



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

Pesachim Daf Pey Ches

YASOM SHESHCHATU ALAV APUTRAPSIN...

- **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).
- **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 korban, which never gets semicha, still this cannot be done, because the way the zerikas are done, are different. Although a zerika done differently doesn’t make the korban passul, that is only b’dieved, not l’chatchila.