilled their obligation of Kiddush** even though they did not eat in the synagogue. As will be explained later, Rav does not hold that eating in the place where Kiddush was recited is necessary to fulfill one's Kiddush obligation.

**Shmuel says: Even their obligation of Kiddush, they have not fulfilled.** One indeed needs to eat in the place where Kiddush was recited, in order to fulfill one's Kiddush obligation.

# Chavruta

## Pesachim – Daf Kuf Al ef

Translated by: *Rabbi Yehuda Peiser*

Edited by: *R. Shmuel Globus*

[**Those people who have the custom to recite Kiddush in the synagogue: Rav said they have not fulfilled their obligation** for the blessing over the wine. Thus if they want to drink wine thereafter, in their homes, they are required to recite a new blessing over the wine. For they have already taken their minds off the blessing recited in the synagogue, due to their change of location.

Rav continues: **But they have fulfilled their obligation of Kiddush** even though they did not eat in the synagogue. As will be explained later, Rav does not hold that eating in the place where Kiddush was recited is necessary to fulfill one's Kiddush obligation.

**Shmuel says: Even their obligation of Kiddush, they have not fulfilled.** One indeed needs to eat in the place where Kiddush was recited, in order to fulfill one's Kiddush obligation.]

The Gemara raises a difficulty: **But according to Rav, why does one recite Kiddush again at home**, after having fulfilled the obligation of Kiddush in the synagogue?

The Gemara answers: **In order to fulfill** the obligation of **his children and members of his house** through reciting Kiddush for them.

The Gemara raises a difficulty: **And** according to **Shmuel**, who holds that Kiddush must be recited where one eats, **why do I** need someone **to recite Kiddush in the synagogue**, if nobody eats there?

The Gemara answers: It is for those visitors to town who will indeed be eating in the synagogue. Thus someone recites Kiddush for them there, in order to thereby **fulfill the**

## Perek 10 – 101a

**guests' obligation.** For them, Kiddush is being recited where they will be having their meal, because **they eat, drink, and stay over night in the synagogue.**

**And Shmuel follows his own rationale** as expressed elsewhere. **For Shmuel said: Kiddush may not** be recited **unless** it is **in the place where the meal** will be eaten.

The scholars of the study hall **understood from this** case of the synagogue that **these words** of Shmuel, invalidating a Kiddush recited in a place where the meal will not be eaten, apply specifically when one goes **from house to house.** If one recited Kiddush in one house and thereafter went to another house to dine, he is required to again recite Kiddush in his new place. **But from place to place in one house,** for example one recites Kiddush in the ground floor of the house and dines in the upper story, he would **not** be required to recite Kiddush again.

**Rav Anan son of Tachlifa said to them: Many times I would stand before Shmuel, and he would descend from the upper story** where he had recited Kiddush (for the guests who would be eating there<sup>1</sup>) **to the ground** floor in order to eat there. **He would again recite Kiddush** on the ground floor for he considers it a different place, although it is in the same house.

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**And even Rav Huna holds** the view: **Kiddush may not** be recited **unless** it is **in the place where the meal** will be eaten. **For Rav Huna** once **recited Kiddush, and his candle** subsequently **went out and he took his utensils with him to the chuppah<sup>2</sup>** house of his son **Rabbah** where there was a candle. This is because the Shabbat meal should be eaten in a place where there is light. **And he recited Kiddush** a second time, **and ate something.** **Consequently,** we see that **he holds that Kiddush may not** be recited

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<sup>1</sup> *Sefat Emet*

<sup>2</sup> After marriage, the bride and groom remain in a certain abode for seven days where all come to gladden them, primarily through festive meals.

## Perek 10 – 101a

**unless** it is **in the place where the meal** will be eaten. His first Kiddush was of no consequence since he did not eat there.

**And even Rabbah holds** the view: **Kiddush may not** be recited **unless** it is **in the place where the meal** will be eaten. **For Abaye said: When I was present** as a disciple **in the house of my master Rabbah, when he recited Kiddush, he said to us: Eat something** here in the house. **Perhaps by the time you reach your host** where you are staying, **the candle** will have already **gone out** there, **and you will not** be able to **recite Kiddush for yourselves in the house** where you will eat. **And with the Kiddush** that we recited **here, you will not have fulfilled your obligation – because Kiddush may not** be recited **unless** it is **in the place where the meal** will be eaten!

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The Gemara raises a difficulty: **Is it indeed so**, that Rabbah holds this way? **But did Abaye not say** the following? **All the matters of my master, Rabbah, were performed in accordance with Rav's** rulings, not Shmuel's<sup>3</sup>, **except for these three** matters, of which **he performed** them **in accordance with Shmuel's** rulings.

1. One may **untie tzitzit from a garment** in order to tie those tzitzit on a new **garment**. (Rav forbids this as it nullifies the mitzvah of tzitzit from the original garment.)
2. One may **kindle from** a Chanukah **lamp** that is already lit, **to** ignite another Chanukah **lamp**. (Rav forbids this for it degrades the mitzvah of the first lamp. One should rather kindle the Chanukah lamps using an ordinary source of fire.)
3. **And the Halachah is like Rabbi Shimon concerning dragging**. As stated in a Baraita: **Rabbi Shimon says a person may drag a bed, chair or bench** upon the ground **on Shabbat, provided that he has no intention of making a furrow**.

## Perek 10 – 101a

Making a furrow in the ground is forbidden as it falls under the category of Plowing. Rabbi Shimon holds that an act that might have a forbidden outcome but is unintentional, is permitted. (Rav, however, says that the Halachah follows Rabbi Yehudah's view, that such an act is forbidden.)

Since Rabbah always followed Rav's view (besides the three aforementioned points), why here did he set the Halachah like Shmuel, that Kiddush must be where the meal will take place—and not like Rav, who does not require this?

The Gemara answers: **Regarding the stringencies of Rav**—that is what **he** Rabbah **would act** in accordance with. But when Rav was lenient, like in this case, **he** Rabbah **did not act** in accordance with Rav's view.

c c õ d d

The Gemara now returns to the original disagreement between Rav and Shmuel, stated on the previous *ammud*. The Gemara cites a further view on the issue of reciting Kiddush in the synagogue:

**And Rabbi Yochanan said:** Those people whom Kiddush is recited for them in the synagogue **have even fulfilled their obligation** for reciting the blessing over **wine**. Thus they may drink wine at home without reciting any additional blessing at all. A change of

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<sup>3</sup> The Halachah generally follows Rav in matters that deal with what is forbidden and permitted, *issur vehetter*. (Whereas it follows Shmuel in monetary matters.)

## Perek 10 – 101B

place does not constitute taking one's mind off the blessing, since they had in mind from the beginning that they would drink wine at home.

**And** this ruling of **Rabbi Yochanan** goes according to his rationale as expressed elsewhere, that a change of place does not necessitate a new blessing.

**As Rav Chanin son of Abaye said in the name of Rabbi Pedat, who said in the name of Rabbi Yochanan: For both a change of wine...**

### **Ammud Bet**

**...and a change of place, one is not required to recite another blessing.** One who was in the midst of drinking from a certain wine, and then was presented with another wine from a different barrel—whether better or worse than the first—he need not recite another blessing. Similarly with one who was in the midst of drinking or eating, and went to another house. If he did not take his mind off drinking or eating, and they brought wine or food to him in the second house, he need not recite another blessing.

**They** the scholars of the study hall **contradicted** Rabbi Yochanan, from a Baraita: Regarding **a change of place, one is required to recite another blessing.** Regarding **a change of wine, one is not required to recite another blessing.**

The Gemara concludes: **The refutation of Rabbi Yochanan's view is indeed a conclusive refutation.**

c c õ d d

## Perek 10 – 101B

**Rav Idi son of Avin was sitting before Rav Chisda the master. And Rav Chisda was sitting and saying in the name of Rav Huna the following teaching: That which was said** in the above Baraita, that **a change of place requires** one to recite a second  **blessing, this was only taught** in a case where the change was **from one house to another house. But from one place to another place** in the same house, for example from the ground floor to the upper floor, this does **not** constitute a true change in place, and one is not required to recite another blessing.

**Rav Idi son of Avin said to him Rav Chisda: This qualification you mentioned was in fact taught in a Baraita of the House of Rav Hinak. And some say that Rav Idi said: In a Baraita of the House of Bar<sup>4</sup> Hinak, it is taught in accordance with your ruling!**

The Gemara raises a difficulty: **But was Rav Huna coming to teach us** a ruling that is already expressly stated in a **Baraita?**

The Gemara answers: **Rav Huna had not heard this Baraita.**

\*

**And in addition, Rav Chisda was sitting and saying in his own name: That which was said** in the Baraita, that **a change of place requires one** to recite another  **blessing, this was only** regarding **items** (for instance water and vegetables) **which do not require an after-blessing** to be recited **in their place** where they were eaten. The after-blessing for such items does not have the same status as the after-blessings for the Seven Species<sup>5</sup>. Therefore one is not required to recite that after-blessing specifically in the place where they were eaten.

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<sup>4</sup> Son of

## Perek 10 – 101B

Therefore, leaving to a new place automatically constitutes the end of the “meal” (since he is not required to return to his place in order to recite the after-blessing). If he eats in the new location it is considered another “meal” and a second blessing is required

**But** regarding items **which do require an after-blessing** to be recited **in their place** where they were eaten, for instance baked goods made from wheat flour, **one is not required to recite another blessing** if he changed locations and continued his meal there.

**What is the reason?** Because **he is** considered as though he is **returning to the original place!** If he did not eat in the new location, he would need to return to the original location in order to recite the after-blessing there. Now that he is eating in the new location, it is considered as though he intends to complete his original meal there, and thus recites a single after-blessing for both eatings. Therefore he is not required to recite another blessing before eating in the new location.

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**And Rav Sheishet said: Both** for **these** items which do not require an after-blessing in the place where they were eaten, **and those** items which do require an after-blessing in the place where they were eaten, one is **required to recite another blessing** before eating in the new location, due to the change of place in the middle of the meal.

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<sup>5</sup> The seven species are: wheat, barley, grapes, figs, pomegranates, olives and dates.

## Perek 10 – 101B

**They contradicted** Rav Sheishet's ruling, from a Baraita: **Members of a group who were reclining** together, **to drink, and uprooted themselves to leave** the location in order **to greet a groom or to greet a bride. When they leave, they are not required** to recite an after- **blessing** on what they drank **originally** before leaving, since they will return to continue drinking. **And when they return, they are not required** to recite another  **blessing to begin** drinking again.

**When** (under what circumstances) **were these words stated?** When **they left an old or sick person** behind.<sup>6</sup> **But if they did not leave an old or sick person** behind, then **when they leave, they are required** to recite an after- **blessing** on what they drank **originally. And when they return, they are required** to recite another  **blessing to begin** drinking again.

The Gemara brings out the point: **From** the fact **that** the Baraita **taught “they uprooted themselves”**<sup>7</sup>, this implies that they rushed out in order to greet the bride and groom. On their way, however, they recited the after-blessing (in the absence of the old or sick person). But if they had no reason to rush out, they would have needed to remain in their place to recite the after-blessing before leaving. This **implies that** the Baraita is **dealing with** drinking grape wine, i.e. **items that require an after-blessing** to be recited **in their place** where they were eaten.

**And only because they left an old or sick person** there does the Baraita rule **that when they leave, they are not required** to recite an after- **blessing** on what they ate **originally; and when they return, they are not required** to recite another  **blessing to begin** drinking again.

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<sup>6</sup> The same would apply if the person who stayed behind was young and healthy. But assumedly, such a person would join them in the mitzvah they went out to perform.

<sup>7</sup> Literally: they uprooted their legs.

## Perek 10 – 101B

**But if they did not leave an old or sick person there, then when they leave they are required to recite an after-blessing on what they drank originally; and when they return, they are required to recite another blessing to begin drinking again.**

Hence this Baraita presents a **difficulty according to Rav Chisda.**

The Gemara answers: Said Rav Nachman son of Rav Yitzchak:

# Chavruta

## Pesachim – Daf kuf bet

Translated by: *Rabbi Avraham Rosenthal*

Edited by: *R. Shmuel Globus*

**[But if they did not leave an old or sick person there, then when they leave they are required to recite an after-blessing on what they drank originally; and when they return, they are required to recite another blessing to begin drinking again.**

Hence this Baraita presents a **difficulty according to Rav Chisda.**]

The Gemara answers: **Said Rav Nachman bar Yitzchak: Whose view is taught** in the Baraita mentioning **“uprooting”**? It is **Rabbi Yehudah’s**. However the Rabbis differ with him, and hold that with items that require an after-blessing in their place where they were eaten, it is unnecessary to recite another blessing upon returning, even if one did not leave an old or sick person behind. This accords with the view of Rav Chisda.

**As it was taught** in a Baraita, that Rabbi Yehudah and the Rabbis differ about this:

**Torah scholars who were reclining to eat, and they uprooted themselves<sup>1</sup> to go to the synagogue or the study hall. When they leave, they are not required to recite an after-blessing over what they ate originally, and when they return, they are not required to recite another blessing to begin eating again.**

**Said Rabbi Yehudah: When were these words said? When they left behind some of the Torah scholars there, who did not go to the synagogue.**

**But if they did not leave some of the Torah scholars there, when they leave, they are required to recite an after-blessing on what they ate originally, and when they return, they are required to recite another blessing to begin eating again.**

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<sup>1</sup> Literally: uprooted their legs

## Perek 10 – 102a

However, the Rabbis did not make any distinctions and they hold that even without leaving some members behind, they are not required to recite a blessing: neither on what they ate originally nor when they begin to eat again. This is because they ate items that require a blessing in the place they were eaten.

(This follows the rule that whenever Rabbi Yehudah says, “When were these words said?” he is differing with the Rabbis.)

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The Gemara draws an inference from the above Baraita: **Rather, the reason** the Rabbis hold as they do is **because** we are dealing **with items which require an after-blessing in their place** where they were eaten. Therefore the Rabbis hold **that when they leave, they are not required** to recite **an after-blessing** for what they **originally** ate, **and when they return they are not required** to recite another **blessing to begin** eating again.

**But for items which do not require an after-blessing in their place** where they were eaten, then **even according to the Rabbis, when they leave, they are required** to recite an after-**blessing** for what they **originally** ate, **and when they return, they are required** to recite another **blessing** in order **to begin** eating again.

The Gemara suggests: **Let us say that this is a refutation to Rabbi Yochanan**, who said earlier that one who changes location does not need to recite another blessing, and he made no distinctions between different types of foods. This indicates that even with items that do *not* require a blessing in their place they were eaten, he holds that one does not need to recite a blessing.

## Perek 10 – 102a

The Gemara is puzzled: **Was he not refuted one time?** The Gemara brought a refutation to Rabbi Yochanan from a different Baraita. What difference does it make if we refute him also from this Baraita?

The Gemara explains: There is a difference. If someone will come and explain the earlier Baraita in a different way, or present a differing text of it, such that it is no longer a difficulty for Rabbi Yochanan, will **we say that from this Baraita there will also be a refutation** to Rabbi Yochanan?

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The Gemara answers: In truth, a difficulty cannot be raised against Rabbi Yochanan from this Baraita.

Because **Rabbi Yochanan would say to you:** In truth, the Rabbis hold that **the same law** applies, **that even for items which do not require an after-blessing in their place** where they were eaten, **they also do not have to recite another blessing** due to change of place.

**And that which was taught** in a Baraita, **“they uprooted themselves,”** which indicates specifically items that require an after-blessing to be recited in their place where they were eaten – this is **to inform you of the extent of Rabbi Yehudah’s position. That even for items that do require an after-blessing in their place** where they were eaten, we also say: **the reason** is because **they left some of the scholars** behind.

**But if they did not leave some of scholars** behind – **when they leave, they are required** to recite an after-blessing for what they **originally** ate, **and when they return, they are required** to recite another **blessing to begin** eating again.

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## Perek 10 – 102a

**It was taught** in a Baraita **like Rav Chisda: Torah scholars who were reclining to drink wine, and they uprooted themselves and returned – they do not need to recite another blessing.** This is because wine is among the items that require an after-blessing in their place.

This accords with Rav Chisda.

c c ã d d

**The Rabbis taught** in a Baraita: **Members of a group who were reclining** i.e. partaking of a meal, on Erev<sup>2</sup> Shabbat, **and the day became sanctified**, i.e. Shabbat commenced – they are obligated to interrupt their meal.

**And they bring him a cup of wine, and he recites over it** the blessing declaring **the sanctification of the day**, i.e. Kiddush.

They immediately bring him a **second** cup of wine **and he recites over it *birkat hamazon*** (grace after meals), since he was obligated to interrupt his meal. This follows the view of Rabbi Yehudah mentioned earlier (100a), that one must make a break in the meal when Shabbat commences. Since the time of Kiddush arrived, he first must recite Kiddush. These are **the words of Rabbi Yehudah.**

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<sup>2</sup> The Eve of

## Perek 10 – 102B

**Rabbi Yosi says: He continues to eat until it gets dark.** And he may continue eating even after this time, until he finishes his meal. Rabbi Yosi's view is that one need not make a break in the meal when Shabbat commences.

### **Ammud Bet**

And when **they finish** their meal, they bring him two cups of wine.

The **first cup, he recites over it *birkat hamazon*.**

**And the second one, he recites over it the sanctification of the day, i.e. Kiddush.**

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The Gemara asks regarding Rabbi Yosi's view: **Why** does he need two separate cups for *birkat hamazon* and Kiddush? **We should recite both of them over one cup.**

According to Rabbi Yehudah this is not a difficulty. Since he holds that we interrupt by removing the table between Kiddush and *birkat hamazon*, two cups are required. But Rabbi Yosi does not require removing the table.

The Gemara answers: **Said Rav Huna in the name of Rav Sheishet: We do not recite two sanctifications, i.e. perform two mitzvot, on one cup.**

The Gemara asks: **What is the reason?**

## Perek 10 –102B

**Said Rav Nachman bar Yitzchak: Because we do not make mitzvot into “bundles”.**<sup>3</sup>

This is because it appears as if the mitzvot are a burden, which he bundles up in order to relieve himself of their load as quickly as possible.

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The Gemara raises a difficulty: **And** do we **not** find cases where we perform two mitzvot over one cup?

**And note that it was taught** in a Baraita: **One who enters his house upon the departure of the Shabbat, he first recites the blessing over the wine** when he performs Havdalah. This is because the blessing over wine is more common than the other blessings of Havdalah, and the more commonly performed mitzvah takes precedence.

**And** afterwards he recites the blessing **over the light**, *borei me'orei ha'eish*. **And** then he recites the blessing **over the spices**.

This Baraita follows Beit Shammai. Whereas Beit Hillel hold that the blessing over the spices precedes that over the light, as per the custom today.

**And afterwards he recites Havdalah over the cup** of wine. He recites this at the end since it is a long blessing, while the others are short.

**And if he only has one cup** of wine—and he if he drinks it for Havdalah then he will not have wine for the cup of *birkat hamazon* that he will recite after his meal following the conclusion of the Shabbat—he **leaves it** the cup of wine **for after the meal, and he connects all of them after it**. I.e. he will recite all of the blessings of Havdalah after *birkat hamazon* on the single cup.

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<sup>3</sup> *Chavilot chavilot*

## Perek 10 – 102B

Thus, in this case, we perform two mitzvot on one cup: Havdalah and *birkat hamazon*.

The Gemara answers: If **he does not have** enough wine for two cups, this is **different**. In such a case it is permissible to perform two mitzvot over one cup.

\*

The Gemara again raises a difficulty: **And note** that the following Halachah applies when the first night of the **Yom Tov** of Pesach **falls after Shabbat, where he has** wine, because everyone has sufficient wine for the four requisite cups of the Pesach Seder. (Even a pauper is then provided with sufficient wine.)

**And** regarding this case, **said Rav: YKN”H**.<sup>4</sup> One recites the following blessings: Yayin,<sup>5</sup> Kiddush,<sup>6</sup> Ner,<sup>7</sup> Havdalah.<sup>8</sup> The assumption is that he is speaking about when the first night of Pesach occurs on Saturday night. (The blessing over spices is always omitted when it is Yom Tov.)

We see that even when he has sufficient wine, it is permissible to perform two mitzvot—Kiddush of Yom Tov and Havdalah of Shabbat—over one cup of wine.

The Gemara answers: **They said: From the fact that Rav did not mention “Zeman,”** i.e. he did not mention the blessing of *shehecheyanu*, which is always recited on the first night of Yom Tov, **this implies that we are dealing with the seventh day of Pesach,** also a Yom Tov, when we do not recite *shehecheyanu*.

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<sup>4</sup> This is an acronym for the four words soon to be explained by the Gemara: *Yayin*, Kiddush, *Ner*, Havdalah.

<sup>5</sup> The blessing of *borei pri hagafen* over the wine (pronounced *hagefen* according to some traditions).

<sup>6</sup> The blessing of Kiddush, declaring the sanctity of the day, recited at the beginning of Shabbat or Yom Tov.

<sup>7</sup> The blessing of *borei me’orei ha’eish* recited over a flame upon the departure of the Shabbat, generally during the Havdalah ceremony.

<sup>8</sup> The blessing of *hamavdil bein kodsh lechol* recited upon the conclusion of Shabbat or Yom Tov.

## Perek 10 – 102B

And perhaps he is poor, and **everything that he had, he** already **ate** during the days of the Festival. **And he does not have** left more than one cup of wine. In such a case it is permissible to perform two mitzvot over one cup of wine.

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The Gemara again raises a difficulty: **And note** that on the night of **the first Yom Tov** of Pesach, if it falls on Saturday night, **where he has** wine like everybody else does, the following Halachah applies—as stated by Abaye and Rava (they disagree over the order of the blessings, but agree as to which ones are to be recited):

**And said Abaye: YKZN”H** (*Yayin, Kiddush, Zeman, Ner, Havdalah*).

**And Rava said: YKNH”Z** (*Yayin, Kiddush, Ner, Havdalah, Zeman*).

It is clear that they spoke about the first night of Pesach, since they also mentioned *Zeman*.

And note that we recite both Kiddush and Havdalah over one cup, even though he has enough wine.

The Gemara answers: **Rather, Havdalah and Kiddush are one matter.** Both of them in fact deal with the sanctity of Yom Tov. For even in Havdalah, which relates primarily to the Shabbat that has passed, one will mention the sanctity of Yom Tov. For when Yom Tov falls immediately after Shabbat, one recites in the Havdalah blessing: “Blessed is the One Who distinguishes between the sanctity [of Shabbat] and the sanctity [of Yom Tov].”<sup>9</sup> Therefore it is permissible to recite both over one cup.

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<sup>9</sup> *Baruch Hamavdil bein kodesh lekodesh.*

## Perek 10 –102B

But *birkat hamazon* and **Kiddush** are two matter, and may not be recited over one cup. That is why Rabbi Yosi earlier required two cups of wine for Kiddush and *birkat hamazon*.

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Regarding the above-mentioned statement **itself**: The night of **Yom Tov that falls after Shabbat, Rav said: YKN”H**. Kiddush is recited before Havdalah because the sanctity of the incoming day is more important than Havdalah. Alternatively, if he were to recite Havdalah first, it would appear as if the holiness of the Shabbat day is a burden and he is anxious to be rid of it.

The blessing over the wine is first, like every with Kiddush. This is because the blessing over wine is the more common of the two. After Kiddush, he recites the blessing over the light, and then the blessing of Havdalah. This follows the order of Havdalah on regular occasions, where the blessing over the light comes before the blessing of Havdalah itself.

**And Shmuel said: YNH”K** (*Yayin, Ner, Havdalah, Kiddush*). He holds that Havdalah precedes Kiddush, as is explained later: It is comparable to a king who is leaving and a governor who is coming. First the king is escorted out, and then the governor is greeted. So too, Shabbat is more important than Yom Tov, and we escort it first with Havdalah. Therefore we recite Yayin, Ner and Havdalah, which is the regular order of Havdalah, and afterwards we recite Kiddush.

# Chavruta

## Pesachim – Daf Kuf Gimel

Translated by: *Rabbi Avraham Rosenthal*

Edited by: *R. Shmuel Globus*

**And Rabbah said** the order is: **YHN”K** (*Yayin, Havdalah, Ner, Kiddush*).<sup>1</sup> This is because he holds as Shmuel does, that Havdalah precedes Kiddush. However, it is improper to recite one immediately after the other. For Kiddush is declaring the sanctity of the incoming Yom Tov, while the special text of Havdalah recited in this case (see previous *ammud*) is lowering its status to a lesser sanctity than that of Shabbat. Thus they contradict each other. Therefore Rabbah holds that one should separate between Havdalah and Kiddush, with the blessing over the *ner*.

However, the blessing over the wine is recited first since it is the more common. Therefore the order is: *Yayin, Havdalah, Ner, Kiddush*.

**And Levi said: KNY”H** (*Kiddush, Ner, Yayin, Havdalah*).

This is because he holds as Rav does, that Kiddush precedes Havdalah. However it is improper to recite the blessing over the wine first, since this would distance the blessing of the wine from the blessing of Havdalah itself, and then it is not noticeable that he is reciting Havdalah over wine. For Havdalah—unlike Kiddush which may be recited also over bread<sup>2</sup>—may be recited only over wine.

Therefore he first recites Kiddush, followed by *Ner* and *Yayin* and Havdalah at the end, like any other Saturday night.

(Although in Havdalah, the blessing of the wine usually precedes that of the flame, here it is different. For here there is also the blessing of Kiddush. If he were to bless over the wine first, people would make a mistake and think that the wine is only for the Kiddush

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<sup>1</sup> See previous *ammud* for explanation of these terms.

## Perek 10 – 103a

and not the Havdalah. Therefore he recites the blessing over the wine immediately prior to the blessing of Havdalah itself.)

**And the Rabbis say: KYN”H** (Kiddush, *Yayin*, *Ner*, Havdalah).

They also hold as Rav does, that Kiddush precedes Havdalah. And they also hold as Levi does, that the blessing over the wine should be recited prior to Havdalah rather than prior to Kiddush. However, they do not wish to change the usual order of Havdalah. Therefore he first recites Kiddush, followed by the blessings over wine and the flame and then Havdalah, as on other Saturday nights.

Alternatively, their position may be explained as follows: they hold as Rabbah does, that one must distance the Kiddush from the Havdalah (however they hold that Kiddush precedes Havdalah, as Rav does).

Therefore he recites the blessing of Kiddush before the blessing over the wine, in order that the blessings over the wine and the light come in between the blessings of Kiddush and Havdalah, and are thereby distanced as much as possible from each other.

**Mar the son of Ravina said: NKY”H** (*Ner*, Kiddush, *Yayin*, Havdalah).

He holds as Rav does, that Kiddush precedes Havdalah, and that the blessing over the wine should precede Havdalah. However, the blessing over the flame has to be before the blessing of Kiddush, just as it is before Havdalah on any other Saturday night. This is because he benefits from the flame first, as soon as it grows dark. Thus it precedes Kiddush.

**Marta said in the name of Rabbi Yehoshua: NYH”K** (*Ner*, *Yayin*, Havdalah, Kiddush). The commentators did not explain his reasoning.

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<sup>2</sup> In the absence of bread

## Perek 10 – 103a

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**The father of Shmuel sent** the following inquiry **to Rabbi** i.e. Rabbi Yehudah HaNasi: **May our Master teach us:** Regarding **the correct order of Havdalah, how is it** to be performed on Yom Tov that falls on Saturday night?

**He Rabbi sent to him** the following reply: **So said Rabbi Yishmael bar Rabbi Yosi, who said in the name of his father, who said in the name of Rabbi Yehoshua ben Chananyah: NHY”K.**

He holds that Havdalah precedes Kiddush. Also, that the blessing over the flame should come before the blessing of Havdalah in order that the blessing over the wine should be properly positioned: between Havdalah and Kiddush, yet next to both of them. This is because both Kiddush and Havdalah were instituted to be recited over wine. This is not true of the blessing over the flame, which does not have to be recited over wine. If one does not have wine, one recites the blessing over the flame independently.

**Said Rabbi Chanina: A parable** by which we may understand the view **of Rabbi Yehoshua ben Chaninah**, who places Havdalah before Kiddush. This is comparable **to a king who is leaving and a governor who is entering.** First **they escort the king out, and afterwards they go out to greet the governor.**

Similarly, they first escort Shabbat out by reciting Havdalah and afterwards they recite the Kiddush of Yom Tov.

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The Gemara asks: **What will be** the Halachic ruling **about it**, the proper order of Havdalah when Yom Tov falls on Saturday night?

## Perek 10 – 103a

**Abaye said: YKZN”H** (*Yayin, Kiddush, Zeman,*<sup>3</sup> *Ner, Havdalah*).

**Rava said: YKNH”Z**<sup>4</sup> (*Yayin, Kiddush, Ner, Havdalah, Zeman*).

They both ruled in accordance with Rav, who said YKN”H. They differ only when there is also the blessing of *zeman* (*Shehecheyanu*).

Abaye holds that this blessing is recited immediately after Kiddush and prior to Havdalah. This is because Kiddush is what causes the *Shehecheyanu* blessing to be said. If there were no Kiddush, there would be no *Shehecheyanu*. Whereas the Havdalah is not related to *Shehecheyanu*, since one recites *Shehecheyanu* even without Havdalah.

But Rava holds that the blessing of *Shehecheyanu*, which is always after Kiddush, should similarly be after Havdalah. For *Shehecheyanu*, in principle, does not need to be recited over a cup of wine. It may be recited at anytime on Yom Tov, even while walking in the marketplace. Therefore it is placed at the end.

The Gemara concludes: **And the Halachah is like Rava**, both in regards to the placement of *Shehecheyanu* and in regards to the general order.

\*

**Rav Huna bar Yehudah came to the home of Rava**, on an ordinary Saturday night. **They brought before them a light and spices.**

**Rava recited the blessing over the spices first and afterwards** he recited the blessing **over the light.**

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<sup>3</sup> The blessing of *Shehecheyanu*, recited on most Yom Tov nights.

## Perek 10 – 103a

Rav Huna bar Yehudah **said to him** to Rava, **but note** that **both Beit Shammai and Beit Hillel** hold that one recites the blessing over **the light first and afterwards over the spices!**

**And what is** the source that Beit Shammai and Beit Hillel said **this?**

**As it was taught** in a Mishnah in Tractate *Brachot*: **Beit Shammai say:** One who ate the third Shabbat meal and continued the meal until night, and he has only one cup of wine, the Halachah is that he recites Havdalah over the cup of wine used for *birkat hamazon* (grace after meals), and this is the order of the blessings: *Ner* (flame), *Mazon* (*birkat hamazon*), **Spices, and** the blessing of **Havdalah** itself.

**And Beit Hillel say:** *Ner, and spices, Mazon, and Havdalah.* According to both of them, the flame is first since he benefits immediately when it is brought. The blessing of Havdalah itself is recited last, in order to postpone the departure of Shabbat as much as possible.

They argue regarding *mazon* and spices. According to Beit Shammai, *birkat hamazon* is recited before spices since he became obligated to recite it first. Whereas according to Beit Hillel, the blessing over spices should be together with the blessing over the flame since both of them are related to Shabbat.

We see that according to all views, the blessing over the flame is recited before the blessing over spices. If so, why did Rava recite the blessing over the spices first?

**Rava answered him and said:** This Mishnah is **the words** of **Rabbi Meir**, since unnamed Mishnayot generally express his view. And he holds that the disagreement between Beit Shammai and Beit Hillel was over the relative order of spices and *mazon*.

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<sup>4</sup> The traditional pronunciation of this acronym is *YaKNeHaZ*.

## Perek 10 – 103a

**But Rabbi Yehudah says: Beit Shammai and Beit Hillel do not differ about *birkat hamazon*, both agreeing that it is first, since immediately upon the conclusion of his meal he becomes obligated in *birkat hamazon* and one should not pass up a mitzvah. And they do not differ about Havdalah, both holding that it is at the end.**

**Over what do they differ? Over the light and the spices, which one is first.**

Beit Shammai say: The light and afterwards spices.

**And Beit Hillel say: Spices and afterwards light.**

**And said Rabbi Yochanan: The people are accustomed to conduct themselves like Beit Hillel according to Rabbi Yehudah, that the blessing over spices is recited before the blessing over the light. And this is how I am accustomed to do.**

\*

**Rabbi Yaakov bar Abba came to the home of Rava for a Shabbat meal. He Rabbi Yaakov saw him Rava that he recited the blessing of “*borei pri hagafen*”<sup>5</sup> over the first cup that he drank during the meal, and when he finished eating he recited *birkat hamazon*, and afterwards he recited the blessing of “*borei pri hagafen*” over the cup of wine used for the blessing of *birkat hamazon*, and he drank it.**

**Said to him Rabbi Yaakov bar Abba: Why do you do all this? Why do you recite a second blessing over the wine? But the Master has already recited the blessing one time!**

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<sup>5</sup> According to some traditions: *hagefen*

## Perek 10 – 103B

**Said to him Rava: When we were at the home of the Exilarch<sup>6</sup>, this is what we did.**

**Said to him Rabbi Yaakov bar Idi: It is appropriate for the household of the Exilarch, that this is what was done.** Because **it is questionable if they will bring for us** additional wine, and **questionable if they will not bring for us** additional wine. The guests do not know what the hosts will serve, and when they recite a blessing on one cup of wine they do not intend to exempt the following cup. Therefore they must recite a blessing over each cup that is brought, since each cup is considered like the beginning of the drinking.

But **here, the cup is placed before us, and we have it in mind.** We intend to drink it after *birkat hamazon*. Why should you recite another blessing?

**Said to him Rava: I do like the disciples of Rav.**

**For Rav Bruna and Rav Chananel, disciples of Rav, were sitting at a meal.**

### **Ammud Bet**

**Rav Yayva Saba stood over them** to serve them.

**They said to him: Bring us a cup of wine and we will recite the blessing of *birkat hamazon* over it.**

**In the end,** they reconsidered and **they said to him: Bring us a cup of wine and we will drink it** first, before we recite *birkat hamazon*.

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<sup>6</sup> *Reish Galuta*

## Perek 10 – 103B

**Said to them Rav Yayva Saba:** Since you said, “bring us and we will recite the blessing of *birkat hamazon*”, it is forbidden for you to drink any more until after *birkat hamazon*.

**What is the reason?** Because you have taken your minds off the drinking of wine. Once you said “bring us and we will recite the blessing,” you have decided that you are not drinking any more wine, thus you may not drink until after *birkat hamazon*.

We thus see, concluded Rava, that reciting *birkat hamazon* constitutes taking one’s mind off the drinking of wine. Therefore, I recited the blessing over the wine after *birkat hamazon*.

\*

Ameimar and Mar Zutra and Rav Ashi were sitting at a meal, and Rav Acha the son of Rava was standing over them to serve them.

**Ameimar recited the blessing over each cup.** Whenever he would drink wine during the meal, he would recite the blessing of *borei pri hagefen*.

**And Mar Zutra recited the blessing over the first cup and the last cup.** He only recited the blessing over the first cup of wine of the meal, and over the cup of wine used for *birkat hamazon*.

**Rav Ashi recited a blessing only over the first cup, and more than that, he did not recite a blessing**—not even over the cup used during *birkat hamazon*.

**Said to them Rav Acha bar Rava:** As for us - like whose view should we do? How should we conduct ourselves in this manner?

## Perek 10 – 103B

**Ameimar said: I am** a special case because I am always **reconsidering**. Whenever I drink a cup of wine, I have in mind that I am not drinking more, and only afterwards do I reconsider and drink more. Since I take my mind off of drinking after every cup, I need to recite a new blessing each time.

**Mar Zutra said: I do like the disciples of Rav.** I did not reconsider, and therefore I recite the blessing only over the first cup. But I recite a blessing also over the cup after *birkat hamazon*, since reciting *birkat hamazon* constitutes taking one's mind off of drinking, as we inferred earlier from the disciples of Rav.

**And Rav Ashi said: The Halachah is not like the disciples of Rav.** Reciting *birkat hamazon* does not constitute taking one's mind off of drinking, thus one should not recite a blessing over the cup of *birkat hamazon*.

\*

As proof of this, Rav Ashi said: **For note that when Yom Tov falls immediately after Shabbat, said Rav** that the proper order for the blessings is: **YKN”H**. One recites the blessing over the wine only once, and one does not need to recite the blessing of *borei pri hagafen* both for the Kiddush and the Havdalah. If so, the same applies here. There is no need to recite *borei pri hagafen* over the cup of Kiddush and to recite it again over the cup of *birkat hamazon*.

Thus, that which Rav Yayva Saba said in the name of Rav has been contradicted from the words of Rav himself.

The Gemara dismisses this: **This proof is not** correct.

**There**, with the disciples of Rav, **he took his mind off drinking** by saying, “bring us and we will bless.”

## Perek 10 – 103B

**Here**, with Yom Tov that falls after Shabbat, **he did not take his mind off drinking**, because he did not yet start drinking—and during the entire time of Kiddush and Havdalah his intention was to drink. Therefore, he only needs to recite one blessing for both of them.

\*

The Gemara continues with the incident where Rav Yaakov bar Abba came to the home of Rava for a Shabbat meal. (The Gemara interrupted the recounting of this incident to discuss the incident involving Ameimar, Mar Zutra and Rav Ashi, who disagree whether the Halachah is like Rava and the disciples of Rav.)

**When Rava came to recite Havdalah** on Saturday night, **his servant arose and lit a torch from an existing flame**, to be used for the blessing of *me'orei ha'eish*.

Rav Yaakov bar Abba **said to him**, to Rava, after he recited Havdalah: **Why do you do so much** that you lit a torch? **Note** that **a flame is already placed** before you. Why did you not recite a blessing over it?

Rava **said to him**: **The servant, of his own accord, did it**. I did not tell him to do so.

Rav Yaakov bar Abba **said to him**: **If your servant did not hear from the Master** that that is what should be done, **he would not do it**.

Rava **said to him**: **And does not the Master** i.e. Rav Yaakov bar Abba **hold** that **a torch for Havdalah is the choice method for fulfilling the mitzvah?**

Rava **began** to recite the blessing of Havdalah **and said**: Blessed is **the One Who distinguishes between holy and profane, between Israel and the nations, between the**

## Perek 10 – 103B

**seventh day and the six days of activity.** Blessed is the One Who distinguishes between holy and profane.

Rav Yaakov bar Abba **said to him: Why do you do so much?** Why do you recite such a long blessing?

**But note that said Rav Yehudah in the name of Rav: Blessed is the One Who distinguishes between holy and profane - this is the Havdalah of Rabbi Yehudah HaNasi.** He did not say more.

Rava **said to him: I hold like this:**

**For said Rabbi Elazar in the name of Rabbi Oshiya: One who reduces** when it comes to Havdalah, **should not reduce less than three** types of distinctions. **And the one who adds, should not add more than seven.**

**He** Rav Yaakov bar Abba **said to him ...**

# Chavruta

## Pesachim – Daf Kuf Dal ed

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[Rava said to him: I hold like this:

**For said Rabbi Elazar in the name of Rabbi Oshiya: One who reduces** when it comes to Havdalah, **should not reduce less than three** types of distinctions. **And the one who adds, should not add more than seven.**

**He Rav Yaakov bar Abba said to him:] And surely the Master did not say three and did not say seven** either, rather you said four. What is the basis for this?

Rava said to him: In truth, “between the seventh day and the six days of activity” is not counted.

It was only included because **it is like the conclusion.** The conclusion, i.e. the end of the blessing, is “Blessed is the One Who distinguishes between holy and profane”. And “between the seventh day and the six days of activity” is similar to it, as it is also a distinction between the holy and the profane.

\*

**And Rav Yehudah said in the name of Shmuel: One who recites Havdalah must recite a phrase like a conclusion, close to its conclusion.** (This is also true for all other long blessings.)

**And the Pumpeditans said:** He must recite a phrase **like its opening**, i.e. the beginning of the blessing, close to **their conclusion.**

\*

## Perek 10 – 104a

The Gemara raises a difficulty: **What is the practical difference between their views?** In Havdalah the beginning and the end are the same, and similarly with most blessings.

The Gemara answers: **There is the following difference between them: Yom Tov that falls immediately after Shabbat, that its conclusion in Havdalah is “Blessed is the One Who distinguishes between holy and holy”.**

**The one who said “Like its beginning should be recited close to its conclusion” does not need to recite close to its conclusion: “You distinguished between the sanctity of Shabbat and the sanctity of Yom Tov”.** Rather, he says as usual: “between the seventh day and the six days of activity”, which is like the beginning, continuing with “the One Who distinguishes between holy and profane”.

**And the one who said “Like the conclusion should be recited close to its conclusion”, he needs to recite close to its conclusion: “You distinguished between the sanctity of Shabbat and the sanctity of Yom Tov”,** which is like the conclusion of “between holy and holy”.

c c õ d d

Regarding the above-mentioned statement **itself**, which was quoted by the Gemara on the previous *ammud*: **Said Rabbi Elazar in the name of Rabbi Oshiya: One who reduces when it comes to Havdalah, should not reduce less than three types of distinctions. And the one who adds, should not add more than seven.**

**They contradicted him**, from a Baraita: **One who recites Havdalot is required to recite Havdalah after Shabbatot, and after Yamim Tovim ,and after Yom Kippur, and**

## Perek 10 – 104a

**after Shabbat** when going **into Yom Tov**, and **after Yom Tov** when going **into Chol Hamo'ed** (the intermediate days of Succot and Pesach).

**But not after Yom Tov** when going **into Shabbat**. It is not correct to escort the governor out when the king is entering; rather, everybody follows the king.

**One who is accustomed** i.e. knowledgeable in the matter of Havdalah, **recites many** types of distinctions, **and one who is not accustomed recites only one**.

This is a difficulty to Rabbi Elazar who said that one may not reduce to less than three.

The Gemara answers: **It is** subject to a disagreement between **Tannaim**.

**As Rabbi Yochanan said: “A certain son of holy ones”** would **say one** distinction (“A son of holy ones” is referring to a certain Tanna. See further on.)

**And the people were accustomed to say three**, following the view of the other Tannaim of their generation, who disagreed.

Thus we see that Tannaim disagreed over this, and there is a Tanna who holds the view of Rabbi Elazar in the name of Rabbi Oshiya, that it is possible to say only one.

\*

The Gemara asks: **Who is this “son of holy ones”?**

The Gemara answers: It is **Rabbi Menachem son of Simmai**.

## Perek 10 – 104a

**And why did they call him “son of holy ones”?** Because he did not even gaze at the **image on a zuz** (a type of coin), i.e. at the image of a man which was engraved on the coin.

**Rav Shmuel son of Iddi sent to him** (Rabbi Yochanan): **My brother Chananya recites only one** type of distinction!

The Gemara concludes: **The Halachah does not follow him.**

\*

**Said Rabbi Yehoshua son of Levi: One who recites Havdalah must recite** a phrase like the distinctions that are mentioned in the Torah, as explained further on.

**They contradicted him.** It was taught in a Baraita: **The order of the seven distinctions, how does one recite them?**

- 1) **He Who distinguishes between holy and profane.**
- 2) **Between light and dark.**
- 3) **Between Israel and the nations.**

**And between the seventh day and the six days of activity.**

(This distinction is not counted, as explained above, because it comes only in order to recite a phrase at the end of the blessing that is like its conclusion. The Baraita mentioned it in the middle of the order of seven distinctions because one who recites only three distinctions will end with it, close to its conclusion.)

## Perek 10 – 104a

- 4) **Between impure and pure.**
- 5) **Between the sea and dry land.**
- 6) **Between the upper waters and the lower waters.**
- 7) **Between Cohanim and Levites and Israelites.**

**And he concludes with the order of Creation**, in that he recites: “Blessed is the One Who arranges Creation.” This is because immediately after the Shabbat preceding the creation of the world, the Holy One began the order of the Creation.

**And others say:** He concludes with **“He Who forms Creation”**.

**Rabbi Yosi son of Rabbi Yehudah says:** He concludes with **“He Who sanctifies Israel”**, since from the entire world that he created, he sanctified only Israel. Therefore, it is relevant to after the departure of Shabbat.

\*

The Gemara brings out the point: **And if it is true** that one must recite a phrase like the distinctions that are written in the Torah, there is a difficulty: **Surely “between the sea and the dry land” does not have distinction written about it** in the Torah! We do not find in the Torah an expression of distinction between the sea and the dry land.

But all of the others written in the Torah:

- 1) “And to distinguish between the holy and the profane.

## Perek 10 – 104a

- 2) “And G-d distinguished between the light and the darkness”.
- 3) “And I shall distinguish you from the nations”.
- 4) “And to distinguish between the impure and the pure”.
- 5) “And He distinguished between the waters under the firmament and between the waters above the firmament”.
- 6) Between Cohanim, Levites and Israelites will be explained further on.

The Gemara resolves the difficulty: **Remove from here** (from the list in the Baraita) the distinction of **“between the sea and the dry land”**.

\*

The Gemara raises a difficulty: **If so**, that it is removed from the seven distinctions, how are there seven distinctions?

One cannot say that the seventh distinction is that which was taught in the Baraita: **“between the seventh day and the six days of activity”**.

For reciting this distinction is **also** not counted in the list of the seven. Rather **it is** for the purpose of reciting a phrase **“like the conclusion”**, as explained above.<sup>1</sup>

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<sup>1</sup> For the one who said that one concludes with the order of creation, “between the seventh day and the six days of activity” is from the order of creation.

And similarly for the one who said that one concludes with “He Who forms creation”.

And for the one who said that one concludes with “He Who sanctifies Israel”, it is also like the conclusion, that He sanctified us with His commandments and gave us the Shabbat. (*Tosafot*)

## Perek 10 – 104a

If so, **one is lacking** from the list, **and there are not seven** distinctions.

The Gemara answers: **They said: Cohanim, Levites and Israelites are two things.** They are considered two distinctions, and together there are seven.

For there is one distinction **between Levites and Israelites, as it is written** (*Devarim*<sup>2</sup> 10:8), **“At that time, Hashem set apart the tribe of Levi”**.

And the second distinction is **between Cohanim and Levites: As it is written** (*Divrei Hayamim*<sup>3</sup> I 23:13), **“The sons of Amram, Aharon<sup>4</sup> and Moshe<sup>5</sup>, and He set apart Aharon to sanctify him as holy of holies.”**

\*

The Gemara asks: **How does one conclude?** What is the proper text for concluding the Havdalah blessing?

**Rav said: He Who sanctifies Israel.**

**And Shmuel said: He Who distinguishes between holy and profane, *HaMavdil bein kodesh lechol.***

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<sup>2</sup> Deuteronomy

<sup>3</sup> Chronicles

<sup>4</sup> Aaron

<sup>5</sup> Moses

## Perek 10 – 104B

**Abaye cursed this (and some say it was Rav Yosef who cursed) statement of Rav,** since the Halachah follows Shmuel rather than Rav in this case.

\*

**It was taught in the name of Rabbi Yehoshua ben Chananya: Whoever concludes with “He Who sanctifies Israel and He Who distinguishes between holy and profane”, thus reciting both, his days and years are lengthened.**

### **Ammud Bet**

The Gemara concludes: **The Halachah does not follow him!** We do not conclude with both phrases.

\*

**Ula visited Pumpedita.**

**Rav Yehudah said to his son Rav Yitzchak: Go and bring him Ula a basket of fruit and see how he recites Havdalah.** We will thereby learn the proper practice.

**He (Rav Yitzchak) did not go himself, but rather, he sent Abaye to go to Ula.**

**When Abaye returned, he Rav Yitzchak said to him: How did he Ula recite it?**

**He Abaye said to him: He recited “Blessed is He Who distinguishes between holy and profane”, and no more.** He did not add any other distinctions.

## Perek 10 – 104B

**He Rav Yitzchak came before his father Rav Yehudah.**

**He Rav Yehudah said to him: How did he Ula say?**

**He Rav Yitzchak said to him: I did not go myself. I sent Abaye to Ula, and he said to me that Ula only recited: He Who distinguishes between holy and profane.**

**He Rav Yehudah said to him Rav Yitzchak: The master's** i.e. your **arrogance and the master's** i.e. your **supremacy**, expressed by the fact that you did not go yourself, **caused that the teaching will not be said in his** i.e. your **name**. Rather it will be said in the name of Abaye. And the lips of a Torah Sage move in the grave when a teaching of his is taught.

\*

**They contradicted him:** It was taught in a Baraita: **All blessings begin with “blessed” and conclude with “blessed”.**

**Except for blessings on mitzvot**, for example, wrapping oneself with a *tallit* and taking the *lulav*. **And similarly blessings on fruit; and a blessing that is adjacent to the next one**, for example the blessings of the “Shemoneh Esreh” prayer. **And similarly, the last blessing of the reading of the Shema.**

(Even though the reading of the Shema makes a break between the blessings proceeding it and those following it, nevertheless, the blessing that follows it is considered to be adjacent to the blessing before the Shema. This is because he needs to attach the blessing of “*Emet VeYatziv*” (or “*Emet VeEmunah*” during the *Arvit*<sup>6</sup> service) to the end of the reading of Shema. Therefore, they are considered to be one long blessing.)

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<sup>6</sup> Night

## Perek 10 – 104B

**Some of them** i.e. these exceptions to the general rule **begin with “blessed” and do not conclude with “blessed”**. For example, blessings on mitzvot and blessings on fruit, which are short blessings; therefore they have only a beginning phase.

**And some of them conclude with “blessed” and do not begin with “blessed”**. For example a blessing that is adjacent to the next one, which does not begin with “blessed”, since the previous blessing that began with “blessed” exempts it from this.

**And HaTov VeHaMeitiv (“He Who is Good and He Who bestows good”)** which is the fourth blessing of *Birkat HaMazon* (Grace after Meals) is different. Even though it is adjacent to the earlier blessing, i.e. the first blessing of *Birkat HaMazon*, which begins with “blessed”, nevertheless it also **begins with “blessed”**.

This is because it is an independent blessing, which was established to give praise to Hashem for allowing the martyrs of *Beitar* to be buried. (We say “He Who is Good” as they were allowed to be buried, and we say “He Who bestows good” as their bodies did not decompose before burial.) **And it does not conclude with “blessed”**, even though it is somewhat long. For it is all one single thanksgiving, without a supplication in the middle, and it is therefore similar to blessings on mitzvot and fruits.

# Chavruta

## Pesachim – Daf Kuf Heh

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

**This** the Baraita quoted at the end of the previous *ammud* **is difficult for Ula**, who did recite a conclusion in the Havdalah blessing. For the Baraita stated that all blessings must both begin and end with “blessed”.

The Gemara resolves the difficulty: **Ula would say to you: This** Havdalah blessing **also, it is like a blessing on mitzvot** which does not need to have a conclusion.

Regarding **blessings on mitzvot, what is the reason** that there is no conclusion blessing? **Because it is only a single thanksgiving** without anything else mentioned in the middle.

(It is not similar to Kiddush, which in addition to giving thanks, there is also a praise of Shabbat. It is also not similar to the blessing of “Yotzei Ohr” which also contains a supplication, for example, “In Your great mercy, have mercy on us”. Nor is it similar to the first blessing of the “Shemonei Esrei” prayer, which also contains words of finding acceptance. Therefore, they need a conclusion.)

**This also**, the blessing of Havdalah, **is only giving thanks** and therefore one is not required to recite a conclusion.

c c õ d d

**Rav Chananya son of Shalmi and the disciples of Rav were sitting at a meal** on Shabbat eve and the meal continued until close to the onset of Shabbat. **And Rav Hamnuna Sabba was standing with them.**

## Perek 10 – 105a

**They said to him: Go and see if the day has become sanctified** i.e. whether Shabbat has commenced, and **we will stop** our weekday meal and remove the table. I.e. we will say *Birkat HaMazon* (Grace after Meals), **and we will establish it for Shabbat** i.e. we will begin another meal as our Shabbat meal.

**He** (Rav Hamnuna Sabba) **said to them: You are not required** to stop the meal by removing the table, in order to distinguish between the weekday meal and the Shabbat meal, for **Shabbat establishes itself!**

The Shabbat itself makes the distinction that will now define this meal as a Shabbat meal. Since it prohibits us to eat until Kiddush has been recited, this is considered to be a significant break in the meal. Therefore, it is enough to spread a cloth over the bread and to recite Kiddush and then continue the meal.

**As Rav said: Just as Shabbat “establishes” for Maaser<sup>1</sup>, so Shabbat “establishes” for Kiddush**, that one may not eat anything before Kiddush.

Since eating on Shabbat has a special significance, the meal itself is now considered to be a Shabbat meal.

**They** the scholars of the study hall **assumed that just as** the onset of Shabbat **“establishes” for Kiddush, so too** the departure of Shabbat **“establishes” for Havdalah**. If they were sitting at a meal towards evening, and Shabbat departed, they may not eat until they recited Havdalah. For normally, eating is prohibited at the departure of Shabbat until Havdalah is recited.

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<sup>1</sup> The tithe that is separated for the Levite. Produce only becomes obligated in Maaser when it is eaten in a fixed way. If it is merely eaten as a snack, one is exempt from separating Maaser. However, if eaten as a snack on Shabbat, the Shabbat itself causes it to be established a fixed meal and it may only be eaten if Maaser was separated from the food before Shabbat.

## Perek 10 – 105a

**Rav Amram said to them: This is what Rav said: For Kiddush it establishes, but for Havdalah it does not establish.** On the contrary, it gives honor to the Shabbat that one concludes at one's leisure the meal begun on Shabbat, and only then recites Havdalah.

**And these words, that Havdalah does not establish, are for the matter of making a break, that we do not need to make a break** in the middle of a meal.

**But to begin a meal, we may not begin a meal** after the departure of Shabbat until Havdalah has been recited.

**And making a break also, we only said** that one does not need to make a break when one is involved **in eating**. **But** if one is involved only **in drinking**, we did **not** say this rule. Rather, one must stop and recite Havdalah, since drinking is not considered to be as significant of an activity.

**And drinking also, we only said** that it is prohibited to drink before Havdalah concerning **wine and beer**. **But** concerning **water, it is insignificant** and it is permitted to begin drinking water before Havdalah.

\*

**And he disagrees with Rav Huna.**

**For Rav Huna saw a man who drank water before Havdalah. He said to him: Is the Master** (i.e. are you) **not afraid of askara**, a fatal and painful disease?!

**For it was taught in the name of Rabbi Akiva: Whoever tastes something before Havdalah, his death is with askara.**

## Perek 10 – 105a

**The scholars of the House of Rav Ashi were not particular about** refraining from drinking **water** before Havdalah. (But before Kiddush, it is prohibited to drink even water, out of honor for the Shabbat. *Rashbam*)

c c õ d d

**Ravina posed an inquiry to Rav Nachman son of Yitzchak: One who did not recite Kiddush on Shabbat night, may he recite Kiddush during the entire daytime of Shabbat?**

**He (Rav Nachman son of Yitzchak) said to him:** We may learn **from that** statement **which the sons of Rabbi Chiya said: Whoever did not recite Havdalah after Shabbat, he may continue to recite Havdalah the entire week** (until Tuesday night).

**Here also, whoever did not recite Kiddush on Shabbat night may continue to recite Kiddush the entire daytime.**

\*

**He Ravina contradicted him** Rav Nachman son of Yitzchak:

It was taught in a Baraita: **The nights of Shabbat and the nights of Yom Tov have** the declaration of **sanctity** (i.e. the blessing of Kiddush) **over a cup** of wine. **And they** the days' sanctity **are mentioned in Birkat HaMazon**. On Shabbat, "*Retzei*" is recited and on Yom Tov "*Ya'aleh veyavo*" is recited.

## Perek 10 – 105a

But for **Shabbat and Yom Tov** in the daytime, **there is no** declaration of **sanctity** (i.e. the blessing of Kiddush) **over a cup** of wine. Rather, the only blessing recited is “*borei pri hagafen*<sup>2</sup>”, **but they** the days’ sanctity **are mentioned in *Birkat HaMazon***.

**And if you thought** to say **that one who did not recite Kiddush on Shabbat night may recite Kiddush the entire daytime**, if so, for **Shabbat and Yom Tov also**, it comes out **that they have** declaration of **sanctity over a cup** of wine.

*For if* **he did not recite Kiddush at night, he may recite Kiddush the following day.**

**He** Rav Nachman son of Yitzchak **said to him** in reply: The case of “*for if*” **was not taught** in the Baraita. It is only speaking about regular situations, not one in which a person failed to recite Kiddush at the correct time.

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**He contradicted him** from the following Baraita: When on Shabbat there is a question of precedence between the **honor of the day and honor of the night, honor of the day takes precedence**. One who does not have sufficient wine or delicacies both for the night and the day meal, it is better to leave them for the daytime.

**But if he only has wine for one cup, he says over it...**

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<sup>2</sup> According to some traditions, it is pronounced: *hagefen*.

## Perek 10 – 105B

### **Ammud Bet**

...the **Kiddush** declaring the sanctity **of the day** of Shabbat, i.e. the Kiddush which is recited on Shabbat *night*. He does not leave it to be drunk during the daytime meal, **since the Kiddush** declaring the sanctity **of the day** of Shabbat **takes precedence over honoring** the meal **of the daytime**.

Ravina brings out the point: **And if it is true** that in extenuating circumstances, one may recite Kiddush the entire daytime, we should **leave it** (the cup of wine) **until the next day, and do both with it!** One will recite Kiddush over it by day, thereby also honoring the daytime.

**He** Rav Nachman son of Yitzchak **said to him** in reply: **Precious is a mitzvah** performed **at its** correct **time**, i.e. on Shabbat night!

This principle is derived from the fact that the Shabbat sacrifices are burnt on the Altar on Shabbat, even though strictly speaking, they could be burnt on the Altar after the departure of Shabbat, since it is sufficient that their blood is thrown on the Altar on Shabbat. Nevertheless, the laws of Shabbat are superseded in order to perform the mitzvah of burning them in its proper time.

Here also, it is better to recite Kiddush at night, which is its correct time, rather than to wait until the next day, despite the fact that he is then able to honor the daytime.

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## Perek 10 – 105B

Ravina raises a difficulty: **And do we say “precious is a mitzvah performed at its correct time”** about a blessing?

**But surely it was taught** in a Baraita: **One who enters his house after Shabbat** and he recites Havdalah over a cup of wine, **he recites a blessing on the wine** first, since the blessing on wine is more frequent than other blessings. **And** afterwards, he makes a blessing **over the light and the spices** (according to Beit Shammai. And Beit Hillel hold that the spices precede the light, as is the custom today.)

**And afterwards he recites** the blessing of **Havdalah over the cup** of wine, since it is a long blessing and the others are short blessings. It is therefore recited at the end.

**And if he has only one cup** of wine, and if he drinks it now for Havdalah he will not have any wine left for the cup of *Birkat HaMazon* after his meal to be eaten after Shabbat, **he leaves it** the blessing of Havdalah **until after eating the food**. **And he combines all of them after it** i.e. he says all of the blessings on that cup after *Birkat HaMazon*.

**And** thus we see **that we do not say “precious is a mitzvah performed at its correct time”** about a blessing! Otherwise it would be better to recite Havdalah immediately after Shabbat, before the meal, for then is the proper time for Havdalah.

**He** Rav Nachman son of Yitzchak **said to him** in reply: **I am not a wise man**. I did not say from my own understanding that Kiddush should be recited at night in the case under discussion. **Nor am I a prophet, nor am I quoting** the view of a mere **individual**.

**Rather, I learned it** in the study hall, **and I** constantly **arrange** the teachings (the halachot that I heard) in front of my master, that he should correct me if I err. **And also, in the study hall they instruct** Halachah **in accordance with me**.

## Perek 10 – 105B

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And in order to resolve the difficulty that you (Ravina) raised, one could say as follows:

**The entrance of the Shabbat day**, i.e. Kiddush when Shabbat commences, **is different to us from the departure of the day**, i.e. Havdalah.

Concerning **the entrance of the day, the earlier we are, the better. And we endear it** the Shabbat by bringing it in early and reciting Kiddush in the evening rather than waiting for the daytime. For “precious is a mitzvah performed at its correct time”, and the zealous perform mitzvot as early as possible.

But concerning **the departure of the day, we prefer to delay it**. When there is any reason to delay, for example, when he has only one cup, he delays the Havdalah until after the meal, **in order that it not be a burden upon us!** I.e. in order that Shabbat should not appear to us like a burden, that we speedily exempt ourselves from it.

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We may **hear from this Baraita eight** laws:

- 1) **Hear from it that one who recites Havdalah during** the Shemoneh Esrei **prayer** i.e. he recites the passage of “*attah chonantanu*”, **he is still required to recite Havdalah over a cup** of wine.

As it was taught in the Baraita: One who enters his house after the departure of Shabbat recites a blessing over the wine, even though men usually recite Havdalah during the evening prayers.

- 2) **And hear from it that the blessing** (of *Birkat HaMazon*) **requires a cup** of wine.

## Perek 10 – 105B

As it was taught, that he leaves the cup until after the meal in order to recite the blessing over it.

- 3) **And hear from it that the “cup of blessing” Havdalah requires a minimum amount** i.e. it must contain the minimum amount of a *revi'it* (86 ml).

If this would not be the case, he would have been able to divide his cup of wine into two parts. He would then be able to recite Havdalah at its correct time and the remaining wine would be used for the *Birkat HaMazon*.

- 4) **And hear from it that one who blesses over a cup is required to drink** from it.

As if this would not be the case, he would have been able to first recite Havdalah and still leave the entire cup for *Birkat HaMazon*.

- 5) **And hear from it that one who drank from it has tainted (*pagam*) it.** If he drank from the cup, it is no longer fitting to be used for a “cup of blessing”.

For if not, he would have been able to recite Havdalah and drink a cheek's full (*melo logmav*) of wine from it, and still have a *revi'it* left for *Birkat HaMazon*. (The original cup of wine contained more than the amount of a *revi'it*. “He does not have another cup” means that he does not have two full cups, but he does have more than one cup. (*Tosafot*))

- 6) **And hear from it that one who ate may still recite Havdalah.**

One who ate before Havdalah is still able to recite Havdalah that evening and does not need to wait until the next day and then recite Havdalah before eating (as there is a view that holds this way; see 106b). For here, he eats his meal first and then afterwards recites Havdalah.

# Chavruta

## Pesachim – Daf Kuf Vav

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

7) **And hear from it** the Baraita cited on the previous *ammud* **that one may recite two declarations of sanctity over one cup** of wine.

It is permitted to perform two mitzvot over one cup, for example here, where he recites *Birkat HaMazon* (Grace after Meals) and Havdalah over the same cup of wine. (On 102b, the Gemara stated that generally speaking, one should not do this, and only in this case is it permitted since he has only one cup of wine.)

8) **And hear from it that it** (this Baraita) **is** expressing the view of **Beit Shammai, according to Rabbi Yehudah's** understanding of Beit Shammai.

Beit Shammai hold that one recites the blessing over the light before the blessing over the spices. According to Beit Hillel, one first recites the blessing over the spices and then the blessing over the light.

But this is only according to the understanding of Rabbi Yehudah. According to Rabbi Meir, this Baraita would fit with neither of the two views. (See *Rashbam*.)

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**Rav Ashi said: “One who drank from it has tainted (*pagam*) it” and “the cup of blessing requires a minimum amount** i.e. it must contain the minimum amount of a *revi'it* (86 ml)” **are one and the same thing.**

I.e. there is no proof from the Baraita that one who drank from it tainted it. Rather, there is only a proof that the cup of blessing requires a minimum amount. For Rav Ashi holds that “if he had only one cup” should be understood according to its simple meaning, that

## Perek 10 – 106a

the cup contains exactly one *revi'it* of wine, no more. Therefore, if he drank from it, a *revi'it* of wine will not be left for the next cup of blessing.

**And this is what it** the Baraita **was saying: What is the reason that “if he drank from it, he tainted it”?** **Since the cup of blessing requires a minimum amount!** But if the required amount did in fact remain after he drank from it, it would not be considered tainted. (According to the understanding of *Tosafot*, 105b)

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**Rav Yaakov son of Iddi was particular about not having a tainted jug.** He was careful that the jug of wine from which the cup of blessing was filled<sup>1</sup> should not have been drunken from.

**Rav Iddi son of Shisha was particular only about not having a tainted cup,** that the cup itself should not have been drunken from.

And **Mar son of Rav Ashi was particular about not having even a tainted barrel.**

c c õ d d

**The Rabbis taught** in a Baraita: **“Remember the Shabbat day to sanctify it.”** We learn from here that there is a mitzvah to **mention it** the sanctity of the Shabbat **over wine**, i.e. to recite Kiddush over wine.

**All I** have a source to **know is** that one must recite **the daytime** Kiddush over wine, as it says, “the Shabbat *day*”.

## Perek 10 – 106a

**From where** do we have a source that one must recite Kiddush **at night**?

For this, **the verse states: “Remember the Shabbat day to sanctify it.”** This part of the Baraita will be explained later.

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The Gemara raises a difficulty: Why is the Baraita asking **“From where** we have a source that one must recite Kiddush **at night? On the contrary, the main Kiddush is when he recites Kiddush at night, as when the day becomes sanctified upon its entering, then he is required to recite Kiddush.**

**And furthermore,** there is a difficulty with the section that says: **“From where** do we have a source that one must recite Kiddush **at night? For this, the verse states: “Remember the Shabbat day to sanctify it.”**

This is problematic, since **the Tanna is searching for** a source for Kiddush in **the night, and instead brings for himself a verse about the day!**

The Gemara resolves the difficulties: **This is what it** the Baraita **was saying: “Remember the Shabbat day to sanctify it.”** This is interpreted to mean: **Mention it** the sanctity of the Shabbat **over wine, upon its entering** i.e. at *night*, as implied by “to sanctify it”.

**All I** have a source to **know is about the night. From where** do I have a source for **the day,** that one must recite the Kiddush also in the day?

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<sup>1</sup> For example, for *Birkat HaMazon*, Kiddush and Havdalah, or any other blessings that were fixed over wine

## Perek 10 – 106a

The verse states “Remember the Shabbat *day*”. The word “day” implies that one must also recite Kiddush in the daytime.

c c ã d d

The Gemara asks: **In the daytime, what does one bless**, i.e. what is the text of the Kiddush? It cannot be that he recites the same blessing as at night, as we have learned (105a) that Shabbat and Yom Tov do not have a declaration of the day’s sanctity in the daytime.

The Gemara answers: **Said Rav Yehudah:** In the daytime, he recites the blessing “*borei pri hagafen*”<sup>2</sup> i.e. the standard blessing over wine.

**Rav Ashi visited Mechoza. They said to him** on Shabbat morning: “**Let the master recite the Great Kiddush (*kiddusha rabbah*) for us!**”

**They gave him** a cup of wine over which to recite the Kiddush.

**He thought:** “**What is this “Great Kiddush”?** He was not clear what Kiddush they were referring to.

He said to himself, **Let us see: for all blessings** that are recited over wine (such as Kiddush and Havdalah), “*borei pri hagafen*” is recited first, followed by the actual blessing itself.

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<sup>2</sup> According to some traditions, it is pronounced: *hagefen*.

## Perek 10 – 106a

Therefore **he first recited** the blessing of “*borei pri hagafen*”, **and stretched it out** in order to consider what to do next. For if someone would begin drinking immediately, he would know that the Kiddush is concluded at that point. If not, he would recite the entire text of the nighttime Kiddush, as it would be clear that this was their custom.

**He saw a certain elder that bent over** immediately after the blessing over wine **and drank**.

He therefore understood that this Kiddush contained only the blessing of *borei pri hagafen*. (They referred to this blessing as “the Great Kiddush” since this blessing is recited in every Kiddush).

**He referred to himself** by citing the verse from *Kohelet*<sup>3</sup>: “**The wise one, his eyes are in his head**”!

c c õ d d

**The sons of Rabbi Chiya said: One who did not recite Havdalah after Shabbat, may recite Havdalah the entire week.**

The Gemara asks: **And until when?** Surely, Havdalah may not be recited literally the entire week.

**Said Rabbi Zeira:** Up **until the fourth day of the week**, i.e. until Tuesday night. For from then on is considered to belong to the coming Shabbat.

A proof that from the fourth day on is considered to be the next week is as follows:

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<sup>3</sup> Ecclesiastes

## Perek 10 – 106a

**Like that** incident in which **Rabbi Zeira was sitting in front of Rav Asi** who was the master, **and some say Rav Asi was sitting in front of Rabbi Yochanan** who was the master, **and he** the master **was sitting and saying: In the matter of *gittin*** (divorce documents), one who gave a *get* to his wife and said to her: “This is your *get* on condition that you give me 200 *zuz* after Shabbat”, or he said: “on condition that you give me before Shabbat”, the law is as follows:

**Sunday, Monday and Tuesday** (up until Tuesday night) are considered to be “**after Shabbat**”.

**Wednesday** (i.e. from Tuesday night), **Thursday and Friday** are “**before Shabbat**”.

And this holds true also for the matter of Havdalah, that until Tuesday night is still considered to be after the previous Shabbat—and from then onwards is considered to be before the next Shabbat, in which case he may no longer recite Havdalah.

**Said Rabbi Yaakov son of Idi: But** in such a case, he does **not** recite a blessing **over the light**. If he did not recite the blessing over the light on Saturday night, he may not recite afterwards, as the blessing over the light was only fixed for that night, as this was when light was originally created.

c c õ d d

## Perek 10 – 106B

### **Ammud Bet**

**Said Rav Baruna, said Rav: One who** mistakenly **washes his hands** before the meal on Shabbat night without having first recited Kiddush **may no longer recite Kiddush** for himself. He must hear Kiddush from someone else.

Reciting Kiddush then would constitute a separation between the washing and the beginning of the meal, and would take his mind off of the washing and would require him to wash his hands again.

**Rav Yitzchak son of Shmuel son of Marta said to them: Rav has not yet passed away, and you have already forgotten his teaching?!**

For many times, I was standing in front of Rav.

**Sometimes**, when he was hungry, **he had a preference for<sup>4</sup> bread** and **he recited Kiddush over bread.**

**Sometimes**, when he was thirsty and thus had a preference for wine, **he recited Kiddush over wine.**

And when he recited Kiddush over bread, he certainly washed his hands before Kiddush. Nevertheless, the Kiddush was not considered to be a separation between the washing and the eating.

This contradicts the statement of Rav Baruna in the name of Rav, that reciting Kiddush constitutes a separation. The Halachah is not in accordance with the statement of Rav Baruna in the name of Rav.

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<sup>4</sup> *Chaviva lei*

## Perek 10 – 106B

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**Said Rav Huna said Rav: One who ate** on Shabbat night before reciting Kiddush **does not recite Kiddush** at night. Rather he should wait until the next day and recite Kiddush before the meal.

**Rav Channah son of Chinana posed an inquiry to Rav Huna: One who ate** before Havdalah, **what** is the law concerning whether he may still **recite Havdalah** that night? Must he wait until the next day and then recite Havdalah before eating?

**He Rav Huna said to him: I say: One who ate may still recite Havdalah.** Although concerning Kiddush I ruled the opposite, it is not necessary to be so stringent about Havdalah.

**And Rav Asi said: One who ate does not recite Havdalah** that night.

**Rav Yirmeyah son of Abba visited the house of Rav Asi. He** (Rav Yirmeyah) **forgot, and ate something** before reciting Havdalah. Despite this, **they brought him a cup** of wine **and he recited Havdalah.**

**His Rav Asi's wife said to him Rav Asi: And surely the Master** i.e. you **does not do this,** as you hold that one who ate does not recite Havdalah that night!

**He Rav Asi said to her: Leave him be. He holds the view of his master.** He follows the view of Rav, that one who ate may recite Havdalah that night. For Rav Huna so said, in the name of Rav, as mentioned earlier by the Gemara.

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## Perek 10 – 106B

**Said Rav Yosef said Shmuel: One who ate, does not recite Kiddush that night. One who ate, does not recite Havdalah that night.**

**And said Rabbah said Rav Nachman said Shmuel: One who ate, recites Kiddush that night. One who ate, recites Havdalah that night.**

# Chavruta

## Pesachim – Daf Kuf Zayin

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

**Rava said:** The **Halachah** is that one who **eats** something before Kiddush may still **recite Kiddush** that night. **And** one who **eats** something before Havdalah may still **recite Havdalah** that night.

**And one who did not recite Kiddush on Shabbat evening may recite Kiddush throughout the entire day until the departure of Shabbat.**

**And one who did not recite Havdalah at the departure of Shabbat may recite Havdalah throughout the entire week.**

\*

**Ameimar began citing this ruling of Rava** in these terms:

**Rava said:** The **Halachah** is that one who **eats** before Kiddush may **recite Kiddush**. **And** one who **eats** before Havdalah may **recite Havdalah**.

**One who did not recite Kiddush on Shabbat evening may recite Kiddush throughout the entire day.**

**And one who did not recite Havdalah at the departure of Shabbat may recite Havdalah throughout the entire *day*, i.e. during the whole of Sunday day.**

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## Perek 10 – 107a

**Mar Yanuka and Mar Kashisha son of Rav Chisda said to Rav Ashi: Once Ameimar visited our town and wanted to recite Havdalah at the departure of Shabbat, but he did not have wine.**

**They brought him beer but he did not want to recite Havdalah over it, and retired empty,** without eating anything. For he did not want to eat before reciting Havdalah.

**The next day they made an effort and brought him wine and he recited Havdalah, and he ate something** afterwards.

**The next year Ameimar again visited our town. We did not have any wine so we brought him beer.**

**He said: If this is so,** that there is no wine in this town, just beer, then **it beer is considered the ‘wine’ of the land,** and one may recite Havdalah over it. Therefore **I will recite Havdalah and eat something.**

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One may **hear from this** incident **three** Halachot:

**1. Hear from this** that **one who recites Havdalah in prayer** alone, by adding the section “*Attah Chonantanu*” to the Shemoneh Esrei prayer, still **needs to recite Havdalah over a cup** of wine. Ameimar presumably recited “*Attah Chonantanu*”, yet he still recited Havdalah over a cup of wine.

**2. And hear from this** that **a person is forbidden to eat before he recites Havdalah.**

**3. And hear from this** that **one who did not recite Havdalah at the departure of Shabbat** may **recite Havdalah throughout the entire week.** Although from this specific

## Perek 10 – 107a

incident we may only learn that one recites Havdalah on Sunday, the Gemara nevertheless states that one may recite Havdalah all week (i.e. until Tuesday night) because this is in fact the Halachah<sup>1</sup>.

c c õ d d

**Rav Huna posed an inquiry to Rav Chisda: What is the Halachah concerning reciting Kiddush over beer, when one does not have wine.**

Rav Chisda **said** to him: **Now that** regarding **barley beer, fig beer and berry beer**, which are finer beverages than our date beer, **they posed an inquiry to Rav, and Rav posed this inquiry to Rabbi Chiya and Rabbi Chiya posed it to Rabbi** i.e. Rabbi Yehudah HaNasi - **and he did not answer him—**

This being the case, does **one need** to ask about our simple **beer** made from dates? Surely he would also be in doubt as to whether one may recite Kiddush over it.

**They** the scholars of the study hall **assumed** that Rav had only ruled **that one may not recite Kiddush** over beer. **But** that he held that **one may recite Havdalah** over it.

**Rav Chisda said to them: This is what Rav said: Just as one may not recite Kiddush over it, so too one may not recite Havdalah over it.**

**It was also said** in a statement of Amoraim: **Rav Tachlifi bar Avyimi said** in the name of **Shmuel: Just as one may not recite Kiddush over it, so too one may not recite Havdalah over it.**

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<sup>1</sup> Tosafot s.v. Shema Minah.

## Perek 10 – 107a

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**Levi sent beer of thirteen ‘seepings’ to Rabbi** i.e. Rabbi Yehudah HaNasi. He poured water over dates, and after it had absorbed the taste he poured it over another twelve lots of dates consecutively.

Rav **tasted** the beer and **it was extremely strong.**

**He said:** Beer like this is fit to recite Kiddush over, and to recite over it all types of songs and praises in the world!

**At night it caused him distress.** The beer caused his bowels to loosen.

**He said:** It distresses a person, but at the time of drinking it **gladdens.** Therefore it is fit to recite Kiddush over.

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**Rav Yosef said:** I will take a vow in public that I will not ever drink beer. Although a vow may sometimes be annulled, this is not the case when it is taken in public.

**Rava said:** I would rather **drink flax water,** which is repulsive after having been used for soaking flax, **and not drink beer.**

**Rava also said** a curse on using beer for Kiddush: **May all his drink be beer - one who recites Kiddush over beer.** One who uses beer for Kiddush should be punished, measure for measure, by falling into poverty. Then he will not be able to afford wine, and will drink only beer.

## Perek 10 – 107a

**Rav Huna found that Rav made Kiddush over beer.** Even though wine was available in Rav's town, he preferred beer.

Rav Huna **said to him: Did Father**, a reference to Rav, **begin to buy coins with beer?** He meant to ask whether the reason that Rav considered beer special was because he had begun to produce and sell it.

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**The Rabbis taught** in a Baraita: **One may only recite Kiddush over wine, and one may only recite a blessing over wine.**

The Gemara at this stage assumes that the Baraita is saying that one does not recite a blessing on other types of drink at all.

Thus the Gemara raises a difficulty: **Does one not recite the blessing ‘*Shehakol nihyah<sup>2</sup> bidvaro*’ over water and beer?**

The Gemara answers: **Abaye said: This is what the Baraita was saying: One only says “Bring the cup of blessing to recite the blessing over, i.e. to recite *birkat hamazon*<sup>3</sup> over it, when one will recite it over wine.**

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**The Rabbis taught** in a Baraita: **One may not recite Kiddush over beer.**

**In the name of Rabbi Eliezer bar Rabbi Shimon** it was said: **One may recite Kiddush over beer.**

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<sup>2</sup> According to some views, this is to be pronounced: *nihyeh*

## Perek 10 – 107a

When **one drinks** the **wine** after reciting Kiddush, it is sufficient to drink **a small amount**.

**Rabbi Yosi son of Rabbi Yehudah says:** One must drink **a cheek-full** (*melo logmav*). This comprises the majority of a *revi'it*<sup>4</sup>.

**Rav Huna said** in the name of **Rav**, and similarly **Rav Gidol from Narash taught** a Baraita: **One who recites Kiddush and then drinks a cheek-full** of wine from the cup **has fulfilled** his obligation. **And if not** then he **has not fulfilled** his obligation.

**Rav Nachman bar Yitzchak said:** **I taught it** the Baraita just quoted, and there no second name was mentioned - **not Gidol bar Menasiah and not Gidol bar Manyomi, just Gidol alone**.

The Gemara explains: **What** practical consequence **comes out from this** comment of Nachman bar Yitzchak's?

The Gemara answers: **To pose a contradiction against** another statement that he said **himself**. We would be unable to pose such a contradiction, given that this statement may have been taught by a different Rav Gidol.

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<sup>3</sup> Grace after meals.

<sup>4</sup> *revi'it*: 86.4 gm or 2.9 fl. oz.

## Perek 10 – 107B

We learned in the Mishnah: On Erev<sup>5</sup> Pesach **close to** the time of **Minchah**, a person may not eat a meal, until it becomes dark, at which point he recites Kiddush and the Haggadah, and then eats matzah.

**They** the scholars of the study hall **posed an inquiry**: Did the Mishnah mean to **teach ‘close to** the time of *Minchah Gedolah*’? This is half an hour after high noon, and represents the earliest time to offer the afternoon *Tamid* (Daily) offering. It was offered at this time when Erev Pesach fell on Erev Shabbat.

**Or perhaps it taught ‘close to** the time of *Minchah Ketanah*’. This is at nine and a half hours counting from sunrise, which falls a half hour after the middle of the afternoon. This represents the standard time for bringing the *Tamid* offering on an ordinary day.

The Gemara explains the two possibilities:

Did it **teach ‘close to *Minchah Gedolah*’,** and the reason that one may not eat on Erev Pesach is **because of the Pesach** offering?

### **Ammud Bet**

I.e. the Sages were concerned that **perhaps one would come to extend his meal, and come to neglect to bring the Pesach** offering. Thus they forbade us from eating from midday on, the time that one may bring the offering.

**Or perhaps it taught ‘close to *Minchah Ketanah*’,** at which time the Pesach offering would already have been brought<sup>6</sup>. And the reason for the prohibition was **because of matzah**. For **perhaps one would come to eat matzah** that night as a ‘gluttonous

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<sup>5</sup> The Eve of

## Perek 10 – 107B

**consumption’** (*achilah gassah*). If one were to eat the matzah on a totally full stomach, one would not fulfill the obligation. (Although matzah is to be eaten in a state of satiety, this is not the same as having a totally full stomach, in which case one must force oneself to eat. In such a state, it is not considered an act of eating.)

\*

**Come and hear** a proof that it is *Minchah Ketanah*, from the following Baraita: **Even King Agripas who was accustomed to eat at the beginning of the ninth hour would not eat until it became dark on that day**, Erev Pesach.

**It is all right if you say that the Mishnah taught ‘close to *Minchah Ketanah*’,** because if this were so, **that would be the new point** brought out **by** the case of King **Agripas**. Even though one is forbidden from eating only at the *end* of the ninth hour, he refrained from eating even at the *beginning* of that hour, lest his meal continue until later.

**But if you say that it taught ‘close to *Minchah Gedolah*’, what new point** is learned from the fact that **Agripas** did not eat at the beginning of the ninth hour? Surely **the prohibition** against eating had already **taken effect upon him beforehand**.

The Gemara questions this proof: **Rather**, should we then say that the Mishnah **taught ‘close to *Minchah Ketanah*’?**

**In the end** we would still be left with the difficulty: **What is the new point of** the case of **Agripas? Surely the time** when one is **forbidden** from eating **would arrive** in the middle of his meal, and therefore it is forbidden for him to start eating—even before the prohibition takes effect.

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<sup>6</sup> It was normally offered half way through the eighth hour.

## Perek 10 – 107B

Even Rabbi Yosi, who said<sup>7</sup> that one who began eating before the prohibition took effect need not stop eating, would agree here that one is forbidden to begin. Because if one began a meal with intention that it continue into the forbidden time, even the beginning of the meal is considered as during the prohibited time.

The Gemara answers: This is the new point of the case of Agripas: **What might one have said? That the ninth hour for Agripas is like the fourth hour for us.** Because he was accustomed to eat in the ninth hour, we might have thought that he would still be able to eat matzah that night with an appetite. So it is with us, who are accustomed to eat in the fourth hour, and this does not prevent us from eating matzah with an appetite. Thus we might have said that King Agripas was permitted to begin his meal before the prohibition took effect.

Therefore the Baraita **informs us** that he was nonetheless prohibited from eating.

\*

**Rabbi Yosi said: But he may ‘dip’<sup>8</sup>** i.e. eat various **types of tidbits** such as fruit and meat, from the time of Minchah and onwards.

**Rabbi Yitzchak ‘dipped’ with vegetables**, given that they do not fill one up.

**This was also taught** in a Baraita, that one may eat foods that do not satiate: **The servant may ‘dip’ the intestines**, even from the time of Minchah and onwards. Because he had prepared them, it would be distressing for him if he were not permitted to taste from them. Therefore he was allowed, given that they do not satiate a person. Similarly, one may also **place them before one's guests.**

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<sup>7</sup> 100a

<sup>8</sup> These foods were normally eaten after dipping them in vinegar or salt water.

## Perek 10 – 107B

**And even though there is no proof to the matter** that one who prepares a food without being able to eat from it is distressed, **there is a remembrance of the matter.**

**For the verse says: “Make for yourself a ploughed field and do not sow among thorns”.** Meaning that when one expends effort it should be for something that he can benefit from.

\*

**Rava would drink wine on Erev Pesach in order that it arouse his appetite** for eating, **so that he could eat more matzah in the night.**

**Rava said: From where do I have a source to say that wine surely arouses one's appetite?**

# Chavruta

## Pesachim – Daf Kuf Chet

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

**[Rava would drink wine on Erev Pesach in order that it arouse his appetite for eating, so that he could eat more matzah in the night.**

**Rava said: From where do I have a source to say that wine surely arouses one's appetite?]**

**For it was taught** in a Mishnah: **Between those cups**, between the first and second or between the second and third cups of wine that one drinks at the Seder:

**If one wishes to drink** wine, **one may drink**, in order that the wine should arouse one's appetite.

But between the **third and fourth**, **one may not drink**. Given that one drinks the third cup at the conclusion of *Birkat Hamazon*<sup>1</sup> there would no longer be any reason to arouse one's appetite. As a consequence, it is preferable not to drink any more, so as not to appear to be adding to the four cups that the Rabbis instituted on the Seder night.

**And if you say** that wine **surely satiates**, **why** would **one drink** between the first two cups? **Surely one** would end up **eating the matzah in a 'gluttonous consumption'** (*achilah gassah*), and thus one would not fulfill one's obligation of eating matzah (see explanation on previous *ammud*).

**Rather, hear from there** a proof that wine does not satiate, on the contrary it **surely arouses** one's appetite.

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<sup>1</sup> Grace after meals.

## Perek 10 – 108a

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**Rav Sheshet sat and fasted every Erev<sup>2</sup> Pesach.**

The Gemara considers: **Let us say that Rav Sheshet holds** the following:

1. When the Mishnah said that one may not eat ‘close to the time of Minchah’ on Erev Pesach, it **taught ‘close to *Minchah Gedolah*’.**<sup>3</sup>

2. **And** the reason for the prohibition **is because of the Pesach** offering. Due to a concern that **perhaps one would extend** his meal, **and come to** be involved with it all afternoon, and **fail to bring** the **Pesach** offering.

This being the case, one is prohibited from eating close to the time that the offering was brought.

3. **And he** also **holds like that** ruling **that Rabbi Oshyah said** in the name of **Rabbi Elazar:**

**Ben Beteira** would even consider as **valid a Pesach** offering **that was slaughtered in the morning of the fourteenth** of Nissan, rather than in the afternoon. This is providing that it was done **for its sake**, i.e. that it was slaughtered according to all the regulations of the Pesach offering, with intention for such.

**And** therefore, **from the morning** of Erev Pesach **it is** already considered the **time for** offering the **Pesach** offering. For according to Ben Beteira, **all the day** of the fourteenth of Nissan is **fitting for** bringing the **Pesach** offering.

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<sup>2</sup> Eve of

## Perek 10 – 108a

**Because he holds that** when the Torah says “**between the *arbayim***”<sup>4</sup> regarding the slaughtering of the Pesach offering, it refers to the time **between the end of the evening of yesterday and the beginning of the evening today**, i.e. the entire daytime of the fourteenth.

This being so, Rav Sheshet fasted for the entire day.<sup>5</sup>

The Gemara rejects this explanation: **They said: No**, this is not the reason Rav Sheshet fasted.

Rather, **Rav Sheshet** was **different, because he was sensitive (*istenis*) and if he ate anything in the morning, then in the evening, eating would not benefit him**. As a result he would not be able to eat matzah with an appetite.

c c õ d d

We learned in the Mishnah: **Even the poorest person among the people of Israel may not eat** on the night of Pesach **until he reclines** at the table, in the manner of wealthy, free people.

**It was said** in a statement of Amoraim: The mitzvah of eating **matzah requires leaning**. It was the manner of free men to eat while leaning, and the matzah is a remembrance of the redemption.

**Maror** (bitter herbs) **does not require leaning**. Because maror is a remembrance of the Egyptian oppression.

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<sup>3</sup> See 107a

<sup>4</sup> Lit: between the evenings

## Perek 10 – 108a

Concerning the **wine** of the four cups:

**It was said** in a statement of Amoraim **in the name of Rav Nachman: It requires leaning.**

**And it was said** in another statement **in the name of Rav Nachman: It does not require leaning.**

**And they** the two statements **do not differ** with each other.

**This** statement refers **to the two first cups.**

And **that** statement refers **to the two last cups.**

\*

The scholars of the study hall disagreed over this point.

There are **those that said it this way, and those that said it that way.**

There are **those that said it this way: The first two cups require leaning because it is now that the freedom begins**, given that one drinks these cups over the recitation of the Haggadah and the blessing “He Who redeemed Israel”.

But **the two last cups do not require leaning** because **what has happened, happened.** One has already mentioned the redemption before drinking them.

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<sup>5</sup> Even though there was no Pesach offering in his times, after the destruction of the Temple, the prohibition against eating on Erev Pesach was never lifted.

## Perek 10 – 108a

**And** there are **those** who **said it that way: On the contrary! The two last cups require leaning** because **at that time one is free**. One has already been ‘freed’, given that the passages dealing with the redemption have already been recited.

But **the first two cups do not require leaning because one is still saying “we were slaves”**.

The Gemara concludes: **Now that it was said like this and it was also said like that**, there is a question concerning all four cups of wine, whether they require leaning. Therefore both **this set and that set**, i.e. all four cups of wine, **require leaning**.

\*

The Gemara expands on some other Halachot related to leaning on Seder night: **Lying** flat on one's back is **not termed leaning**.

**Leaning on the right is not termed leaning**, because one has to eat with one's right hand.

**And** it is **not just** that one does not fulfill one's obligation to lean if one lies on one's back. It is in fact forbidden to eat in this manner. For **perhaps one's windpipe will come before one's esophagus**, and the food swallowed will enter the windpipe, causing one to choke. Lying with one's neck extended backwards is liable to open the entrance to the windpipe and if one were to eat in this position one might **come to danger**.

**A wife** who eats **with her husband does not need to lean**, given that she is subordinate to him.

**And if she is a prominent woman, she needs to lean**.

## Perek 10 – 108a

A son who eats **with his father needs to lean**, given that he is not so subordinate to his father.

\*

They the scholars of the study hall **posed an inquiry: What** is the status of a **disciple** who eats **with his master?** Must he lean, or not?

**Come and hear** a proof: **Abaye** said: **When we were at the house of the Master**, Rabbah, on Seder night, we **lied on each other's knees** in order to fulfill the obligation of leaning.

**When we came to the house of Rav Yosef** later on, **he said to us: You do not need** to lean, because our Sages have taught that the **awe of your master is equated to the awe of Heaven**. Therefore it is not proper to lean in front of your master.

They **posed a contradiction** from the following Baraita: **A person leans** when eating **with anyone, even a disciple** who eats **with his master**.

The Gemara replies: **When that** Baraita was **taught**, saying that one must lean, it was not referring to a disciple who learned Torah from his master, rather **to a carpenter's apprentice** who was with the master carpenter on Seder night.

\*

They the scholars of the study hall **posed an inquiry: What** is the status of a **waiter** who serves at the meal? Does he have to lean?

## Perek 10 – 108B

**Come and hear** a proof that he must lean: **For Rabbi Shimon ben Levi said: A waiter who ate a *kazayit*<sup>6</sup> of matzah while leaning has fulfilled** his obligation.

The Gemara infers: If **he leaned, yes**, he has fulfilled his obligation. But if **he did not lean**, then **no**, he has not.

**Hear from this** a proof **that he needs to lean**.

The Gemara concludes: One may indeed **hear from this** a conclusive proof.

c c õ d d

**And Rabbi Yehoshua ben Levi said: Women are obligated in the four cups** on the Seder night.

### **Ammud Bet**

**Because even they were part of that miracle.** It was in the merit of the righteous women in the generation of the Exodus that we were redeemed.

**Rav Yehudah said** in the name of **Shmuel: These four cups must contain** enough wine **in order to dilute a ‘nice’ (*yafeh*) cup.**

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<sup>6</sup> *Kazayit*: 0.9 fluid oz. or 28 cu. cm.

## Perek 10 – 108B

The term ‘nice cup’ refers to the size of a cup used for the blessing after *Birkat Hamazon*. Such a cup must contain a *revi'it*<sup>7</sup> of diluted wine. Given that in those times their wine was commonly diluted with a ratio of one part wine to three parts water, it emerges that a cup contained a quarter *revi'it* of undiluted wine.

The Gemara assumes that Shmuel means to say that all four cups together need contain only a quarter *revi'it* of undiluted wine, and will challenge this shortly.

\*

The statement in the name of Shmuel continues: If **one drank them straight**, without diluting them, but one still drank the required volume, then one has **fulfilled** his obligation.

And if **one drank them in one go**, by filling a large cup with enough wine for all four cups, then one has **fulfilled** his obligation.

If **one gave his children and the members of his household to drink from them**, from each cup, not drinking all of the wine oneself, then one has nonetheless **fulfilled** his obligation.

\*

The Gemara expands on each of these Halachot:

If **one drank them straight, one has fulfilled** one's obligation.

**Rava said: In terms of** one's obligation to drink four cups of **wine, one has fulfilled** his obligation. But **in terms of** one's obligation to behave in a way showing **freedom, one**

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<sup>7</sup> *revi'it*: 86.4 gm or 2.9 fl. oz.

## Perek 10 – 108B

**has not fulfilled** his obligation. Because wine is only considered an important drink when it has been diluted.

\*

**If one drank them in one go:**

**Rav said: In terms of** the mitzvah of rejoicing on Yom Tov by drinking **wine, one has fulfilled** one's obligation.

But **in terms of** the mitzvah of drinking **four cups, one has not** fulfilled one's obligation.

\*

**If one gave his children and the members of his household to drink from them, one has fulfilled** his obligation.

**Rav Nachman said: And that is** as long as he himself **drank the majority of the cup.**

\*

**They contradicted** Shmuel, who ostensibly said that all the four cups together need contain only a quarter *revi'it* of undiluted wine, from the following Baraita:

**These four cups must contain enough for a *revi'it*** of undiluted wine, when they are all combined together.

Meaning that when one diluted the wine with three parts of water, each of the four cups would contain a *revi'it* of diluted wine.

## Perek 10 – 108B

And one may drink them **either straight**, so long as each cup contained a *revi'it* of wine, **or diluted** with water to make up a *revi'it* for each cup.

Similarly, one may use wine **whether** it is **new** and has not yet developed the taste of wine, **or whether** it is **old** and its taste has weakened somewhat.

**Rabbi Yehudah says: It must have the taste** of wine, thus it may be neither old nor new. **And** it must also have the **appearance** of wine, being red.

The Baraita poses a difficulty for Shmuel, because it **nonetheless taught** that the four cups together must contain **enough for a *revi'it*** of undiluted wine. **And you Shmuel said** that it would be sufficient for them to comprise a single **nice cup**, which would only contain a quarter *revi'it* of undiluted wine.

The Gemara answers: **They said: Both this and that are one** and the same **measure**.

Because **what is** the meaning of ‘**enough to dilute a nice cup**’ that Rav Yehudah **said** in the name of Shmuel? It refers **to each and every one** of the four cups. **Which would all together** comprise a full *revi'it* of undiluted wine, just as the Baraita taught.

\*

We learned in the Baraita: **Rav Yehudah said: It must have the taste and appearance of wine.**

**Rava said: What is the reason of Rabbi Yehudah?**

**For it is written** in the verse<sup>8</sup> “**Do not gaze at wine when it is red**”. From here we see that wine has a red appearance. And from the end of the verse, which warns against the

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<sup>8</sup> Mishlei 23: 31

## Perek 10 – 108B

dangers of intoxication, we learn that it should have the taste of fermented (and thus alcoholic) wine.

\*

**The Rabbis taught** in a Baraita: **Everyone is obligated in drinking these four cups, whether it be men or whether it be women or whether it be children.** Because they were all redeemed from Egypt.

**Rabbi Yehudah said: And what is the purpose of wine for children?** Surely they are not obligated to keep mitzvot like an adult!

# Chavruta

## Pesachim – Daf Kuf Tet

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

**[The Rabbis taught** in a Baraita: **Everyone is obligated in drinking these four cups, whether it be men or whether it be women or whether it be children.** Because they were all redeemed from Egypt.

**Rabbi Yehudah said: And what is the purpose of wine for children?** Surely they are not obligated to keep mitzvot like an adult!]

**Rather, one distributes to them roasted wheat kernels and nuts on Pesach eve, so that they should not sleep, and** so that they should **ask** the four questions.

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**They said about Rabbi Akiva that he used to distribute roasted wheat kernels and nuts to children on Pesach eve so that they should not sleep, and ask** the four questions.

\*

**It was taught** in a Baraita: **Rabbi Eliezer says: We grab the mitzvah of matzah<sup>1</sup>** - in other words, we hurry to eat on Seder night – **for the sake of children, so that they do not fall asleep** beforehand.

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<sup>1</sup> Alternatively – we raise the plate holding the matzah and maror so that the children should ask why we eat matzah and maror on this night. The *Bach* points out that according to this interpretation, the words “so that they do not fall asleep” are deleted.

## Perek 10 – 109a

**It was taught in a Baraita: They said of Rabbi Akiva, that all his days he never said: The time has come to stop learning in the study hall, except on the eves of Pesach<sup>2</sup> and eve of Yom Kippur.**

**On the eves of Pesach: For the sake of the children, in order that their fathers should go home to put them to sleep so that they should not sleep during the Seder.**

**On the eve of Yom Kippur: So that they should feed their children.**

c c o d d

**The Rabbis taught: A person is obligated to bring joy to his children and household members on a Festival because it says: “You shall rejoice in your Festivals.”**

**With what should he bring joy to them? With wine.**

**Rabbi Yehudah says: Men should be brought joy with what is fitting for them, and women with what is fitting for them.**

**Men with what is fitting for them – this is with wine.**

**And women with what?**

**Rav Yosef taught: In Babylon, with colorful garments.**

**In the Land of Israel: With ironed white linen garments.**

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<sup>2</sup> Here “Pesach eve” and “the eve of Yom Kippur” mean the preceding afternoon.

## Perek 10 – 109a

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**It was taught in a Baraita: Rabbi Yehudah ben Beteira says: At the time that the Temple existed, the Festival joy was with eating the meat of peace offerings (*shlamim*).**

**Because it says: “And you shall sacrifice peace offerings, and eat there, and rejoice before Hashem your G-d.”**

**And now that the Temple does not exist, the Festival joy is with the drinking of wine, because it says: “And wine gladdens the heart of man.”**

c c õ d d

**Said Rabbi Yitzchak: The measuring vessel of *morissa*<sup>3</sup> that was used in Tzipori was like the size of the *log* of the Temple.**

**And with it they measured the quarter *log* (i.e. the *revi'it*<sup>4</sup>) of Pesach. This refers to the wine of Seder night.<sup>5</sup>**

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**Said Rabbi Yochanan: The original *timnaita* (name of a certain measuring vessel) that was in Tiberias was a quarter *log* (i.e. a *revi'it*) larger than that used nowadays, and with it they measured the quarter *log* of Pesach, i.e. the wine of Seder night.<sup>6</sup>**

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<sup>3</sup> A food made from fish oil, flour of roasted wheat, and water.

<sup>4</sup> *revi'it*: 86.4 cc or 2.9 fl. oz.

<sup>5</sup> The cup used on Seder night must hold at least a *revi'it* of wine.

<sup>6</sup> They would pour the contents of the old *timnaita* into the new *timnaita*, and whatever was left in the old *timnaita* was a quarter *log*.

## Perek 10 – 109a

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**Said Rav Chisda: The quarter *log* (*revi'it*) of the Torah is equal to a volume two finger breadths by two fingerbreadths wide, by the height of two fingerbreadths, and a half fingerbreadth, and a fifth fingerbreadth.**

And this is learnt from the minimum size of a *mikveh*<sup>7</sup>.

**Because it was taught in a Baraita: The verse says: “And if an emission of semen comes out from a man, and he should wash all his flesh in the water (*bamayim*).”**

“His flesh in the water” teaches **that nothing should intervene between his flesh and the water.**

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<sup>7</sup> Purifying pool.

## Perek 10 – 109B

“**In the water**”<sup>8</sup> teaches that he must immerse **in the water of a mikveh** (water that collected there by itself, and not water brought there with a vessel).

“**All his flesh**” teaches that that it must be **water that all his body enters into** at once.

### **Ammud Bet**

And how much water is that? **One amah by one amah, by the height of three amot** – which is enough to receive a person’s whole body.

**And the Sages measured the water of a mikveh** according to this measure and found that it contains **forty se’ah** (see footnote).<sup>9</sup>

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<sup>8</sup> The word *bamayim* has a *patach* under the *beit* which intimates that *bamayim* should be translated as “in the water.” This intimates that there is something special about the water – that it collected by itself and was not poured in manually.

<sup>9</sup> And according to that, two fingerbreadths by two fingerbreadths to a height of two fingerbreadths and a half and a fifth of a fingerbreadth, equal a quarter *log (revi’it)*. The calculation is as follows:

One *amah* = 6 *tefachim*.

One *tefach* = 4 fingerbreadths.

\*

One *se’ah* = six *kavs*.

One *kav* = 4 *logs*.

Therefore one *se’ah* = 24 *logs*.

\*

Divide three *amot* (72 fingerbreadths - the height of a *mikveh*) by 16.

Each 1/16 = 4 ½ fingerbreadths. (#1)

Divide 40 *se’ah* by 16.

Each 1/16 = 2 ½ *se’ahs*. (#2)

(Therefore every 4 ½ vertical fingerbreadths of a *mikveh* contains 2 ½ *seahs*.)

## Perek 10 – 109B

c c o d d

**Said Rav Ashi: Ravin bar Chanina told me: The golden Table of the Temple was of detachable pieces** – it could be broken into two, lengthwise.

**Because if you think that it was firmly joined, then how was the Table, which was an *amah* wide, to be immersed in a *mikveh* which is also exactly an *amah* wide?** For there were times when something impure touched the Table, and it needed to be purified through immersion in a *mikveh*. Obviously, they must have detached the Table in the middle so that each half was only half an *amah* wide.<sup>10</sup>

The Gemara rejects the proof: **What is the difficulty?**

**Perhaps they immersed it in the “sea” (the large Laver) that King Shlomo<sup>11</sup> made.**

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Divide #1 by 5 = 4 ½ fifths of fingerbreadths. (#3)

Divide #2 by 5 = ½ *se'ah*. (#4)

Multiply #3 by 3 = 13 ½ fifths of fingerbreadths.

Multiply #4 by 3 = 1 ½ *se'ahs* = 36 *logs*.

Now divide the square *amah* of the *mikveh* into squares, each one a *tefach* wide: 6 x 6 = 36 squares.

Also, divide the 36 *logs* by 36.

It turns out that every *tefach* by *tefach* square (by the height of 13 ½ fifths of fingerbreadths) includes one *log*.

Divide each square *tefach* into four = 2 fingerbreadths by 2 fingerbreadths (because each *tefach* is four fingerbreadths wide).

Simultaneously, divide each *log* into four = a quarter of a *log* (*revi'it*).

In conclusion: a cube two fingerbreadths by two fingerbreadths by the height of 13 ½ fingerbreadths (which equals 2 and a ½ and a 1/5 fingerbreadths) = a quarter of a *log* (*revi'it*)!

<sup>10</sup> And the legs too must have been detachable.

<sup>11</sup> Solomon

## Perek 10 – 109B

**Because Rabbi Chiya taught:** The “sea” that Shlomo made held the volume of 150 regular purifying *mikva’ot* of 40 *se’ah* each, and thus it held 6,000 *se’ah*.

c c õ d d

Our Mishnah taught: **And one should not have less than four** cups of wine.

The Gemara objects: **How could the Rabbis decree something that one could come to danger because of it?**

**For it was taught** in a Baraita: **A person should not eat two** items (or any even number of items) from one kind of food, because it can make one vulnerable to evil spirits.

**And he should not drink two** cups of the same kind of beverage, **and not wipe** himself clean **twice** after relieving himself, **and not have marital relations twice**. Regarding all these, he should not do them in even numbers.

The Gemara answers: **Said Rav Nachman:** **The verse says** concerning Pesach night: It is “**a night of guarding,**” which means **it is always guarded against *mazikin*** (harmful spirits).

Another answer: **Rav said:** **The third cup of blessing**, i.e. of *Birkat Hamazon*,<sup>12</sup> **joins** the previous two cups **for a good** effect. As a third cup, it removes the evil potential of drinking the first two cups, by bringing the count to three. **And it does not join for a bad** effect, to combine with the last cup to bring the total to four, because it is a cup of blessing. Thus it has only a good effect.

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<sup>12</sup> Grace after meals

## Perek 10 – 109B

A third answer: **Ravina said: The Rabbis decreed** to drink **four cups** because this is **the way of** eating and drinking in a manner expressing **freedom**. And **each one**, i.e. each cup, **[is a mitzvah in itself**. It does not combine with the others to be considered an even number.]

# Chavruta

## Pesachim – Daf Kuf Yud

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[A third answer: **Ravina said: The Rabbis decreed** to drink **four cups**, because this is **the way of** eating and drinking in a manner expressing **freedom**. And **each one**, i.e. each cup,] **is a mitzvah in itself**. It does not combine with the others to be considered an even number.

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The Gemara now discusses the Baraita quoted earlier that said: **One should not have marital relations twice** in succession.

The Gemara asks: **Why not? He** the person who had marital relations once **is now making a new decision**, because his desire dissipates each time. Therefore every act is a separate action in itself.

The Gemara answers: **Said Abaye: This is what it the Baraita is saying: A person should not eat twice and drink twice, and then have marital relations even once**, because **perhaps he will be made weak** from having relations **and thus be harmed**, because doing paired actions beforehand weakened his *mazal*.

\*

**The Rabbis taught: Someone who drinks pairs** (i.e. even numbers) of cups from the same beverage, **his blood is on his own head**. I.e. he is responsible for any harm that might befall him.

**Said Rav Yehudah: When** do we say that this is dangerous? **When he** the person drinking **did not go out and see the marketplace** between each cup.

## Perek 10 – 110a

**But if he** goes out and **sees the marketplace, he has permission** to drink pairs of cups, because going outside interposes between the drinks so that they are considered as single cups.

**And we only say** that he will be harmed **if he goes out on the road** after drinking pairs of cups. **But** if he remains **in his house**, we do **not** say that it is dangerous.

**Said Rabbi Zeira: And to sleep is like going out on the road.**

The Gemara objects: **And** if one remains **in his house**, is he **not** harmed?

**But** we see that **Rava counted** the **beams** in his ceiling when he was drinking, to keep track and make sure that he didn't drink pairs of cups, even when he remained indoors.

**And when Abaye drank one cup** at home, **his mother held two cups for him in her two hands** to ensure that he would drink three cups altogether.

**And when Rav Nachman bar Yitzchak drank two cups** at home, **his servant held one cup for him**, and when he drank **one cup**, **he his servant held two cups for him in his two hands**, in order to ensure that he always drank three cups.

The Gemara answers: **A prominent person is different**, because the harmful spirits strive harder to harm him, and could harm him even in his home.

\*

**Said Ula: Ten cups**, and certainly more than ten cups, **do not have** the problem of drinking **pairs** of cups.

## Perek 10 – 110a

**Ula went according to his rationale - because Ula said, and some say it was taught in a Baraita:**

**They the Sages decreed to drink ten cups of wine in a mourner's house.<sup>1</sup>**

**And if you think that ten cups has the problem of pairs, how could the Rabbis go and decree something that leads to danger?**

Therefore it is clear that drinking ten cups is not dangerous.

**But drinking eight cups does have the problem of pairs.**

**Rav Chisda and Rabbah bar Rav Huna both say:** Eight cups, too, have no problem of pairs. Because **peace** (*shalom*) is the seventh word of the *Birkat Kohanim*.<sup>2</sup> Therefore the seventh cup drunk after the sixth cup **combines for a good** effect and nullifies the evil effect of drinking six cups beforehand.

But **it** the seventh cup **does not combine for the bad**, and if one drinks an eighth cup after the seventh cup, it leads to no harm.

**But drinking only six cups has the problem of pairs.**

**And Rabbah and Rav Yosef both say:** Six too has no problem of pairs, because “**And He will grant favor to you**” is the fifth word of *Birkat Kohanim*. Therefore five **combines for the good** and nullifies the harm of the previous four cups, but **it does not combine for the bad**, and it is not harmful to drink a sixth cup afterwards.

**But drinking four cups does have a problem of pairs.**

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<sup>1</sup> The reason for this is given in *Ketuvot* 8b.

## Perek 10 – 110a

**Abaye and Rava both say:** Four cups, too, has no problem of pairs, because “**And He will protect you**” is the third word of *Birkat Kohanim*. Therefore a third cup **joins for good and it does not join for bad**, as explained before.

**And Rava goes according to his rationale** as expressed elsewhere: **Because Rava** sometimes **would send** away **the scholars** studying with him, after presenting them **with four cups** of wine to drink.

**And even though Rav bar Liva’ei**, one of Rava’s disciples, **was harmed** after drinking four cups, **he Rava was not concerned about the matter**, that this might prove that it is dangerous to drink four cups. **Because he Rava said: That** harm occurred to him **because he used to ask me difficulties in my** lecture and publicly shame me.

\*

**Said Rav Yosef: Yosef the demon told me: Ashmedai, king of the demons, is appointed** in charge of all pairs, and a king is not called a *mazik* (one who does harm) – in other words, a king does not commonly do harm because he does not want to be called a *mazik*.

Therefore only someone who wants to be especially careful has to worry about drinking pairs of cups.

**Some say it this opposite way** around: **On the contrary**, Yosef the demon said: **He Ashmedai is an angry king, and does whatever he wants. Because a king may break** through a person’s **fence** to go where he wants **and no one may protest** his actions.

Therefore one should be careful to not drink pairs of cups.

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<sup>2</sup> Priestly Blessing

## Perek 10 – 110a

\*

**Said Rav Pappa: Yosef the demon told me: With a person drinking two cups, they the *mazikin* can kill him.**

**With four cups they do not kill a person; but with four they only damage a person.**

Furthermore, **with two cups** one is damaged **whether** one drank them **inadvertently or deliberately.**

But **with four cups, deliberately yes, inadvertently not.**

\*

**And if one forgot and it turned out that one drank pairs, what is its antidote?**

**To take the thumb of one's right hand in one's left hand, and the thumb of one's left hand in one's right hand, and say this formula to offset the negative influence of pairs: You and I, behold three!**

**And if he hears a voice (even if it sounds human) that says: "You and I, behold four," he should say: You and I, behold five.**

**And if he hears it the voice say: "You and I, behold six," he should say: "You and I, behold seven."**

**There was an incident that a demon forced someone to count in this way until a hundred-and-one, and the demon finally died in frustration.**

\*

## Perek 10 – 110B

**Said Ameimar: The leader of the female witches** once spoke to me, and she **told me:**

**A person who meets up with witches should say like this** – the following incantation:

**Hot excrement in torn baskets** should be fed **to your mouths, O witches.**

May **your hair** with which you do witchcraft **go bald.**

May **your breadcrumbs** with which you do witchcraft **blow away.**

### **Ammud Bet**

May **your spices** with which you do witchcraft **be dispersed.**

May **the wind blow away the new saffron that you hold** in order to do witchcraft, **O witches.**

**So long as I was pitied** by Heaven **and pitied myself, I did not come among** you.

**Now that I have come among you, you have become cold towards me and my mercy** on myself too has cooled off, that I did not have mercy on myself to avoid you.

\*

**In the West**, i.e. the land of Israel, **they were not particular about** not eating or drinking **“pairs.”**

## Perek 10 – 110B

\*

**Rav Dimi of Nahardea was particular even concerning the marks on a barrel** that marked how many measures of wine he had sold a customer, that they should not be an even number.

**There was an incident** that people forgot and made an even number of marks, **and the barrel split.**

\*

**The rule of the matter is:**

**Whoever is overly particular** about pairs, **they** the demons **are particular with him** to damage him.

**And he who is not** overly **particular** about pairs, **they are not particular with him.**

**And nevertheless, one should be cautious** concerning pairs.

\*

**When Rav Dimi came, he said:** There is a **tradition from Sinai** that **two eggs, and two nuts, and two gourds, and two of something else** unidentified, are dangerous because of pairs.

**And the Rabbis were in doubt what it** the unidentified thing **is.**

**And therefore the Rabbis decreed concerning all “pairs”, because of the unidentified “something else.”**

## Perek 10 – 110B

**And that which we said** above, that **ten, eight, six** and **four do not have** the problem of **pairs**, we only say it concerning **demons**.

**But concerning** a place of **witches**, we are concerned even if there are **many** pairs.

**Like that case of a certain man who divorced his wife. She married a shopkeeper** who sold wine.

**Every day, he** the first husband **used to go and drink wine** at that shop.

**She** his ex-wife **used to make witchcraft against him, but it was not effective on him** because **he was careful with himself concerning** not drinking **pairs** of cups.

**One day he drank a lot and did not know how much he drank. Until sixteen cups he** was sober and was careful of himself not to stop at an even number.

**From then on he was not sober and was not careful of himself,** and **she** his ex-wife **sent him out** after he had drunken **in pairs**.

**As he was walking, a certain Arab met him and he said to him: A slaughtered man is walking here!**

**He** the husband **went and leant on a palm tree** out of weakness and worry.

**The palm tree dried out** because of the witchcraft on the husband, **and he** the husband **died**.

\*

## Perek 10 – 110B

**Said Rav Avira: Plates of food and loaves of bread do not have the problem of pairs.**

**The rule of the matter is: Whatever is finished by human hands, like plates or bread, has no problem of pairs.**

But if it is finished by the hands of Heaven i.e. naturally, if it is things that are kinds of food, we suspect that it might be that “other thing” mentioned above, which has the danger of pairs.

\*

**A shop does not have the problem of “pairs.”**

In other words, if a person drinks one cup in one shop and another cup in another shop, there is no problem of pairs. Another interpretation: There is no problem of pairs if one drinks two cups of wine in a shop, because drinking in a shop is not regarded as a proper drinking session.<sup>3</sup>

In a case of **changing one’s mind**, if one drank one cup and afterwards decided to drink another cup, **there is no problem of pairs in these two cups.**

**A guest** does not know how much wine he will be served, thus he is considered like someone who changes his mind after drinking a cup of wine. Therefore **there is no problem of pairs with him.**

**A woman** is like a guest because she does not generally set herself down to drink wine, and therefore **there is no problem of pairs with her.**

---

<sup>3</sup> And the earlier case where somewhere was harmed after drinking pairs in a shop was because witchcraft is more dangerous than demons.

## Perek 10 – 110B

**But if she is a prominent woman** who does set herself down to drink wine, **we are concerned** about pairs also for her.

\*

**Said Rav Chinana the son of Rabbi Yehoshua: *Ispargus***, a drink made of wine and cabbage that is drunk as a cure every morning before eating, **combines for good** and may be drunk after two cups of wine to avoid drinking pairs.

**And it does not combine for bad.** Because *ispargus* is a cure, if one drinks it after drinking one cup of wine, it does not join with that cup of wine to make a pair.

\*

**Said Ravina in the name of Rava: Concerning “pairs”, one should be strict.**

This means as follows: if one drank a number of cups and is unsure whether one drank pairs or not, one should be strict and drink another cup, and this will help no matter what. Because if one drank pairs until now, the extra cup will nullify it. And if one drank an unequal number so far, the extra cup will not combine and make pairs because one has “changed one’s mind” and only decided to drink it now.

**And some say it** the above statement differently, that **concerning “pairs” one should be lenient.** This means as follows: if one is in doubt whether one drank pairs or not, one should not drink another cup because that will demonstrate that one is particular about pairs. And if one in fact drank an uneven number until now, the extra cup will make create an even number.

And even if the person in fact drank an even number until now, because he was not particular about it, the demons will not be particular with him (as mentioned earlier).

## Perek 10 – 110B

\*

**Said Rav Yosef: Two cups of wine and one cup of beer do not combine** to nullify the “pair” of cups of wine, because the beer is less important.

But **two cups of beer and one cup of wine do combine**, because the wine is more important.

**And your sign** to remember this is that **this is the rule:**

The Mishnah in Tractate *Keilim* tells us that the susceptibility of fabrics to impurity depends on the kind of fabric. Sackcloth must be at least four *tefachim* by four *tefachim* in area, while leather must be at least five *tefachim* by five *tefachim*.

If one joins one *tefach* of sackcloth to four *tefachim* of leather, the resultant five *tefachim* will be susceptible to impurity because the rule is: **whatever is connected to something that is stricter than itself is impure.**

But if one connected one *tefach* of leather to three *tefachim* of sack, the resultant four *tefachim* will not be susceptible to impurity, because if one connects to a fabric **from something more lenient than itself**, the fabric is **pure.**

And similarly, the more important wine combines with the less important beer, but not vice versa.

\*

**Said Rav Nachman said Rav: Two cups before the table** (i.e. before the meal starts), **and one at the table, combine** and are not pairs.

## Perek 10 – 110B

But **one before the table and two at the table do not combine**, and the two at the table are considered a pair.

**Rav Mesharshei contradicted this: But do we need to rectify the table** (i.e. meal)? **We need to rectify the person! And the person is already rectified** because he drank an extra cup before the meal.

The Gemara adds: However, **everyone** (even Rav Mesharshei) **agrees** that **two at the table and one after the table do not combine**.

**Like that incident of Rabbah bar Nachmeini** where a messenger of the king was harmed when he drank pairs of cups during a meal, and Rabbah instructed to bring back the table and drink another cup. But to drink another cup afterwards without the table would not have helped.

\*

**Said Rav Yehudah said Shmuel: Every mixed** beverage—i.e. a beverage mixed with water—that one consumes after drinking cups of wine, combines with the wine and makes it either pairs or an uneven number.

# Chavruta Pesachim – Daf Kuf Yud Al ef

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

**[Said Rav Yehudah said Shmuel: Every mixed beverage—i.e. a beverage mixed with water—that one consumes after drinking cups of wine (that is mixed with water), combines with the wine and makes it either pairs or an uneven number], except for water.** If one makes a beverage by mixing hot and cold water, it is not considered a mixed beverage, because they are both the same thing.

**And Rabbi Yochanan** disagreed and **said: Even** a mixture of hot and cold **water** is considered a mixed beverage.

**Said Rav Pappa: We only say** this (Rabbi Yochanan's view) is true when **hot** water is mixed **with cold** water, or **cold** water **with hot** water.

**But hot** water mixed **with hot** water, or **cold** water mixed **with cold** water, is not considered a mixed beverage.

\*

**Said Reish Lakish: Four things - whoever does them, his blood is on his head** i.e. he is responsible for the consequences, **and he deserves to die. They are:**

- 1) **Someone who relieves himself<sup>1</sup> between a palm tree and a wall.**
- 2) **And someone who passes between two palm trees.**
- 3) **And someone who drinks borrowed water.**

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<sup>1</sup> By defecating

## Perek 10 – 111a

4) **And someone who walks over spilt water, and even if his wife spilt them in front of him.**

The Gemara explains:

1) **Someone who relieves himself between a palm tree and a wall. We only say this is dangerous when there are not four *amot*<sup>2</sup> between the palm tree and the wall, because then there is no room for the demon that lurks there to pass by, and it might damage him. But if there are four *amot*, we are not concerned about it.**

**And even when there are not four *amot* too, we only say it is dangerous when there is no other way for the demon to pass. But if there is another way, we are not concerned about it.**

2) **And someone who passes between two palm trees: We only say that it is dangerous when no public thoroughfare cuts through it, between the two palm trees. But if a public thoroughfare cuts through it, we are not concerned about it, because the demon has no right to harm people passing through, since they have the right of way.**

3) **And someone who drinks borrowed water: We only say that it is dangerous when a minor borrowed it. But if an adult borrowed it, we are not concerned about it.**

**And even if a minor borrowed it too, we only say it is dangerous when it is in a field, where it water is not readily available, and a demon might want to drink that water and harm a person who drinks it. But in a town where it water is readily available, we are not concerned about it.**

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<sup>2</sup> 1 ammah: 18.7 in., 48 cm

## Perek 10 – 111a

**And even in a field too, we only say it is dangerous with water. But wine or beer, we are not concerned about it.**

**4) And someone who passes over spilt water: We only say it is dangerous when one did not separate himself from it the water with dust, by scattering dust on top, or did not spit saliva into them. But if one made an separation from it with dust or spat saliva into it, we are not concerned about it.**

**And we only say that it is dangerous when the sun did not pass (shine) over it the water, or that sixty large footsteps<sup>3</sup> of other people did not pass over it. But if the sun passed over it, or large footsteps passed over it, we are not concerned about it.**

**And we only say it is dangerous when one is not riding a donkey while going over the water, and not wearing shoes. But if one is riding a donkey or wearing shoes, we are not concerned about it.**

**And these above words only apply where there is no reason to suspect the presence of witchcraft. But where there is reason to suspect for witchcraft, even if there are all these conditions, we are concerned that there might be danger.**

**As it happened with a certain person who rode on a donkey and wore shoes when he passed over water, and nevertheless, his shoes shriveled and his legs dried up due to witchcraft.**

\*

**The Rabbis taught: Three types of things should not be allowed to pass between two men, and a man should not pass between them. And they are: a dog, a palm tree, and a woman.**

---

<sup>3</sup> See Rashi 113a *d"h Lo teshaver*.

## Perek 10 – 111a

**And some say: Also a pig.**

**And some say: Also a snake.**

**And if they do go between two men, what is its rectification?**

**Said Rav Pappa: One should begin with the word “*Keil*” (G-d) and end with the word “*Keil*.”** In other words, one should say the following verse from the blessings of Bilaam, which begins and ends with the word “*Keil*”:

“The *G-d* that took them from Egypt... Now it will be said to Yaakov and to Israel what *G-d* has done.”

**Or also: One should begin with “*lo*” (not) and finish with “*lo*”.** In other words, one should say the following verse from the blessings of Bilaam, which begins and ends with the word “*lo*”:

“G-d is *not* a man that He will lie, and speak and *not* fulfill.”

\*

**Two people that a menstrual woman passed between them -**

**If it is the beginning of her menstrual period, she kills one of them – one of them will die.**

**If it is the end of her menstrual period – she makes a quarrel between them.**

**What is its rectification? To begin with “*Keil*” (G-d) and end with “*Keil*” as above.**

## Perek 10 – 111a

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**If two women are sitting at a crossroads, one at this side of the road and one on that side, and their faces are towards each other, they are certainly dealing in witchcraft.**

**What is its rectification** if someone finds himself in this situation?

**If there is another route, he should go on it.**

**And if there is not another route, if there is another person with him, they should hold hands and pass through.**

**And if there is no other person, he should say this: *Igrat, Azlat, Asya, Blusia* (names of demons that witches deal with) **are killed with arrows.**<sup>4</sup>**

\*

**A man who comes upon a woman at the time she comes out from an immersion of mitzvah<sup>5</sup> in a mikveh<sup>6</sup>.**

**If he has marital relations first, a spirit of immorality will seize him.**

**If she has marital relations first, a spirit of immorality will seize her.**

**What is its rectification?**

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<sup>4</sup> This expression for arrows is found in Yechezkel 26:9).

<sup>5</sup> I.e. she immersed herself in order to be purified from the impurity of *niddah*, menstruation. That night, it is a mitzvah for her husband to have marital relations with her.

<sup>6</sup> Purifying pool

## Perek 10 – 111a

To say **this** verse: “**He pours scorn on princes, and causes them to be lost in the wilderness where there is no path.**”

\*

**Said Rabbi Yitzchak: What is the meaning of that which is written: “Even when I walk in the valley of the shadow of death I will not fear evil, for You are with me.”**

**This is referring to someone who sleeps in the shade of a single<sup>7</sup> palm tree, because the demon lurking there can harm him, or behind a wall in the shade from the moonlight, where demons lurk.<sup>8</sup>**

These are two cases of a “shadow of death.”

**And concerning in the shade of a single palm tree, we only say that it is dangerous when the shade of its companion palm tree is not falling on it. But if the shade of its companion is falling on it, we are not concerned about it, because the demon can move to the shade of the next palm tree and will leave him alone.**

The Gemara objects: **But** we see the opposite from **that which was taught** in a Baraita: **Someone who sleeps in the shade of a single palm tree in a courtyard, and he who sleeps in the shade from the moon, his blood is on his head** i.e. he is responsible for the consequences.

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<sup>7</sup> But if there is another palm tree, the demon moves to the shade of the other palm tree.

<sup>8</sup> Because they are afraid to venture out into the moonlight.

## Perek 10 – 111B

**How is it** the case of this Baraita? **If you say that the shade of its companion** palm tree **is not falling on it, even in a field, too**, one should not sleep in the shade of a palm tree.

**But no**, we may **hear from it** the Baraita's statement that **in a courtyard, even if the shade of its companion falls on it**, one should not sleep under a palm tree. Due to the limited space in the courtyard, the demon might harm the person even though another tree is available.

The Gemara concludes: Indeed, we may **hear from this** as you said.

\*

The Gemara continues explaining the Baraita:

**And in the shade from the moon: We only say** that it is dangerous **in** the second half of the month, when the moon is in the east during the first hours of the night and casts its shadow **in the west. But** at the beginning of the month, when the moon is in the west during the first hours of the night and casts its shadow **in the east, we are not concerned about it.**

\*

### **Ammud Bet**

**Someone who relieves himself<sup>9</sup> on the stump of a cut-down palm tree, is overcome by a spirit that causes a hemorrhage<sup>10</sup> (*shetef dam*).**

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<sup>9</sup> I.e. he defecates

<sup>10</sup> Or: stroke

## Perek 10 – 111B

**And someone who leans his head on the stump of a palm tree is overcome by a spirit that causes a headache of half the head.**

**Someone who steps over a small palm tree, if it the palm tree is subsequently cut down he will be killed. If it the palm tree is uprooted, he will be uprooted and die.**

**And these words, that this is dangerous, is if he did not put his foot on it the palm tree while stepping over it. But if he put his foot on it, we are not concerned about it.**

\*

**There are five shadows that should be avoided.**

1) **The shade of a single palm tree.**

2) **The shade of a *kanda* tree.**

3) **The shade of a *zardata* tree.**

4) **And the shade of a willow tree.**

**The rule of the matter is: Whatever tree has a lot of branches, its shade is dangerous because an evil spirit lurks there.**

**And whatever tree its wood is hard, its shade is dangerous.**

**Except for the *karu masa* tree, that even though its wood is hard, its shade is not dangerous.**

## Perek 10 – 111B

**Because** we have a tradition that **a demon told her son: Keep yourself away from the *karu masa* tree, because that is the one that killed your father, and it might kill you** (lit. him). Thus we see that demons avoid this tree.

**Said Rav Ashi: I saw that Rav Cahana kept away from the shade of all trees.**

Demons that dwell **in the caper bush** are called “*Ruchei*.”

Demons that dwell **in the *zaradata* tree** are called “*Shida*.”

Demons that dwell **on the roofs** are called “*Rishfei*.”

**What difference** does this make?

**For writing a charm** against them, which requires using their correct names.

Demons that dwell **in caper bushes** are **a creature that has no eyes.**

**What is the difference?**

**To escape from it** - it is easier to flee from it because it has no eyes.

The Gemara brings an example of this:

**Once a certain Torah scholar went to relieve himself under a caper bush. He heard that it this demon was coming after him and fled from it.**

**As it the demon went after him, it clasped<sup>11</sup> a palm tree. The palm tree dried and it the demon died.**

---

<sup>11</sup> Rashi's text reads “*nafka adikla*”, meaning that it tripped and fell on the palm.

## Perek 10 – 111B

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*Parcha*<sup>12</sup>. The Gemara does not elucidate.

\*

The Gemara said before: Demons that dwell **in the *zaradata*** tree are called “*Shida*.”

Now the Gemara adds: **A *zaradata* tree that is close to a town does not have less than sixty demons** in its shade.

**What is the difference?**

**To write a charm for it** – one who writes a charm needs to write it against at least sixty of these demons.

**There was a town watchman who went and stood at a *zaradata* tree that was close to a town. Sixty demons entered him and his life was in danger.**

**He came to a certain scholar who did not know that it was a *zaradata* tree with sixty demons, and he the scholar wrote against it the demon a charm for only one demon.**

**He that scholar heard that they the demons mocked him and sang thus: The garment of this “master” resembles that of a Torah scholar—**

**But we have examined the master and found that he does not even know that one is obligated to recite the blessing of *Ohteir yisrael betif'arah*, (“Blessed... Who crowns**

---

<sup>12</sup> The Gra’s version of the text erases this word.

## Perek 10 – 111B

Israel with glory”) when he wraps his rabbinical robe over his head in the morning. In other words, he knows less than he should.

**Then one of the scholars came who knew that the *zaradata* tree is of sixty demons. He wrote a charm for sixty demons against it and heard that they the demons said: Remove your possessions from here.** Flee from this scholar.

\*

Concerning the demon named *Ketev Meriri*, **there are two** demons named *Ketev*, **one of the morning and one of the afternoon.**

**That of the morning: Its name is *Ketev Meriri* and it is found between jugs of *kutach*,<sup>13</sup> and it stirs food with a pot ladle.<sup>14</sup>**

**The *Ketev* of the afternoon: Its name is *Ketev Yashud Tzaharayim*, and it is seen between the horns of goats, and it moves back and forth there like a sieve.**

\*

**Abaye was walking along and Rav Pappa was walking at his right and Rav Huna the son of Rav Yehoshua was walking at his left.**

**He Abaye saw *Ketev Meriri* coming towards him to his left. He moved Rav Pappa to his left and Rav Huna the son of Rav Yehoshua to his right.**

**Rav Pappa said to him: Why am I different, that you (lit. he) were not concerned about me being harmed?**

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<sup>13</sup> A dip made from bread, salt and sour milk.

## Perek 10 – 111B

**He Abaye said to him:** For you, you are experiencing a propitious time. You are wealthy and have a good *mazal*, and therefore the demon would not harm you.

\*

**From the first of the month of Tammuz until the sixteenth of that month, it Ketev Meriri is certainly prevalent. From then onwards, it is questionable if it is prevalent, questionable if it is not prevalent.**

**And it is found in the shade of a certain plant called *chatzva*<sup>15</sup> that has not grown an *amah* tall. And it is also found in the shade of the morning and evening that is not an *amah* long.**

**And it is mainly found in the shade of an outhouse.**

\*

**Said Rav Yosef: These three things cause blindness to the light of the eyes.**

- 1) **Someone who combs his head** when it is **dry**.
- 2) **And someone who drinks** wine when it **drips** from the barrel.
- 3) **And someone who puts on shoes when his feet are still wet** from the bathhouse.

\*

**Hanging bread in the house is conducive to poverty** i.e. it causes poverty to come upon the house.

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<sup>14</sup> This rendering follows the text of the Vilna Shas, not that of *Rashbam*.

## Perek 10 – 111B

**As people say: If the basket hangs** with bread inside, it is as if **one's sustenance is suspended** and does not reach him.

**And we only say this when** there is **bread** in the hanging basket. **But** if there is **meat and fish** in the basket **we are not concerned about it**, because **this is its common custom**.

**Bran in a house is conducive to poverty.**

**Crumbs** thrown on the floor **in a house** are **conductive to poverty**.

Because **on Shabbat nights and Wednesday nights, demons rest on them** the crumbs.

Also, **the angel appointed over sustenance is called “Nakid”** which connotes cleanliness, and it dislikes crumbs being trod underfoot.

And **the angel appointed over poverty is called “Naval”** which connotes dirt, and it enters homes where bread is not treated with cleanliness.

\*

**Placing a plate on the mouth of a barrel is conducive to poverty.**

**Someone who drinks water from a plate, it is conducive to weak eyesight.**

Someone **who eats tachlei** (a certain sharp vegetable) **and doesn't wash his hands afterwards, is afraid for three days** and doesn't know from what.

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<sup>15</sup> That Yehoshua used to mark the Tribes' borders in Eretz Yisrael.

# Chavruta Pesachim – Daf Kuf Yud Bet

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[Someone **who eats *tachlei*** (a certain sharp vegetable) **and doesn't wash his hands** afterwards, **is afraid for three days** and doesn't know from what.]

**Someone who lets blood from the shoulders and does not wash his hands** afterwards, **is afraid for seven days** and doesn't know from what.

Someone **who cuts his hair and does not wash his hands, is afraid for three days.**

Someone **who cuts his nails and does not wash his hands, is afraid for one day and does not know why he is afraid.**

If someone often puts his **hand on his upper lip** by his nostrils, it is like giving a **ladder to fear** to reach him.

If one puts one's **hand on one's forehead**, it is like giving a **ladder to sleep** to reach him.

\*

**It was taught in a Baraita: Food and drink under a bed, even if they are covered with a metal vessel, an evil spirit rests on them.**

\*

**The Rabbis taught: A person should not drink water on Wednesday nights or on Shabbat nights in the dark. (*Rashbam*) And if he did drink, his blood is on his head** i.e. he is responsible for the consequences **because of danger.**

## Perek 10 – 112a

**What danger? An evil spirit.**

**And if one is thirsty, what is its rectification** to be able to drink?

**To say the seven voices that David said** in the Book of *Tehillim*<sup>1</sup> **concerning water, and then to drink.**

**As it says: 1) The voice of Hashem is on the waters, the G-d of glory is thundering, Hashem is on the great waters.**

**2) Hashem's voice is powerful.**

**3) Hashem's voice is full of majesty.**

**4) The voice of Hashem breaks the cedars, and Hashem breaks the cedars of Lebanon.**

**5) Hashem's voice strikes with flashes of fire.**

**6) Hashem's voice shakes the wilderness. Hashem shakes the wilderness of Kadesh.**

**7) Hashem's voice makes the deer calve, and strips the forests bare, and in His Temple everything says, "Honor!"**

**And if one did not say these seven voices, he should say this incantation instead:**

***Lul, shafan, anigron, anigron, I am sitting among stars, I am walking among thin and fat people; choose one of them and leave me alone.***

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<sup>1</sup> Psalms

## Perek 10 – 112a

**And if one did not say this, if there is a person with him, he should wake him and say to him: So and so the son of so and so (i.e. myself) is thirsty for water, and then he should drink.**

**And if there is not someone else present, he should beat the covering of the barrel on the barrel so that the demon thinks someone else is with him,<sup>2</sup> and then drink.**

**And if one did not do this, one should throw something in the water and then drink.**

\*

**The Rabbis taught: A person should not drink water from rivers or from lakes at night. And if he did drink, his blood is on his head i.e. he is responsible for the consequences because of danger.**

**What danger? The danger of *Shavriri* – a demon that causes blindness.**

**And if he is thirsty, what is its rectification to be able to drink?**

**If there is a person with him, he should say to him: So and so the son of so and so (i.e. myself) is thirsty for water.**

**And if there is not another person, he should say to himself this incantation: So and so (myself), my mother told me: Be careful of *Shavrirei, Shavrirei, barirei, rirei, ri.*<sup>3</sup> I am thirsty for water in white clay cups.**

c c õ d d

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<sup>2</sup> Rashi Avoda Zara 12b d"h Vekarkash.

## Perek 10 – 112a

Our Mishnah taught (99b): And the treasurer of the charity fund is not to give each poor person less than four<sup>4</sup> cups of wine. **And even** if a poor man receives food **from the tamchui**<sup>5</sup>, the treasurer must still see to it that he receives a full four cups of wine.

The Gemara raises a difficulty: This is **obvious**. Those who receive from the *tamchui* have the same obligation as every other Jew.

The Gemara answers: **It** the Mishnah **only needed** to state this so we will know that this holds true **even according to Rabbi Akiva who said: Make your Shabbat like a weekday** and eat regular food, **and do not make yourself dependent on** taking charity from **people**.

But **here, because of** the importance of **publicizing the miracle** of leaving Egypt, even **he** Rabbi Akiva **agrees** that one should take the wine from charity.

\*

**The House** (school) of **Eliyahu taught** in a Baraita: **Even though Rabbi Akiva said: Make your Shabbat like a weekday and do not make yourself dependent on people, nevertheless one does a small thing** in honor of Shabbat **in one's house**.

**What is it** this small thing?

**Said Rav Pappa: Small fish fried in their oil.**

---

<sup>3</sup> Shortening the demon's name progressively makes the demon disappear.

<sup>4</sup> The Sages enacted the drinking of four cups of wine on Pesach night, corresponding to the four expressions of redemption from Egypt written in the Torah.

<sup>5</sup> Food that was collected door to door, from households, and immediately distributed to the poor.

## Perek 10 – 112a

As it is taught in a Mishnah: **Rabbi Yehudah ben Teima says: Be brazen as a leopard, and light as an eagle, and fast as a deer, and strong as a lion, to do the will of your Father in Heaven.** Therefore one must strive to honor Shabbat beyond one's regular means.

\*

**The Rabbis taught: Rabbi Akiva commanded Rabbi Yehoshua his son seven things:**

- 1) **Do not sit at the top of the town** where many people pass by, **and learn** there, because the people will interrupt your learning.
- 2) **And do not live in a town whose heads are Torah scholars**, because due to their involvement in learning they will not be sufficiently devoted to the public needs.
- 3) **And do not enter your house abruptly**, but make a noise beforehand because someone might be doing something that requires modesty, and **how much more** is this necessary before entering **to your friend's house**.
- 4) **And do not keep shoes from your feet**, because it is a disgrace for a Torah scholar to go barefoot.
- 5) **Rise early and eat, in the summer**, to be fortified **from the heat, and in winter**, to be fortified **from the cold**.
- 6) **And make your Shabbat like a weekday and do not make yourself dependent on** taking charity from **people**.

## Perek 10 – 112a

7) **And make efforts** to earn money together **with a person who is favored by the time** – who is enjoying good *mazal*.

\*

**Said Rav Pappa:** Rule 7 means **not to buy from him and not to sell to him**, because he will profit from this, not you. **Rather, to make a partnership with him.**

**But now that Rav Shmuel bar Yitzchak said:** What is the meaning of **that which is written**, which the Satan said to Hashem concerning Iyov<sup>6</sup>: **“You have blessed the work of his hands”?** It means: **Whoever takes a *perutah* from Iyov is blessed.**

If so, **even to buy from him** a successful person, **and to sell to him, is good.** It brings one a blessing.

\*

**Rabbi Akiva commanded Rabbi Shimon bar Yochai five things when he Rabbi Akiva was locked in prison.**

**He Rabbi Shimon bar Yochai said to him: Teach me Torah!**

**He Rabbi Akiva said: I will not teach you!** Because Rabbi Akiva himself had been imprisoned for studying Torah.

**He Rabbi Shimon said to him: If you do not teach me Torah, I will tell Yochai my father and he will hand you over to the Roman kingdom** for some crime worse than learning Torah. (*Maharsha*)

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<sup>6</sup> Job

## Perek 10 – 112a

**He Rabbi Akiva said to him: The cow wants to give milk more than the calf wants to suckle** - I want to teach more than you want to learn, but I am afraid of the government.

**He Rabbi Shimon said to him: And who is in danger? Isn't the calf (me) in danger?**  
So why can't you teach me?

Rabbi Akiva agreed and **said to him:**

1) **If you want to strangle yourself, hang from a big tree.** In other words, if you want people to accept your view, say it in the name of a great person.

2) **And when you teach your son, teach him from an amended book** that has been checked for errors.

**What is that?** What kind of teaching is this speaking?

**Said Rav, and some say that Rav Mesharshei said it: With new learning** of a young child. Because **a mistake, once it enters** a child's mind, **it enters** firmly and is difficult to remove.

3) **Do not cook in a pot that your fellow cooked in.**

**What is that?** Do not marry **a divorcee in the lifetime of her first husband.**

**Because a master said: A divorced man who marries a divorced woman, there are four personas in the bed** because each one thinks of his previous spouse. This is problematic since *Chazal* say that it is forbidden to think of another partner during marital relations.

## Perek 10 – 112B

**And if you wish, I could say that Rabbi Akiva's commandment was even concerning marrying a widow.**

### **Ammud Bet**

**Because not all “fingers”<sup>7</sup> are equal and the widow might despise her second husband.**

4) If you want to do **a mitzvah and** simultaneously make your money multiply into **a big “body,”** lend money to someone and take his field as a pledge for the loan, together with the right to take the fruit it produces – in return for a slight deduction of the loan.<sup>8</sup> Thus both of you will benefit. You will **eat fruit** of his field, **and he will have profit** from your loan.

5) To do **a mitzvah and** have **a pure body,**<sup>9</sup> **one should marry a wife and even if one already has children.**

\*

**The holy Rabbeinu (Rabbi Yehudah HaNasi) commanded his sons four things:**

1) **Do not live in Shachnetziv because they are mockers and will draw you to mocking.**

2) **And do not sit on the bed of a gentile woman** (lit. Aramean woman).

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<sup>7</sup> Euphemism for the male organ.

<sup>8</sup> The Gemara (*Bava Metzia* 67b) says that this “*mashkanta de'Sura*,” as it is called, does not contravene the prohibition of taking interest.

<sup>9</sup> Because then he will not have nocturnal emissions.

## Perek 10 – 112B

Some say this means **that one should not lie down to sleep without first reading the Shema**, i.e. one should not go to sleep as a gentile would.

**And some say that it means that one should not marry a converted woman.**<sup>10</sup>

**And some say that it means an actual gentile woman** – that one should not sit on her bed, **and because of an incident of Rav Pappa** who was owed money by a gentile woman and came to her daily demanding his debt. One day, she strangled her son and placed him on a bed, and then asked Rav Pappa to sit there while she went to get the money. Afterwards she claimed that Rav Pappa had suffocated her son and he was forced to flee the country.

3) **And do not hide yourself from paying taxes**, because **perhaps they will catch you and take away all that you have from you.**

4) **And do not stand in front of an ox when it rises from feeding in the marsh**, because at that time **the Satan dances between his horns** – it is very vicious at that time.

**Said Rabbi Shmuel:** This only applies **to a black ox, and only in the days of Nissan** when the plants begin to grow and the ox feels self-satisfied.

**The House of Rav Oshaya taught: One should keep fifty *amot* distant from a *tam*<sup>11</sup> ox, and as far as one can see from a *mu'ad*<sup>12</sup> ox.**

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<sup>10</sup> The Gemara (*Sanhedrin* 97a) writes that one should not insult a gentile in front of a convert or his descendant, even if ten generations have elapsed since his ancestors converted, because he still feels some connection to them.

<sup>11</sup> An ox that has not gored three times.

<sup>12</sup> An ox that gored three times.

## Perek 10 – 112B

**It was taught in the name of Rabbi Meir:** Even if the ox's head is in the food basket and it is busy eating, **go up on the roof and throw the ladder from beneath you** in case it comes up after you.<sup>13</sup>

\*

**Said Rav:** The incantation<sup>14</sup> of an ox to make it not gore is: **“Hein, hein!”**

**The incantation of a lion** is: **“Zeh, zeh!”**

**The incantation of a camel** is: **“Da, da!”**

**The incantation of a ship**<sup>15</sup> is: **“Hilni, hi, hilla, vehilluk, hulya.”**

\*

**Said Abaye:** **Leather, fish, and kos, hot water, and eggs, and white lice – all of them are conducive for something else – a euphemism for tzara'at.**<sup>16</sup>

The Gemara explains: **Leather: Someone who sleeps on leather of the tanner** before it is cured.

**Fish:** The *shivuta* fish in the days of Nissan.

**A kos:** To eat the remains of *kasa deharsana*.<sup>17</sup>

**Hot water:** Very hot water regularly poured over oneself.

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<sup>13</sup> An exaggeration.

<sup>14</sup> The Rashbam says it might also be a simple command to make the ox go away or do work.

<sup>15</sup> According to Rashbam this is the chant sailors say when they pull the boat into the river.

<sup>16</sup> A serious skin disease.

<sup>17</sup> Small fish fried in their oil.

## Perek 10 – 112B

**Eggs: Someone who treads on egg shells.**

**White lice: Someone who washes his clothes and does not keep them aside for eight days before washing them<sup>18</sup> so that the lice die, and wears them again, these lice are created and they are conducive for something else (*tzara'at*).**

\*

**Said Rav Pappa: A house that has a cat in it, a person should not go in without shoes.**

**What is the reason? Because the cat kills a snake and eats it, and in the snake are small bones, and if the bone of a snake goes into one's foot it does not come out and it endangers him.**

**Some say: If a house does not have a cat, a person should not enter it in the dark.**

**What is the reason? Because perhaps a snake will entwine on him and he will not realize it, and he will be in danger. But if there is a cat, it would kill the snake.**

\*

**Rabbi Yishmael the son of Rabbi Yosi commanded Rabbi i.e. Rabbi Yehudah HaNasi three things:**

**1) Do not make a blemish for yourself.**

**What is this?**

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<sup>18</sup> Another interpretation: To not wait eight days *after* washing them. Rashbam.

## Perek 10 – 112B

**Do not make litigation against three** people, **because** they could plot against you: **One will be your litigant, and the other two will be false witnesses** against you and afterwards they will share the money they procure from you in this way.

2) **And do not stand next to an item for sale** to examine it **when you have no money** to buy it, because you prevent someone else from buying it during that time and cause a loss to the seller.

3) **If your wife immersed** herself in a *mikveh*<sup>19</sup>, **do not have relations with her the first night.**

**Said Rav:** **And** this applies only **to a woman** who was *nidah*<sup>20</sup> **according to Torah law,** and her discharge of blood stopped shortly before sunset, at the end of the seventh day of impure discharge.

This matter applied before Jewish women started counting seven clean days after any discharge of blood. In that era, one should not have relations the first night. This is **because an “open spring” was established** (i.e. she was still discharging blood) at the end of the seventh day. Thus **her flow** of blood **might continue,** making her a *zavah*<sup>21</sup>, who is forbidden to have marital relations, similar to a *nidah*.

\*

**Rabbi Yosi the son of Rabbi Yehudah commanded Rabbi three things:**

1) **Do not go out alone at night.**

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<sup>19</sup> Purifying pool

<sup>20</sup> Impure due to menstruation

## Perek 10 – 112B

2) **And do not stand naked before a lamp.**

3) **And do not enter a new bathhouse, lest it collapse** into the space beneath, where there was boiling water.

The Gemara explains: **Until when** is the bathhouse considered new?

**Said Rabbi Yehoshua ben Levi: Until twelve months.**

The Gemara explains further: **And do not stand naked before a lamp: Because it was taught** in a Baraita: **Someone who stands naked before a lamp will become epileptic.**

**And someone who has marital relations by the light of a lamp will have lame children.**

\*

**The Rabbis taught: Someone who has marital relations on a bed that a baby is sleeping on, that baby will become lame.**

**And we only say this if he was not a year old. But if he is a year old, we are not concerned about it.**

**And we only say this when he the baby sleeps at one's feet. But if he sleeps at one's head, we are not concerned about it.**

**And we only say this when one did not lay one's hand on him at the time. But if one laid one's hand on him, we are not concerned about it.**

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<sup>21</sup> A woman who is impure due to a discharge of blood not attributable to menstruation. From the eighth

## Perek 10 – 112B

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Included in the above list was: **Do not go out alone at night.**

The Gemara explains: **Because it was taught in a Baraita: A person should not go out at night alone, not on Wednesday nights, and not on Shabbat nights, because *Igrat bat Machlat* (a female demon), she and eighteen myriads (180,000) of destroying angels go out, and each one has permission to inflict damage by itself.**

**Originally, they were prevalent every day. Once, she *Igrat bat Machlat* met Rabbi Chanina ben Dosa.**

**She said to him: If not that they announce about you in heaven: “Beware of Chananya and of his Torah!” I would have harmed you.**

**He said to her: If I am important in heaven, I decree on you that you should never pass through an inhabited place.**

**She said to him: I beg you, leave me a small space (i.e. time) when I can pass through inhabited places.**

**He left her Shabbat nights and Wednesday nights.**

\*

**And again, she *Igrat bat Machlat* once met Abaye.**

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day on, for an eleven-day period, her discharge of blood is judged as *zivah*.

## Perek 10 – 112B

**She said to him: If not that they announce about you in heaven: “Beware of Nachmeini<sup>22</sup> and his Torah!” I would have harmed you.**

**He said to her: If I am important in heaven, I decree on you that you should never pass through an inhabited place, even on Shabbat and Wednesday nights.**

The Gemara objects: **But we see that they do pass through!**

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<sup>22</sup> Abaye’s real name was Nachmeini. But because he was raised by his master, Rabbah bar Nachmeini, his master did not want to call him by his father’s name, Nachmeini. Therefore he called him Abaye.

# Chavruta Pesachim – Daf Kuf Yud Gimel

Translated by: *Rabbi Dov Zimmel*  
Edited by: *R. Shmuel Globus*

[**And again, she** the demon named *Igrat bat Machlat* **once met Abaye.**

**She said to him: If not that they announce about you in heaven: “Beware of Nachmeini<sup>1</sup> and his Torah!” I would have harmed you.**

**He said to her: If I am important in heaven, I decree on you that you should never pass through an inhabited place,** even on Shabbat and Wednesday nights.

The Gemara objects: **But we see that they do pass through!**]

The Gemara answers: **They said: These** demons were merely traveling along **the paths** next to a vineyard, observing Abaye’s decree not to come into inhabited places. Then **their horses broke loose** from them and ran into populated areas. **And** the demons only **come** into these areas in order to retrieve their horses **and take them** away from there.

c c õ d d

**Rav said to Rav Asi: Do not live in a town in which a horse does not neigh, and a dog does not bark.** I.e. do not live in a place where there are not dogs and horses. The presence of these animals offers protection from thieves. The barking of the dogs will make the people aware that a theft is taking place. And horses could be used to chase after the thieves and catch them.

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<sup>1</sup> Abaye’s real name was Nachmeini. But because he was raised by his master, Rabbah bar Nachmeini, his master did not want to call him by his father’s name, Nachmeini. Therefore he called him Abaye.

## Perek 10 – 113a

**And do not live in a town that the mayor is a doctor.** Because he will be preoccupied tending to the health of the town's residents, he will not devote enough time to deal properly with the civic needs.

**And do not marry two** women, for maybe they will conspire against you.

But **if you have already married two** women, **you should marry three**, i.e. a third one. For if the first two should conspire against you, the third one will notify you about it.

c c õ d d

**Rav said to Rav Cahana:** It is better to **turn over the carcass of an animal rather than to turn over** one's words. 'Turning over' is a term referring to doing the same action many times. Excessive speech can often lead a person to say something improper. It is better to be involved in the demeaning activity of working with carcasses, than to run the risk of improper speech.

He also said: It is better to **skin the carcass of an animal in the market and get paid** for this, **rather than to say: "I am a cohen, and a prominent person, and to do this thing is not befitting to me."** I.e. it is better for a distinguished person to have a degrading job in a public place, than to be without a livelihood.

Rav also said to Rav Cahana: Even if **you are just going up to the roof** you should take **what you need with you.** I.e. when you go on a journey, however small the distance, you should take food with you.

## Perek 10 – 113a

He also said to him: Even if a **hundred pumpkins** are being sold **in the town for just one zuz<sup>2</sup>**, your food **should be under your clothing**. I.e. even if food is very cheap in the place you are traveling to, still one should take his food with him.

c c õ d d

**Rav said to his son Chiya: Do not take medication**, if there is an alternative method to achieve better health. This is because you can become addicted to the medication, wanting to have it even when you are better. This causes an unnecessary loss of money.

**And do not take big strides**, because this causes a weakening of one's eyesight.

**And do not extract a tooth** to relieve toothache, since it will eventually heal anyway.

**And do not provoke a snake.**

**And do not provoke an Aramean**, i.e. a gentile.

\*

**The Rabbis taught** in a Baraita: There are **three** that one **should not provoke them**.

**And they are these: A gentile child, and a young snake, and a young disciple.**

**What is the reason? For their dominion is standing behind their ears.** I.e. their hatred will fester, and when they will become stronger they will try to take revenge on you.

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<sup>2</sup> A silver coin. It is sometimes called a *dinar*.

## Perek 10 – 113a

c c ã d d

**Rav said to his son Ayvu: I have tried very hard with you to teach you Gemara, and it has not be successful. Come and I will teach you worldly matters:**

**While the sand is still on your feet** i.e. as soon as you have returned from your purchasing trip, you should **sell your merchandise**. By selling it straight away, you will want to go back and purchase new merchandise.

**Anything you sell, you could regret** selling it quickly. **Except wine, which should be sold quickly and one will not regret** doing so.

Other items you might regret not having waited until their value increased. But with wine, because of the potential of it becoming sour, one should refrain from selling it quickly.

**Loosen your purse** and only then **open your sack**. First of all, take the money for what you sell. Only afterwards give the produce to the buyers.

**Rather a kav<sup>3</sup> from the ground than a cor<sup>4</sup> from the roof**. It is better for a person to work closer to home and earn less money, than to travel far away and earn more money.

If you have **dates in your date-basket, run to the brewery<sup>5</sup>**. I.e. do not wait until you fill up the basket. Because if you delay in taking them to the brewery, you might come to eat them.

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<sup>3</sup> A small measure of produce (1.38 lit.).

<sup>4</sup> A large measure of produce. There are 180 kav in a cor.

<sup>5</sup> Beer was brewed from dates in that place.

## Perek 10 – 113a

**And** with **how many** dates is it already considered worthwhile taking already to the brewery?

**Said Rava:** As little as three *se'ah*<sup>6</sup>.

\*

**Said Rav Papa:** If I had not brewed beer, I would not have become rich!

**There are** those **that say** the following version: **Said Rav Chisda:** If I had not brewed beer, I would not have become rich!

\*

**What is** the meaning of *sudana*? I.e. why is a beer brewer called a *sudana*?

**Said Rav Chisda:** It is **advice** (*sod*) that is **fitting** (*na'eh*). Because one who heeds the advice to produce beer, will become wealthy.

**And** it gives a person the opportunity **to do acts of kindness**, for one can give poor people a drink from it.

c c õ d d

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<sup>6</sup> 1 *se'ah*: 6*kav*.

## Perek 10 – 113a

**Said Rav Papa: Every “agav” requires collecting.** “Agav” refers to credit extended to someone, which can only be collected by means of (*agav*) a document. Rav Papa is saying that since this type of credit involves the trouble of collection, one should try to avoid it, if one can receive the money directly.

**Any sale made on credit, maybe the money will come to your hand maybe it will not come. And even that money which comes to your hand is inferior money,** for the client pays it in small amounts.

c c õ d d

There are **three things** which **Rabbi Yochanan said in the name of the people of Jerusalem.**

- (1) **When you go out to war, do not be the first one to go out, rather be the last one to go out.** This is **in order that** if you need to run away from the enemy, **you will be the first one to enter** your home town.
- (2) **And make your Shabbat food ordinary** i.e. like on a weekday, **rather than** making it special and then **needing** the financial support of **people.**
- (3) **And try to join together in business with someone that the hour is smiling upon him** i.e. he is enjoying good fortune.

c c õ d d

## Perek 10 – 113a

There are **three things** that **Rabbi Yehoshua ben Levi** said in the name of the people of Jerusalem.

- (1) Try to **minimize** doing one's personal matters **on roofs**<sup>7</sup> i.e. in open places. **Because of the incident which took place** between King David and Batsheva<sup>8</sup> that he saw her bathing on her roof.
- (2) When **your daughter reaches** the age of **maturity**, **free your slave and give him to her** in marriage! I.e. do everything to make sure to marry her off quickly.
- (3) **And be careful with one's wife as regards her first son-in-law.**

**What is the reason?**

**Rav Chisda said:** Because of the possibility of **illicit relations** between them.

**Rav Cahana said:** Because of the excess of **money** she might spend on account of him.

The Gemara says: Both **this reason and that reason are** valid.

**c c õ d d**

**Said Rabbi Yochanan:** **Three** types of people are **among those who will inherit the World to Come.**

**And they are these types:**

- (1) **One who lives in the land of Israel.**
- (2) **And one who raises his sons to study the Torah.**
- (3) **And one who recites Havdalah on a cup of wine at the departure of the Shabbat.**

---

<sup>7</sup> This follows the Maharsha's version of the text of the Gemara.

## Perek 10 – 113a

The Gemara asks: **What is** so special about reciting Havdalah on a cup of wine, that merits such great reward?

**Because he leaves over from** the wine of **Kiddush** in order to recite **Havdalah** over it. It is speaking in a case where he has only a small amount of wine, and he refrains from drinking the wine left over from Kiddush, in order to save it for Havdalah.

**c c o d d**

**Said Rabbi Yochanan:** There are **three** types of **people that the Holy One proclaims** their praises **every day:**

- (1) **Regarding a single man who lives in a large city and does not sin.**
- (2) **And regarding a poor person who returns a lost object to its owner.**
- (3) **And regarding a wealthy person who meticulously separates tithes from his produce, in private.** Even though the taking of tithes incurs a great loss, he still fulfills it exactly as he should. Since he does this privately, it shows he is not doing it for the honor he might receive from onlookers.

The Gemara relates: **Rav Safra was a single man who lived in a large city.**

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<sup>8</sup> Who was married at that time to Uriah.

## Perek 10 – 113B

### **Ammud Bet**

A “tanna”<sup>9</sup> taught the Baraita cited above **in front of Rava and Rav Safra**, that the Holy One proclaims the praises of three types of people every day.

**The face of Rav Safra lit up** from joy, for he was a single man who lived in a large city.

**Rava said to him** Rav Safra: This Baraita is **not** speaking of someone **like the master** i.e. you!

**Rather** it is speaking of someone **like Rav Chanina or Rav Oshiya who were cobblers in the land of Israel. And they would sit in the marketplace of prostitutes, and they would make shoes for these prostitutes and bring the shoes to them. They the prostitutes would look at them, Rav Chanina and Rav Oshiya. But they Rav Chanina and Rav Oshiya would not lift up their eyes to look at them** the prostitutes.

**And they the prostitutes would swear by them** Rav Chanina and Rav Oshiya **in this manner: “I swear by the lives of the holy Rabbis of the land of Israel!”**

**c c õ d d**

There are **three** types of people that **the Holy One loves them:**

- (1) **One who does not get angry.**
- (2) **And one who does not get drunk.**
- (3) **And one who does not stand on getting his measures** even i.e. he does not exact retribution for a misdeed done to him.

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<sup>9</sup> An amora who was proficient in memorizing and reciting Baraitot.

## Perek 10 – 113B

There are **three** types of people that **the Holy One hates them**:

- (1) **One who says one thing with his mouth, but is thinking another thing in his heart.**
- (2) **And one who knows evidence that could help acquit his friend, but he does not give this testimony for him in court.**
- (3) **And one who sees his friend involved in illicit relations and testifies alone about him.** Since the accused can only be punished through the testimony of two people, this man is saying something derogatory without any beneficial purpose.

**Like that case of Tuvya who sinned through illicit relations. And Zigud came by himself and testified about him Tuvya, in front of Rav Papa.**

**He Rav Papa administered lashes to Zigud.**

**He Zigud said to him Rav Papa: “Tuvya sinned and Zigud should receive lashes?!”**

**He Rav Papa said to him Zigud: “Yes. For it is written (*Devarim*<sup>10</sup> 19:15), ‘One witness should not stand up [to testify] about a person.’ And you transgressed this negative Torah prohibition since **you testified about him by yourself**, without another witness! **You have** thereby **slandered him** without any beneficial purpose. For this you should receive lashes.”**

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**Said Rabbi Shmuel bar Rav Yitzchak in the name of Rav:** Even though the single witness is not permitted to testify about the sinner, nevertheless **he is permitted to hate him** for his evil-doing.

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<sup>10</sup> Deuteronomy

## Perek 10 – 113B

For it is stated (*Shmot*<sup>11</sup> 23:5), “**When you see the donkey of your *sonai* [hated one] crouching under its burden, you should surely help him.**”

Which *sonai* is the verse speaking about?

If you will say it refers to a **gentile *sonai***—

But note that it was taught in a Baraita: The *sonai* about which it is stated that one must help him, it is a **Jewish *sonai* and not a gentile *sonai***. For one is not obliged to help a gentile lift his load off his animal.

Rather, it is obvious that this verse is referring to a **Jewish *sonai***.

But is it permissible to hate him? Note that it is written in a different verse (*Vayikra*<sup>12</sup> 19:17), “**Do not hate your brother [Jew] in your heart!**”

Rather, perhaps you will say that verse (1) is referring to the following case: **That there are two witnesses** who testified **that he** the owner of the donkey **did a transgression**, and therefore it is permitted to hate him for his evil-doing.

But this cannot be the case, for if so, **everyone else would also** be permitted to **hate him**. **What is different** about **this** person who sees the donkey crouching under the load, that the Torah states “*your sonai*” – implying that he is not the *sonai* of anyone else?

The Gemara concludes: **Rather, is it not** that verse (1) is referring to **that case** which Rav Shmuel stated earlier? The case is **that he saw him doing an act of illicit relations**. And since there was not a second witness, he cannot testify about this incident. Nevertheless, he is permitted to hate him on account of what he did.

This supports the statement of Rabbi Shmuel bar Rav Yitzchak in the name of Rav, that even though it is forbidden to testify about what he saw, but he is nevertheless permitted to hate him.

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<sup>11</sup> Exodus

<sup>12</sup> Leviticus

## Perek 10 – 113B

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**Rav Nachman bar Yitzchak said:** It is not only permitted to hate him, but it is even a **mitzvah to hate him**. For it is stated (*Mishlei*<sup>13</sup> 8:13), **“Fear of Hashem is hatred of evil”**.

**Said Rav Acha the son of Rava to Rav Ashi: What is the Halachah concerning telling his master about him, in order that the master, too, should hate him?** I.e. may the single witness tell his Torah master about the one who transgressed, in order that the master will also hate him?<sup>14</sup>

**He Rav Ashi said to him Rav Acha the son of Rava: If he knows that his master believes what he says just like he had heard it from two witnesses, then he can tell it to him.** For then something beneficial could result from it.

**And if not, he should not tell him.** There is no constructive purpose to him saying what he saw, and it is therefore forbidden to say it.

c c õ d d

**Our Rabbis taught** in a Baraita: There are **three** types of people that **their lives are not** considered to be a **life**.

- (1) **The overly compassionate**, who are distressed by the sights of daily life.
- (2) **And those who constantly get angry**, who are irritated by constant events.
- (3) **And the extremely delicate**, who are repulsed by standard conditions.

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<sup>13</sup> Proverbs

<sup>14</sup> This is not considered slander, for another reason: since his intention is a constructive one, that the master will then reprimand the disciple and help him to improve his ways.

## Perek 10 – 113B

With these people, these factors affect them constantly, and therefore they cannot enjoy their life.

**And Rav Yosef said: All of these attributes are found in me!**

**c c õ d d**

**Our Rabbis taught** in a Baraita: There are **three** types that its members **hate one another**, and **they are these**:

- (1) **Dogs.**
- (2) **And roosters.**
- (3) **And *chaberin* i.e. Persian priests.**

**And some say: Even prostitutes.**

**And some say: Even the Torah scholars that live in Babylon.**

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**Our Rabbis taught** in a Baraita: There are **three** types that its members **love one another**, and **they are these**:

- (1) **Converts.**
- (2) **And slaves.**
- (3) **And ravens.**

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There are **four** types of people whom others find to be **intolerable**, and **they are these**:

- (1) **A poor person** who is **haughty**.
- (2) **And a rich person** who **falsely denies** that money was given to him for safekeeping.
- (3) **And an old man** who **commits adultery**.
- (4) **And a leader of a community** who **rules arrogantly over the community for nothing**. I.e. he enjoys the position of leadership, but at a time of need he does not fulfill his responsibilities to the community.

**And some say: Even one who divorces his wife one time, and a second time, and then takes her back** another time.

The Gemara explains: **And the first Tanna** of the Baraita, who did not include this last one, why does he not consider this person to be intolerable? Because **sometimes the** sum stipulated in the *ketubah*<sup>15</sup> is too **great**. I.e. it is too difficult for him to pay his obligation to her as stated in her *ketubah*. So he remarried her and then he no longer has to pay it. The same circumstances then repeated itself.

**Alternatively, he has children from her and he is not able** to withstand the hardship of not being with his children, after **having divorced her**. Therefore he remarries her. And this circumstance then repeated itself.

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<sup>15</sup> A document obligating the husband to pay his wife a certain amount of money in the event of him passing away first, or if he divorces her.

## Perek 10 – 113B

The Baraita continues: There are **five things** that **Cana'an commanded his children** to do, since it was decreed by Heaven that they would be slaves.<sup>16</sup> (*Maharsha*)

I.e. there are five things that the Canaanite slaves regularly do, and it is as if their ancestor instructed them to behave this way:

- (1) **Love each other.**
- (2) **And love stealing.**
- (3) **And love illicit relations.**
- (4) **And hate your masters.**
- (5) **And do not speak truthfully.**

**Six things were said concerning a horse:**

- (1) **It loves having relations** with horses of the opposite gender.
- (2) **And it loves war.**
- (3) **And it is haughty.**
- (4) **And it detests sleep.**
- (5) **And it eats a lot.**
- (6) **And it excretes little.**

**And some say: It even seeks to kill its owner in war.**

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<sup>16</sup> *Breishit* 9:26

## Perek 10 – 113B

The Baraita continues: **Seven** types of people **are placed under ban by Heavenly** decree. I.e. due to their transgressions they create a separation between themselves and Hashem.

And **they are these** people:

- (1) **A Jew who does not have a wife.**
- (2) **And one who has a wife, but does not have children.** This is referring specifically to a case where he is negligent in the mitzvah of procreation.
- (3) **And one who has children, but does not raise them to study the Torah.**
- (4) **And one who does not have tefillin on his head and tefillin on his arm.**
- (5) **And one who does not have tzitzit on his four-cornered garment.**
- (6) **And one who does not have a mezuzah at the entrance of his house.**
- (7) **And one who holds back shoes from his feet, i.e. even when walking in a public place he does not wear shoes.**

**And some say: Even one who does not recline** i.e. eat together **with a group** gathered for **a mitzvah**. E.g. at a meal to celebrate a *Brit Milah*<sup>17</sup>.

c c õ d d

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<sup>17</sup> Circumcision.

## Perek 10 – 113B

There are three things that **Rabbah bar bar Channah** said in the name of **Rabbi Shmuel bar Marta** who said it in the name of **Rav** who said it in the name of **Rabbi Yosi of Hutzel**:

- (1) **From where** do we derive **that we should not ask the Chaldeans** i.e. astrologers to tell us about the future?

For it is stated (*Devarim* 18:13), **“You should be [faithfully] wholehearted with Hashem your G-d”**. I.e. you should trust in Him concerning whatever will happen to you, and therefore you do not need to know about the future.

- (2) **And from where** do we derive that one **who knows that his friend is greater than him, even in one matter, should act towards him with honor?**

For it is stated (*Daniel* 6:4), **“Daniel outshone the other officials and ministers; all of this was because of the outstanding spirit within him: [And the king thought to appoint him over the whole kingdom]”**. I.e. on account of one aspect in which Daniel was greater than his associates, the king wanted to give him more honor.

- (3) **And** that a woman after birth **who is having blood which is pure is forbidden to have relations** with her husband.

A woman after birth is impure like a *nidah*, and therefore forbidden to have relations with her husband by Torah law. This applies for seven days after the birth of a boy, or fourteen days after the birth of a girl. After these times have elapsed, she may immerse herself in a *mikveh*<sup>18</sup> and become permitted to her husband.

Then there begins a period of time when her “blood is pure” by Torah law. I.e. if she has a flow of blood it does not render her like a *niddah* by Torah law. This applies for thirty-three days if she gave birth to a boy, and sixty-six days if she gave birth to a girl.<sup>19</sup>

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<sup>18</sup> A pool of naturally collected water used for purifying purposes.

<sup>19</sup> The custom today is to consider any discharge of blood as rendering her impure and forbidden to her husband.

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After this point, i.e. from the night after the fortieth or eightieth day, respectively, she returns to the regular state, such that if she has a flow of blood she will become impure by Torah law, as a *nidah*.

To prevent a mistake from taking place, the Rabbis made her forbidden to her husband on the night after the fortieth or eightieth day. For if she were permitted to him that night, and she saw a flow of blood, she might mistakenly think that it was still pure blood.

The Gemara now elaborates on this third statement of Rabbah bar bar Channah:

And **until when** did the Rabbis make her forbidden to her husband?

**Said Rav:** One **period of time**. I.e. the nighttime of the forty-first day (after a boy), or the nighttime of the eighty-first day (after a girl).

c c õ d d

**It was taught** in a Baraita: **Yosef of Hutzel** is also known as **Yosef the Babylonian**. **He** is also known as **Isi ben Gur Aryeh**. **He** is also known as **Isi ben Yehudah**. **He** is also known as **Isi ben Gamliel**. **He** is also known as **Isi ben Mehale'el**.

**And what is his true name? Isi ben Akavyah is his name.**

And similarly we find that another Tanna was called by different names:

**Rabbi Yitzchak ben Tavla** is also known as **Rabbi Yitzchak ben Chakla**. **He** is also known as **Rabbi Yitzchak ben Ila**.

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### **Daf Kuf Yud Dalet**

**Rabbi Yitzchak ben Acha of the Gemara.** I.e. when the Gemara cites a statement in the name of Rabbi Yitzchak, this is referring to Rabbi Yitzchak ben Acha.

**Rabbi Yitzchak ben Pinchas of the Aggadah.** I.e. when the Gemara brings an Aggadic statement in the name of Rabbi Yitzchak, this is referring to Rabbi Yitzchak ben Pinchas.

**And your mnemonic** is the following: **The verse states** (*Divrei Hayamim* I, 28:2), **“Hear me (*Shema’uni*) my brothers (*achai*) and my people”**.

I.e. when Rabbi Yitzchak is mentioned in the Gemara – which is referred to as *“shma’ata”* (similar to *shema’uni*) – it refers to Rabbi Yitzchak ben Acha, hinted at by *‘achai’*.

c c õ d d

**Said Rabbah bar bar Channah in the name of Rabbi Yochanan** who said it **in the name of Rabbi Yehudah the son of Rabbi Ilai:**

Make a practice of **eating onion** (*batzal*), or other vegetables which are cheap, **and** you will be able to **sit in the shade** (*batzeil*) of your own house. I.e. you will not need to sell your house.

**And do not eat goose and chicken** regularly, **so that your heart will not chase after you.** I.e. in order that you should not desire more and more of these foods, causing you to have to sell your house to pay for them.

**Reduce** the amount of **your food and your drink and** then you will be able to **increase** the money you spend **on your home.**

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**When Ula came** to Babylon from the land of Israel, **he said: They make a parable for this teaching, in the West** i.e. in the land of Israel: The one **who eats** a choice cut of meat such as a **fatty tail** (*alita*) **needs to hide in the attic** (*aliyata*) of his house because of his creditors who are looking for him.

But one **who eats vegetables** (*kakuli*) **can lie down even on the rubbish dumps** (*kikli*) **of the town** i.e. in a public place, not having to worry about creditors searching for him.

# Chavruta

## Pesachim – Daf Kuf Yud DaI ed

Translated by: *Chavruta staff of scholars*  
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### Mishnah

The Mishnah describes the procedure of the Pesach Seder, held at night on the first Yom Tov of Pesach. The Mishnah begins with the first of the four cups of wine. The blessing of Kiddush is recited over this cup. This blessing declares the sanctity of the day of Yom Tov.

They **mix for him**, for the master of the household, **the first cup** of wine. (Since most wine in Talmudic times was strong and concentrated, it was standard practice to mix it with water when pouring it into the cup to drink. Thus, “mixing” a cup of wine in effect means “pouring” a cup of wine.)

**Beit Shammai says:** First **recite the blessing over** the sanctification of **the day**, i.e. the main text of Kiddush, **and afterwards recite the blessing over the wine**, i.e. *borei pri hagafen*<sup>1</sup>.

**And Beit Hillel says:** first **recite the blessing over the wine and afterwards recite the blessing over** the sanctification of **the day**.

This disagreement applies not just to the Pesach Seder but to every time Kiddush is recited in the evening on Shabbat or Yom Tov, as explained in the Gemara. And this disagreement will apply also when (in the absence of wine) one recites Kiddush over bread. In this case, the disagreement will be whether the blessing of *hamotzi*, recited over the bread, precedes the main text of Kiddush.

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### **Gemara**

**The Rabbis taught** in a Baraita: One of the **issues that divide Beit Shammai and Beit Hillel, in** regard to the laws of **meals**, is as follows. (See *Brachot* 51b for a complete listing.)

**Beit Shammai says: Recite the blessing over** the sanctification of **the day, and afterwards recite the blessing over the wine.** This is **because the day** itself **causes the wine to come.** It is due to Shabbat or Yom Tov, with its mitzvah of Kiddush, that the wine is brought to the meal to recite Kiddush over. Therefore we give precedence to the blessing over the sanctification of the day, and only then recite the blessing over the wine.

**And** another reason: **The sanctified day already came** at nightfall, or even beforehand if one earlier accepted upon himself the Shabbat, **and the wine has not yet come** to the table. I.e. the onset of the Shabbat or Yom Tov precedes bringing the wine to the table. Therefore it also has precedence in regard to the order of the blessings.

**And Beit Hillel says: Recite the blessing over the wine and afterwards recite** the blessing **over** the sanctification of **the day.** This is **because the wine causes** the blessing of **Kiddush to be said.** If a person had no wine (or bread) he would not be able to recite Kiddush at all. Therefore, the blessing over the wine comes first.

**Another point: The blessing over wine is regularly** recited, i.e. it is applicable every day of the week. **But the blessing over the sanctity of the day is not regularly** recited as

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<sup>1</sup> According to some traditions: *hagefen*.

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it is applicable only on Shabbat or Yom Tov. And the rule is: When one mitzvah is **regular and** the other **irregular, the regular one takes precedence.**

**And the Halachah is in accordance with the words of Beit Hillel.**

The Gemara asks: **What is** the need for “**another point**”? Why did Beit Hillel need to provide an additional reason for their view?

The Gemara answers: **And perhaps you will say** that **there**, in the statement of Beit Shammai, there are **two** reasons given for their view—whereas **here**, in the statement of Beit Hillel, there is only **one** reason given. Thus we should follow the view of Beit Shammai.

To preclude this, Beit Hillel said that **here, too, there are two** reasons. Thus they added the reason of: When one mitzvah is **regular and** the other **irregular, the regular one takes precedence.**

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The Gemara raises a difficulty: Why did the Baraita need to tell us “**And the Halachah is in accordance with the words of Beit Hillel? Obviously** this is so, for it is known that **a Heavenly Voice spoke**, stating a general rule that the Halachah is according to the view of Beit Hillel (in instances where they disagree with Beit Shammai).

The Gemara answers: **If you wish, I will say** that the Baraita was composed **before the Heavenly Voice** spoke.

**And if you wish, I will say** that it was composed **after the Heavenly Voice** spoke, **and** this Baraita expresses the view of **Rabbi Yehoshua, who said: “We pay no attention to a Heavenly Voice** in matters of determining the Halachah!”

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Therefore it was necessary to teach us that in this case the Halachah is, in fact, according to Beit Hillel.

### **Mishnah**

After the master of the household recited Kiddush over the first cup of wine, **they bring** pieces of vegetables **in front of him** (these vegetables are nowadays termed “carpas”<sup>2</sup>). He then dips them in salt water in order that the children will notice his unusual behavior and ask why vegetables are being served before the meal, and not during the meal as is usual. (This is the question of “that on all other nights we do not dip even once.”)

And if he has no other vegetable to use, he should **dip with *chazeret***. (Chazeret is the bitter herb that will later be eaten for the mitzvah of maror<sup>3</sup>. Although there are five acceptable species of bitter herbs, chazeret is the preferred species. It is commonly identified with romaine lettuce.) Now, in lieu of regular carpas, the chazeret is dipped<sup>4</sup> and then eaten.

This is done **before he reaches the accompaniment of the bread**, i.e. before he reaches the bitter herb which is eaten with the matzah. The Mishnah is telling us here that only the second eating of chazeret, which accompanies the matzah, is for fulfillment of the mitzvah of maror.

Whereas this first eating is merely to stimulate the children to ask questions.

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<sup>2</sup> This refers to the celery, parsley or cooked potato which are commonly used to fulfill this mitzvah.

<sup>3</sup> Bitter herbs

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Afterwards **they bring in front of him: matzah, chazeret, charoet,<sup>5</sup> and two cooked dishes** (one as a remembrance of the Pesach offering, the other as a remembrance of the festival offering).

**Charoet** is served **despite its not being a mitzvah**. For its sole function is to counteract the strong flavor of the chazeret eaten as the bitter herb.

**Rabbi Elazar the son of Rabbi Tzadok says:** The charoet is in fact a **mitzvah**, because it is a remembrance of the mortar that the Jewish people were forced to make in Egypt.

**And in the time of the Temple, they would bring in front of him** the roasted meat of **the Pesach offering itself**.

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<sup>4</sup> It is dipped in *charoet* according to *Tosafot*, and in salt water according to *Rashbam*.

<sup>5</sup> A thick dip containing ground apples and strips of cinnamon, resembling the consistency of mortar. (Mortar was used in ancient times to cement bricks together, in the construction of buildings.)

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### **Ammud Bet**

### **Gemara**

**Reish Lakish said:** When the Mishnah said that we eat chazeret twice, **this tells us** that **mitzvot require** one to have **intention** for them, when fulfilling them! While performing a mitzvah, one must have in mind that one is thereby fulfilling one's mitzvah obligation. And lacking this intention, one has not fulfilled the mitzvah.

Regarding the first chazeret that he dips, **since:**

A. **He is not eating it at the obligatory time**, as the proper time for the mitzvah of maror is after eating the matzah (as the verse says “on matzot and bitter herbs they shall eat it).

B. Furthermore, he does not recite over it the blessing “on the eating of bitter herbs”. After reciting only the blessing of “**He Who creates the fruit of the earth**” (*borei pri ha'adamah*), **he eats it.**

Thus **it is likely<sup>6</sup>** that while eating the first chazeret, **he lacked proper intention** for fulfilling the mitzvah of **maror. Therefore, he must again dip** and eat the chazeret a second time **for the purpose** of fulfilling the mitzvah of **maror.**

**For if you would think that “a mitzvah does not require** one to have **intention** for it, when fulfilling it”, thus he would fulfill his obligation even without intention to do so—

Then **why do you require** him to **dip twice? Note that** he already **dipped it one time** when he ate the “carpas”, and he then fulfilled the mitzvah of maror! Although he ate the

## Perek 10 – 114a

bitter herbs before the matzah, which is not the preferred time, nevertheless he fulfilled his obligation in a minimally acceptable way.

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The Gemara challenges this logic: **Why** do you come to such a conclusion? **Perhaps mitzvot do not require** one to have **intention** for them, when fulfilling them. And he indeed fulfilled the mitzvah of maror when he first dipped and ate the chazeret.

**And that which you said: Why do you require him to dip twice?**

The answer is: **In order that it** the act of dipping **should be something noticeable for the children**. So that they should be prompted to ask questions, something unusual must happen at the table. Although the first dipping before the meal is indeed unusual, since bitter herbs are used for it, nevertheless, dipping is done a second time in order to assure that they take note (due to the additional unusual practice of dipping twice), and are thus stimulated to ask questions.

**And if you will say: If** this is **so**, then the Mishnah should **inform us** that we should do the first dipping with **other vegetables**, and only the second dipping will be done with bitter herbs. The mere fact that he is dipping twice is sufficiently noticeable to the children. Why does he dip with chazeret both times?<sup>7</sup>

The answer is: **If it** the Mishnah **informed us** that we should use **other vegetables**, **I would have said:** It is specifically **where there are other vegetables, that is where** one is **required to dip twice**. **But** where one has **only chazeret**, it is **not necessary to dip twice**, and in fact it would not be proper to do so. Because then he would fulfill the mitzvah of maror prematurely, before eating the matzah.

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<sup>6</sup> See *Tosafot*

<sup>7</sup> This question would not arise if mitzvot require intention. For the Mishnah's case would teach us that he does not fulfill the mitzvah of maror the first time, because he lacked intention for the mitzvah. (*Rashbam*)

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Thus **it** the Mishnah **informed us that even** where one has only **chazeret**, nonetheless it **requires two dippings, so that it will be noticeable to the children.**

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**And there is another** difficulty that may be posed to Reish Lakish's view that mitzvah performance requires intention:

**It was taught** in a Baraita: If **they ate them** the bitter herbs as *demai*<sup>8</sup>, they **fulfilled** the mitzvah. Because *demai* is permitted to the poor, one could relinquish ownership of his property and assume the status of a poor person. Thus, even if one did not relinquish ownership, one has minimally fulfilled one's obligation of maror through eating *demai*.

If **they ate them without intention** to fulfill the mitzvah, they nonetheless **fulfilled** their obligation.

If **they ate them in half measure**, i.e. they did not eat a full *kazayit*<sup>9</sup> of *maror* at one time, rather half a *kazayit* one time, and then half a *kazayit* at another time, they **fulfilled** their obligation. This is **providing that they did not wait between one eating session to the next more than the time needed to eat a half** a loaf of bread (i.e. the amount of time necessary to consume three or four *kabeitzim*<sup>10</sup>).

This contradicts Reish Lakish, since the Baraita states clearly that mitzvot do *not* require intention.

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<sup>8</sup> Most people, even the ignorant, would tithe their produce. However, some ignorant people would not separate all the necessary tithes. In Torah law we judge according to the majority. Nevertheless, the Sages decreed that the agricultural produce of an ignoramus be treated as if there is a doubt whether it was tithed. Produce under such a doubt is termed *demai*, lit: "this, what is it?".

<sup>9</sup> *Kazayit*: 0.9 fluid oz. or 28 cu. cm.

<sup>10</sup> *Kabeitzah*: 1.9 fluid oz. or 57 cu. cm.

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The Gemara answers: This issue is subject to a **disagreement between Tannaim**. There is a Tanna who holds that mitzvot require intention, and Reish Lakish follows his view.

**As it was taught in a Baraita: Rabbi Yossi says: Despite his having dipped with chazeret for the first dipping, since he lacked other vegetables, it is a *mitzvah* to again bring in front of him: chazeret in order to fulfill the mitzvah of maror, and charoset, and two cooked items.** This is because he did not fulfill the mitzvah of maror the first time he ate chazeret, since he had no intent at that time to fulfill the mitzvah—and mitzvot require intention.

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The Gemara raises a difficulty: **And still, why** do we assume that Rabbi Yossi holds that mitzvot require intention? **Perhaps Rabbi Yossi holds that mitzvot do not require intention. And this which we require dipping twice,** it is for a different reason. **It is merely in order that it should be something noticeable to the children,** as we mentioned regarding the Mishnah.

The Gemara answers: **If** that is **so**, that it is only for the children to notice, **what “mitzvah”** was Rabbi Yossi referring to? Rabbi Yossi’s use of the term “mitzvah” implies that it is a Torah obligation to eat chazeret a second time.

c c õ d d

The Gemara asks: **What are the “two cooked items”** mentioned in the above Mishnah and Baraita? Which cooked items are referred to?

## Perek 10 – 114a

**Rav Huna said:** *silka*<sup>11</sup>, and rice<sup>12</sup>. These meager dishes are sufficient to fulfill the mitzvah of bringing “two cooked items,” and all the more so if meat-based dishes were served.

**Rava made efforts to have *silka* and rice** specifically, despite the fact that he could have chosen another two dishes. He followed this practice **since it**, the mention of *silka* and rice, **came out of Rav Huna’s mouth**. Because of his esteem for Rav Huna’s view, and it is possible to fulfill this obligation even with *silka* and rice.

**Rav Ashi said: We may hear a proof from here, from** the fact that **Rav Huna** said we may cook rice on Pesach without concern for chametz, that **there is no need to be concerned for** what is stated in **that ruling of Rabbi Yochanan ben Nuri**.

**For it is taught** in a Baraita: **Rabbi Yochanan ben Nuri says: Rice is a species of grain, and one is liable for** eating it on Pesach, **when it becomes chametz**. Its punishment is *kareit*.<sup>13</sup>

**And a person fulfills with it**, with matzah made from rice flour, **his obligation** of eating matzah **on Pesach** night.

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**Chizkiyah said:** The obligation of having two cooked dishes may be fulfilled **even** with **fish and the egg** cooked **on top of it**. It was common to spread egg on fish before cooking it. Although it is seemingly only one dish, nevertheless one may count it as two cooked dishes.

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<sup>11</sup> Identified by some as spinach.

<sup>12</sup> Although many communities nowadays refrain from eating rice on Pesach, this practice was not extant in the time of the Gemara.

<sup>13</sup> Spiritual excision.

## Perek 10 – 114a

**Rav Yosef said:** One needs two types of meat. One as a remembrance of the Pesach offering, **and one** as a **remembrance of the festival** offering that was brought together with the Pesach offering. For there is a requirement to eat from the meat of the Pesach offering while already satiated. Therefore another offering was brought in conjunction with it, and the other offering was consumed first.

**Ravina said:** Even meat **and** the sauce in which it was cooked are counted as two cooked dishes.

c c o d d

The Gemara will now discuss the blessing recited over the bitter herbs.

It is **obvious that where there are other vegetables** to be used for the first dipping, that one **says the blessing** of “**He Who creates the fruit of the earth**” **over the other vegetables, and** then **eats** them, having in mind to include in this blessing also the bitter herbs that will be eaten later.

**He then says the blessing** of “**on the eating of bitter herbs**”, over the chazeret that he eats after the matzah. **And** then he **eats** it.

However, **where there is not** anything else **except lettuce**, i.e. chazeret, and he must use it for both the first and second dippings, then **what** should he do? When should he recite the blessing of “on the eating of bitter herbs”?

**Rav Huna said:** When he dips the first time, in order that the children notice, **he first says the blessing** of “**He Who creates the fruit of the earth**”, **and eats. And in the end**, when he eats the lettuce to fulfill the mitzvah of maror, **he says the blessing** of “**on the eating of bitter herbs**”, **and eats.**

# Chavruta

## Pesachim – Daf Kuf Tet Vav

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[However, **where there is not anything else except lettuce**, i.e. chazeret, and he must use it for both the first and second dippings, then **what** should he do? When should he recite the blessing of “on the eating of bitter herbs”?

**Rav Huna said:** When he dips the first time, in order that the children notice, **he first says the blessing of “He Who creates the fruit of the earth”, and eats. And in the end**, when he eats the lettuce to fulfill the mitzvah of maror<sup>1</sup>, **he says the blessing of “on the eating of bitter herbs”, and eats.]**

**Rav Chisda challenged** the above statement: Is it possible **that after he filled his stomach with it**, the lettuce that he ate at the first dipping, that **he will then go back and say a blessing over it?** For he has already fulfilled his obligation when he first ate it!

**Rather, Rav Chisda said: Initially**, at the first dipping, one should **say the blessing over it of “He Who creates the fruit of the earth” (*borei pri ha’adamah*), and also the blessing of “on the eating of bitter herbs” (*al achilat maror*), and then he eats it.**

**And in the end**, when he dips a second time, he should **eat the lettuce without a blessing**, as the sole purpose of two dippings is that the children take note and question this unusual conduct.

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<sup>1</sup> Bitter herbs

## Perek 10 – 115a

The Gemara informs us that **in Sura they did like Rav Chisda.**

**And Rav Sheshet the son of Rav Yehoshua also did like Rav Chisda.**

**And the Halachah is in accordance with Rav Chisda.**

**Rav Acha the son of Rava would try to find other vegetables** for the first dipping, in order to **remove himself from this** case over which there is a **disagreement**. Because if he were to eat lettuce for the first dipping he would be faced with the above dispute of when to recite the blessing “on the eating of bitter herbs”.

c c õ d d

**Ravina said: Rav Mesharshiah the son of Rav Natan said to me: So said Hillel, in the name of tradition: A person should not wrap matzah and maror<sup>2</sup> together and eat them.**

This is **because we hold the view: Matzah in our time is a Torah obligation, and maror** is only obligatory in our time **from the Rabbis** (as will be explained on daf 120). **And the maror, which is Rabbinical in obligation, will come and nullify the matzah which is a Torah obligation.**

This is in accordance with the principle that a majority nullifies a minority. Therefore, if one wraps the matzah and maror together, in every bite there will be a combination of both maror and matzah. As such, sometimes the maror will constitute the majority of the

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<sup>2</sup> Bitter herbs

## Perek 10 – 115a

bite. Then the taste of the maror will overpower and “nullify” the taste of the matzah, and one will lack the obligatory measurement of *kazayit*<sup>3</sup>.

**And even according to the one who said that mitzvot do not nullify one another,** because the law that the majority nullifies the minority is not applicable to mitzvot, **these words** (that mitzvot do not nullify one another) were stated only in regard to two mitzvot of equal stature, i.e. a **Torah mitzvah** in regard to another **Torah mitzvah**, or a **Rabbinical decree** in regard to another **Rabbinical decree**,

**But** in regard to a **Torah mitzvah** and a **Rabbinical mitzvah**, **the Rabbinical mitzvah** will **come and nullify the Torah mitzvah!**

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The Gemara asks: **Who** is the **Tanna that you have heard him** to say **that mitzvot do not nullify one another?**

The Gemara answers: **It is Hillel.**

**As the Baraita taught: It is said about Hillel, that he** would take both the *kazayit* from the Pesach offering and the *kazayit* from the matzah and maror, and **would wrap them together and eat them**, to fulfill what the Torah says: **“On matzot and maror they shall eat them.”**

For if mitzvot could nullify one another, then it would be impossible to eat matzah and maror together as is implied in the above verse. Seeing as the Torah stipulated that they should be eaten together, this shows that mitzvot do not nullify one another.

**Rabbi Yochanan said: Hillel’s colleagues disagreed with him.**

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<sup>3</sup> *Kazayit*: 0.9 fluid oz. or 28 cu. cm.

## Perek 10 – 115a

**As it was taught in a Baraita: Could it be that one should wrap them up together and eat them, as Hillel did?**

To preclude this possibility, **the Torah teaches: “On matzot and maror they shall eat *them*.”** Since the verse said “they shall eat *them*” as opposed to saying “they shall eat”, we may infer that ***even this one* (the maror) *on its own and that one* (the matzah) *on its own*.**

**Rav Ashi challenged this proof: If so**, that the Baraita concurs with Rabbi Yochanan that it is forbidden to eat the matzah and maror together, **what is** the meaning of “**even**” that they said (“*even this one on its own...*”)? It would seemingly imply that one could eat them either together or separately.

**Rather, Rav Ashi said: This Tanna of the Baraita was teaching like this: Could it be that he did not fulfill his obligation through them** (the matzah and the maror) **unless he wraps them together and eats them as Hillel did?**

To preclude this possibility, **the Torah teaches: “On matzot and maror they shall eat *them*”, *even this one on its own and that one on its own*.**

The author of the Baraita in fact holds that they may be eaten either together or separately. Rabbi Yochanan, although he does not have a proof from this Baraita, had a tradition that the Sages differed with Hillel on all grounds, and forbid eating them in one wrapping. However, those Sages are not the same as the view expressed in the Baraita.

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**Now that it has not been said that the Halachah is in accordance with Hillel** who specifically requires wrapping them together, **nor in accordance with the Sages** that

## Perek 10 – 115a

Rabbi Yochanan mentioned, who require them to be separate, we should do the following: First, **say the blessing of “on the eating of matzah” and eat it. And afterwards say the blessing “on the eating of maror”, and eat.**

Even according to Hillel they must be eaten separately, as explained above, because matzah in our time is a Torah mitzvah whereas maror is Rabbinical. And according to the Sages, surely each one must be eaten separately.

**And then eat the matzah and lettuce together without a blessing, as a remembrance of the Temple, like Hillel.** I.e. in order to make a remembrance that Hillel ate them wrapped together during the time of the Temple.

c c õ d d

**Rabbi Elazar said** in the name of **Rav Oshaya** regarding the Pesach Seder: **Anything that is dipped in liquid**, such as vegetables that one dips in vinegar, **requires washing of one’s hands** (*netilat yadayim*).

This is because unwashed hands have “subsidiary” (*toldah*) impurity, of second level (*sheini letum’ah*). This is by Rabbinic decree. Thus when someone with unwashed hands touches a liquid, the liquid assumes the status of a “principle” (*av*) impurity. This, too, is by Rabbinic law. This is in accordance with the rule that “anything that invalidates *terumah*,<sup>4</sup> renders impurity to liquids (even ordinary liquids), to assume the status of ‘principle’ impurity”. And second level impurity indeed invalidates *terumah*.

**Rav Papa said:** It is **understood from here:** **The lettuce** which is used for the first dipping, assuming he has no other vegetable...

## Perek 10 – 115B

### **Ammud Bet**

...requires immersion in the *charoset*<sup>5</sup>. It does not suffice to merely dip it in the charoset, rather one is required to completely immerse it, **in order to nullify the poison** inside the maror (i.e. the lettuce), because its moisture contains a type of poison similar to that of an onion.

Therefore, since it is impossible to completely immerse the lettuce in the charoset without touching the liquid of the charoset, one is required to wash one's hands before the first dipping, as is the Halachah with any food that one wishes to dip in liquid.

Rav Papa inferred the above **because if you would assume** that it is **not necessary to immerse** the lettuce in the charoset, **why do I require washing of hands**, considering that one's hands **are not coming in contact** with the liquid?

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The Gemara rejects this approach: **And perhaps I will nevertheless say to you** that the lettuce **does not require immersing, and the poison “dies”** i.e. is counteracted **from the smell** of the charoset alone, without fully immersing it.

The Gemara raises a difficulty: If so, that it need not be fully immersed, **why do I require washing of hands?**

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<sup>4</sup> A small portion that must be separated from agricultural produce of the land of Israel, and given to a cohen for his consumption. It is to be eaten in a state of purity.

<sup>5</sup> A dip containing ground apples and strips of cinnamon, resembling the consistency of mortar. (Mortar was used in ancient times to cement bricks together, in the construction of buildings.)

## Perek 10 – 115B

The Gemara answers: Because **perhaps he will** indeed **immerse it**. The Sages decreed that one should wash hands out of concern that one might in fact immerse the chazeret, and his hands will come in contact with the liquid in the charoset.

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**And Rav Papa**, who holds that one must fully immerse the lettuce, **said: A person should not leave the maror in the charoset for a lengthy period of time**, rather he should remove it immediately. Because **perhaps the sweetness of the spices** in the charoset (such as the apples) **will nullify the bitterness of the maror, and we require bitter taste, and it will be lacking**.

**Rav Chisda brought Ravana Ukva** to speak in the study hall, **and Ravana Ukva taught** the following: Despite having **washed his hands at the first dipping** of the vegetables, nevertheless he must **wash his hands for the second dipping** of the vegetables.

**The scholars said in front of Rav Papa: That** statement of Rav Chisda **was said generally**, i.e. in regard to dipping throughout the year, when presumably one did not know when washing the first time that he would later be eating more vegetables. Therefore, he failed to keep his mind on the first washing and there is concern that he did look after his hands to assure that they did not become impure.

**Because if you would assume that here it was said** in regard to the dipping at the Seder, **why do I require washing of hands twice? Note that he has already washed his hands once** for the first dipping, and he will not forget about his washing before the second dipping.

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## Perek 10 – 115B

**Rav Papa responded to them** that in truth **it was said here**, in regard to dipping at the Seder!

**Because if you would assume that** Rav Chisda's statement **was said in general**, and not specifically in regard to the Seder, **why should I require** the unusual practice of **dipping twice**, as implied in Rav Chisda's statement?

And regarding the difficulty you raised: "If Rav Chisda's statement was **said here** in regard to the Seder, **why should I require washing of hands twice; note that he has already washed his hands once?**"

I (Rav Papa) **will respond that since it is necessary to recite the Haggadah and** part of **Hallel** between the two dippings, something which calls for considerable time and involvement, **perhaps he will take his mind off** the first washing **and touch** something that renders his hands impure. Due to this concern he must wash again.

c c õ d d

**Rava said** the following: If one **swallowed matzah** in whole pieces<sup>6</sup>, without chewing it and tasting it, this is nonetheless considered eating and he has **fulfilled** his Torah obligation of "in the evening you shall eat matzot". (Note: One *should* chew and taste the matzah. But after the fact, if he merely swallowed it, he has minimally fulfilled his obligation. *Rashbam*)

However, if one merely **swallowed** the **maror** in whole pieces, without tasting it, **he did not fulfill** his obligation—because the mitzvah of maror requires one to taste the

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<sup>6</sup> The matzah used in Talmudic times was sometimes softer than the dry wafers often baked today, and was more similar to flat bread.

## Perek 10 – 115B

bitterness, as a remembrance of what is said in the verse: “they [the Egyptians] embittered their lives”.

Thus, if one **swallowed matzah and maror** together, in whole pieces, **he has fulfilled** the mitzvah of **matzah**—whereas the mitzvah of **maror**, **he has not fulfilled**, as it requires tasting.

If one **wrapped** both of **them inside** the **fibrous growth** of a palm tree and then **swallowed them** as if in a capsule, **he did not even fulfill** the obligation of eating **matzah**, because the matzah was never actually in contact with his mouth.

**c c õ d d**

**Rav Simi bar Ashi said** the following: At the Pesach Seder, one must place **matzah before each one** of the people present.

The customary way to eat in the time of the Gemara was for each person to recline on a type of couch. In front of each individual was a small table for his use alone. Therefore it was necessary to provide each person with his own set of matzot. (In our times, this is unnecessary as we recline together at one table. Therefore, placing the matzot in front of the master of the household suffices).

Similarly, one must place **maror before each individual** present.

So too in regard to **charoset**, one must place a portion **before each person**.

Additionally, Rav Simi bar Ashi said: We **only take the table away from in front of the one who recites the Haggadah**. (The mitzvah of removing the table will be explained in

## Perek 10 – 115B

an upcoming discussion). There was one person who would recite the text of the Haggadah on behalf of everyone.

**Rav Huna said** in response to Rav Sima bar Ashi's statements: **All** of the aforementioned—matzah, maror, and charoset—**are also** only placed **before the one who recites the Haggadah**, similar to the removing of the table.

\*

The Gemara asks: **Why do they remove the tables?**

The Gemara answers: **It was said in the House of Rav Yannai:** The tables are removed (and immediately returned<sup>7</sup>) **in order that the children notice and ask** why this is being done.

**Abaye**, as a young boy, **was sitting before Rabbah**, and **he saw them remove the table from before him** Rabbah.

**He asked them:** **We have not yet eaten, and the table is already being removed from before us?**

**Rabbah said to him:** **You have just absolved us from the obligation of reciting *mah nishtanah***, “**why** is this night **different** from all other nights?” Once Abaye had already asked such a question, Rabbah was able to immediately answer by relating the story of the Exodus. For the sole purpose of removing the table was to encourage questions of this type, many of which are formulated in the text of *mah nishtanah*.

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<sup>7</sup> *Tosafot*

## Perek 10 – 115B

c c õ d d

**Shmuel said** the following: **It is written**, “Seven days you shall eat on it matzot, the **bread of oni**”. The word *oni*, besides its primary meaning of “affliction” or “poverty”, can also mean “answering” or “responsive reading”. On this basis, Shmuel interpreted the verse as meaning: “Matzah is **bread over which words are responded**,” referring to the Haggadah, which relates the story of the Exodus from Egypt in answer to the questions of *mah nishtanah*, and Hallel, which is recited in the form of a responsive reading.

Similarly **it was taught** in a Baraita: “**Bread of oni**”—**bread over which many words are responded**.

The Baraita mentions **another teaching** derived from this verse: “**Bread of oni**”— the word “*oni*” **is written** without a vav, as if it should be pronounced *ani*...

# Chavruta Pesachim – Daf Kuf Tet Zayin

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[The Baraita mentions **another teaching** derived from this verse: “**Bread of oni**”— the word “*oni*” **is written** without a vav, as if it should be pronounced *ani*.]

The Baraita explains: **Just as a poor person is accustomed** to eating only an incomplete **piece** of bread, **so too**, at the Pesach Seder, one recites the blessing of “on the eating of matzah” over a **piece** of broken matzah.

(It should be noted that the broken matzah is sufficient only for fulfilling the mitzvah of eating matzah. However, like on all Yamim Tovim, two complete pieces of matzah are required for the blessing of “hamotzi” ).

The Baraita mentions **another teaching**, based on the above inference from the Torah’s choice of spelling. **Just as a poor person is accustomed to firing** his oven only just when **his wife** prepares the dough, in order that he can **bake** the bread before his limited wood burns out, **here also**, in regard to matzah, **he should fire** the oven as **his wife** prepares the dough in order to **bake** it before it leavens.

c c õ d d

We learned in the Mishnah on 114: Charoset<sup>1</sup> is served **despite its not being a mitzvah**.

The Gemara asks: **And if it is indeed not a mitzvah, for what reason do they bring it?**

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<sup>1</sup> A thick dip containing ground apples and strips of cinnamon, resembling the consistency of mortar. (Mortar was used in ancient times to cement bricks together, in the construction of buildings.)

## Perek 10 – 117a

The Gemara answers: **Rav Ami said** that despite its not being a mitzvah, charoset is served to counter the **poison** in the bitter herbs eaten as maror.

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The Gemara presents remedies for one who has consumed the above-mentioned poison contained in bitter herbs such as romaine lettuce.

**Rav Ashi said** that one who consumed the **poison of lettuce** should eat **radish**.

One who consumed the **poison of a radish**<sup>2</sup> should eat **leek**.

One who consumed the **poison of a leek** should drink **hot water**.

Additionally, hot water does not remedy the poison of a leek alone: **poison** contained in **any** vegetable may be remedied with **hot water**.

One who has consumed any of the above poison and is waiting for hot water should **in the meanwhile say the following: Poison, poison! I remember you, and your seven daughters, and your eight daughter-in-laws**.

\*

The Mishnah taught: **Rabbi Elazar the son of Rabbi Tzadok** disagrees with the first Tanna, and **says: The charoset is in fact a mitzvah**.

The Gemara asks: **What is the mitzvah** of charoset?

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<sup>2</sup> This may not be used for maror, but is mentioned in connection with romaine lettuce, which may be used.

## Perek 10 – 117a

**Rabbi Levi** says that it is a **remembrance of the apple** tree. This is in reference to the Jewish women who painlessly gave birth under apple trees in order to avoid the Egyptians who sought to kill the newborns.

**And Rabbi Yochanan** says that is a **remembrance of the mortar**<sup>3</sup> with which the Jews were forced to toil.

In line with these two views, **Abaye said**: It is **necessary to darken it** the charoset through adding apples and wine, and it is **necessary to crush it** in order that it be thick like mortar.

They need **to darken it** is a **remembrance of the apple** trees.

And the need **to crush it** is a **remembrance of mortar** which is thick.

The Gemara tells us that the following **Baraita supports** the view of **Rabbi Yochanan**. The **spices** (i.e. the vegetables) in the charoset are a **remembrance of the straw** that the Jewish people were forced to work with. The **charoset**, made of crushed ingredients, is a **remembrance of the mortar**.

**Rabbi Eliezer the son of Rabbi Tzadok** said the following: The **vendors in Jerusalem** used to say: “**Come and take for yourselves spices for the mitzvah** of charoset,” showing that it is indeed a mitzvah.

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<sup>3</sup> See footnote 1.

## Perek 10 – 117a

### **Mishnah**

**They then mix for him**, for the master of the household, **the second cup** of wine. (Since most wine in Talmudic times was strong and concentrated, it was standard practice to mix it with water when pouring it into the cup to drink. Thus, “mixing” a cup of wine in effect means “pouring” a cup of wine.).

**Here, the son asks his father:** *Mah nishtanah*, why is this night different from all other nights, that a second cup of wine is being served before the meal?

**And if the son lacks the knowledge to ask, his father teaches him** how to ask.

These are the questions to be asked: **Why is this night different from all other nights?**

1. **On all other nights we eat both chametz and matzah**, whereas on **this night** we eat **only matzah**?
2. **On all other nights we eat all types of vegetables**, whereas on **this night** we eat **maror**?
3. **On all other nights we eat meat either roasted, blanched, or cooked**, whereas on **this night** we eat only **roasted** meat?

(The above question is only asked in the time of the Temple, when they would eat the roasted meat of the Pesach offering at the Seder).

4. **On all other nights we do not even dip** vegetables **once**, whereas on **this night** we dip them **twice**?

## Perek 10 – 117a

**And according to the son's depth of understanding, his father teaches him** the story of the Exodus and the miracles that took place.

The relating of the story of the Exodus **begins with** mentioning our previous state of **degradation** (either that we were once slaves, or that our ancestors were once idol worshippers, as will be explained in the Gemara). **And** it **ends with** mentioning our **praise**, that we were brought close to the service of Hashem.

**And one explains** the Torah passage about the first fruit offering, starting **from** the verse of “**An Aramean (Lavan<sup>4</sup>) attempted to destroy my father (Yaakov<sup>5</sup>)**”, **until one finishes the entire passage.**

### **Gemara**

**The Rabbis taught:** If the son is **wise, the son asks him** the father. **And if** the son is **not wise** enough to ask him, **his wife** should **ask him**. **And if** this is **not** possible, **he** should **ask himself**.

**And even two Torah scholars, who know all the laws of Pesach, should ask one another.**

c c õ d d

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<sup>4</sup> Laban

<sup>5</sup> Jacob

## Perek 10 – 117a

The Mishnah taught: **Why is this night different from all other nights? On all other nights we do not even dip** vegetables **once**, whereas on **this night** we dip them **twice**?

**Rava challenged this: Is it really so, that everyday it is necessary to dip once**, as is implied in the above question?

**Rather, Rava said, it was actually taught like this: On all other nights, we are not obligated to dip even once.** Whereas on **this night** we are obligated to dip **twice**.

**Rav Safra challenged** Rava's rendering of the Mishnah: Is it true that we have an **obligation** to dip twice? Is it not so that the sole purpose of dipping is so that the **children** will notice and ask questions?

**Rather, Rav Safra said, it was actually taught like this:** On all other nights **we do not even dip** vegetables **once**. Whereas on **this night** we dip them **twice**.

c c õ d d

The Mishnah taught: The relating of the story of the Exodus **begins with** mentioning our previous state of **degradation**. **And it ends with** mentioning our **praise**.

The Gemara asks: **What** is the **degradation** that is referred to?

The Gemara gives two answers:

**Rav said: “Originally, our ancestors were idol worshippers, in the time of Terach, father of Avraham”.**

## Perek 10 – 117a

**Shmuel said:** “The fact that we were slaves in Egypt”.

**Rav Nachman said to Daro, his slave:** “A slave whose master freed him and gave him silver and gold, what should he say to him?”

His slave **responded to him:** “He should thank and praise him”.

Rav Nachman **said back to him:** “You have just absolved us from the obligation of saying *mah nishtanah*”!

Then Rav Nachman **began** recounting the story of the Exodus, **and said:** “We were slaves...” He then continued to recite the Haggadah, the story of Hashem's redeeming us from Egypt, and that this obligates us to praise Him.

### **Mishnah**

**Rabban Gamliel would say:** “Anyone who did not say (i.e. explain)...

### **Ammud Bet**

...these three things on Pesach, he did not fulfill his obligation.” And they are the following: **Pesach, matzah and maror.**

Their explanations are as follows:

## Perek 10 – 117B

1. The **Pesach** offering, because the **All-Present One** passed over (*pasach*) our forefathers' houses in Egypt. As it says: “And you will say, it is a Pesach offering to Hashem, Who passed over (*pasach*) the houses of the Israelites in Egypt”.

2. **Matzah**, because our forefathers were redeemed from Egypt. They swiftly departed and their dough failed to leaven, as it says: “And they baked the dough that they took out from Egypt into unleavened cakes because it didn't leaven.”

3. **Maror**, because the Egyptians embittered our forefathers' lives. as it says: “They embittered their lives”.

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In every generation, a person is obligated to see himself as if he left Egypt. As it says: “And you shall tell your son on that day, saying: “Because of this, which Hashem did *for me* upon my departure from Egypt.”” (The phrase “for me” implies also for myself, and not just for our forefathers).

One should then say: **Therefore we are obligated to thank, laud, glorify, exalt, adorn, bless, uplift, and praise the One Who did for our forefathers and for us all of these miracles: He took us out from slavery to freedom, from agony to joy, and from mourning to festival, and from darkness to great light, and from subjugation to redemption. And we shall say before Him, Halleluyah!** (i.e. the Hallel prayer that starts with Halleluyah).

The Mishnah asks: **Until where** in the Hallel prayer **does one recite?**

**Beit Shammai says: Until *Eim habanim smeichah*** (“glad mother of children”), which ends the first paragraph of Hallel.

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**And Beit Hillel says: Until *Chalamish lemayano mayim*** (“flint into a spring of water”), which is the end of the second paragraph of the Hallel prayer.

**And he finishes** the recitation of the Haggadah of before the meal **with** the blessing of **redemption**.

The Tannaim differ as to the wording of this blessing:

**Rabbi Tarfon says** that one should say: “Blessed... He **Who redeemed us and redeemed our forefathers from Egypt**”. **And one should not conclude** the blessing with the words “Baruch attah Hashem...” because it is a “short” blessing containing only praise, which does not require such a conclusion.

**Rabbi Akiva says** that the blessing should contain not only praise but also supplication and appeal. Therefore it is a “long” blessing, which requires a special conclusion. As such, the following conclusion should be added to the above blessing: “**So too may Hashem our G-d and G-d of our forefathers bring us to other festivals and pilgrimages which approach us in peace, rejoicing in the building of Your city and delighting in Your service. And we shall eat there from the Pesach and other offerings...**” until it concludes with “**Baruch attah Hashem, ga'al Yisrael (Blessed are You, Hashem, Who redeemed Israel).**”

### **Gemara**

**Rava said** that in addition to what is mentioned in the Mishnah, **one needs to say** the verse: “**And He took us out from there** [from Egypt], in order to bring us to and give us

## Perek 10 – 117B

the Land that was sworn to our forefathers” (*Devarim*<sup>6</sup> 6: 23). According to Rava, this verse is the source of the obligation that a person should view himself as if he left Egypt himself.

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It was stated in the Mishnah that a person has an obligation to explain Pesach, matzah and maror.

In connection with this, **Rava said** that one **needs to raise up the matzah** while reciting the section of the Haggadah that says: “This matzah that we are eating...” in order to endear the mitzvah of eating matzah to all present.

Similarly, one **needs to raise up the maror** when he says: “This maror that we are eating...”

However, the Pesach offering was no longer offered in the time of Rava. Thus he said that the **meat** that serves as a remembrance of the Pesach offering **does not need to be raised up** when he says the section of “The Pesach offering that our fathers would eat during the times of the Temple.” This is because he does not state: “*this* Pesach offering”.

**And not only** is it unnecessary to raise it up, **but** it is forbidden to. For **it appears as if one** had consecrated an animal as a Pesach offering, and **is** now **eating** the meat of **sacrifices outside** the perimeters of Jerusalem.

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<sup>6</sup> Deuteronomy

## Perek 10 – 117B

**Rav Acha the son of Yaakov said that a blind person is not obligated to recite the Haggadah**, as it is **written here**, in the Haggadah: “And you shall tell to your son that **for the sake of *this***, Hashem did for me”.

**And it is written there** (i.e. elsewhere), in regard to a wayward son (*ben sorer umoreh*), that his parents bring him to the Rabbinical Court and declare: “***This son of ours*** is wayward and rebellious”. Yet the procedure mentioned in this passage for a wayward son does not apply in a case where either of his parents are blind. For the word “this”, declared by his parents, implies their visual recognition of their son.

Rav Acha explains **that just as later on** in regard to the wayward son, **the blind are excluded, so too here** in regard to reciting the Haggadah, the blind are also excluded, as it similarly says, “for *this*”.

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The Gemara raises a difficulty: **Is that really so? Did Mareimar not say** the following? **I asked the scholars of the House of Rav Yosef: Who recites the Haggadah in Rav Yosef’s house**, to fulfill the obligation of those present, in light of the fact that Rav Yosef is blind?

**They** the scholars **said: Rav Yosef** recites it himself!

Mareimar also asked them: **Who recites the Haggadah in Rav Sheshet’s house**, in light of the fact that he, too, is blind?

**They said that Rav Sheshet** recites it himself!

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This contradicts Rav Acha's statement that the blind are not obligated. For if the blind are not obligated, then how can other people, who are obligated, fulfill their mitzvah through such a recital?

The Gemara answers: The **Rabbis** (i.e. Rav Yosef and Rav Sheshet) **held the view** that eating **matzah in our time** is only a **Rabbinical** obligation, since by Torah law it must be eaten together with the meat of the Pesach offering. Thus the obligation to relate the story of the Exodus is also only Rabbinical, since on a Torah level one cannot recite: "This matzah that we are eating..."

And since the blind are obligated in Rabbinical mitzvot, Rav Yosef and Rav Sheshet were able to recite the Haggadah for those present seeing that the obligations were of equal level.

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The Gemara raises a difficulty: **This implies that Rav Acha the son of Yaakov holds that** the mitzvah of eating **matzah in our time** is a **Torah obligation**. For Rav Acha would not have said that the blind are excluded from the mitzvah, if they are just as obligated as anyone else. And since the mitzvah of relating the story of the Exodus is thus a Torah one, a blind person is completely exempt from it, because the Rabbis only obligated the blind in an intrinsically Rabbinic obligation. They did not give the blind a Rabbinic obligation to perform Torah mitzvot.

Yet **Rav Acha bar Yaakov is the one who said** later on, on *daf* 120a, **that matzah in this time is Rabbinic!**

The Gemara answers that Rav Acha, despite holding matzah in our time to be a Rabbinic obligation, nevertheless held the blind to be exempt from it. For he **holds that everything the Rabbis decreed, they decreed similar to the Torah obligation.**

## Perek 10 – 117B

Therefore, just as when the Temple was standing (and relating the story of the Exodus was a Torah obligation), the blind were not required to fulfill this mitzvah, so too when the Rabbis decreed the story of the Exodus to be related in our time, they did not obligate the blind.

The Gemara raises a difficulty: **Certainly** according to **Rav Sheshet and Rav Yosef also**, there is the principle that **everything the Rabbis decreed, they decreed similar to the Torah obligation**. So how could Rav Yosef and Rav Sheshet recite the Haggadah for those present?

The Gemara answers that Rav Yosef and Rav Sheshet disagree with Rav Acha's premise that the Torah did not obligate the blind in the mitzvah of relating the story of the Exodus. They would reply to Rav Acha, challenging the source from which he derived his teaching:

**So now**, is your comparison valid? **Granted** that **there** in regard to the wayward son, **since the Torah should have written “he is our son” and** instead the Torah wrote **“this son of ours”**, we **hear from this** change of phrasing that **it is coming to exclude the blind**.

**But here**, in regard to relating the story of the Exodus, **if** the Torah would **not** have written **“for this”—what should it write** instead? “For *this*” is the standard way to express the idea.

**Rather** we must conclude that the verse **came for matzah and maror**, and no additional teaching may be derived from it. And Rav Sheshet and Rav Yosef had received no tradition for the existence of this *gezeirah shavah*<sup>7</sup> of Rav Acha's.

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<sup>7</sup> I.e. when different verses have a similar wording, they are often connected. This is *gezeirah shavah*, one of the means by which Scriptural verses are interpreted. There are many verses with similar wording, and a

## Perek 10 – 117B

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The Mishnah taught: **Therefore we are obligated...** and we shall say before Him, Halleluyah!

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*gezeirah shavah* interpretation is only made when there is a tradition of the Oral Torah (as handed down from Mt. Sinai) that these two verses are indeed linked.

# Chavruta Pesachim – Daf Kuf Yud Zayin

Translated by: *Chavruta staff of scholars*  
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[The Mishnah taught: **Therefore we are obligated...** and we shall say before Him, Halleluyah!]

**Rav Chisda said that Rav Yochanan said** the following: *Halleluyah, and keisyah, and yedidiyah* are each considered only **one** word and not two.

Although each of the above words could potentially be read as a compound, with “yah” representing one of Hashem’s Names, they are in fact single words, and the suffix “yah” does not denote the Name of Hashem.

Their independent explanations are as follows:

Although “*Halleluyah*” could have been read as the compound “*Hallelu-yah*”, meaning “praise Hashem”, it is rather a single expression of praise.

Although “*Keisyah*” could have been read as the compound “*keis-yah*”, meaning “throne of Hashem”, it is rather a single noun denoting a throne.

Although “*yedidiyah*” could have been read as the compound “*yedid-yah*”, meaning “friend of Hashem”, it is rather a single word denoting a friend.

There are dual halachic ramifications to this: 1. the above words must be written on a single line when penned by a scribe for holy scriptures 2. it is permissible to erase the entire word. Had these words been a compound, containing the name of Hashem, neither of the above Halachot would be true.

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**Rav said** that “*keisyah*” and “*merchavyah*” (as in the verse *anani vamerchavyah*, meaning “Hashem answered me with expansiveness”) **are each one word**. I.e. the word *merchavyah* does not mean as translated above but rather “answered me with expansiveness”.

**Rava said** that *merchavyah* **alone** is a single word, whereas the others are comprised of a root word followed by the name of Hashem.

**They**, the scholars of the study hall, **posed an inquiry: What according to Rav Chisda is the structure of “merchavyah”?** Is it a single word or a compound?

The Gemara answers: **Let it stand** as an unresolved question.

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**They** the scholars of the study hall **posed an inquiry: What according to Rav is the structure of “yedidiyah”?** Is it a single word or a compound?

**Come and hear** a proof: **Rav said** that “*yedidiyah*” is divided into two words. **Therefore, “yedid” is non-sacred** whereas “*yah*” is a **holy** Name.

**They**, the scholars of the study hall, **posed an inquiry: What according to Rav is the structure of “halleluyah”?** Is it a single word or a compound?

**Come and hear** a proof: **Rav said** that **I saw** the book of **Psalms of my uncle’s** (Rabbi Chiya’s) house, **and inside it was written** the word “*hallelu*” **at the end of one line and** the word “*yah*” **at the beginning of the next**. Therefore we can conclude that they are two separate words.

## Perek 10 – 117a

And it is apparent that Rabbi Chiya **differed with** the statement of **Rabbi Yehoshua ben Levi** because **Rabbi Yehoshua ben Levi said** the following: **What is “halleluyah”?** It means: **praise Him with many praises.**

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The above statement of Rabbi Yehoshua ben Levi also **contradicts** the following statement that **he himself** said.

**Rabbi Yehoshua ben Levi said that the book of Psalms was said with ten different expressions of praise, and they are as follows:**

1. *nitzuach* (as in *lamnatzeach*)
2. *niggun* (as in *lamenatzeach binegginot*)
3. *maskil* (as in *maskil ledavid*)
4. *mizmor* (as in *mizmor ledavid*)
5. *shir* (as in *mizmor shir*)
6. *ashrei*
7. *tehilah* (as in *tehilah ledavid*)
8. *tefilah* (as in *tefilah le'ani*)
9. *hoda'ah* (as in *hodu lashem*)
10. *halleluyah*

And he then said that **the greatest of them all is Halleluyah** because it **simultaneously encompasses both the name of Hashem and praise**. This implies is that *Halleluyah* is comprised of two words, “*Hallelu*” and the Name of Hashem, “*yah*”.

**Rabbi Yehudah said the following in the name of Shmuel: The song in the Torah** (i.e. *az yashir*, known as *shirat hayam*) **was first said by Moshe and Israel when they emerged from the Sea of Reeds.**

## Perek 10 – 117a

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The Gemara asks: **Who said the Hallel prayer**, which is recited on rosh chodesh and festivals?

The Gemara answers: The **prophets who were amongst them established it for Israel, that they should say it at every time** i.e. at every Festival, **and for every trouble—may it not come upon them—that when they will be redeemed** from that particular trouble, **they will say it for their redemption**, as we do for example at Chanukah.

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It was taught in a Baraita: **Rabbi Meir would say that all the praises<sup>1</sup> that were said in the book of Psalms were said by David, as it says in the verse: “[here] the prayers of David the son of Yishai<sup>2</sup> are ended”**. The Hebrew word used for “ended” is “*kalu*”. Rabbi Meir interpreted this as follows: **Do not read** the word as “*kalu*”, meaning ended, **but rather** as “*kol eilu*”, meaning “all of these”. The verse then means: “all of these are the prayers of David the son of Yishai”.

**The Hallel** that is in the book of Psalms, **who said it?**

**Rabbi Yossi says that Elazar my son says that Moshe and Israel said it when they emerged from the Sea**, and afterwards David instituted it in the book of Psalms.

However, **his colleagues differed with him and said that David also said it**.

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<sup>1</sup> Rashi changes “praises” to “prayers”

## Perek 10 – 117a

The Gemara declares, in regard to Rabbi Yossi's quote from his son, that **his words are more reasonable than their** (i.e. his colleagues) **words**, for the following reason: **Is it possible that Israel slaughtered their Pesach offerings** when they were leaving Egypt, and until the time of David, and **took their lulavim, without reciting shirah** i.e. Hallel? It is obvious that any great mitzvah requires singing Hallel. Therefore, we must assume that since the above two mitzvot predated David, so too the singing of Hallel must have predated him. For it must have originated in the time of Moshe.

The Gemara offers **another explanation** as to why the Hallel prayer must have preceded David, and originated in the time of Moshe: Is it possible that **Michah's idol was standing in Bechi** in David's generation, **and Israel were** originating the **saying of Hallel**—in which is written: “as are they [the idols], so shall be their makers”?

Rather, we can assume that Moshe and Israel said it after emerging from the Sea and that the prayer was continued from then on.

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**The Rabbis taught** in a Baraita: In regard to **all of the songs and praises that David said in the book of Psalms**, there are differing views as to why they were said.

**Rabbi Eliezer said that they were said on his own behalf**, as prayers for himself.

**Rabbi Yehoshua said that they were said on behalf of the community** of Israel, as prophecies of redemption and prayers.

**And the Sages said that there are those psalms that were said on behalf of the community, and those psalms that were said on behalf of himself. Those said in**

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<sup>2</sup> Jesse

## Perek 10 – 117a

**singular form were on behalf of himself, whereas those said in plural form were on behalf of the community.**

Wherever the book of Psalms uses the words *nitzuach* and *niggun*, as in “*lamenatzeach bineginot*”, it is referring **to the World to Come.**

Wherever the word “*maskil*” is utilized, David articulated it **through a spokesman.** David would whisper and the spokesman would recite it aloud.

Wherever the words “*LeDavid mizmor*” appear, they **teach us that the Holy Presence rested upon him, and only then did he say shirah.**

Wherever the words “*Mizmor LeDavid*” appear, they **teach us that he first said shirah and only afterwards the Holy Presence rested upon him.**

This is **to teach you that Hashem’s Presence does not rest upon a person through laziness, nor through sadness, nor through laughter, nor through levity, nor through idle words, but only through the joy of a mitzvah.**

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The above teaching is supported by the verse in the book of *Melachim*<sup>3</sup> II (3:15), **as was said there: “Now take for me a minstrel, and when the minstrel would play, [bringing joy,] the hand of Hashem [i.e. His Presence] was upon him.”**

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<sup>3</sup> Kings

## Perek 10 – 117a

**Rav Yehudah said in the name of Rav: And so too in learning Halachah**, i.e. Gemara, it is necessary to begin with something joyous.

**Rav Nachman said: And so too** in order to have a **good dream**, one should retire while joyous.

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The Gemara questions Rav Yehudah's statement that Gemara learning requires joy: **Is that so? Note that Rav Gidel said in the name of Rav that any Torah scholar that sits before his master, and his lips don't drip bitterness** from fear, his lips should be burned! For it is said in *Shir Hashirim*<sup>4</sup>, **"his lips are like lilies (*shoshanim*), dripping flowing myrrh (*mohr ohver*)."**

**Do not read it as *shoshanim***, "lilies", **but rather *sheshohnim***, "those who learn" Gemara. And **do not read it as *mohr ohver***, "flowing myrrh", **but rather *mar avar***, meaning **bitterness passed** over them.

This shows that learning requires fear, not joy as Rav Yehudah said.

The Gemara answers: That is **not a difficulty**. **That** statement of Rav Gidel was said in regard to a **disciple** sitting before his master. But at other times, learning does require joy.

**And if you wish, I could say** an alternative answer: **that both statements are in the presence of one's master and** nonetheless there is **no difficulty**. **This** statement of Rav

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<sup>4</sup> Song of Songs

## Perek 10 – 117a

Yehudah that learning requires joy was referring to **before** they **start** learning. Whereas **that** statement of Rav Gidel that learning requires fear was referring to **after** they **start** learning.

**This is like that** practice of Rabbah. **Before** he would start teaching the scholars, he would say a word of humor, and the scholars laughed. **And in the end**, after the word of humor, he sat in a state of fear, and would **begin** stating the teaching of the day.

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**The Rabbis taught** in a Baraita: **Who** originally said the Hallel prayer?

**Rabbi Elazar** says that **Moshe and Israel** said it as they stood by the Sea of Reeds after they emerged, as it says in Hallel, “the Sea saw and fled” i.e. it split so they could pass through.

**They** then said (i.e. prayed) to be saved: “**not for us, Hashem, not for us**, rather, for the sake of Your Name...” out of fear of Pharaoh’s army. For they feared that the Egyptians too would pass through the Sea and continue to pursue them.

They were answered by his Holy Presence which said to them: “that for My sake, that for My sake, I will do” all that is necessary to save you.

**Rabbi Yehudah** says: even **Yehoshua and Israel** said it, when the kings of Canaan stood upon them to do battle.

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**They said “not for us...” and were answered** as were the Israelites at the Sea.

**Rabbi Elazar the Modai says: Devorah<sup>5</sup> and Barak said it when Sisera stood upon them** to do battle.

**They said** (i.e. prayed): **“not for us...”** out of fear of Sisera’s army.

And they were **answered by His Holy Presence which said to them: “for My sake, that for My sake, I will do”** all that is necessary to save you.

**Rabbi Elazar ben Azariah says: Chizkiyahu<sup>6</sup> and his subjects said it when Sannecherib stood upon them** to do battle.

**They said “not for us”, and were answered** as were the Israelites at the Sea.

**Rabbi Akiva says: Chananyah, Mishael, and Azariah said it when Nebuchadnezzar the wicked stood upon them.**

**They said “not for us”, and were answered** as were the Israelites at the Sea.

**Rabbi Yosi Hagalili says: Mordechai and Esther said it when Haman the wicked stood upon them** to destroy the people of Israel.

**They said “not for us”, and were answered** as were the Israelites at the Sea.

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<sup>5</sup> Deborah

<sup>6</sup> Hezekiah

## Perek 10 – 117a

**And the Sages say: The prophets who were amongst them established it for Israel, that they should say it at every time i.e. at every Festival, and for every trouble—may it not come upon them—that when they will be redeemed from that particular trouble, they will say it for their redemption.**

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The Gemara cites differing views concerning the Halleluyah that appears in between chapters of Psalms. Is it considered the final word of the first Psalm or the initial word of the second?

**Rav Chisda said: “Halleluyah” is the final word of the first chapter.**

**Rava the son of Rav Huna said: “Halleluyah” is the beginning of the next chapter.**

**Rav Chisda said: I saw Rav Chanin the son of Rav’s book of Psalms, and in it was written the word “Halleluyah” in the middle of two chapters in a manner that was indistinguishable as to which chapter it was applicable. From the fact that he wrote it unusually, it is obvious that he was uncertain as to where the word “Halleluyah” should be placed.**

**Chanin the son of Rava said: Everyone agrees regarding the final verse of the “ashrei” prayer, “and my mouth will speak the praises of Hashem, and all flesh will bless Him**

## Perek 10 – 117a

**forever and ever”, that the “Halleluyah” that follows is in fact the beginning of the next chapter.**

Similarly, all agree in regard to the verse in Psalms (112:10) **“the evil will see it and be grieved, he will gnash his teeth and melt away, the desire of the wicked will be destroyed”, that the “Halleluyah” that follows it is in fact the beginning of the next chapter.**

Similarly, all agree in regard to the verse in Psalms (135) **“Those that are standing in the House of Hashem”, that the “Halleluyah” that follows it is actually the beginning of the next chapter.**

**Those who are expert in Scripture add to the above list also these verses: “He will drink from the stream in the path, therefore he will lift his head” (ibid, 110:7), that the “Halleluyah” that follows it is in fact the beginning of the next chapter.**

And so too the verse: **“The beginning of wisdom is the fear of Hashem, a good understanding to all who perform [His mitzvot]; His praise endures forever” (ibid 111), that the “Halleluyah” that follows it is in fact the beginning of the next chapter.**

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The Gemara deliberates: **Let us say that this is subject to a disagreement between Tannaim.**

## Perek 10 – 117B

**We were taught in the above Mishnah: Until where in the Hallel prayer does one recite?**

**Beit Shammai says: Until the verse “glad mother of children”, which ends the first chapter of Hallel.**

**And Beit Hillel says: Until “flint into a spring of water”, which is the end of the second chapter of Hallel.**

**It was taught in a different Baraita: Until where in the Hallel prayer does one recite?**

**Beit Shammai says: Until “When Israel left Egypt”, i.e. the end of the first chapter of Hallel.**

**And Beit Hillel says: Until “Not for us, Hashem, not for us...” i.e. the end of the second chapter of Hallel.**

### **Ammud Bet**

The Gemara suggests: **Why not say that over this point they the Mishnah and Baraita differ?**

**The one who said that Beit Shammai’s view is to say Hallel “until ‘glad mother of children’” held that the “Halleluyah” that follows the above verse is actually the beginning of the next chapter, which is “When Israel left Egypt”. Therefore the Tanna mentioned the final verse, “glad mother...” without “Halleluyah” at its finish.**

## Perek 10 – 117B

**And the one who said** that Beit Shammai's view is to say Hallel **“until ‘when Israel’”** held that the **“Halleluyah”** is actually the **end of the preceding chapter**. Therefore he left out mention of **“Halleluyah”**.

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**Rav Chisda explained according to his own reasoning that** actually everyone agrees that **“Halleluyah”** is the **end of the preceding chapter**.

Therefore, **the one who said** to recite **“until ‘when Israel left’”** said **well**, as explained.

**And the one who said** to recite **“until ‘glad mother of children’”** held that the statement **“until”** implies **“up to and including”**. Therefore, had he said **“until ‘when Israel left’”** the implication would be to say the following paragraph as well.

The Gemara raises a difficulty: Since the chapter concludes with **“Halleluyah”**, **why not** just say **“until ‘Halleluyah’”**?

**And if you will answer that we would not know which Halleluyah** is being referred to, **why not** say **“until ‘the Halleluyah of glad mother of children’”**?

The Gemara answers: This is indeed a **difficulty!**

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**Rabbah the son of Rav Huna explained according to his own reasoning, that** actually everyone agrees that **“Halleluyah”** is the **beginning of the following chapter**.

**The one who said** to recite **“until ‘the glad mother of children’”**, said **well**.

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**And the one who said** to recite “until ‘when Israel left’” **held that** the statement “until” implies “**up to and not including**”. Therefore had he said “until ‘glad mother of children’” the implication would be to omit “glad mother of children”.

The Gemara raises a difficulty: **And why not just say “until ‘Halleluyah’”?**

**And if you will answer that we would not know which Halleluyah** is being referred to, **why not say “until the Halleluyah of “when Israel left””?**

The Gemara answers: This is indeed a **difficulty!**

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It was stated in the Mishnah: **And he concludes** the recitation of this section of the Haggadah **with** the blessing of **redemption**.

There are additional times that a blessing of redemption are recited. Rava explains the differences in the phrasing of the various blessings.

**Rava said:** The phrasing of the redemption blessing that follows both **the reading of the Shema**, and that follows the recitation of **Hallel** in the Haggadah (according to the view of Rabbi Akiva as cited in our Mishnah), is: “**He Who redeemed Israel**” (*Ga’al Yisrael*). This is in the past tense. Whereas the blessing of redemption said in the Amidah<sup>7</sup> **prayer is** phrased “**Redeemer of Israel**” (*Go’el Yisrael*), which is present tense.

## Perek 10 – 117B

The Gemara asks: **What is the reason** that the blessing recited in the Amidah is in present tense?

The Gemara answers: Because **it is a plea** for our present needs.

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**Rav Zeira said:** The phrasing **of the Kiddush** recited over wine on Shabbat and Yom Tov is **“He Who sanctified us (*Asher kideshanu*) with His mitzvot, and commanded us...”**<sup>8</sup>

Whereas the Amidah **prayer** of Shabbat and Yom Tov **is** phrased: **“Sanctify us (*Kadesheinu*) through Your mitzvot.”**

The Gemara asks: **What is the reason** that the phrasing in the Amidah is in the imperative sense?

The Gemara answers: Because **it is a plea**.

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**Rav Acha the son of Yaakov said:** **And it is necessary to mention the exodus from Egypt**, in the blessing of **the sanctification of the day**. This applies both on Shabbat and on Yom Tov. And it applies both in the Amidah prayer and when reciting Kiddush over wine.

The Gemara explains Rav Acha’s reasoning:

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<sup>7</sup> Also known as the *Shemoneh Esrei* prayer.

<sup>8</sup> The *Gra* omits the word *vetzivanu*, “and commanded us”. Thus it accords with the text of Kiddush recited nowadays.

## Perek 10 – 117B

It is written here, “In order that you *remember* the day you left the land of Egypt”, and it is written there, “*remember* the Shabbat day to sanctify it”.

The word “remember” mentioned in both verses constitutes a *gezeirah shavah*<sup>9</sup>, connecting the exodus from Egypt to the verse that serves as the source for reciting Kiddush on Shabbat. Therefore, the exodus from Egypt must be mentioned on Shabbat Kiddush.

\*

**Rabbah the son of Shilo said:** In the Amidah prayer, we recite: “**He Who causes the strength of salvation to flourish**” (*matzmiach keren yeshu’ah*), in the present tense.

In the blessing of the *Haftarah* we recite: “**He Who shields David**” (*magen David*), also in the present tense.

\*

Hashem told David through Nathan the prophet: “**And I will make your name as great as the names of the great ones.**”

**Rabbi Yosef taught:** This is the source for what we say: “**He Who shields David**”.

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<sup>9</sup> I.e. when different verses have a similar wording, they are often connected. This is *gezeirah shavah*, one of the means by which Scriptural verses are interpreted. There are many verses with similar wording, and a *gezeirah shavah* interpretation is only made when there is a tradition of the Oral Torah (as handed down from Mt. Sinai) that these two verses are indeed linked.

## Perek 10 – 117B

**Rabbi Shimon ben Lakish said:** Hashem said to Avraham: **“And I will make you into a great nation.”** This is the source for **what we say** in the first paragraph of the Amidah: **“G-d of Avraham”**.

Whereas the phrase **“and I will bless you”** is the source for **what we say:** **“G-d of Yitzchak”**.

Lastly, the phrase **“and I will greaten your name”** is the source for **what we say:** **“G-d of Yaakov”**.

The Gemara asks: **Perhaps we should conclude** the first blessing of the Amidah **with** mention of **all** of their names?

The Gemara answers: The phrase **“and you [Avraham] shall be a blessing”** teaches that **with you, Avraham, they will conclude** the first blessing, **and we do not conclude with all** of their names. This is why we say *“Magen Avraham”* (He Who shields Avraham) at the end of the first blessing of the Amidah.

\*

**Rava said: I found** Rav Yehudah and Rav Ina, the **elders of Pumpedita, sitting and saying** the following: **“On Shabbat, whether in prayer or whether in Kiddush,** the blessing should conclude: **“He Who sanctifies the Shabbat”**. But **on Yom Tov, whether in prayer or in kiddush,** the blessing should conclude: **“He Who sanctifies the people of Israel”**.

**And I said to them: On the contrary! In prayer, whether on Shabbat or on Yom Tov,** the proper conclusion is: **“He Who sanctifies the people of Israel”**. Whereas **in regard to Kiddush, on Shabbat** the conclusion is: **“He Who sanctifies the Shabbat”**,

## Perek 10 – 117B

and the conclusion on **Yom Tov** is: **“He Who sanctifies the people of Israel and the times of the Festivals”**.

**And I will explain both my reasoning and your reasoning: Your reasoning** is that the day of **Shabbat** is **fixed and in place** since the time of Creation, unlike the beginning of the Hebrew month which is established monthly by the Rabbinical Court, as per the sighting of the new moon. Therefore, **whether in prayer or in Kiddush**, the proper conclusion for Shabbat is: **“He Who sanctifies the Shabbat”**. Given that there is no necessity for the Jewish people to establish its proper time, there is no necessity to mention their sanctity.

On the other hand, the proper time of each **Yom Tov** is **established** by the people of **Israel**, since they are charged with **declaring leap months and instituting leap years** with two months of Adar. Therefore, the correct conclusion for Yom Tov is: **“He Who sanctifies the people of Israel, and the times of the Festivals.”** This is because the sanctity of the Festivals is dependent on the sanctity of the Jewish people, who fix their dates.

\*

**My reasoning is: Prayer**, which is performed in **public**, should honor the entire community and conclude with: **“He Who sanctifies the people of Israel”**.

On the other hand, the proper conclusion of **Kiddush**, which is recited in private by each **individual**, will depend on which day it is. **On Shabbat** the correct conclusion is: **“He Who sanctifies the Shabbat.”** Whereas **on Yom Tov** the correct conclusion is: **“He Who sanctifies the people of Israel and the times of the Festivals”**.

\*

## Perek 10 – 117B

The Gemara raises a difficulty: **It is not so! Is it true that prayer is never recited alone? And is it true that Kiddush is never recited in public** e.g. in the synagogue or at banquets held in honor of a newly married couple?

The Gemara answers: **Rava held that we go according to the primary** practice. Prayer is usually recited in public whereas Kiddush is most commonly recited in private.

**Ula bar Rav went down** in front of the Ark in the synagogue, to lead the community in prayer, **in the presence of Rava. He recited** the blessing **according to the view of the elders of Pumpedita**, and Rava heard **and said nothing**. Thus we see that **Rava retracted his position** in favor of that of Rav Yehudah and Rav Ina.

**Rav Natan the father of Rav Huna the son of Rav Natan went down** in front of the Ark in the synagogue, to lead the community in prayer, **in the presence of Rav Papa. He recited** the blessing **according to the view of the elders of Pumpedita, and Rav Papa praised him**.

**Ravina said: I went to Sura, and I was in the presence of Mareimar, and the prayer leader went down** in front of the Ark in the synagogue, to lead the community. **And** when **he recited** the blessing **according to the view of the elders of Pumpedita, everybody silenced him**. For they held like Rava's view.

**Mareimar said to them: Leave him be! The Halachah is accordance with the elders of Pumpedita**.

**And** from then on **they no longer silenced him**.

## Perek 10 – 117B

### **Mishnah**

They **mix** and pour for **him** the master of the household **the third cup** of wine of the Pesach Seder.

He then **recites the blessing over his food**, i.e. *birkat hamazon*, Grace after meals. Afterward they pour for him the **fourth** and final cup and he **completes over it** the recitation of **the Hallel**, which was begun before the meal. **And** he also **recites over it the blessing of the song** as will be explained in the Gemara.

**Between** drinking the first and second cups of wine, or between the second and third, **if one wants to drink** more wine, **he may drink**, because the wine preceding the meal or during the meal will not overly intoxicate him.

However, **between the third and fourth** cups, one may not drink more wine, since he must maintain his sobriety in order to complete the recitation of Hallel.

### **Gemara**

**Rav Chanan said to Rava:** We may hear a proof **from this** statement of our Mishnah **that *birkat hamazon* needs** to be recited over **a cup** of wine.

Rava **said back to him:** We may not infer that *birkat hamazon* need be recited over a cup of wine. The cup referred to in the Mishnah is not because of *birkat hamazon*, but rather

## Perek 10 – 117B

because the **four cups** of wine **were instituted** on the Seder night **by the Rabbis** because it is the **way of freedom**. **And each one has a mitzvah performed with it**. Kiddush is recited over the first cup, the Haggadah over the second, *birkat hamazon* over the third, and Hallel is completed over the fourth.

Our Mishnah stated: And **he also** recites over it the blessing of the song.

The Gemara asks: What is **the blessing of the song**?

# Chavruta Pesachim – Daf Kuf Yud Chet

Translated by: *Rabbi David Schallheim*  
Edited by: *R. Shmuel Globus*

[Our Mishnah stated: And **he also** recites over it the blessing of the song.

The Gemara asks: What is **the blessing of the song?**]

The Gemara answers: **Rav Yehudah said**, it is the blessing after Hallel:<sup>1</sup> “**All your works shall praise You**” (*yehalelucha Hashem Elokeinu*), until “King, extolled with praises (*Melech mehulal batishbachot*)”.

**Rabbi Yochanan said**: It is the prayer of *Nishmat*, “the soul of every living thing.”  
Rabbi Yochanan disagrees with Rav Yehudah, because *Melech mehulal batishbachot* is always recited after Hallel, so the Mishnah would not be teaching anything new.  
Therefore, he deduced that the Mishnah was teaching about a new blessing—*Nishmat*.

\*

**The Rabbis taught** in a Baraita: **The fourth cup—he completes** reciting **Hallel on it, and recites Hallel HaGadol**, the Great Hallel. (The Gemara will explain what this is shortly.) These are **the words of Rabbi Tarfon**.

**And some say** that he needs to recite (*Tehillim*<sup>2</sup> 23): “A psalm of David, **Hashem is my Shepherd, I shall not lack**” (*Hashem ro’i lo echsar*), in gratitude for the food he ate.

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<sup>1</sup> Psalms of Praise.

<sup>2</sup> The Book of Psalms.

## Perek 10 – 118a

The Gemara asks: **Until where is Hallel Hagadol**, i.e. which psalms constitute the Hallel HaGadol?

**Rabbi Yehudah says:** The Hallel HaGadol is from **“*Hodu laHashem ki tov*—Give thanks to Hashem for He is good”** (*Tehillim* 136), **until “By the rivers of Babylon”** (*Al naharot bavel*) (Ibid. 137).

**Rabbi Yochanan says:** It is from **“A song of ascents”** (*Shir hama'alot*) (Ibid. 120) **until “By the rivers of Babylon.”**

**Rav Acha the son of Yaakov said:** It is (Ibid. 135) from **“For G-d chose Yaakov<sup>3</sup>”** (*Ki Yaakov bachar lo Kah*) **until “By the rivers of Babylon.”**

\*

The Gemara asks: **Why is it called the Hallel HaGadol?**

**Rabbi Yochanan said:** **Because the Holy One sits in the heights of the world and apportions sustenance to every creature.** It speaks about the greatest manifestation of God's kindness, that He gives food to all His creatures.

**Rabbi Yehoshua ben Levi said:** **The twenty-six times it is written, *hodu*** (“give thanks”) in this psalm, **to what do they correspond?** They correspond to the **twenty-six generations that the Holy One created in His world, and did not give the Torah to them, and yet He provided for them in His kindness** until the Giving of the Torah. There were twenty-six generations from Adam, the first man, until the generation that received the Torah at Mount Sinai.

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<sup>3</sup> Jacob.

## Perek 10 – 118a

**Rav Chisda said:** What is the explanation of what is written: “*Hodu laHashem ki tov*—Give thanks to Hashem for He is good, for His goodness is forever?” **Give thanks,** for G-d does a kindness **by collecting the debt of a man** i.e. meting out punishment (if the man sinned) from what He gave the man **in His goodness.** For this we give thanks because it atones for his sins.

**A rich man—He collects his ox, and the poor man—his sheep. The orphan—his egg, and the widow—her hen.** I.e. Hashem causes them to lose these as an atonement for their sins.

The meaning of the verse is: “Give thanks to Hashem for He is good, for His goodness is forever”—the kindness He does is always “*ki tov*,” in the goodness He does for a man when He takes His gifts as a substitute for bodily punishment.

\*

**Rabbi Yochanan said:** The difficulty that a person has in his livelihood is double the pain of childbirth.

**Concerning** the curse of pain **in childbirth,** the Torah writes, addressing Chavah<sup>4</sup>: “*B’etzev*, in pain, shall you bear children” (*Bereishit*<sup>5</sup> 3:16). Concerning the curse of **livelihood** the Torah **writes,** addressing Adam: “*B’itzavon*, in suffering, shall you eat all the days of your life” (Ibid. 3:17). *B’itzavon* implies plural, or double *etzev*.

**And Rabbi Yochanan said:** The difficulty that a person has in his livelihood is more than the difficulty of the redemption. For concerning the redemption it says (Ibid 48): “**May the angel who redeems me from all evil**” (*Hamal’ach hago’el ohti*), i.e. **only an angel** is involved.

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<sup>4</sup> Eve

## Perek 10 – 118a

Whereas concerning livelihood it is written (Ibid.): “G-d Who shepherds me” (*Ha'Elokim Haro'eh ohti*), which refers to Hashem Himself.

\*

**Rabbi Yehoshua ben Levi said: When the Holy One** cursed Adam after the sin in the Garden of Eden, He said to Adam **HaRishon**:<sup>6</sup> “**And it [the earth] will cause thorns and thistles to grow for you and you shall eat the herbs of the field**” (Ibid. 3). Upon hearing this, **tears flowed from his eyes. He Adam said before Him: “Master of the World! Shall I and my donkey eat from the same trough?”**

**Once Hashem said to him: “With the sweat of your face you shall eat bread” (Ibid.), he was comforted.**

**Rabbi Shimon ben Lakish said: We would have been fortunate if we could have remained with the first one**, i.e. to eat the herbs of the field. Because it is still so difficult for us to earn a living “with the sweat of your face.”

**Abaye said: We are still not completely removed from it**, from the first one, because sometimes **a man eats the herbs of the field** without any effort.

\*

**Rav Shizbi said in the name of Rabbi Elazar the son of Azariyah: The difficulty that a person has in his livelihood is as difficult as *Kri'at Yam Suf*, the splitting of the Sea of Reeds.** Because the miracle of livelihood is so great, a man must pray for mercy for his livelihood (*Rashbam*).

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<sup>5</sup> Genesis.

<sup>6</sup> The first man.

## Perek 10 – 118a

As it is written: **“He gives food to all creatures”** (*Tehillim* 136), and close by it says: **“Who divided the Sea of Reeds into parts”** (Ibid.).

**Rabbi Elazar the son of Azariyah said: A person’s relieving himself is as difficult, if he is constipated, as the day of death and *Kri’at Yam Suf*.**

As it says: **“The crouching one hastens that he may be loosened, and he shall not die”** (*Yeshayahu*<sup>7</sup> 51:14), and afterwards it is written: **“Who stirs up the sea, that its waves roared”** (Ibid. 15).

\*

**And Rav Sheshet said in the name of Rabbi Elazar the son of Azariyah: One who disrespects *Chol HaMoed*, the intermediate days of the Festivals, by doing forbidden work, is considered like an idol worshipper.**

This is learned from the juxtaposition of the verses, as it is said: **“You shall not make yourselves molten gods”** (*Shmot*<sup>8</sup> 34:17), and afterwards it is written: **“You shall observe the Festival of Matzot”** (Ibid. 18).

**Additionally, Rav Sheshet said in the name of Rabbi Elazar the son of Azariyah: Anyone who speaks *lashon hara*, derogatory speech, or believes *lashon hara*, or testifies falsely about his fellow man, is fitting to be thrown to the dogs, as it says: “To the dog shall you throw it”** (Ibid. 22:30) **and afterwards it is written: “Do not accept (*Lo tisa*) a false report”** (23:1), which teaches these prohibitions:

“*Lo tisa*, do not accept,” teaches not to believe the *lashon hara*, and we may also read it as if it were written: “*Lo tasi*,” do not cause others to accept, i.e. do not speak *lashon hara* or a false report.

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<sup>7</sup> Isaiah.

## Perek 10 – 118a

c c o d d

The Gemara asks: **Since there is Hallel HaGadol**, which is so great, **why do we recite this** regular Hallel on every other occasion, such as Festivals and Rosh Chodesh<sup>9</sup> and when we are redeemed from trouble (for instance Chanukah)?

The Gemara answers: **Because Hallel has these five things** that speak of redemption:

1. *Yetziat Mitzrayim*, the Exodus.
2. *Kriyat Yam Suf*, the Splitting of the Sea of Reeds<sup>10</sup>.
3. *Matan Torah*, the Giving of the Torah.
4. *Techiat HaMeitim*, the Resurrection of the Dead.
5. **The birth pangs of the Mashiach**, Messiah.

The Gemara cites the source in Hallel for each one:

*Yetziat Mitzrayim*, as it is written: **“When Israel went out of Egypt”** (*Tehillim* 114).

*Kriyat Yam Suf*, as it is written: **“The sea saw and fled”** (Ibid.).

*Matan Torah*, as it is written: **“The mountains skipped like rams”** (Ibid.), which happened at the time of the Giving of the Torah.

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<sup>8</sup> Exodus.

<sup>9</sup> The New Month.

<sup>10</sup> I.e. the Red Sea

## Perek 10 – 118a

***Techiat HaMeitim***, as it is written: “I shall walk before Hashem in the lands of the living” (Ibid. 116).

**The birth pangs of the Mashiach**, as it is written: “Not for our sake, Hashem, not for our sake” (Ibid. 115). And Rabbi Yochanan says, “Not for our sake, Hashem, not for our sake,” this is the deliverance from the subjugation to the kingships of the nations of the world, a deliverance that we do not ask for our sake, but rather for Hashem’s sake (*Maharsha*).

**There are those who say: Rabbi Yochanan said: “Not for our sake, Hashem, not for our sake,” this is the war of Gog and Magog.**

\*

**Rav Nachman the son of Yitzchak said:** We say our Hallel because it mentions the rescue of the tzaddikim from Gehinnom,<sup>11</sup> as it is written: “Please, Hashem, save my soul” (Ibid. 116).

**Chizkiah said:** We say our Hallel because it speaks of the descent of the tzaddikim Chananyah, Mishael, and Azariyah to the fiery furnace of Nebuchadnezzar and their miraculous ascent from it unharmed.

**Their descent**, as it is written: “Not for our sake, Hashem, not for our sake” (Ibid. 115) said Chananyah when they descended into the fiery furnace.

**“But for Your Name’s sake, give glory”** (Ibid.), said Mishael.

**“For Your kindness and for Your truth”** (Ibid.), said Azariyah.

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<sup>11</sup> Hell.

## Perek 10 – 118a

**“Why will the nations say?” (Ibid.), they all said.**

**In their ascent from the fiery furnace unharmed, as it is written: “Praise Hashem, all nations,” (Ibid. 117), said Chananyah.**

**“Praise Him, all the states” (Ibid.), said Mishael.**

**“For His kindness has overwhelmed us” (Ibid.), said Azariyah.**

**“And the truth of Hashem is eternal, Halleluyah” (Ibid.), they all said.**

\*

**And there are those who say: “And the truth of Hashem is eternal”—the angel Gavriel said this verse when Nimrod the wicked threw Avraham Avinu<sup>12</sup> into the fiery furnace.**

**Gavriel said before the Holy One: Master of the world! I will descend and cool off the furnace and I will save the tzaddik from the fiery furnace.**

**The Holy One said to him: I am unique in My world, and he, Avraham, is unique in his world. It would be fitting for the Unique One to save the unique one.**

**And since Hashem does not deny the reward of any creature, He said to Gavriel: You will be privileged to save three of the sons of his sons from the furnace: Chananyah, Mishael, and Azariyah.**

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<sup>12</sup> Abraham, Our Patriarch.

## Perek 10 – 118B

When Gavriel saved them, he said: “The truth of Hashem is eternal,” because Hashem kept His promise.

\*

**Rabbi Shimon the Shiloni expounded: When Nebuchadnezzar the wicked threw Chananyah, Mishael, and Azariyah into the fiery furnace, Yorkimo, the angel of hail, stood in front of the Holy One, and said before Him: Master of the world! I will descend and cool off the furnace and I will save the tzaddikim from the fiery furnace.**

**Gavriel said to him, Yorkimo: In such a way the might of the Holy One is not revealed! For you are the angel of hail and everyone knows that water extinguishes fire.**

**Rather, I, the angel of fire, will go down, and I will cool the inside of the furnace to save them...**

### **Ammud Bet**

**...and heat up the furnace from the outside so the gentiles will be burnt when they throw Chananyah, Mishael, and Azariyah into the furnace, and I will perform a miracle within a miracle.**

**The Holy One said to him: Go down!**

## Perek 10 – 118B

At this time Gavriel began to say: “The truth of Hashem is eternal,” because Hashem kept His promise.

\*

Rabbi Natan says: “The truth of Hashem is eternal”—the fish in the sea said it.

Like that teaching of Rav Huna, for Rav Huna said: “In that generation of the Exodus, the people of Israel were of little faith.”

As Rabbah the son of Mari taught: What is the meaning of **that** which is written: “And they rebelled at the sea, at the Sea of Reeds” (*Tehillim* 106)?

It teaches that the Jews rebelled at that hour, at the time of *Kriyat Yam Suf*. And they said: just as we are ascending on this side of the sea, the Egyptians are ascending on the other side of the sea, and they will continue to pursue us!

The Holy One said to the angel of the sea: Expel them, the dead Egyptians, to the dry land!

The angel of the sea said before Him: Master of the world! If the master gives a prize to his servant, does he then come and take it away? The dead bodies were food for the fish.

Hashem said to him: I will give to you one and a half times more.

The angel of the sea said to Him: Master of the world! Is there a servant who can make a claim from his master? I.e. who would be the guarantor of Your promise?

## Perek 10 – 118B

Hashem **said to him: The Kishon River shall be My guarantor!** In the future, in the war of Sisera, the Kishon River will return the bodies one and a half times more, as the Gemara will explain.

**Immediately, the sea expelled the dead Egyptians to the dry land, and the Jews came and saw them. As it says: “And Israel saw the Egyptians dead on the seashore”** (*Shmot* 14).

\*

The Gemara asks: **What was the meaning of ‘one and a half times more?’**

The Gemara answers: **Concerning Pharaoh it was written: “Six hundred chosen chariots,”** and Hashem repaid the sea with Sisera’s army, **and concerning Sisera it was written: “Nine hundred iron chariots.”**

**When Sisera came to wage battle, upon the people of Israel came soldiers with metal armor. The Holy One took the stars out of their course in order to battle against them the soldiers, as it is written: “From heaven, the stars fought”** (*Shoftim*<sup>13</sup> 5:20).

**When the stars of the heavens came down on them, they heated the metal armor, and Sisera’s soldiers went down to cool themselves and bathe in the Kishon River.**

**The Holy One said to the Kishon River: “Go and pay your guarantee,”** for the Kishon was the guarantor to the angel of the sea.

**Immediately, the Kishon River swept them down and threw them into the sea, as it says: The River of Kishon swept them away, that ancient (*kedumim*) brook, the brook of Kishon”** (*Ibid.* 5:21).

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<sup>13</sup> Judges

## Perek 10 – 118B

**What is the meaning of “that *kedumim* brook?” The brook that became a guarantor *mikedem*—from ancient times.**

**At that time, the fish of the sea began to say: “The truth of Hashem is eternal”** (*Tehillim* 117), because Hashem kept His promise to repay them for the dead Egyptians that were spat out on the seashore.

\*

**Rabbi Shimon ben Lakish said: What is the meaning of the verse: “He makes the barren woman (*akeret*) to dwell [contentedly] at home, a joyful mother of children”** (*Tehillim* 113:9)? The prominent Jews in **the Congregation of Israel say before the Holy One, “Master of the World! The lesser of your sons, the sinners among the Jewish people, because of the exile, have made me like a weasel that dwells in the holes and cracks (*ikarei*) of the house.”**

Meaning, the sinners lower the level of the people as a whole. The verse implies that the mother of children complains about the children who have made her to be as a lowly woman.

\*

**Rava interpreted the following verse. What is the meaning of **that** which is written: “I love Him, for Hashem hears my voice and my supplications”** (Ibid. 116)?

**The Congregation of Israel said before the Holy One, “Master of the World! When am I beloved before You? When You listen to my requests.”**

## Perek 10 – 118B

**“I was brought low, but He saved me” (Ibid.) The Congregation of Israel said before the Holy One, “Master of the world! Even though I am poor in mitzvot, in any case I am Yours, and therefore I am fitting to be saved, more than any other nation, because I unify God’s Name in the world.”**

\*

**Rav Cahana said: When Rabbi Yishmael the son of Rabbi Yossi was sick, Rabbi i.e. Rabbi Yehudah HaNasi sent disciples to him: Tell us two or three things that you have told us in the name of your father, Rabbi Yossi.**

**Rabbi Yishmael sent to him: Father said this: What is the meaning of what is written: “Praise Hashem, all nations, praise Him, all the states, for His kindness has overwhelmed us” (Ibid. 117)?**

It apparently poses a difficulty: **the nations of the world—what are they doing** here in this verse? Why are they called upon to praise Hashem for the kindness He does to the Jews? We should praise Him, not them!

**Rather, this is what it means to say: “Praise Hashem, all nations,” for the might and wonders that He has done for them, and so much the more so that we the Jews should praise Him, “For His kindness has overwhelmed us.”**

\*

**And furthermore, Rabbi Yishmael also taught in the name of his father: In the future, Egypt will bring a present to the Mashiach.**

The Mashiach will **reason that he should not accept it from them. The Holy One will tell him: Accept it from them, because they were hosts to My children in Egypt.**

## Perek 10 – 118B

**Immediately, “Nobles shall come from Egypt (*Tehillim* 68:32),”** bearing gifts.

The kingship of **Cush<sup>14</sup>** will make a *kal vachomer*, a fortiori reasoning, **concerning itself: What** is true concerning **them**, the Egyptians? That they were the ones **who enslaved them**, the Jews, and nevertheless these former oppressors were treated **thusly**, i.e. the Mashiach accepted their gift. It follows that **I, who never enslaved them, so much the more so** that the Mashiach will accept my gift!

**The Holy One will tell him, the Mashiach: Accept it from them.**

**Immediately, “Cush shall hasten its hands to G-d (*Ibid.*),”** bearing gifts.

\*

**The wicked Roman kingship will make a *kal vachomer* concerning itself: What** is true concerning **them**, the Egyptians and Cush? That they, **who were not their brothers** of the Jews, and nevertheless they were treated **thusly**, that the Mashiach accepted their gift. It follows that **we, who are their brothers**—for the Romans are descended from Eisav<sup>15</sup>, Yaakov’s<sup>16</sup> brother—**so much the more so** that the Mashiach will accept our gift!

**The Holy One will tell the angel Gavriel: “Rebuke the beast of the forest, the congregation of mighty bulls” (*Tehillim* 68:31). **Rebuke the wild animal**, the wicked nation of Rome and do not accept from them a gift, **and you shall acquire the Congregation** of Israel.**

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<sup>14</sup> Often associated with the area of Ethiopia.

<sup>15</sup> Esau

<sup>16</sup> Jacob

## Perek 10 – 118B

Hashem will rebuke them, as it says: “Rebuke the beast of the *kaneh*, forest.” When Hashem rebukes the beast, which is Eisav, he acquires, *kaneh*, the Congregation of Israel.

**Another explanation:** “**Rebuke the beast of the forest,**” this refers to kingship of Rome that resembles a wild animal **that lives amongst the reeds (*kanim*) in the forest.** This refers to the pig, **as it is written:** “**The boar [i.e. wild pig] of the forest ravages it, and the creeping things of the field graze on it**” (Ibid. 80:14). This verse refers to Rome’s ravaging of the people of Israel.

**Rabbi Chiya bar Abba said in the name of Rabbi Yochanan:** “Rebuke the beast of the *kaneh*,” **rebuke the beast whose deeds are all written with one quill—*kaneh*—to harm Israel.** I.e. it was written *kaneh* and not *kanim*, plural, to indicate their unity to harm Israel. If a Jew comes before them in judgment they unanimously find him guilty.

\*

In the continuation of the verse it says: “Rebuke the beast of the forest, **the mighty ones among the calves of nations** (Ibid. 68)”—**They**, the Romans, **slaughtered the mighty ones** of Israel, such as Rabbi Akiva and his colleagues, **as someone kills calves who have no owner.**

The verse continues: “**Each prostrates himself with pieces of silver**”—this teaches that **they**, the Romans, **hold out their hand to accept money, bribery, but do not perform the owner’s will**, they do not keep their promises even after accepting the bribery.

“**He [Hashem] scatters nations who desire battles**” (Ibid.). This means: **What caused the people of Israel to be scattered amongst the nations of the world? The battles they desired** to wage with the Babylonians and the Romans.

## Perek 10 – 118B

In the First Temple period, if King Tzidkiyahu<sup>17</sup> had not rebelled against the Babylonians there would have been no exile. And even more so in the Second Temple period, if the rebellious, lawless ones of the nation had listened to Rabbi Yochanan ben Zaccai and the Sages, and surrendered to the Romans, there would have been no exile. However, they wanted war and not peace. (*Maharsha*).

\*

**And furthermore**, Rabbi Yishmael **sent to him**, Rabbi Yehudah HaNasi, in the name of his father: There are **365 marketplaces in the great metropolis of Rome, and in each one are 365 towers. In each tower there are 365 levels, and each level has** stores of wheat, wine, and oil **that are sufficient to feed the entire world.**

**Rabbi Shimon the son of Rabbi said to Rabbi—and some say it was Rabbi Yishmael the son of Rabbi Yossi** who **said to Rabbi: These stores, for whom** are they set aside?

He answered: **For you, and your colleagues, and their colleagues.** All this wealth is for the Torah scholars.

**As it says: “And her commerce and her hire shall be holy to Hashem,** it shall not be stored nor shall it be inherited, but those who sit before Hashem shall have her commerce to eat their fill and for stately clothing” (*Yeshayahu 23*).

**What** does the verse mean: **“It shall not be stored?”**

\*

**Rav Yosef taught** from a Baraita: **This is the stores** of wheat, wine, and oil.

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<sup>17</sup> Zedekiah

## Perek 10 – 118B

**“Nor shall it be inherited”**—this is the treasuries of gold and silver that are kept under lock and key.

**What** does the verse mean: **“But those who sit before Hashem?”**

# Chavruta Pesachim – Daf Kuf Yud Tet

Translated by: *Chavruta staff of scholars*  
Edited by: *R. Shmuel Globus*

[**What** does the verse mean: “**But those who sit before Hashem?**”]

**Said Rabbi Elazar: This is one who recognizes his colleague’s place in the yeshivah.** He knows where each person sits and this is evidence that he regularly learns there.

**There are those that say: Said Rabbi Elazar: This is one who welcomes his colleagues in the yeshivah.** He precedes others to the study hall, and receives the others who arrive afterwards.

\*

**What** is the explanation of the latter part of the verse interpreted above: “**and for one who conceals the Ancient of Days**”?

**This is one who conceals things that the Ancient of Days (i.e. Hashem) concealed.**

**And what are these things?** They are the **secrets of the Torah**. The esoteric teachings of the Torah that are only taught to the eligible few.

**And there are those that say: This is one who reveals things that the Ancient of Days concealed.**

**What are these things?** They are the **reasons of the Torah**. The verse is interpreted as follows: initially, “the Ancient of Days concealed” the secrets of the Torah. Subsequently He gave permission for them to be revealed. The one who reveals them, merits that which was stated in the verse.

## Perek 10 – 119a

\*

Said Rav Cahana in the name of Rabbi Yishmael son of Rabbi Yossi: What is the meaning of that which is written (*Tehillim*<sup>1</sup> 13:1): “**For the One Who gives victory, a Psalm of David (*Lamenatzeach Mizmor LeDavid*)**”? It means: **Sing praises to He Who rejoices when they His creatures are victorious over Him.** Since it writes “*Lamenatzeach*” in the causative, it is interpreted to mean that Hashem gives strength to His created beings to conquer Him.

**Come and see that the way of the Holy One is not like the way of flesh and blood** (i.e. humans). The way of **humans** is to be **unhappy when others conquer him.** **But** the way of **the Holy One** is to **rejoice when they are victorious over Him.**

As it says (*Tehillim* 106:23): “**He said He would destroy them – had not Moshe<sup>2</sup>, His chosen one, stood in the breach before Him** to turn away His wrath from destroying.” Moshe is called “His chosen one”, and is praised for turning away Hashem’s wrath and persuading Hashem to change His course of action, so to speak. This complementary term that the verse applies to Moshe indicates that Hashem was happy about Moshe’s action.

\*

**Said Rav Cahana in the name of Rabbi Yishmael son of Rabbi Yosi, and so said Rabbi Shimon ben Lakish son of Rabbi Yehudah Nesi’ah: What is the meaning of that which is written** in the book of *Yechezkel*<sup>3</sup> regarding the description of the *Chayot*<sup>4</sup> (*Yechezkel* 1:8): “**There were human hands (*yedei* - plural) under their wings**”?

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<sup>1</sup> Psalms

<sup>2</sup> Moses

<sup>3</sup> Ezekiel

<sup>4</sup> Angels resembling the likeness of certain animals, that carried the Divine Chariot.

## Perek 10 – 119a

It is written “*yado*”, in the singular (although it is read as *yedei*, in the plural). This refers to the hand of the Holy One, which is spread open under the wings of the *Chayot* in order to receive repenters, thus saving them from the hand of the Attribute of Justice i.e. from punishment for their sins. The Attribute of Justice accuses them of not being fit for acceptance. The Holy One accepts them secretly (under the wings of the *Chayot*).

\*

Said Rav Yehudah in the name of Shmuel: Yosef<sup>5</sup> collected all the silver and gold in the world and brought it to Egypt. As it says (*Breishit*<sup>6</sup> 47:14), “Yosef gathered all the money that was to be found in the land of Egypt and in the land of Canaan.”

I only know that he collected money that was in the land of Egypt, and in the land of Canaan. From where do we know that he collected money that was in other lands?

The verse says: (*Breishit* 41:57), “All of the earth came to Egypt”, and they brought all their money with them.

And when the Jews went out of Egypt they took it with them, as it says: (*Shmot*<sup>7</sup> 12:36), “they emptied Egypt”.

Rav Asi said: They the Jews made it Egypt like a trap that has no grain i.e. like a net spread out to catch birds that has no bait, so that no bird would come near it. So too, the Jews emptied Egypt of all its wealth.

Rabbi Shimon ben Lakish said: They made it like a deep pond that has no fish. For fish are only found by the banks of a pond where there is food.

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<sup>5</sup> Joseph

<sup>6</sup> Genesis

<sup>7</sup> Exodus

## Perek 10 – 119a

**And this money lay until the time of Rechovam<sup>8</sup>.**

**Shishak the king of Egypt came and took it from Rechovam. As it says: (*Melachim*<sup>9</sup> I 14:25), “It was in King Rechovam’s fifth year that Shishak, king of Egypt, ascended against Jerusalem. He took away the treasures of the Temple of Hashem and the treasures of the king’s palace.”**

**Zerach king of Cush and took it from Shishak. Assa king of Yehudah<sup>10</sup> came and took it from Zerach king of Cush. And he sent it to Hadadrimon son of Tavriron king of Aram, in order that he should help him in the battle with Ba’asha king of Israel.**

**The Ammonites came and took it from Hadadrimon son of Tavriron.**

**Yehoshafat king of Yehudah came and took it from the Ammonites. And it lay until Achaz king of Yehudah.**

**Sannecherib came and took it from Achaz.**

**Chizkiyah<sup>11</sup> came and took it from Sannecherib, and it lay until Tzidkiyah<sup>12</sup>.**

**The Chaldeans came and took it from Tzidkiyah.**

**The Persians came and took it from the Chaldeans.**

**The Greeks came and took it from the Persians.**

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<sup>8</sup> Rehoboam

<sup>9</sup> Kings

<sup>10</sup> Judea

<sup>11</sup> Hezekiah

<sup>12</sup> Zedekiah

## Perek 10 – 119a

**The Romans came and took it from the Greeks.**

**And it still lies in Rome.**

\*

**Said Rabbi Chamma bar Chanina: Yosef hid three treasures in Egypt.**

**One was revealed to Korach. And one was revealed to Antoninus ben Aseverus. And one is hidden away for the righteous for the future time.**

It says in *Kohelet*<sup>13</sup> (5:12), “**Riches hoarded by their owner to his misfortune.**”

**Said Rabbi Shimon ben Lakish: This refers Korach’s wealth.** For through his great wealth he became haughty and was lost forever.

And similarly it says about the congregation of Korach who were swallowed up: (*Devarim*<sup>14</sup> 11:6), “**And all the establishment at their feet,**” and **said Rabbi Elazar: This refers to a man’s wealth, which puts him on his feet,** for it gladdens his heart.

**Said Rabbi Levi: Just the keys alone to Korach’s storehouses were a load for three hundred white mules. And all the keys and locks were of leather.** I.e. the mules only carried the keys and the locks of the stores, and the stores themselves were sacks of leather filled with silver and gold.

c c õ d d

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<sup>13</sup> Ecclesiastes

## Perek 10 – 119a

The Gemara introduces a mnemonic:

**D,Y,E,Sh** – The first initials of *David*, *Yishai*<sup>15</sup>, *Echav* (i.e. the brothers of David), *Shmuel*<sup>16</sup>.

**E,D,Y,Sh** - The first initials of *Echav* (i.e. the brothers of David), *David*, *Yishai*, *Shmuel*.

**Ka,Sh,Da,K** - The first initials of *Kulan* (everyone), *Shmuel*, *David*, *Kulan* (everyone).

This is a **mnemonic** of the initials of the names of those who originally said verses that are now included in Hallel. These verses start from the passage beginning with the phrase (*Tehillim* 98:21), “I thank you” (*Ohdecha*) and so on.

**Said Rabbi Shmuel bar Nachmani in the name of Rabbi Yonatan:** The verse: “**I thank You for You have answered me**” (*Ohdecha ki anitani*) was **said by David**.

The verse: (*Tehillim* 98:22): “**The stone the builders despised has become the cornerstone**” (*Even maasu habonim haytah lerosh pinah*) was **said by Yishai**. He said this about his youngest son, David, who became leader of the people of Israel even though he was a humble shepherd.

The verse (*Tehillim* 98:23): “**This emanated from Hashem** (*Me’et Hashem haytah zoht*), it is wondrous in our eyes”, was **said by his** i.e. David’s **brothers**. (This is reflected in the plural form – “our eyes”.)

The verse (*Tehillim* 98:24): “**This is the day Hashem has made** (*Zeh hayom asah Hashem*); let us rejoice and be glad on it”, was **said by Shmuel**. He prophesied that they would rejoice on the day when David would save them from their enemies.

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<sup>14</sup> Deuteronomy

<sup>15</sup> Jesse

<sup>16</sup> Samuel

## Perek 10 – 119a

The verse (*Tehillim* 98:25): “**Please, Hashem, save now!**” (*Ana Hashem hoshi’ah na*) was **said by his David’s brothers**. They beseeched Hashem to save them through David.

The verse (*Tehillim* 98:25): “**Please, Hashem, bring success now!**” (*Ana Hashem hatzlichah na*) was **said by David**. He prayed that his kingship should be successful.

The verse (*Tehillim* 98:26): “**Blessed is he who comes in the Name of Hashem**” (*Baruch haba beshem Hashem*) was **said by Yishai**.

The verse (*Tehillim* 98:26): “**We bless you from the House of Hashem**” (*Bei-rach-nu-chem mibeit Hashem*) was **said by Shmuel**.

The verse (*Tehillim* 98:27): “**Hashem is G-d. He illuminated for us.**” (*Keil Hashem vaya’eir lanu*) was **said by everyone**.

The verse (*Tehillim* 98:27): “**Bind the festival offering with cords** (*Isru chag ba’avotim*) until the corner of the Altar” was **said by Shmuel**. This means that they should bring many sacrifices, whose blood is applied to the Altar, in rejoicing.

The verse (*Tehillim* 98:28): “**You are my G-d, and I will thank You**” (*Keili Attah ve’odeka*) was **said by David**.

The verse (*Tehillim* 98:28): “**My G-d, I will exalt You**” (*Elokai aromemeka*) was **said by everyone**.

c c õ d d

## Perek 10 – 119B

### **Ammud Bet**

**It was taught** in a Mishnah **there**: **In a place where they have the custom to double** the verses of Hallel, **one should double** them.

**In a place where they have the custom to recite the blessing after it** Hallel, **one should recite the blessing**.

**Everything** should be done **according to the local custom**.

**Said Abaye**: **They only taught** that the blessing of Hallel is dependent on the custom with regards to the blessing recited **after it**. **However** regarding the blessing recited **before it**, **it is a mitzvah** incumbent on all **to recite the blessing**.

**For Rav Yehudah said in the name of Shmuel**: Regarding **all mitzvot**, one should **recite a blessing over them before** (*oveir*) **their performance**.

\*

The Gemara asks: **What indicates** i.e. from where do we learn **that this** word “*oveir*” is **a term of “preceding”**?

The Gemara answers: **Said Rav Nachman bar Yitzchak**: **for it is written**: (*Shmuel* II 18:23): “**Achimaatz ran by way of the plain and went before** (*vaya'avor*) **the Cushite**.” I.e. he ran in front of him.

Abaye said: We learn it **from here**: (*Breishit* 33:3): “**Then he went before** (*avar*) **them**.” This is referring to Yaakov<sup>17</sup>, when he went to meet Eisav<sup>18</sup>.

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<sup>17</sup> Jacob

## Perek 10 – 119B

**There are those that say:** We learn it from here (*Michah* 2:13): “**And their king goes before (*avar*) them, with Hashem at their head.**”

c c õ d d

**It was taught** in a Baraita: **Rabbi** (i.e. Rabbi Yehudah HaNasi) **doubles the words**. I.e. he doubles only part of Hallel e.g. from “*Baruch haba*” until the end of Hallel.

**Rabbi Elazar ben Parata adds words**. I.e. he doubles more verses than Rabbi does. He has the custom to **double** verses from “*ohdecha*” and on i.e. until the end of Hallel.

c c õ d d

**Rav Avira interpreted** the following verse. **Sometimes he said it in the name of Rav, and sometimes he said it in the name of Rav Ashi. What is the meaning of that which is written** about Yitzchak<sup>19</sup> (*Breishit* 21:8): “**The child grew and was weaned (*vayigamal*)”?** **In the future, the Holy One will make a banquet for the righteous ones on the day that He bestows (*yigmol*) His kindness to the descendants of Yitzchak.**

**After they eat and drink they will give the cup of blessing to Avraham Avinu<sup>20</sup> to recite over it the blessing** (i.e. *birkat hamazon*, Grace after meals). **And he will say to them. I cannot recite the blessing because Ishmael issued from me.**

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<sup>18</sup> Esau

<sup>19</sup> Isaac

<sup>20</sup> Abraham our father

## Perek 10 – 119B

**He will say to Yitzchak: Take the cup and recite the blessing. He will say to them: I cannot recite the blessing because Eisav issued from me.**

**He will say to Yaakov<sup>14</sup>: Take the cup and recite the blessing. He will say to them: I cannot recite the blessing. This is because I married two sisters during their lifetimes, which is something that the Torah will come to prohibit to me in the future.**

**He will say to Moshe<sup>21</sup>: Take the cup and recite the blessing. He will say to them: I cannot recite the blessing because I did not have the merit to enter the land of Israel, neither during my lifetime nor at my death.** For even my bones did not merit to be buried in the land of Israel proper.

**He will say to Yehoshua<sup>22</sup>: Take the cup and recite the blessing. He will say to them: I cannot recite the blessing since I did not merit having a son. For it is written regarding the genealogy of Yehoshua ben Nun who was from the family of Efraim: (*Divrei Hayamim*<sup>23</sup> I, 7:27): “Nun was his son; Yehoshua was his son.”** The list does not record any sons for Yehoshua himself.

**He will say to David: Take the cup and recite the blessing. He will say to them: I will recite the blessing, and for me it is proper to recite the blessing—as it says (*Tehillim* 116:13): “I will raise the cup of salvations, and the Name of Hashem I will invoke (*Kos yeshu’ot esa, uvesheim Hashem ekra*).”**

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<sup>21</sup> Moses

<sup>22</sup> Joshua

<sup>23</sup> Chronicles

## Perek 10 – 119B

### Mishnah

**One may not end** the meal, **after eating the Pesach offering**, by eating **the afikomen**<sup>24</sup>.

The Gemara will explain this.

### Gemara

The Gemara asks: **What is the afikoman?**

The Gemara answers: **Said Rav:** The Mishnah is teaching **that they should not relocate from one group to another group**. Once a group finishes eating their Pesach offering they may not go to another group to eat anything else. The Rabbis made a decree lest one come to eat a Pesach offering in two places, which is prohibited. However, one may continue to eat anything in the original group. The word “*afikoman*” in this case is derived from the words “*afiku manaichu*” meaning take out your belongings from here and let us go and eat in another place.

**And Shmuel said:** One may not even eat anything in one’s own group, after eating the Pesach offering, so that its taste remains in one’s mouth. The word *afikoman* in this case is derived from the words “*afiku man*”, meaning take out sweet foods for dessert.

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<sup>24</sup> Dessert. However, this understanding of *afikomen* (and of the Mishnah as a whole) is not immediately agreed upon by the Gemara.

## Perek 10 – 119B

Shmuel elaborates on what would normally be served at the end of a meal, but in this case would be forbidden: **For example, mushrooms for me**, since I am used to eating them for dessert. **And pigeons for Abba** i.e. Rav, who is accustomed to eating pigeons for dessert.

**And Rav Chanina bar Shila and Rabbi Yochanan said: For example dates, parched grain and nuts.** These are regularly eaten for dessert.

A Baraita was taught in accordance with Rabbi Yochanan: **One may not end** the meal **after** eating **the Pesach offering**, by eating, **for example, dates, parched grain and nuts.**

\*

Rav Yehudah said in the name of Shmuel: **One may not end** the meal, even **after** eating just **matzah** without the meat of the Pesach offering, by eating **the afikomen**. In our time when there is no Temple, one must eat a *kazayit*<sup>25</sup> of matzah at the end of the meal as a commemoration of the matzah that was eaten during Temple times with the Pesach offering. It is prohibited to eat anything else after eating that matzah so that its taste remains in one's mouth.

The Gemara raises a difficulty: **It was taught** in our Mishnah: **One may not end** the meal, **after** eating **the Pesach offering**, by eating **the afikomen**.

This implies that **it is only after** eating **the Pesach offering that one may not** eat anything. **However after** eating **matzah, one may end** the meal with other food. This poses a difficulty to Rav Yehudah who prohibited one to eat even after eating only matzah.

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<sup>25</sup>*Kazayit* = 0.9 fluid oz. or 28 cu. cm.

## Perek 10 – 119B

The Gemara answers: In truth, one may not eat even after matzah, as Rav Yehudah said. However, our Mishnah was **composed** in the style of “**not necessary**”.

It is **not necessary** to teach that one may not eat anything **after** eating **matzah**, which **does not have** such a **strong taste**, because it is important that the matzah’s taste remains in one’s mouth. **However** regarding eating **after** eating **the Pesach offering** which indeed has a strong taste, I might have thought that **we have no** prohibition to eat other food after it, since its taste will remain to a certain extent.

The Mishnah **informs us** that it is indeed prohibited.

\*

**Let us say that it** – the following Baraita - **supports** Rav Yehudah, that one may not end the meal, after eating matzah, by eating *afikomen*.

For it is taught in a Baraita: Since the Torah writes “*bread of poverty*” to describe matzot, the obligation of eating matzah may be fulfilled only with a food considered “bread”. Thus one may eat the following foods on the Eve of Pesach in the morning, in any quantity, since they do not resemble matzah:

**The *sufganin***, wafers of spongy dough, **and the *duvshanin***, dough fried in oil and honey, **and the *iskritin***, made of liquid batter. Some of these foods are not considered “bread of *poverty*”, and others are made of thin dough that does not constitute bread. Therefore **a person may fill his stomach from them** on the Eve of Pesach. This is **as long as he will eat a *kazayit* of matzah at the end** of the Pesach night meal.

The Baraita implies: **At the end** of the Pesach night meal, **yes**, matzah is to be eaten...

# Chavruta

## Pesachim – Daf Kuf Chaf

Translated by: *Rabbi David Schallheim*

Edited by: *R. Shmuel Globus*

But **at the beginning, not!** One may not eat the final *kazayit*<sup>1</sup> of matzah at the beginning (or middle of the meal), because it is prohibited to eat anything afterwards. This is a proof for Rav Yehudah in the name of Shmuel.

The Gemara deflects the proof. The Baraita's intention was to let us know a different and stronger point.

**“It is not necessary,”** the Baraita says: **It is not necessary** to let us know that he may eat the matzah **at the beginning, since he eats it with an appetite. But at the end** of the meal, I might have thought **perhaps he would come to eat** the matzah as a **vulgar eating** (*achilah gassah*), when he has no appetite to eat at all and is repulsed by the thought of eating, yet forces himself to eat. In such a case, it is not considered an act of eating, and he would not fulfill his obligation to “eat” matzah. And therefore **I would say that he may not** eat the matzah at the end of the meal.

Therefore, the Baraita **lets us know** that he may eat it even at the end of the meal.

\*

**Mar Zutra taught** the statement **this way**, the opposite of before: **Rav Yosef said** in the name of **Rav Yehudah, who said** in the name of **Shmuel: One indeed may eat afikomen<sup>2</sup> after the matzah.**

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<sup>1</sup> *Kazayit* = 0.9 fluid oz. or 28 cu. cm.

<sup>2</sup> Dessert.

## Perek 10 – 120a

Shall we say **this assists him** as a proof? The Rabbis taught in our Mishnah: **One may not eat *afikomen* after the Pesach offering.** This implies: **after the Pesach offering, he may not, but after the matzah he may eat.**

The Gemara deflects the proof. **“It is not necessary,”** the Baraita says.

**It is not necessary** to let us know that he may not eat anything **after matzah, since it does not have a strong taste. But after the Pesach offering,** which has a strong taste, **I would say there is not** any problem with eating dessert afterwards.

Therefore, the Baraita **lets us know** that he may not eat even after the Pesach offering.

\*

**He contradicted him** from a Baraita: **The *sufganin*,** wafers of spongy dough, **and the *duvshanin*,** dough fried in oil and honey, **and the *iskritin*,** made of liquid batter—a man may fill his stomach from them as long as he will eat a *kazayit* of matzah at the end of the meal.

This implies: **At the end, he may** eat the matzah. **But at the beginning, he may not,** because it is prohibited to eat anything after the matzah. This contradicts Mar Zutra’s version of the statement of Shmuel.

The Gemara answers: Really, it is permitted to eat the matzah before the *sufganin*, and there is no contradiction from the Baraita, because it wanted to let us know a different and stronger point.

**“It is not necessary,”** the Baraita says: **It is not necessary** to let us know that he may eat the matzah **at the beginning, since he eats it with an appetite. But at the end** of the meal, I might have thought **perhaps he would come to eat** the matzah as a **vulgar eating**

## Perek 10 – 120a

(*achilah gassah*), and therefore **I would say he may not** eat the matzah at the end of the meal.

Therefore, the Baraita **lets us know** that he may eat it even at the end of the meal.

c c õ d d

**Rava said: Matzah**, even **in our time** (when there is no Pesach offering), **is by Torah law** on the first night of Pesach. **But maror<sup>3</sup>** is only **by Rabbinic law**.

The Gemara raises a difficulty: **What is the difference** concerning **maror**, that it is only by Rabbinic law? Because **it is written**: “**On matzot and maror** they shall eat it [the Pesach offering]” (*Bamidbar*<sup>4</sup> 9). This is interpreted as follows: **In a time when there is the Pesach offering, there is maror. But a time when there is no Pesach offering, there is no maror.**

If so, **the matzah as well** should have the same law. For **it is written**: “**On matzot and maror they shall eat it.**” We should derive that there is no matzah, either, without the Pesach offering.

The Gemara answers: Regarding **matzah, the verse returns** and writes concerning **it**: “**In the evening shall you eat matzot**” (*Shmot*<sup>5</sup> 12:18). This teaches that the obligation of eating matzah does not depend on the Pesach offering.

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<sup>3</sup> Bitter herbs.

<sup>4</sup> Numbers.

<sup>5</sup> Exodus.

## Perek 10 – 120a

**And Rav Acha bar Yaakov said: Both this and that**, both matzah and maror, are only obligated by **Rabbinic law** in our time. The verse: “On matzot and maror they shall eat it” applies to both matzah and maror.

\*

The Gemara raises a difficulty: **But that which is written: “In the evening shall you eat matzot”**—according to Rav Acha the son of Yaakov, what does this verse teach us?

The Gemara answers: **This verse is needed for him** to teach about **an impure person or someone on a distant journey**, who cannot offer the Pesach offering. **You would assume that since they cannot eat from the Pesach offering, they do not have to eat matzah and maror as well, so this lets us know** that they have the obligation.

**And Rava would say to you: The impure one and the one on a distant journey do not require a verse** to teach their obligation. **They are no worse than an uncircumcised Jew or an estranged Jew**, who must eat matzah and maror although they may not eat from the Pesach offering.

**As the Rabbis taught** in a Baraita: It is written concerning the Pesach offering: “**No uncircumcised male may eat from ‘it’**” (*Shmot* 12:48). This implies that only “**it**”, he may not partake from. **But he must eat matzah and maror.**

**And the other one**, Rav Acha the son of Yaakov, would say to you: **It** a verse **is written concerning this one**, the uncircumcised and estranged Jew, **and it** another verse **is written concerning that one**, the impure person and the one on a distant journey, **and both are necessary**. The Torah needed to write that both cases are obligated to eat matzah and maror.

## Perek 10 – 120a

We could not learn about the obligation of the impure person or the one on a distant journey from the uncircumcised or estranged Jew, because the latter cannot make up the Pesach offering on Pesach Sheni, whereas the former can.

\*

The Gemara brings proof for Rava, that matzah in our time is a Torah obligation.

**The Rabbis taught** in a Baraita **like Rava**: It is written: “For a six-day period you shall eat matzot and on the seventh shall be an assembly to Hashem your G-d” (*Devarim*<sup>6</sup> 16:8). From here we learn that **just as the seventh day is optional**, i.e. there is no obligation to eat matzot on the seventh day, **so too, the six-day period is optional**.

**What is the reason?**

The seventh day **was included in the *klal***, the generality: “Seven days shall you eat matzot,” **and it was singled out of the *klal*** in the verse: “For a six-day period you shall eat matzot” in order **to teach** that there is no obligation to eat matzah on the seventh day. **And not only to teach about itself was it singled out, rather, to teach about the entire *klal* it was singled out,**<sup>7</sup> to teach there is no obligation to eat matzot.

**I might think that eating matzot even on the first night of Pesach is optional?**

**The Torah teaches: “On matzot and maror they shall eat it,”** there is a mitzvah to eat matzah on the first night of Pesach.

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<sup>6</sup> Deuteronomy.

<sup>7</sup> This is one of the Thirteen Rules through which the Torah is elucidated. Anything that was included in a general statement, but was then singled out of the general statement in order to teach something specific, was not singled out to teach only about itself, but to apply its teaching to the entire generality.

## Perek 10 – 120a

I **only** know that he is obligated on the first night **when the Temple is standing** and they bring the Pesach offering. But **when the Temple is not standing, from where** do I know that the mitzvah of matzah still applies?

The Torah teaches: “**In the evening shall you eat matzot.**” The verse sets an **obligation**, that even when there is no Temple, there is a mitzvah to eat matzot.

### **Mishnah**

If a **few** of the group who were appointed together to eat from the Pesach offering **fell asleep** while eating from it, **they may** continue to **eat** after they awaken, because this does not constitute an interruption.

But if **they all** slept, the Sages decreed **they must not eat** after they awaken, because it causes an interruption, and makes it appear as if they ate in two places, which is prohibited.

The same applies to the matzah we eat at the end of the meal (known as the *afikomen*), which comes in our day as a remembrance to the Pesach offering. If one slept after he started eating the *afikomen*, it is an interruption and he may not continue.

## Perek 10 – 120B

### **Ammud Bet**

**Rabbi Yossi says:** Only in the case that a few of them lightly **dozed**, **may they** continue to **eat**. But if they actually **slept**, even though it was only a few of them, **they** the ones that slept **may not eat** anymore.

The meat of a **Pesach offering** left over **after midnight** is considered *notar*, forbidden due to being left over, and the Sages decreed that it **renders the hands** that touch it **impure**.

Similarly, they decreed that *pigul*<sup>8</sup> and *notar*<sup>9</sup> **render the hands** that touch it **impure**.

### **Gemara**

We learned in our Mishnah: **Rabbi Yossi says, if they dozed they may eat, but if they slept, they may not eat.**

The Gemara asks: **What is the case of “dozing?”**

**Rav Ashi said: He sleeps but does not sleep, he is awake but not awake. For instance: if they call him, he answers. but he does not know how to answer reasonably.** He is not able to give an answer that requires thinking and logic, for example, if he is asked where he put something.

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<sup>8</sup> A sacrifice made invalid by thoughts of eating from its meat after the permitted time.

<sup>9</sup> Sacrificial meat left over after its permitted time.

## Perek 10 – 120B

**But when they remind him** and ask if he put it in a certain place, **he remembers** and answers yes or no.

**Abaye was sitting** at the Seder table **by Rabbah, and he saw that Rabbah dozed** after beginning to eat from the *afikomen*. **He said to him, Master, you are dozing!** This implies he held like Rabbi Yossi's view that if even a few of the group actually slept it would be prohibited from them to eat matzah.

Rabbah **said to him: I am only lightly dozing** and not asleep, **and the Rabbis taught** in our Mishnah: Even according to Rabbi Yossi if **they lightly dozed they may** continue to **eat** the matzah, **but if they slept, they may not eat.**

\*

We learnt in our Mishnah: A **Pesach offering left over after midnight renders the hands** that touch it **impure.**

**Therefore, from midnight it is *notar*,** left over. **Who is the Tanna** whose view is expressed in our Mishnah, who holds the view that the meat of the Pesach offering becomes *notar* at midnight, rather than at morning in accordance with the plain meaning of the verse: “You shall not leave any of it until morning” (*Shmot* 12:10)?

**Rav Yosef said: It is Rabbi Elazar ben Azariyah.**

**As the Rabbis taught** in a Baraita: “**And they shall eat the meat on this night**” (*Shmot* 12:8). **Rabbi Elazar ben Azariyah says: It says here,** concerning the eating of the Pesach offering, “**this night,**” and it says later on, “**I shall go through the land of**

## Perek 10 – 120B

Egypt on ‘**this night**’ and I shall strike every firstborn in the land of Egypt” (Ibid. 12). He learned a *gezeirah shavah*<sup>10</sup> connecting the words “this night.”

**Just as later on** it means **until midnight**, for the Plague of the Firstborn was at midnight, **here too**, concerning the Pesach offering, it also means **until midnight**.

**Rabbi Akiva said to him: The Torah already said:** “You shall eat it **in haste**” (Ibid. 11), which means **until the time of haste**, i.e. daybreak, when they hurried to leave Egypt.

**If so, why does the Torah say:** “And they shall eat the meat on **this night?**”

Because **one might** think that the Pesach offering **may be eaten as** are other **offerings**, **on the day** it was slaughtered, like the Thanksgiving (*todah*) offering, for example, which is eaten the day it was slaughtered and the following night.

Therefore **the Torah says:** “**This night,**” which teaches that **in the night it may be eaten, but it is not eaten in the day.**

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The Gemara asks: **And Rabbi Akiva—the extra word “this”** in the phrase “this night”, **what does he do with it**, i.e. what does it teach us?

The Gemara answers: **He needs it to exclude the night after** the 15<sup>th</sup> of Nissan—that is what **it comes for**.

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<sup>10</sup> A tradition from Moses at Sinai that two similar words in different contexts are meant to clarify one another.

## Perek 10 – 120B

The word “this” teaches that it may not be eaten for two nights and the day in between, as would be the case with other offerings of lesser sanctity, which are eaten for two days and a night.

Because **you would assume that since the Pesach offering is an offering of lesser sanctity (*kodoshim kalim*), and peace offerings (*shlamim*) are offerings of lesser sanctity—**

**Just as the peace offerings are eaten for two days and one night in between, so too the Pesach offering. Substitute the nights in place of the days of the peace offerings, and it emerges that the Pesach offering may be eaten for two nights and one day in between, which means until the morning of the 16<sup>th</sup> of Nissan.**

Therefore **the Torah wrote “*this night*,”** which teaches that only on this night is it eaten, and not another night.

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The Gemara asks: **And Rabbi Elazar ben Azariah**, from where does he derive that the Pesach offering is not eaten for two nights?

The Gemara answers: **He would say to you, from the verse: “You shall not leave any of it until morning”** (Ibid. 10), **he derives this.** This verse implies that it must be finished before the morning of the 15<sup>th</sup> of Nissan.

The Gemara asks: **And Rabbi Akiva**, why did he not learn from “You shall not leave any of it until morning?” Why does he need to learn from “this night?”

## Perek 10 – 120B

**He would say to you, if the Torah did not write “this,” I would have thought: what does the Torah mean “until morning?”—The second morning, the morning of the 16<sup>th</sup> of Nissan, which is after the second night of eating the Pesach offering.**

The Gemara asks: **And Rabbi Elazar** ben Azariyah, what does he answer to this?

**He would say to you: wherever the Torah says “morning,” it always means the first morning.** Therefore, the Torah does not need an extra word to exclude the second morning.

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**Rava said: One who ate matzah in our time** (in which we no longer have the Pesach offering), **after midnight**, the Halachah is that **according to Rabbi Elazar ben Azariyah**, who holds that eating the Pesach offering was only until midnight, **one does not fulfill his obligation** of eating matzah.

The Gemara raises a difficulty: **This is obvious! Since matzah is compared to the Pesach offering** through a *hekesheh*,<sup>11</sup> in the verse “On matzot and maror they shall eat it [the Pesach offering]”—it certainly **resembles the Pesach offering!**

The Gemara answers that it is not obvious: **You might have said** that **the other verse took it**, the obligation to eat matzah, **out of the hekesheh**. As we learned above in a Baraita: We might have thought that just as the seventh day is optional, i.e. there is no obligation to eat matzot on the seventh day of Pesach, so too the six-day period is optional. And we might have thought that this includes even the first night.

Therefore, Rava **let us know that when the third verse returned it** to be an obligation on the first night in our time, as the Baraita derived from the verse: “In the evening shall

## Perek 10 – 120B

you eat matzot,” **to its first matter it was returned!** It is compared to the Pesach offering in the law of eating it only until midnight.

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We learnt in our Mishnah: **The *pigul* and *notar* render the hands that touch them impure.**

The Gemara explains why they render the hands impure. **Rav Huna and Rav Chisda** differed over the reason why:

**One said: Because of the suspect ones among the *cohanim*. And the other one said: because of the lazy ones among the *cohanim*.** The Gemara will explain.

**One said:** The amount of meat of *pigul* or *notar* that makes the hands impure is a *kazayit*.<sup>12</sup>

**And the other one said** the amount is a *kabeitzah*.<sup>13</sup>

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<sup>11</sup> A comparison based on two subjects being mentioned in conjunction with one another in a Scriptural verse.

<sup>12</sup> 0.9 fluid oz. or 28 cu. cm.

<sup>13</sup> 1.9 fluid oz. or 57 cu. cm.

# Chavruta

## Pesachim – Daf Kuf Chaf Alef

Translated by: *Rabbi David Schallheim*  
Edited by: *R. Shmuel Globus*

[We learnt in our Mishnah: **The *pigul* and *notar* render the hands that touch them impure.**

The Gemara explains why they render the hands impure. **Rav Huna and Rav Chisda** differed over the reason why:

**One said: Because of the suspect ones** among the **cohanim**. **And the other one said: because of the lazy ones** among the **cohanim**. The Gemara will explain.

**One said:** The amount of meat of *pigul* or *notar* that makes the hands impure is a *kazayit*.<sup>1</sup>

**And the other one said** the amount is a *kabeitzah*.<sup>2</sup>]

The Gemara explains that Rav Huna and Rav Chisda are speaking about different parts of the Mishnah and are actually not in disagreement about the reason for the impurity.

**One taught about *pigul*.**<sup>3</sup> **And the other one taught about *notar*.**<sup>4</sup> Thus each one taught a different reason.

**The one who taught about *pigul*,** explains the reason **because of the suspect ones among the cohanim**. They were suspected of intentionally making the sacrifice invalid,<sup>5</sup> thereby causing a loss to the owner of the sacrifice, but they would say they did so

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<sup>1</sup> 0.9 fluid oz. or 28 cu. cm.

<sup>2</sup> 1.9 fluid oz. or 57 cu. cm.

<sup>3</sup> A sacrifice made invalid by thoughts of eating from its meat after the permitted time.

<sup>4</sup> Sacrificial meat left over after its permitted time.

<sup>5</sup> Out of spite for those they disliked (see *Rashi* 85a).

## Perek 10 – 121a

unintentionally, absolving themselves of responsibility for reimbursement. Therefore, the Sages decreed that the *pigul* would make their hands impure, which would cause a burden for the cohen who handles *pigul* and discourage the suspect Cohanim from causing a sacrifice to become invalid through *pigul*.

**The one who taught about *notar***, explains the reason **because of the lazy ones among the cohanim**. It makes the hands impure by Rabbinic law because the Sages did not want the cohanim to be lazy in eating the meat of the sacrifices and let them become *notar*.

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However, Rav Huna and Rav Chisda did indeed disagree about the amount of sacrificial meat that becomes impure.

**One said** that both *pigul* and *notar* become impure only if the amount of meat is at least a *kazayit*.<sup>6</sup>

**And the other one said** that the amount is at least a *kabeitzah*.<sup>7</sup>

The Gemara explains the reasons. **The one who said a *kazayit***, it is **like** the amount for **its prohibition**. Just as *pigul* and *notar* are prohibited and liable for lashes only for a *kazayit*, so too, they become impure only when they are a *kazayit*.

**And the one who said a *kabeitzah***, it is **like** the amount for **its** Torah-ordained **impurity**. Just as the amount for Torah-ordained food impurity is a *kabeitzah*, so too, they make the hands impure by Rabbinic law only with a *kabeitzah*.

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<sup>6</sup> 0.9 fluid oz. or 28 cu. cm.

<sup>7</sup> 1.9 fluid oz. or 57 cu. cm.

## Perek 10 – 121a

### Mishnah

Together with sacrificing the Pesach offering, they would bring a Festival offering called the “*chaggigah* offering of the 14<sup>th</sup> of Nissan.” They would partake of it before eating from the Pesach offering, so that the Pesach offering would be eaten when they were relatively satiated.

Before eating from the Pesach offering they recite the following blessing: “Who has sanctified us with His mitzvot and commanded us concerning the eating of the Pesach offering.” And before eating from the *chaggigah* they would recite: “Who has sanctified us with His mitzvot and commanded us concerning the eating of the peace offerings (*shlamim*).” For the *chaggigah* is a type of *shlamim*.

If **he blessed** over the Pesach offering **the** appropriate **blessing of the Pesach** offering, **he** thereby **exempts** the obligation to recite **that blessing of the sacrifice**, i.e. the *chaggigah* offering of the 14<sup>th</sup>. Thus he does not need to recite an additional blessing over it.

But if he first **blessed that blessing of the sacrifice**, **he does not exempt** the obligation to recite **that blessing of the Pesach** offering. Thus he must recite an additional blessing over the Pesach offering. These are **the words of Rabbi Yishmael**.

**Rabbi Akiva says: This one does not exempt that one, and that one does not exempt this one.**

## Perek 10 – 121a

### **Gemara**

In Tractate *Zevachim* (37a), we learn that the Pesach offering is different from all other sacrifices, in that the cohen stands close to the Altar and pours the blood of the Pesach offering gently on the Altar, whereas with all other sacrifices, he stands at a distance and throws the blood from a utensil on the Altar.

The disagreement in the Mishnah concerning the blessing over the Pesach offering and the *chaggigah* is related to this difference:

**When you will examine the matter, you will say** that the disagreement in the Mishnah may be explained as follows:

**According to the words of Rabbi Yishmael, throwing** the blood on the Altar **is included in** the category of **pouring** the blood. I.e. throwing is considered a kind of pouring.

Thus if he poured the blood of regular sacrifices, instead of throwing it, after the fact we say that he has minimally fulfilled the obligation. Therefore we may conclude that the *chaggigah*, which is a peace offering—whose blood should be thrown—is included in the category of the Pesach offering, whose blood is poured.

It emerges that when he blesses over the Pesach offering he exempts the *chaggigah*, which is included in the Pesach offering.

But **pouring is not included in** the category of **throwing**. If he threw the blood of the Pesach offering from a distance, he does not fulfill the obligation at all.

## Perek 10 – 121B

Consequently, if he blessed over the *chaggigah*, he does not exempt the blessing for the Pesach offering. This is because the Pesach offering is not included in the category of peace offerings.

Whereas **according to the words of Rabbi Akiva, neither pouring is included in throwing, nor is throwing included in pouring.**

Even with peace offerings, if he poured the blood instead of throwing it, he does not fulfill the obligation at all. Therefore, the blessing of neither one exempts the blessing of the other, because they are completely different as regards the service of applying the blood to the Altar.

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### **Ammud Bet**

**Rabbi Simlai traveled to participate in a *pidyon haben*, the redemption of a firstborn son.**

There **they posed to him an inquiry: It is obvious to us that for the *pidyon haben*, where we bless: “Who has sanctified us with His mitzvot and commanded us concerning the redemption of the firstborn,” it is the father of the son who recites the blessing,** and not the cohen who receives the money of redemption. This is because the father is performing the mitzvah of redeeming and not the cohen.

However, we have a doubt who recites the blessing of *Shehecheyanu* that comes for the occasion of the *pidyon haben*, where we bless: **“Blessed are You... Who has kept us**

## Perek 10 – 121B

**alive, sustained us, and brought us to this season.” Does the cohen recite the blessing or the father of the son recite the blessing?**

The Gemara elaborates on the sides of the doubt. Does **the cohen recite the blessing** because **benefit comes to his hands**, for he receives the five *sela'im*<sup>8</sup> required to redeem the son?

**Or does the father of the son recite the blessing** because **he performs the mitzvah?**

**It** the answer to this inquiry **was not in his hands**, i.e. Rabbi Simlai did not know.

**He came and asked** the scholars in **the study hall. They said to him: The father of the son recites two** blessings! He also recites *Shehecheyanu*.

**And the Halachah is: The father of the son recites two** blessings!

## **Hadran Alach Arvei Pesachim Uslika Lach Masechet Pesachim**

**We Will Return to You, Perek Arvei Pesachim  
And Tractate Pesachim is Completed**

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<sup>8</sup> Silver coins.