



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

### Pesachim Daf Chuf Hey

- The Gemara continues its discussion.
  - **Q:** Why didn't **Isi ben Yehuda** ask, that kelayim of the vineyard is more stringent because it never had a moment of permissibility, which can't be said of meat and milk!? **A: R' Ada bar Ahava** said, it must be that kilayim only becomes assur from when it takes root, but until then it is permissible. Once taking root, the entire plant that was placed in the vineyard becomes assur.
    - **Q: R' Shmaya** asked, a Mishna says seems to say that only the new growth that occurs in the vineyard is assur, but the original plant that was moved into the vineyard is not!? **A: Rava** said, there are 2 pesukim, one which seems to say it is assur upon planting and one that seems to say only new growth is assur. Therefore, if seeds are planted in a vineyard, it becomes assur at the time of rooting. If a plant is replanted in a vineyard, only the new growth is assur.
- **R' Yaakov in the name of R' Yochanan** said, a person may use anything to heal himself, except for the wood of an asheirah tree.
  - **Q:** What case is being discussed? If he is in grave danger, he should be allowed to use anything at all, including wood of the asheirah tree! If he is not in grave danger, he should not be allowed to use any item that is assur!? **A:** The case being discussed is where the person is in grave danger, and even so, he may not use the wood of an asheirah tree. We find that **R' Eliezer** in a Braisa learns from the parsha of Shema that one must give up his life for Hashem rather than worship avodah zarah, and using its wood makes it look like he believes in and worships that avoda zarah.
- **Ravin in the name of R' Yochanan** said, one may heal himself using any means, except one that involves avodah zarah, giluy arayos or murder.
  - The prohibition to use means of giluy arayos or murder is learned from a Braisa. In the Braisa, **Rebbi** says, the pasuk compares giluy arayos to murder. From there we learn a halacha from each for the other. First, just like one may kill a rapist before he can act, so too one may kill a murderer before he can act. Second, just like one must let himself be killed rather than to kill another Yid ("who says your life is more valuable than his" and he must therefore let himself be killed), so too a person must allow himself to die rather than to transgress giluy arayos.
  - **Mar bar R' Ashi** once saw **Ravina** applying oil of orlah (which is assur to benefit from) to his daughter. He said to him, that is only mutar in a case of grave danger!? **Ravina** replied, she is suffering from a fever which is considered life threatening.
    - **Another version** says that **Ravina** replied, the oil is not being used in a normal manner, so it is mutar to use like this.
- If a forbidden benefit comes to a person unwillingly: **Abaye** says it is mutar and **Rava** says it is assur.
  - In a case where it is possible for him to have avoided the benefit and he intends to benefit, or in a case where he could not have avoided it, but he still intends to benefit, all would agree it is assur. In a case where he could not avoid it, and he does not intend to benefit from it, all agree that it is mutar. The machlokes is only where he could have avoided it, but he did not intend to benefit. Even then, according to **R' Yehuda** who says that an unintentional act is forbidden, all would agree that it would be assur. The machlokes would be according to **R' Shimon** who says that such an act is mutar. **Abaye** clearly agrees with **R' Shimon**. **Rava** says, that **R' Shimon** only says it is mutar when it is unavoidable. However, when (like this case) it is avoidable, it would be assur.
    - **Another version** says, if the benefit is avoidable, but he does not intend to benefit, that case would be the machlokes between **R' Yehuda and R' Shimon**

(**R' Yehuda** would say it is assur and **R' Shimon** would say it is mutar). If the benefit is unavoidable and he does not intend to benefit, all would agree that it would be mutar. The machlokes between **Abaye** and **Rava** would be where the benefit is unavoidable, but he does intend to benefit. In this case, according to **R' Shimon** who says that intent is the determining factor, both would agree that this would be assur. The machlokes is according to **R' Yehuda**, who says that when it is avoidable it is assur regardless of intent. **Abaye** says that **R' Yehuda** would say that it would be mutar in this case because it is unavoidable. **Rava** says that even **R' Yehuda** would agree that it would be assur in this case. He only doesn't allow intent to be considered a reason to make something mutar. However, he does take intent into account when doing so would make something assur.