



# Daf In Review – Weekly Chazarah

## Maseches Pesachim, Daf טז – Daf ז

Daf In Review is being sent I'zecher nishmas R' Avrohom Abba ben R' Dov HaKohen, A"H  
vI'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

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### MISHNA

- Whatever is considered edible in a mature ox is considered edible in a young goat, including the ends of the shoulder blades and other cartilage.

### GEMARA

- **Q: Rabbah** asked, the beginning of the Mishna seems to say that something not eaten from a mature ox is not considered edible in a young goat (and is not included in the meat to be divided among the owners of a Pesach), but the Mishna then says that the ends of the shoulder blades and other cartilage, which are not edible from a mature ox, are considered edible from a goat!? **A:** It is a machlokes in the Mishna. The **T"K** says that only things edible in a mature ox are considered edible in a young goat, and the Mishna then brings another shitah that says that even the ends of the shoulder blades of a young goat are also considered edible. **A2: Rava** said, the Mishna means to say, anything that is eaten from a mature ox, even if only eaten after much cooking, is considered edible to be eaten from a young goat, even if only roasted. The Mishna then explains, this is referring to the ends of the shoulder blades, etc.
- Regarding the sinews of the neck of a young sheep or goat, that are soft and will ultimately harden if left to mature: **R' Yochanan** says they may be divided as meat of the Pesach, since in their current state they are soft and edible, and **Reish Lakish** says they may not be divided as meat of the Pesach, because in their final, mature state they are hard and inedible.
  - **Q: Reish Lakish** asked, the Mishna says that the ends of the shoulder blades may be eaten. This seems to exclude sinews which will eventually harden!? **A: R' Yochanan** said, the Mishna merely gives an example of something which becomes edible after much cooking. The same halacha would therefore apply to sinews.
  - **Q: R' Yirmiya** told **R' Avin**, when you go to **R' Avahu**, ask him how **R' Yochanan** could say that the sinews are considered edible, because we follow the current state. We find that **R' Yochanan** says, the soft skin of the head of a calf cannot become tamei as food because it will eventually harden and become inedible. We see that he does not follow the current state!? **A: R' Avahu** answered, **R' Yochanan** retracted his shitah and said that we do not follow the current state. One statement was made before the retraction and one was made after.

### MISHNA

- One who breaks a bone of a valid Pesach gets malkus. One who leaves meat of a Pesach overnight, and one who breaks the bone of a Pesach that is tamei does not get malkus.

### GEMARA

- One who leaves meat of a Pesach overnight does not get malkus according to **R' Yehuda** because the Torah connects the lo sasei to an assei ("lo sosiru mimenu ahd boker, v'hanosar mimenu ahd boker b'ais tisrofu"), which results in there being no malkus penalty on the lo saasei. According to **R' Yaakov** the reason is because it is a lav that is not brought about through an action, and therefore does not carry a malkus penalty. The reason one who breaks the bone of a tamei Pesach does not get malkus is because the pasuk says "v'etzem lo sishbiru vo", which teaches that the issur only applies to a valid Pesach.
- A Braisa says, the pasuk says "v'etzem lo sishbiru vo", which teaches that the issur of breaking bones only applies to a valid Pesach. **Rebbi** says, the same pasuk tells us that the Pesach must be eaten in one house, and therefore teaches that only a Pesach that is fit to be eaten is included in the issur of breaking bones.

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- **Q:** What is the point of difference between the **T”K** and **Rebbi**?
  - **R’ Yirmiya** said, the difference would be a Pesach that is brought in tumah. Since tumah of the tzibbur is not an all-out permit, but only overrides the tumah prohibition, it is not considered “valid” and according to the **T”K** would not be subject to the issur of breaking bones. According to **Rebbi**, since it is fit to be eaten, bones may not be broken.
  - **R’ Yosef** said, the difference would be a Pesach that had a time when it was valid before becoming invalid. According to the **T”K** it would be considered “valid”. According to **Rebbi**, since it is not fit to be eaten, its bones may be broken.
  - **Abaye** said, the difference would be whether bones may be broken on Erev Pesach. According to the **T”K** they may not. According to **Rebbi**, since it is not yet fit to be eaten, its bones may be broken.
    - **Q:** A Braisa says that the marrow of the thigh bone of a Pesach is not among the meat to be divided. If the bones may be broken on Erev Pesach, why can’t the bone be broken then and the marrow removed and eaten!? **A:** We don’t do that as a gezeirah that it may lead one to break the bones at night.
  - **R’ Pappa** said, the difference would be regarding a limb that has partially left Yerushalayim. The **T”K** would say that since part of the limb is still valid, its bones may not be broken. **Rebbi** would say that the part that has left is not fit to be eaten and therefore its bones may be broken.
  - **R’ Sheishes the son of R’ Idi** said, the difference would be regarding breaking the bone of a Pesach that is only partially roasted. According to the **T”K**, the Pesach is valid and therefore it is assur to break its bones. According to **Rebbi**, it may not be eaten in that state and the issur of breaking bones therefore does not apply.
  - **R’ Nachman bar Yitzchak** said, the difference would be regarding breaking the bone of the tail of a sheep. According to the **T”K** it would be assur, because the korbon is valid. According to **Rebbi**, since the tail may not be eaten, the issur of breaking bones does not apply.
  - **R’ Ashi** said, the difference would be regarding a bone that has less than a kezayis of meat on it. It is part of a valid korbon and the issur of breaking bones would therefore apply according to the **T”K**. According to **Rebbi**, since there is less than a kezayis of meat (which is the minimum required amount that must be eaten of the Pesach) on it, the issur of breaking bones does not apply.
  - **Ravina** said, the difference would be regarding a bone that has less than a kezayis of meat on the part of the bone that he wants to break, but has a kezayis of meat on another part of the bone. According to the **T”K**, it is part of a valid korbon and therefore may not be broken. According to **Rebbi**, the issur only applies to a part of the bone that has a kezayis of meat on it.
- **R’ Yochanan** said, a bone that does not have a kezayis of meat on it in one place, but has it in another, is subject to the issur of breaking bones. **Reish Lakish** said, it is not.
  - **Q:** **R’ Yochanan** asked, a Braisa says, the pasuk of “v’etzem lo sishbiru vo” teaches that the issur applies whether there is a kezayis of meat on the bone or not. Now, the Braisa cannot be referring to a bone with absolutely no meat on it, so it must be referring to a bone that does not have a kezayis in one place, but has it in another place, and we see that it is subject to the issur!? **A:** **Reish Lakish** answered, the Braisa means to say that whether there is a kezayis of meat on the outside, or a kezayis of meat on the inside (i.e. marrow) at the place of the breaking, it is subject to the issur of breaking bones.

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- **Q:** A Mishna says, if part of a limb went out of Yerushalayim, one cuts away the meat from the part that has gone out (and is passul), then peels off the meat from the part that remained inside (and is still valid) and removes the bone at the joint (rather than cutting the bone). According to **Reish Lakish**, since this is a bone that has less than a kezayis of meat on one side, but has a kezayis on the other, the bone should be allowed to be broken!? **A:** **Abaye** said, we are concerned that breaking the bone may cause it to crack in the area with the

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meat as well, which would be assur. **Ravina** said, the Mishna is discussing the thigh bone, which is full of marrow, and therefore assur to break even according to **Reish Lakish**.

- A Mishna says, piggul and nossar make hands that touch them tamei. **R' Huna** and **R' Chisda** explain: one explains the reason the **Rabanan** were goizer tumah on piggul was so that Kohanim should not intentionally make someone's korbon piggul and make believe it was done unintentionally, thereby making him patur from having to pay. By giving it a certain level of tumah, a Kohen would not intend for piggul, because of the consequences of having to deal with the tumah. The other explains that tumah was put on nossar to prevent the Kohanim from being lazy and not eating all the korbanos. **R' Huna** and **R' Chisda** argue with regard to how large the meat must be to be treated as tamei: one says a kezayis (like the size of the issur), and one says a kebeitzah (like the size of food tumah).
  - **Q:** Were the **Rabanan** goizer tumah on meat of a korbon that was taken beyond the boundary that it may go? **A:** The Mishna quoted above says that he cuts away the meat that left Yerushalayim and then removes the bone at the joint. If there is tumah on meat that left, cutting the meat away shouldn't help, because that meat was attached to the meat that remained inside, and thereby made it tamei! It must be that there is no tumah.
    - The Gemara says, since they only touched in a concealed place (under the skin) even if the outside meat is tamei, it will not make the inside meat tamei.
    - **Q: Ravina** says that attached foods are not considered to be touching "in a concealed way". According to him, the meat that has left should make the meat that remained inside, tamei!? **A:** The Mishna is discussing a case where the size of the meat wasn't large enough to be tamei (less than a kezayis or kebeitzah).
    - A Braisa says, one who moves Pesach meat from one group to another is "oiver" a lav, but the meat remains tahor. Presumably this is similar to having been taken outside of its boundaries, and the Braisa says that it is tahor. This is a proof that no gezeirah was made!
      - It may be that the Braisa means that the meat is tahor and *mutar*, and is very different than meat that has left its boundary.
        - **Q:** The Braisa later says specifically that the meat is assur, and yet there is no gezeirah of tumah!? According to the shita that there is no tumah on less than a kebeitzah, we can say that it is assur to eat because there is a kezayis, but tahor because there is no kebeitzah. However, according to the shita that even a kezayis becomes tamei, this seems to be a good proof!? **A:** The question was never posed regarding a Pesach, since the ownership groups are careful, there was never a need to impose tumah if it leaves its boundary. The question was regarding other korbanos. With regard to that question, we leave off with a **TEIKU**.
- **Q:** How do we know that one may not move Pesach meat from one group to another? **A:** The pasuk says "lo sotzi min habayis min habasar chutzah". The extra word "chutzah" teaches that even moving from one group to another is assur.
  - **R' Ami** said, one is not chayuv for moving meat from one group to another until he has made an "akira" and a "hanacha", in the same way that those are required to be liable for transferring on Shabbos, because the pasuk regarding moving the meat says "sotzi", which is the same verbiage used regarding transferring on Shabbos.
    - **Q: R' Abba bar Mamal** asked, the pasuk regarding removing the chataos that must be burned outside of Yerushalayim says "yotzi", which should also mean that an akira and a hanacha are needed to be liable. Yet, a Mishna says that carriers of the chataos would become tamei simply by leaving the Azarah, without mentioning that it must be put down!? **A:** The Mishna is discussing where it is being dragged on the ground, and therefore does not need an additional hanacha.

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- If part of a limb of a Pesach went out of Yerushalayim, one cuts away the meat from the part that has gone out, peels off the meat from the part that remained inside, and removes the bone at the joint. With regard to a limb from any other korban, one simply chops off the part that went outside with a cleaver, because there is no problem of breaking the bone.
- Anything from the doorway of the gates of Yerushalayim and within, is considered to be Yerushalayim. Anything from the doorway and without is not considered to be part of Yerushalayim. The windows in the walls and the thickness of the walls are considered part of Yerushalayim.

### GEMARA

- **R' Yehuda in the name of Rav** said, the same halacha applies to a minyan that has gathered to daven (the doorway and within is considered the same room and all within that area can combine to form a minyan). **R' Yehoshua ben Levi** said, nothing acts as a barrier to prevent people from combining for a minyan.
- **Q:** The Mishna is first mashma that the doorway itself is considered like outside the doorway, then the Mishna is mashma that the doorway itself is considered like the area inside the doorway (i.e. part of Yerushalayim)!? **A:** When dealing with the doorway of the Azarah, the doorway itself is considered as part of the Azarah (the single exception being the Niknor Gate, which was intentionally done so, so that the metzorah, on the 8<sup>th</sup> day of his purification process, can stand in this gate and stick his thumbs into the Azarah to have blood put on them by the Kohen). With regard to Yerushalayim, the doorway is considered as outside of Yerushalayim (intentionally done so, so that a metzorah can seek shelter from the rain, in the doorway).

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### HACHALONOS V'OVEI HACHOMAH...

- **Rav** said, the roofs and upper stories do not have the kedusha of the Azarah or Yerushalayim.
  - **Q: Rav** said in the name of **R' Chiya** that all the groups eating a kezayis of Pesach and then singing Hallel would make the "roofs split" (an expression). This seems to suggest that the Pesach was eaten on the roof!? **A:** They ate the Pesach on the ground floor and only sang Hallel on the roof.
    - **Q: Rav** explained a Mishna to mean that one may not leave his Pesach group to go to another location!? **A:** Doing so is only problematic while they are still eating, because we are concerned that they will carry the meat with them. The singing of Hallel took place after all the eating was done.
  - **Q:** A Braisa says, **Abba Shaul** said that the upper level of the Kodosh Hakodashim had more kedusha than the lower level. We see the upper stories do have kedusha!? **A: R' Yosef** said, all agree that the upper stories of the Beis Hamikdash itself had kedusha, because the entire structure was built as directed by Hashem to Dovid Hamelech.
  - **Q:** A Mishna says regarding the rooms built in the Azarah, which open up to outside the Azarah, that the inside of these rooms are not kodesh but the roofs are kodesh!? **A: R' Chisda** said, the Mishna is discussing roofs that are level with the floor of the Azarah.
    - **Q:** The Mishna says regarding the rooms built outside the Azarah, which open into the Azarah, the insides are kodesh but the roofs are not. If we are discussing where the roof is level with the ground, that means that these rooms are tunnels, and **R' Yochanan** said the tunnels beneath the kodosh do not have kedushah!? **A: R' Yochanan** said his din regarding tunnels that open onto the Har Habayis. The Mishna is discussing tunnels that open into the Azarah.
      - **Q: R' Yehuda** says in a Braisa that the tunnels under the Mikdash have no kedushah!? **A:** That Braisa is discussing where the tunnels open onto the Har Habayis.
  - **Q:** A Braisa says that the roof of the Mikdash had kedushah, not like **Rav** said!? **A:** That same Braisa says that Kodshai Kodashim may not be eaten there, which means there was no kedushah. **R' Chama bar Gurya** explains that the roof had some kedushah, because the measuring sticks of kodesh were stored there, but did not have the full kedusha of the Azarah.
  - **Q:** Our Mishna says that the windows and thickness of the walls have the status of within the walls. The windows can conceivably be discussing a case where they are level with the ground. But, how can the

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thickness (i.e. the tops) of the walls be level with the ground!? **A:** The walls of the Azarah actually had a second, shorter wall on the inside that was used to support the wall. Because of the different levels of the Azarah (which got higher as one walked from east to west), the tops of these shorter walls were level with the ground of the higher areas of the Azarah.

### MISHNA

- If the ownership group of one Pesach split into two groups for the eating of the Pesach, they may even sit back to back (they need not face each other to show that they are really one group), and may put the hot water urn in between the groups (even though it acts as a separation between them). If the waiter for both groups belongs to one of the groups, when he serves the second group, he should close his mouth and turn his face until he is back with his group. A kallah turns her face away from her group when she eats.

### GEMARA

- Our Mishna follows **R' Yehuda**, who learns from the pasuk that the owners of one Pesach may split into two groups for eating, but each group must only eat in one place. **R' Shimon** says one may eat his Pesach in more than one place, but the ownership group may not split into two groups for eating.
  - A difference between these shitos would be if the group was eating and a partition was put between them (according to **R' Yehuda** this would not be a problem, but according to **R' Shimon**, it would be). Another difference would be if two groups were separated by a partition and were eating, and the partition was removed (according to **R' Shimon** this would not be a problem even though it is as if they are now eating in a new place, and according to **R' Yehuda** this would be a problem).
    - **R' Kahana** paskened in these two cases as was suggested above. **R' Ashi** questioned what the halacha would be in these cases according to each shita and remained with a **TEIKU**.

### HAKALLAH HOFECHES ESS PANEHAH...

- **R' Chiya bar Abba in the name of R' Yochanan** explains, she turns her face because she is embarrassed, because everyone is looking at her.
- **R' Huna the son of R' Nosson** went to the house of **R' Nachman bar Yitzchak**. They asked him for his name, and he said "Rav Huna". They offered him to sit on a couch, and he immediately accepted. They offered him wine, and he accepted on the first offer, drank it in two shots, and did not turn away when drinking. When asked to explain his conduct, he explained: his name was actually "Rav Huna", so it was not haughtiness that caused him to seemingly refer to himself with the title; he immediately sat on the couch because one should do whatever his host tells him to do; he took the wine on the first offer because one should never refuse a great person; he drank in two shots because that is the proper way to drink; and he didn't turn his face, because doing so is something that only a kallah needs to do.
  - **R' Yishmael the son of R' Yose** accepted wine on the first offer and drank it in one shot. They asked him why he drank it like that when it says that one who does so is improper. He answered, that was not said regarding small cups (like he was given), regarding sweet wine (like he was given), or regarding one with a large stomach (like he had).
- **R' Huna** said, if a group is getting together to eat, when 3 people of the group are present, they may sit down and ask the waiter to serve them (even though the waiter will have to serve the others later when they show up, which will be extra work), and they may leave one by one, even though it will leave very few people at the table, which will cause the waiter to continue serving.
  - **Rabbah** said, that is only if they sit down at a normal meal time, and when the waiter knew that they intended to leave one by one whenever they finished.
  - **Ravina** said, the people remaining at the end have to pay the waiter for their service, and the last one there must tip the waiter on top of his fee. However, the Gemara says that we do not pasken like **Ravina**.

**HADRAN ALACH PEREK KEITZAD TZOLIN!!!**

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## PEREK HA'ISHA -- PEREK SHMINI

### MISHNA

- A fully married woman who lives in her husband's house, and whose father and husband each had in mind that she should be a member of their respective Pesach, should eat the Pesach of her husband. If it was the first Yom Tov after her marriage and it was going to be spent at her parents' house, and again her father and husband each included her in their Pesach, she may join whichever of the two groups she decides to join.
- If an orphan had more than one guardian and each shechted a Pesach with intent to include the orphan, he may choose whichever of the groups he prefers.
- A slave belonging to partners, each of which included the slave in their respective Pesach, may not eat from either Pesach (unless the other partner agrees to allow the slave to do so).
- One who is half slave and half free may not eat from the Pesach of his owner (because we assume that the owner did not have in mind to include the half that was free).

### GEMARA

- **Q:** Our Mishna seems to allow the woman to choose to join either Pesach even when it is time to eat. Since one must be included in the Pesach at the time of the shechita, this would seem to prove that we hold of "breirah" (she is retroactively considered to be included in the Pesach of her later choosing)!? **A:** The Mishna may mean that she can choose at the time of the shechita, but not after.
- **Q:** A Braisa says that the first Yom Tov after the marriage the woman must eat from her father's Pesach, and after that she can choose where she prefers to join!? **A:** The Braisa is discussing a woman who wants very much to go back to her parents' house, and therefore it is assumed that she wants to be part of her father's Pesach. The Mishna is dealing with a woman who is not like that.
- **R' Yochanan** said:
  - The pasuk says "then I became in His eyes like one who is found to be perfect". This is like a bride who is seen as perfect in the eyes of her father in law, and she wants to run back to her parents' house to tell them how she is thought of.
  - The pasuk says that Hashem says, the day will come when you will call me "my Husband" and no longer "my Master". This is like the distinction of a woman who is married only through "eirusin" and then goes through the "nisuin" as well, resulting in a much closer relationship.
  - The pasuk refers to a "young sister" who is not fully developed. This refers to the people of Eilam, who merited to learn Torah, but not to teach it.
  - The pasuk says "ani chomah v'shudai kamigdalos". This "wall" refers to Torah and the "migdalos" are the talmidei chachomim.
    - **Rava** says the "wall" is Klal Yisrael and the migdalos refer to the shuls and batei medrash.
- **R' Zutra bar Tuvia in the name of Rav** said, the pasuk refers to the young men of Klal Yisrael as "young trees", because they have not sinned, and the young girls as "corners", because they do not engage in "znus". Both groups are referred to as built in the form of the Mikdash, because Hashem considers it as if the Mikdash was built in their days.
- The pasuk says that Hashem appeared in a prophesy to Hoshea (who must be greater than the rest, because he is listed first), Yeshaya, Amos and Micha. Hashem told Hoshea, "your children (the Yidden) have sinned". Instead of answering to Hashem, "They are Your children, the children of Avrohom, Yitzchak and Yaakov, have mercy on them", he said "Hashem, the world is Yours, so just switch them out for another nation". Hashem told him, "go take a zonah for a wife, who will give you children of znus (you will never know if the children are yours)". Hashem said, I will then tell him to divorce her. If he is able to do so, I will send the Yidden away as well (Hashem was saying that He could not get rid of the Yidden, no matter how bad they were).
  - The pasuk says that Hoshea took "Gomer bas Divlayim" for a wife. "Gomer" means that all were mezaneh with her. "Bas Divlayim" means that she and her mother had bad reputations for being zonahs.

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**Shmuel** says it refers to that she was sweet to everyone like figs. **R' Yochanan** says it refers to how everyone was mezaneh with her. **R' Yehuda** says it refers to how they wanted to end the wealth of the Yidden in her days. **R' Yochanan** says they actually did so.

- The pasuk say that she had a son and Hoshea was told to name him Yizriel, symbolizing an end to the kingdom of Klal Yisrael. She then had a daughter and Hoshea was told to call her “Lo Ruchama” symbolizing that there would be no more pity for Klal Yisrael. She had another son and Hoshea was told to call him “Lo Ami” symbolizing that Klal Yisrael was not Hashem’s people.
- Hashem then told Hoshea to divorce this wife. Hoshea said, I have children with her and don’t want to divorce her. Hashem said to him, if you can’t divorce the wife who is a zonah, because of children that you don’t even know are yours, how much more so I cannot get rid of Klal Yisroel, who are My children, the children of Avrohom, Yitzchak and Yaakov, who are one of the four “acquisitions” I have made in My world (Torah, Heaven and Earth, the Beis Hamikdash, and Klal Yisrael)! Realizing his mistake, Hoshea began asking for mercy for himself. Hashem said, before doing that, you should ask for mercy for Klal Yisrael, upon whom I have made 3 decrees because of you (the decrees symbolized by the names of his children). Hoshea davened for mercy and the decrees were annulled. Hashem then blessed Klal Yisrael, reversing the 3 decrees, one by one, in his blessings.
- **R' Yochanan** said, authority buries those who hold it, as we find that every navi lived during the period of four kings.
- **R' Yochanan** said, we learn from a pasuk that Yaravam Melech Yisrael merited to be listed with the Kings of Dovid, because he did not accept lashon harah regarding Amos.
- **R' Elazar** said, even when Hashem is angry at the Yidden, He “remembers” His mercy. The pasuk says that Hashem says He will no longer have mercy on the Yidden. The fact that He mentions mercy means that He has not forgotten about it.
- **R' Elazar** and **R' Yochanan** learn from a pasuk that the Yidden were scattered in galus so that they should increase with converts.
- **R' Yochanan in the name of R' Shimon bar Yochai** said, we learn from Hoshea, that even in a generation that curses its parents, one should not speak bad about a slave to its master (Hoshea spoke bad about the Yidden to Hashem even though they were not good at that time).
- **R' Oshaya** explained a pasuk that Hashem has done a kindness by spreading us throughout the galus. We see from a story that the Romans desired to annihilate the Jews, but couldn’t because we were not all located in one place.
- **R' Chiya** taught, a pasuk teaches that Hashem sent us to galus in Bavel, because He knew that we could not withstand the terrible persecution of the Romans.
  - **R' Elazar** said, we were sent to Bavel (which is referred to as “Sheol”) because the pasuk says that we will be redeemed from Sheol, so Hashem put us there to set up the redemption.
  - **R' Chanina** said, we were sent there because their language is similar to that of the Torah, which would help that Torah would not be forgotten.
  - **R' Yochanan** said, we were sent there because we were being sent back to our place of origin (that is where Avrohom came from).
  - **Ulla** said, we were sent there because dates are abundant there, which would provide an easy source of sustenance to allow people to learn Torah.
- **R' Elazar** said, a pasuk says that people will say, let’s go to the House of the G-d of Yaakov. Is Hashem only the “G-d of Yaakov”? The pasuk means, the Beis Hamikdash is not referred to as Avrohom referred to it (as a mountain), nor like Yitzchak referred to it (as a field), rather as Yaakov referred to it (as a house).
- **R' Yochanan** said, the pasuk refers to the day that we will all be gathered from galus as a “great day”, which teaches that it will be as great as the day that Heaven and Earth were created.

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- **Q:** From the fact that the orphan may choose to join whichever Pesach he prefers (seemingly even at the time of eating) we see that the Mishna holds of the concept of breirah!? **A: R' Zeira** said, the pasuk of “seh labayis” teaches that a head of household may include those in his household without their consent. Therefore, the orphan is included in each Pesach even without his consent. His later choice just nullifies his inclusion in the other Pesach, but he was included in the Pesach of his choosing all along, without coming onto the concept of breirah.
  - A Braisa says, a person may not shecht a Pesach for his adult children, for his Jewish slaves, or for his wife, without their consent. However, he may shecht for his minor children and his non-Jewish slaves without their consent. If any of them shechted their own Pesach and their master (or father) shechted for them as well, they must join their master’s Pesach. Except for a wife, who has the ability to protest the inclusion in her husband’s Pesach.
    - **Q:** Why is a wife different than adult children and Jewish slaves!? **A: Rava** said, the Braisa means, except for a wife and those like her (i.e. adult children and Jewish slaves).
    - **Q:** The Braisa seems to say the reason a wife is different is because she can, and has protested. If there was no protest, she would be included in her husband’s Pesach. However, the beginning of the Braisa says they may be joined with the husband only with consent, which suggests that even with no protest she would not be included in her husband’s Pesach without her specific approval!? **A:** When the Braisa says their consent is needed, it means that as long as there is no protest, they are included.
      - **Q:** The Braisa says that if they brought their own Pesach and the master brought a Pesach for them, they must join the master’s Pesach. This seems to be a case where no protest was made. Yet, the Braisa says that a wife will not be included in her husband’s Pesach even in this case!? **A: Rava** said, the fact that she shechted her own Pesach is itself considered a protest.

### EVED SHEL SHNEI SHUTFIN...

- **Q: R' Eina Saba** asked **R' Nachman**, our Mishna says that this slave cannot eat from either master’s Pesach. However, a Braisa says that he can eat from whichever Pesach he chooses!? **A:** He answered, our Mishna discusses partners who don’t want to benefit from each other, and therefore don’t allow their slave to eat from the other. The Braisa is dealing with partners who don’t feel this way.

### MI SHECHETZYO BEN CHORIN LO YOCHAL MISHEL RABO...

- **Q:** The Mishna suggests that he can’t eat from his master’s Pesach, but would be allowed to eat from his own Pesach. However, a Braisa says that he may not eat from his own Pesach or his master’s Pesach!? **A:** The Braisa is discussing according to the shitah of **B”H** before he retracted his ruling, where he said that a person may be left as half servant and half free. Therefore he cannot eat from either Pesach. Our Mishna is according to **B”H** after his retraction, at which time he then held that we force the master to free the second half as well. Therefore, he may eat from his own Pesach.

### MISHNA

- If one tells his servant to go and shecht a Pesach for him, without specifying the type of animal he desires (it may be brought from a goat or a sheep), whichever type of animal the servant brings is ok. If the servant brings both animals, the one brought first is the one that the master must eat for his Pesach.
- If the slave forgot which animal he was told to bring, he should bring a goat and a sheep and say, if my master wanted a goat, the goat should be his and the sheep should be mine, and visa-versa.
- If the master also forgot what he told the servant to bring, and both animals were already shechted, they must both be burned, but the master and the slave need not bring a Pesach on Pesach Sheini.

### GEMARA

- **Q:** It seems obvious that without specification the slave can bring whichever animal he chooses!? **A:** The Mishna is discussing a case where the master typically brings one of the animals for a Pesach (e.g. a goat), and still, because there was no instruction, the slave may bring the other animal (e.g. a sheep).



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- **Q:** How can the Mishna say that if the slave brought both animals the master must eat from the first one? A Braisa says that a person may not be included in the ownership groups of two Pesachim!? **A:** Our Mishna is discussing a king and queen who asked their servant to bring a Pesach for them. Since they always have their choice of meats, they are not particular regarding the choice of animal for their Pesach. Therefore, the first one to be brought will be their Pesach.

SHACHACH MAH SHE'AMAR LO RABO...

- **Q:** How can the slave own his own Pesach? Whatever a slave owns belongs to his master!? **A: Abaye** said, the servant went to the one who typically sells the master his animals, and because of their relationship and to facilitate the master's fulfilling his Pesach, the merchant gives the slave an animal on the condition that his master does not receive any rights in it. That is how he has an animal.

SHACHACH RABO MAH SHE'AMAR LO...

- **Abaye** said, this is only if he forgot after the zerika. Since he knew during the zerika, the zerika was valid and the Pesach was fit to be eaten at that time. However, if he forgot before the zerika, the Pesach was never fit to be eaten and he would have to bring a Pesach on Pesach Sheini.
  - Others taught this statement of **Abaye** on a Braisa that says, if 5 skins of Pesachim are mixed up, and we find a disqualifying blemish on one of them (but we don't know which skin belonged to which animal), all 5 of those Pesachim must be burned, but none of the owners must bring a Pesach on Pesach Sheini. On that, **Abaye** said, that is only if the skins got mixed up after the zerika, so the 4 unblemished Pesachim were fit to be eaten. However, if it happened before the zerika, all must bring a Pesach on Pesach Sheini.
    - According to those who say that **Abaye** made his statement on the Mishna, he would surely say it on the Braisa as well. However, according to those who say that **Abaye** made his statement on the Braisa, it could be that in the Mishna, since all are kosher (it is problematic only because he doesn't remember), since it is known in Heaven which animal he wanted, he need not bring a Pesach on Pesach Sheini.
    - **Q:** How can the 5 people be patur from bringing another Pesach? One of them has not brought a Pesach!? **A:** There is no way to rectify the situation:
      - Four of the five already fulfilled their Pesach obligation, so they can't each bring a Pesach.
      - They can't all just chip in for one Pesach, because the people who have already fulfilled their obligation may not be part of the ownership group.
      - They can't each bring their own animal and stipulate that if they have not yet fulfilled their obligation the animal should be a Pesach, but if they have, the animal should be a Shelamim, because the breast and leg of a Shelamim must be given to a Kohen, but this cannot be eaten by a Kohen, because maybe it is a Pesach and the Kohen already fulfilled his Pesach obligation. If the Kohen did not yet fulfil his obligation, he cannot join this as a possible Pesach, because it may be a Shelamim, in which case the Kohen will not fulfill his Pesach obligation.
        - Although we can find a Kohen who has not yet fulfilled his Pesach obligation to join all 5 korbanos and in that way be assured of bringing a Pesach, we cannot allow the 4 people to bring a Shelamim in this way, because they are lessening the time available for eating it (instead of 2 days and a night, it must be eaten as a Pesach, which must be done by that first night).
    - They cannot bring "leftovers of a Pesach" (money set aside for a Pesach which must be used for a special Shelamim, which must be eaten by that first night), and then bring that with the above stipulation, because if it is truly a Shelamim, it needs "semicha". If it is a Pesach it does not.
      - Even if discussing a woman's korbon, which never gets semicha, still this cannot be done, because the way the zerikas are done, are different. Although a zerika

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done differently doesn't make the korbon passul, that is only b'dieved, not l'chatchila.

-----Daf װׁ--89-----

## MISHNA

- If one tells his sons, "I am shechting my Pesach with intent to include whichever one of you gets to Yerushalayim first", the halacha is, that as soon as the first of the sons enters Yerushalyim, he gets a portion and gets portions for his brothers as well.

## GEMARA

- **Q:** It seems from here that there is breirah, because the father shechts the Pesach and only later determines who is included!? **A: R' Yochanan** said, the father really intended to include all his sons. He made this "contest" only to push them to run to do mitzvos.
  - This must be correct, because if not, how does the first brother's entrance entitle all the other brothers to a portion as well? They cannot be added after the shechita!? It must be that they were all intended to be included in the Pesach all along.

## MISHNA

- People can continue to join the ownership group of a Pesach as long as there will be a kezayis of meat for each person.
- People can join and withdraw from ownership of a Pesach until the shechita. **R' Shimon** says, until the zerika.

## GEMARA

- **Q:** It is obvious that people may continue to join as long as there will be a kezayis of meat for everybody!? **A:** The Mishna is teaching that even if all of the original owners have withdrawn, new owners may join (which argues on **R' Yehuda** of a later Perek).

## NIMNIN U'MOSHCHIN ESS YIDEIHEN AHD SHEYISHCHAT...

- **Abaye** said, the machlokes is only in regard to withdrawing. The **Rabanan** learn from the pasuk that withdrawal must be done when the animal is alive (before the shechita), and **R' Shimon** understands the pasuk to mean that it must be done while the Avodah process is still ongoing (before the zerika). However, with regard to joining a Pesach, all agree that it must be done before the shechita.

## MISHNA

- If one of the owners of a Pesach (who was going to get multiple kezeisim) allows other people to join in his portion without the approval of the other owners, the other owners may tell him to take his portion and his additional people and eat separately from the other, original owners of the Pesach.

## GEMARA

- **Q:** If one of the owners is eating very quickly and the others are concerned that he may eat more than his fair share, may they tell him to take his rightful portion and leave? Can he say to them – you have accepted me and can't now ask me to leave, or can they say – we accepted you to eat a fair share, not an excessive share?
  - Maybe we can bring a proof from our Mishna. The Mishna said, if an owner brings additional people into the group, the other owners can tell him to leave. Presumably this is because the additional people will end up eating more than their share. The same should be with this individual.
    - The Gemara says, our Mishna is different. Even if they would not eat extra they can be asked to leave, because the original owners don't want strangers eating with them.
  - Maybe we can bring a proof from a Braisa that says, if a waiter eats a piece of the Pesach by the oven, he may not eat the Pesach anywhere else. If his group wants to be kind, they should settle around the

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oven so that the waiter can eat along with them. It seems that he cannot force them to settle around the oven. We see that the group need not accept someone unconditionally.

- It could be that this case is different because they can tell him, we accepted you in the group so that you can tend to us, not that we should have to alter our plans for you.
- We can bring a proof from a Braisa which clearly says, if one member of the Pesach group is eating more than his share, the others may tell him to take his share and leave. The same applies for a regular meal during the year as well. From here we see that he may be told to leave. This is a valid proof. **SHEMA MINAH.**
- **Others** say that the question was a different one. The question was whether the group may divide up the portions or must all eat one joint portion. On this question, the Gemara brings a proof from the Braisa that a group can send away one who is eating more than his share. It seems that only such a person can be given his share and told to leave, not others.
- **R' Pappa** and **R' Huna the son of R' Yehoshua** were eating together and **R' Pappa** was eating 4x what **R' Huna** ate. **R' Huna** insisted that they split the portions so that they each get equal. They argued whether that can be forced and based on the above decided that it can be done. **R' Huna** then ate with **Ravina**, and **Ravina** ate 8x what **R' Huna** ate. **R' Huna** said, I would prefer 100 **R' Pappas** over one **Ravina**.
- A Braisa says, one who accepts others into his Pesach or Chagigah group and received money for it, that money does not have kedusha. One who sells his Olah or Shelamim, has not accomplished anything (it is not sold) and the money, “whatever it is”, must go for korbanos to be brought when the Mizbe'ach sits idle.
  - **Q:** If the sale is not effective, why must the money go for korbanos!? **A: Rava** says, it is a penalty established by the **Rabanan** to prevent such a “sale” from taking place.
  - **Q:** What does the Braisa mean that the money “whatever it is” goes for korbanos? **A:** It means, even if the buyer gave more than the animal is worth, that excess money must also be used for korbanos and may not be kept by the seller.

### -----Daf 90-----

- **Q:** The Braisa said that the money one receives for selling an ownership right in his Pesach is considered to be chullin (there is no kedusha on that money). **Ulla or R' Oshaya** asked, the money used was designated for purchase of a Pesach and therefore had kedusha. Since the animal was already kodesh as well, where did the kedusha of the money go (it can't go onto the animal because it is already kodesh)!? **A:** The halacha is, that although an animal given as payment to a zonah may not be used for a korbon, if one gives a kadosh animal to a zonah as payment, that animal may be used as a korbon, because such an animal is not considered the property of the “owner” to be able to be given to the zonah. A Mishna says that we learn this concept from a pasuk. Seemingly there is no reason to learn it from a pasuk, because the animal is not his to give. **R' Oshaya** said, this Mishna is discussing a Pesach and is following the shita of **Rebbi**, who says that a person makes his Pesach kodesh on the condition that he remains the owner of the animal. Therefore, for the case of a Pesach, we need the pasuk to teach us that it does not become assur if given (in whole or in part) to the zonah as payment. **Abaye** initially understood **Rebbi** to hold that when a person separates money to be used for his Pesach, he separates it with the intent that it should not become kadosh, however the Pesach itself attains full kedusha. After hearing how **R' Oshaya** understood **Rebbi**, **Abaye** said the Braisa can be understood according to **Rebbi**. The reason the money is chullin is either because (like **Abaye's** original understanding) the money was never made kadosh, or like **R' Oshaya's** understanding, that the Pesach was kadosh on the condition that the owners retain their ownership, and the kedusha of the money can go off onto the animal (which is not yet fully kadosh).

#### MISHNA

- A zav who has seen two zivah discharges (and now must count 7 clean days, and then go to the mikveh on the 7<sup>th</sup> day to become tahor by sunset on the 7<sup>th</sup> day), whose 7<sup>th</sup> day falls out on Erev Pesach, may have a Pesach shechted for him, since he will be able to eat from it that night. If he saw 3 zivah discharges (in which case he needs to bring a korbon on the 8<sup>th</sup> day after counting 7 clean days, and becomes tahor to eat kodashim after

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bringing the korbon), whose 8<sup>th</sup> day falls on Erev Pesach, may have a Pesach shechted for him even if he had not yet brought the korbon to make him tahor, since that korbon can be brought anytime during the day (although the korbon must be brought before the Tamid, which is brought before the Pesach, since not bringing a Pesach carries the kares penalty, he would bring the korbon of his tahara after the Tamid, although it is assur to do so).

- A woman who saw one ziva discharge (and must now count one clean day, go to the mikvah and then become tahor at sunset), may have a Pesach shechted for her on the day she is counting as “clean”. The same is true if she sees 2 ziva discharges (and must count the 3<sup>rd</sup> day as clean). If she sees 3 discharges (in which case she needs to bring a korbon on the 8<sup>th</sup> day after counting 7 clean days, and becomes tahor to eat kodashim only after bringing the korbon), and her 8<sup>th</sup> day falls on Erev Pesach, she may have a Pesach brought for her on that day, even if she has not yet brought her korbon.

### GEMARA

- **R’ Yehuda in the name of Rav** said, a Pesach may only be shechted for one who has already gone to the mikveh and only needs the sun to set in order to become tahor, or for one who only needs to bring the korbon for tahara. However, if one has not yet gone to the mikveh (even though he can still go this very day), a Pesach may not be shechted for him. **Ulla** said, even one who has not yet gone to the mikveh (but can go this day and still become tahor at sunset) may have a Pesach shechted for him.
  - **Q:** According to **Rav**, why is one who has gone to the mikveh any better than one who has not? They will both be tahor that night!? **A:** He lacks having done the tevilah. **Q:** The one who has gone to the mikveh lacks sunset as well, and yet it doesn’t prevent him from having a Pesach brought for him!? **A:** Sunset happens on its own, without his involvement, and therefore is not seen as an impediment. **Q:** One who still needs to bring a korbon also lacks an action, and yet may have a Pesach brought for him!? **A:** We are discussing where he already has the birds for the korbon. **Q:** The one who hasn’t gone to the mikveh likewise has the mikveh in front of him!? **A:** He may be negligent and not go. **Q:** The same can be said for the one with the birds, that the birds may not be offered!? **A:** We are discussing where he has given it over to the beis din of Kohanim in charge, and **R’ Shmaya** says that we have a chazakah that these Kohanim do not leave until all korbanos were brought.
  - **Q:** Presumably, **Rav** holds that D’Oraisa even one who has not gone to the mikveh may have a Pesach brought, and it is only a gezeirah of the **Rabanan** that it may not be brought. Based on that, how did **Rav** propose in an earlier Gemara that when Klal Yisrael is 50% tamei and 50% tahor, we should make one person tamei with a sheretz, thereby making more than 50% of Yidden who cannot bring the Pesach on time? D’Oraisa that person is fit to have a Pesach brought for him!? **A:** **Rav** holds that a person who has not yet gone to the mikveh may not have a Pesach brought **D’Oraisa**. He learns it from the pasuk that says that the people who were tamei meis were told to bring the Pesach on Pesach Sheini. **R’ Yitzchak** said, these people were on their 7<sup>th</sup> day of tumah (because the pasuk says they couldn’t bring the Pesach “bayom hahu”, on that day, but the next day would have been fine), and still the Torah said they must wait for Pesach Sheini. One who has not gone to the mikveh is in a similar position to those people, and therefore would have the same halacha.
  - **Q:** Our Mishna says that a zav who has seen 2 discharges may have a Pesach brought on the 7<sup>th</sup> day. Presumably, this is even if he hasn’t gone to the mikveh!? **A:** The Mishna is discussing where he went to the mikveh, and the chiddush is, that even though the sun has not yet set, since sunset happens on its own, a Pesach can be brought during the day. This must be the case, based on the next case of the Mishna, which says that one who has not yet brought his korbon on the 8<sup>th</sup> day may have a Pesach brought. If the last case referred to one who had not yet been toivel, and is therefore fully tamei, and still he may have a Pesach brought, then certainly one who just needs to bring his korbon, but is otherwise completely tahor, may have a Pesach brought. What is the chiddush of that case!? It must be that the first case is where he was already toivel. Therefore, we would think that only one who has to take no further action may have a Pesach brought, but one who must still bring a korbon may not.
    - It could be that the first case was where he was not toivel. Still, we would think that since the action that needs to be taken is *his* action (i.e. to be toivel), he can have the Pesach brought, but

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the bringing of a korban, which is in the hands of the Kohanim, maybe does not allow him to have the Pesach brought. The chiddush of the second case would be that it can anyway be brought (based on **R' Shmaya**), and there is therefore no proof that can be brought for **Rav** from that case.

V'HAZAVAH SHOCHATIN...

- One taught a Braisa in front of **R' Adda bar Ahava** that said, a Pesach may be brought for a zavah (who saw 3 discharges) on her 7<sup>th</sup> day. He asked, she will not be able to eat it until the next day, after she brings her korban of tahara!? He answered, the Braisa must have said that a Pesach can be brought on her 8<sup>th</sup> day.
  - **Q:** That is obvious!? **A:** We would think that since she needs to bring a korban on the 8<sup>th</sup> day, we can't rely that it will be brought. The chiddush is like **R' Shmaya** said, that we can assume that the Kohanim will bring all korbanos.
  - **Ravina** said the Braisa taught to **R' Adda bar Ahava** was regarding a niddah, and said that a Pesach may be brought for her on her 7<sup>th</sup> day. On that he asked, a niddah cannot eat the korban that night, because she may not go to the mikvah until the night after the 7<sup>th</sup> day and needs sunset on the 8<sup>th</sup> day to make her totally tahor!? He answered that the Braisa must have said that a Pesach can be brought on her 8<sup>th</sup> day.
    - **Q:** That is obvious!? **A:** It is teaching us that we learn from a pasuk that a niddah may not go to the mikvah until the night after the 7<sup>th</sup> day, unlike other tumos, for which the tamei person may go to the mikvah during the last day of the tumah. We then learn via a hekesh from niddah that a woman who gave birth must wait until the night after her 7<sup>th</sup> day as well.