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Pesachim Daf 55

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Daf Notes is currently being dedicated to the neshamah of

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May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

1. Pregnant and nursing women are obligated to fast and complete their fast on Tisha B’Av.

Pregnant and nursing women are required to fast and complete the fast on Tisha B’Av just like they are required to fast and complete the fast on Yom Kippur. The twilight of Tisha B’Av is prohibited from eating.

Rabbi Yochanan learned this statement and Rabbi Yochanan also said that Tisha B’Av is not like a public fast for rain, which implies that the twilight of Tisha B’Av is permitted in eating.

The Gemara answers that Rabbi Yochanan is referring to working on Tisha B’Av itself which would be permitted in locales that permit working on Tisha B’Av.

The Gemara challenges this explanation, because we have already learned in our Mishnah that one is permitted to work on Tisha B’Av, and even Rabban Shimon ben Gamliel who is stringent regarding laymen working on Tisha B’Av does not prohibit working on Tisha B’Av.

Rather, Rabban Shimon ben Gamliel maintains that when a layman sits idle and does not work, he is not considered arrogant.

The Gemara offers an alternative explanation, by stating that Rabbi Yochanan means that Tisha bAv is not like a public fast for rain regarding the prayer of Ne’ilah. Although Ne’ilah was prayed on other public fast days, Ne’ilah was not prayed on Tisha B’Av. Although Rabbi Yochanan himself said prayer is always praiseworthy, on a public fast day there is a rabbinical obligation to pray Ne’ilah, whereas on Tisha B’Av one is not obligated to pray Ne’ilah; rather, one is permitted to do so.

Alternatively, Rabbi Yochanan refers to the twenty-four blessings of Shemoneh Esrei, where on public fast days six blessings were added and on Tisha B’Av these additional six blessings were not added.

Alternatively, Rabbi Yochanan means to say that Tisha bAv is not like the first set of public fast days where one can eat at night and certainly at twilight. Rather, Tisha bAv is like the last set of public fast days where one can only eat while it is still day, and similarly on Tisha B’Av one cannot eat during twilight and at night. (54b)

2. It is forbidden for one to stick his finger in water on Tisha B’Av just like it is forbidden on Yom Kippur.

We learned in a Baraisa that the only difference between Tisha B’Av and Yom Kippur is regarding the establishment of a new month. If there was a doubt

as to when the court declared Rosh Chodesh Tishrei, one would observe Yom Kippur for two days, whereas if there was doubt regarding when Rosh Chodesh Av was established, one would not be required to observe two days of Tisha B'Av.

We can infer from this that regarding all other Halachic issues, Tisha B'Av and Yom Kippur are equal. This would be proof to the opinion of Rabbi Elazar who maintains that one cannot place his finger in water on Tisha B'Av just like he cannot stick his finger in water on Yom Kippur.

This inference is challenged from a Baraisa that states that there is no difference between Tisha B'Av and a public fast except that a public fast is prohibited from doing work and on Tisha B'Av one is permitted to work if the custom of that locale is to work. Regarding all other matters a public fast day and Tisha B'Av are equal. Regarding a public fast, the Chachamim only prohibited washing of the whole body, but one is permitted to wash his face, hands and feet, and since the Baraisa equated Tisha B'Av to public fast days, one should be permitted to wash his face, hands and feet on Tisha B'Av. This would contradict the opinion of Rabbi Elazar who forbids one to even stick his finger in water on Tisha B'Av.

The Gemara deflects this challenge by answering that the Baraisa that compared Tisha B'Av to Yom Kippur and Tisha B'Av to public fast days was only doing so with regard to leniencies of Tisha B'Av vis-à-vis Yom Kippur and leniencies of Tisha B'Av vis-à-vis public fast days. Although one is permitted to wash his face, hands and feet on a public fast day, he is prohibited from doing so on Tisha B'Av. (54b - 55a)

3. There is a dispute if a groom can recite Shema on the first night of his wedding.

We learned in the Mishnah that Rabban Shimon ben Gamliel maintains that anyone can make himself to be like a Torah scholar and should remain idle on Tisha B'Av. This implies that Rabban Shimon ben Gamliel is not concerned that one will be viewed as arrogant, whereas the Chachamim would maintain that since one will be viewed as arrogant, he cannot view himself as a Torah scholar. Yet we have learned that the Chachamim and Rabban Shimon ben Gamliel state elsewhere reverse opinions, as it states in a Mishnah that the Chachamim maintain that if a groom wants to recite Shema on the first night of his wedding, he may do so, whereas Rabban Shimon ben Gamliel maintains that not everyone who desires to take the name of one who is distant from worldly affairs may do so. Rabban Shimon ben Gamliel maintains that unless one is truly pious and scholarly, he cannot recite Shema on the first night of his wedding, because he gives the appearance that he cannot go even one night without accepting the sovereignty of HaShem.

One opinion in the Gemara answers that the opinions in one Mishnah should be reversed. Another opinion maintains that regarding Tisha B'Av the Chachamim maintain that since everyone else in the locale is working, by abstaining from work he demonstrates that he is arrogant. Regarding the Shema recital, however, since everyone is reciting Shema, he does not appear arrogant by reciting Shema. Rabban Shimon ben Gamliel maintains that regarding the Shema recital, one is required to concentrate, and a groom cannot concentrate properly on his wedding night, so by



reciting Shema then, he appears arrogant. Regarding one who abstains from work on Tisha B'Av, however, people will not assume that he is arrogant; rather they will assume that he has no work to perform, as there are many idle people in the market place even on a regular weekday. (55a)

4. In Judea they would work on the eve of Pesach until midday and in Galilee they would not work at all on the eve of Pesach.

The Chachamim say that in Judea they would work on the eve of Pesach until midday, whereas in the Galilee they would not work at all on the fourteenth of Nissan. Bais Shammai maintains that one is prohibited from working on the night of the fourteenth, whereas Bais Hillel permits it until sunrise.

The terminology at the end of the Mishnah implies that we are discussing a prohibition, whereas earlier (50a) we were discussing a question of local custom.

The Gemara resolves this contradiction by stating that the previous ruling was the opinion of Rabbi Meir, whereas the opinion of our Mishnah is that of Rabbi Yehudah. Rabbi Yehudah maintains that in Judea they would only work on the eve of Pesach until midday, whereas in the Galilee they would not work at all on the eve of Pesach. Rabbi Meir, however, maintains that the customs of Judea and the Galilee, have no relevance, because we are discussing customs of various locales, and those who have this custom to work on the eve of Pesach can work, and those who do not have the custom to work on the eve of Pesach cannot work. Thus, Rabbi Yehudah maintains that the sages of Judea permitted working on the eve of Pesach until

midday and the sages of the Galilee forbade working at all on the eve of Pesach. According to Rabbi Meir, it is an issue of custom and not of law. (55a)

5. Rabbi Yehudah maintains that any graft that has not taken hold in three days will never take hold.

We taught that Rabbi Yehudah maintains that the sages of Judea permitted one to work on the fourteenth of Nissan.

This is challenged from a Baraisa where Rabbi Yehudah maintains that if one is weeding a field of grain on the thirteenth of Nissan and while weeding the field he unintentionally uprooted an unripe ear of grain, if he wants to replant the ear of grain, he must do so where it is moist so it takes root before the omer offering is brought. He cannot, however, replant it in a dry place because it will not take root in time. (When the Bais HaMikdash stood, the *omer* offering of barley was brought on the second day of Pesach, the sixteenth of Nissan, and the *omer* allowed one to eat from the new crop of grain, known as *chadash*. Biblically speaking, any grain that takes root after the *omer* was brought will not be permitted until after the *omer* offering of the next year. Grain that takes root before the *omer* is offered becomes permitted by the offering of the *omer* even though the grain will not grow or be harvested until after Pesach. The farmer can replant an uprooted ear of grain in moist soil where it will take root quickly before the *omer* is offered on the sixteenth of Nissan. If he were to replant the ear of grain in dry soil, it would not take root until after the sixteenth of Nissan, and the farmer would come to eat the grain, which is *chadash*, because he will

assume that it is from the permitted crop.) We can infer that Rabbi Yehudah only permitted replanting the ear of grain on the thirteenth of Nissan but not on the fourteenth. We know that Rabbi Yehudah maintains that any graft that has not taken hold in three days will never take hold. If Rabbi Yehudah permits work to be performed on the fourteenth of Nissan, why does he refer to the thirteenth of Nissan for replanting if there is the fourteenth, fifteenth, and sixteenth, three days that the roots can take hold. It must be that Rabbi Yehudah prohibits work from being performed on the fourteenth of Nissan.

The Gemara answers that Rabi Yehudah taught that labor is prohibited on the fourteenth of Nissan only regarding the Galilee, where labor was forbidden on the fourteenth. (55a)

6. There is a dispute whether one can begin a labor on the fourteenth of Nissan.

Rabbi Meir maintains that if one started to perform labor before the fourteenth of Nissan, he can complete the labor on the fourteenth. One cannot, however, begin a labor on the fourteenth even if he can complete it before midday. The Chachamim maintain in any locale, those who practice three crafts can perform labor on the fourteenth of Nissan until midday, and they are tailors, barbers and launderers. Rabbi Yose bar Yehudah adds shoemakers. The Gemara concludes that according to Rabbi Meir, in a locale where the custom is not to work on the fourteenth of Nissan, one can only perform labor if the labor is for the festival, and the labor must be performed to complete an unfinished task. (55a)

7. Certain individuals are permitted to perform acts of labor on the intermediate days of a festival.

We learned in the Mishnah that the Chachamim maintain that tailors, barbers, and launderers can perform labor on the fifteenth of Nissan until midday.

A Baraisa states that tailors can begin work on the morning of the fourteenth even if the custom is not to work on the fourteenth, because even an amateur tailor can sew his clothing in a normal manner on the intermediate days of the festival. This is because the fourteenth of Nissan is more lenient than the intermediate days of the festival. Barbers and launderers can begin labor on the fourteenth of Nissan because one who arrives from overseas and one who is freed from jail are allowed to cut their hair and launder their clothing during the intermediate days of the festival. Rabbi Yose bar Yehudah permits shoemakers to fashion new shoes on the fourteenth of Nissan because the festival pilgrims were allowed to mend their shoes during the intermediate days of the festival. Rabbi Yose bar Yehudah permits manufacturing new shoes on the fourteenth because he learns the law regarding beginning an act of labor (manufacturing shoes) from the law of finishing an act of labor (mending shoes). The Chachamim, however, maintain that we cannot derive the law regarding beginning an act of labor from the law of completing an act of labor. (55b)

8. One can place eggs under hens for brooding on the fourteenth of Nissan.



One can place eggs under hens for brooding on the fourteenth of Nisan, and this law applies even in a locale where the custom is not to work on the morning of the fourteenth. A brooding hen that ran away can be returned to her place. If the hen died while brooding, one can place another hen in its place.

The Gemara qualifies this last statement to be referring to the intermediate days of the festival. Although one cannot set a hen on her eggs on the intermediate days of the festival, if the hen ran away, one can return her to her place, because one can exert himself on the intermediate days of the festival to prevent the loss of the eggs.

Rav Huna maintains that one can only return the hen to her place if it is within three days of her running away, as she still has her heat, i.e. her desire to brood, and she is open to continue brooding, and only after three days of brooding, because the eggs are no longer edible, and if the hen does not return, the owner will incur a loss. If three days have passed since the hen ran away and her heat has left her, or even if it is within three days of her flight but within three days when she began brooding, and the eggs are not completely ruined, one cannot return the hen to her place. Rabbi Ami disagrees and maintains that even within three days from when she began brooding one can return the hen to her place. Rav Huna maintains that the Chachamim were concerned about a significant loss, but they were not concerned about a minimal loss, which is the case regarding eggs that were incubated for less than three days. Rabbi Ami, however, maintains that the Chachamim were also concerned about a minimal loss, and the Chachamim allowed the owner to return the hen on

the intermediate days of the festival rather than to sell the eggs at a lower price. (55b)

9. One can take out the dung in a courtyard and place it on the sides of the courtyard.

One can remove dung from under the feet of an animal on the fourteenth of Nisan and dispose of it, but on the intermediate days of the festival one can only remove the dung to the sides of the animal's stall.

A Baraisa states that one can remove the dung in a courtyard to the sides of the courtyard, and we can take out the dung from a stable or courtyard to the pile of dung that is outside the courtyard.

The Gemara qualifies the Baraisa to mean that on the intermediate days of the festivals when one is forbidden to exert himself excessively, one can only remove the dung to the side of the courtyard, whereas on the fourteenth of Nisan the dung can be removed to the dung pile outside the courtyard. Alternatively, the Baraisa refers to the intermediate days of the festival, and the Baraisa is teaching that ideally, one should remove the dung to the sides of the courtyard, but if there is so much dung that the courtyard has become a stable, one can remove the dung to the dung pile outside the courtyard. (55b)

10. One can take utensils to and bring them from the house of a craftsman even though the utensils are not required for the festival.

One can take utensils to and bring utensils from the house of a craftsman even though they are not required for the festival. This is in contradiction with another Mishnah that states that one cannot take

utensils from the house of a craftsman, and if the owner is worried that the utensils will be stolen from the house of the craftsman if left there over the festival, he can move them to another courtyard. Nonetheless, we see that one cannot carry utensils to the house of the owner, yet our Mishnah permits this.

One answer the Gemara offers is that our Mishnah refers to the fourteenth of Nissan when there is no restriction to carrying utensils to and from the craftsman's house, whereas the other Mishnah refers to the intermediate days of the festival, and one cannot unnecessarily exert himself by taking the utensils home. Alternatively, both Mishnayot refer to the intermediate days of the festival, and our Mishnah refers to a case where the owner does not trust the craftsman (to not sell the utensils to another customer during the festival or alternatively, where the owner has already paid the craftsman, and he does not trust the craftsman to demand payment again) and the other Mishnah refers to a case where the owner does trust the craftsman. When the owner does not trust the craftsman, we allow him to take the utensil home, but if the owner trusts the craftsman, then we do not allow him to exert himself unnecessarily on the intermediate days of the festival. (55b)

reciting Shema on the first night of his wedding. One opinion in the Gemara states that the Chachamim permitted the groom to recite the Shema because everyone else is reciting the Shema so the groom will not appear arrogant. It is interesting to note that if one person would be reciting Shema when no one else is reciting Shema, that one individual would be considered arrogant. We find that the Medrash states that when Yosef appeared to Yaakov after not having seen him for twenty-two years, Yaakov recited Shema and Yosef did not.

The Maharal explains that Yaakov channeled his love for his son Yosef and therefore he recited Shema. Yosef, however, was engaged in the mitzvah of honoring his father so he was exempt from reciting Shema. Based on our Gemara, we can suggest that Yaakov recited Shema because he was certain that he was pious and he could concentrate properly, and he would not be considered arrogant for reciting Shema. Yosef, however, was preoccupied with affairs of the state and if he would recite Shema, he would appear to be arrogant by demonstrating that he could concentrate on the recital of the Shema even in such a stately position.

DAILY MASHAL

Reciting Shema

and not Appearing Arrogant

The Gemara records a dispute between the Chachamim and Rabban Shimon ben Gamliel regarding a groom