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Pesachim Daf 69

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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

It was taught. Rabbi Eliezer said: I argue, if the necessary preliminaries of the mitzvah which [come] after shechitah,¹ when the mitzvah has [already] been performed, override the Shabbos; shall not the necessary preliminaries of the mitzvah which [come] before shechitah override the Shabbos! Said Rabbi Akiva to him: If the necessary preliminaries of the mitzvah which [come] after shechitah override the Shabbos, the reason is because the shechitah has [already] overridden the Shabbos;² will you say that the necessary preliminaries of the mitzvah before the shechitah shall override the Shabbos, seeing that the shechitah has not [yet] overridden the Shabbos?³ Another argument is: the sacrifice may be found to be unfit, and thus he will be found retrospectively to have desecrated the Shabbos.⁴ If so, let us not slaughter it either, lest the sacrifice be found unfit, and thus it be found that he retrospectively desecrated the Shabbos? — Rather, he first told him this [argument], and he refuted it; and then he told him this ‘the reason is etc. (69a1)

Rabbi Akiva answered and said: Let haza'ah prove it etc. It was taught, Rabbi Eliezer said to him: ‘Akiva, you have refuted me by shechitah,’ by shechitah shall be his death!⁵ Said he to him ‘Master, do not deny me at the time of argument:⁶ I have thus received [the law] from you: haza'ah is a shevus and does not override the Shabbos.⁷ Then since

he himself had taught it to him, what is the reason that he retracted? — Said Ulla: When Rabbi Eliezer taught it to him it was concerning haza'ah for [the sake of] terumah,⁸ since terumah itself does not override the Shabbos;⁹ [and] Rabbi Akiva too, when he refuted him refuted him by haza'ah for [the sake of] terumah, which is [likewise] a mitzvah¹⁰ and is [usually forbidden] as a shevus; but he [Rabbi Eliezer] thought that he was refuting him by haza'ah for the pesach sacrifice.¹¹

Rabbah raised an objection: Rabbi Akiva answered and said, Let the haza'ah of a person tamei through a corpse prove [refute] it, — when his seventh [day] falls on the Shabbos and on Erev Pesach, so that it is a mitzvah¹² and it is [only] a shevus, yet it does not override the Shabbos.¹³ Hence he [Rabbi Eliezer] certainly taught him about haza'ah for [the sake of] the pesach sacrifice. Then since he [himself] had taught it to him what is the reason that Rabbi Eliezer rebutted him [thus]? — Rabbi Eliezer had forgotten his own tradition, and Rabbi Akiva came to remind him of his tradition. Then let him tell it to him explicitly? — He thought that it would not be mannerly.¹⁴ Now, what is the reason that haza'ah does not override the Shabbos; consider, it is mere handling,¹⁵ [then] let it override the Shabbos on account of the pesach sacrifice? — Said Rabbah: It is a preventive

¹ I.e., the cleansing of the bowels.

² Therefore it may be overridden again by a shevus.

³ Surely not!

⁴ For no mitzvah will have been performed.

⁵ I.e., your argument is obviously a humorous one and cannot be taken seriously, since you would thereby eradicate a Scriptural law; v. Mishnah.

⁶ I.e., do not deny what you yourself have taught me — viz., that haza'ah does not override the Shabbos.

⁷ Consequently, I am justified in using this fact to prove, by a kal vachomer (since it would overthrow a Scriptural law), that your argument is fallacious.

⁸ A Kohen who is tamei may not undergo haza'ah on the Shabbos in order to eat terumah in the evening.

⁹ Terumah may not be separated on the Shabbos.

¹⁰ It is the Kohen's mitzvah to eat terumah.

¹¹ Which he holds is permitted on the Shabbos, since otherwise the tamei person is debarred from discharging his obligation.

¹² Haza'ah will make him fit to partake of the pesach sacrifice in the evening, which is a mitzvah.

¹³ Thus it is explicitly stated that Rabbi Akiva argued that haza'ah, even for the sake of the pesach sacrifice, does not override the Shabbos.

¹⁴ To tell him plainly; hence he intimated it to him indirectly.

¹⁵ Which is not a forbidden labor.

measure, lest he take it [the water of purification] and carry it four cubits in public ground.¹⁶ But according to Rabbi Eliezer, let us [indeed] carry it, for Rabbi Eliezer ruled: The necessary preliminaries to a mitzvah override the Shabbos? I will tell you: that is only when the man himself is fit [to perform the mitzvah] and the obligation lies upon him; but here that the man himself is not fit,¹⁷ the obligation does not lie upon him. (69a1 – 69a3)

Rabbah said: According to the words of Rabbi Eliezer,¹⁸ [if there is] a healthy infant,¹⁹ one may heat water for him to strengthen him and to circumcise him on the Shabbos, since it is fit for him. [If there is] a sickly infant,²⁰ one may not heat hot water for him to strengthen him and to circumcise him, since it is not fit for him.²¹ Said Rava: But if he is healthy, why does he need hot water to strengthen him? Rather, said Rava, all are regarded as invalids in respect to circumcision: both in the case of a strong infant or a sickly infant, one may not heat hot water for him to strengthen him and to circumcise him on the Shabbos,²² since it is not fit for him.

Abaye raised an objection against him: An [adult] uncircumcised person who did not circumcise himself [on Erev Pesach] is punished by kares;²³ these are the words of Rabbi Eliezer. Now here, though the man himself is unfit, yet he states that he is punished by kares, which proves that the obligation lies upon him.²⁴ — Said Rabbah: Rabbi Eliezer holds, One may not slaughter [the pesach sacrifice] and

sprinkle [its blood] for he who is tamei through a sheretz, and wherever an individual would be relegated [to Pesach Sheini], in the case of the community they keep [it] in tumah, and whatever is [obligatory] in the case of a community is [obligatory] in the case of an individual, and whatever is not [obligatory] in the case of a community is not [obligatory] in the case of an individual. [Hence as for the defect of] uncircumcision, where if the whole community are uncircumcised we say to them, 'Arise, circumcise yourselves, and sacrifice the pesach sacrifice, then an individual too, we say to him, 'Arise, circumcise yourself, and sacrifice the pesach sacrifice,' while if he does not circumcise [himself] and [does not] sacrifice he is punished with kares. But [in the case of] tumah, where if the whole community is tamei we do not sprinkle [the water of purification] upon them but they keep [it] in tumah, [therefore] an individual too is not culpable.²⁵

Rav Huna son of Rav Yehoshua said to Rava: Yet there is Pesach Sheini, which is not [practiced] in the case of a community, yet it is [practiced] in the case of an individual? — There it is different, replied he, because the community has [already] sacrificed at the first [Pesach].²⁶

An objection is raised: You might think that there is no penalty of kares [for neglecting to offer the pesach sacrifice] except if he [the delinquent] was tahir and was not on a journey afar off; how do we know it of an uncircumcised

¹⁶ Which is Scripturally forbidden.

¹⁷ Since he is tamei.

¹⁸ That wherever the man is unfit he has no obligation.

¹⁹ To be circumcised on the Shabbos. 'Healthy' means that he is strong enough to be circumcised even without bathing.

²⁰ I.e., one who is too weak to be circumcised in his present state unless he is first bathed.

²¹ For at present he is too weak; consequently, it is not our duty to strengthen him so that he should be immediately liable.

²² But the water must be prepared from the previous day.

²³ Because he could have circumcised himself after midday, when the pesach sacrifice is obligatory; hence he incurs kares for not partaking of the pesach sacrifice. He is not comparable to a tamei person or one who is on a distant journey, since they could not make themselves fit after midday, while before that there was as yet no obligation.

²⁴ Where it is possible to make the person fit. Hence haza'ah too should override the Shabbos, since a man is bound to make himself fit.

²⁵ This explains why a person who is tamei through a corpse need not purify himself, yet an uncircumcised person must circumcise himself. Thus: — the

whole community are not bound to purify themselves by sprinkling, even if the seventh day of their tumah falls on Erev Pesach, so that after haza'ah they would be tahir in the evening, when the pesach sacrifice is to be eaten. For he holds that if an individual is tamei through a sheretz and has not performed tevillah, though he can do so and be tahir in the evening, nevertheless the pesach sacrifice may not be slaughtered on his behalf; the same applies to he who is tamei through a corpse whose seventh day falls on Erev Pesach, though he too would be tahir in the evening if he were to be sprinkled during the day. Thus he must postpone his sacrifice for Pesach Sheini; and therefore by the rule stated, a community in like condition is not bound to purify itself but may sacrifice in tumah. Again, since the community need not purify itself by sprinkling, an individual is not obliged to either, for an individual has no obligation which is not likewise binding upon the community; consequently, since an individual is not bound to purify himself, he may not do so on the Shabbos. But if the whole community are uncircumcised, it is their duty to circumcise themselves on Erev Pesach, and therefore it is the duty of an individual too.

²⁶ Where, however, the community as a whole did not sacrifice at the first Pesach for some other reason of tumah than that of corpse tumah, there is no Pesach Sheini for individuals who are tamei through a corpse.

person and one who was tamei through a sheretz and all others who are tamei? Because it is stated, and the man [that is tahor etc.]. Now, since he seeks [a verse to teach the inclusion of] he who is tamei through a sheretz, he [evidently] holds: One may not slaughter [the pesach sacrifice] and sprinkle [its blood] for he who is tamei through a sheretz; for if one may slaughter and sprinkle, why seek [a verse] for him, [seeing that] he is indeed [identical with] a tahor person?²⁷ This proves that though he is not fit, the obligation is upon him [to make himself fit], and though this is not [so] in the case of a community,²⁸ yet it is [so] in the case of an individual? — Rather, said Rava: Rabbi Eliezer holds: One may slaughter and sprinkle for a man who is tamei through a sheretz, and the same law applies to a man who is tamei through a corpse on his seventh day;²⁹ then for what [purpose] is the haza'ah? for the eating³⁰ — [yet] the eating of the pesach sacrifice is not indispensable.³¹

Rav Adda bar Abba said to Rava, If so, it is found that the pesach sacrifice is slaughtered for those who cannot eat it? 'For those who cannot eat it' means for the infirm and the aged, he replied, since they are [physically] unfit; but this one is indeed fit, save that he is not made ready. (69a3 – 69b3)

Rabbi Akiva stated a general rule etc. Rav Yehudah said in Rav's name: The halachah is as Rabbi Akiva. And we learned similarly in respect to circumcision. Rabbi Akiva stated a general rule: No labor which can be performed on Erev Shabbos overrides the Shabbos; circumcision, which cannot be performed on Erev Shabbos,³² overrides the Shabbos; and Rav Yehudah said in Rav's name: The halachah is as Rabbi Akiva. Now [both] are necessary. For if he informed us [this] in connection with, the pesach sacrifice, [I would say,] it is only there that the necessary preliminaries of the mitzvah do

not override the Shabbos, because thirteen covenants were not made over it; but as for circumcision, over which thirteen covenants were made,³³ I would say that they [the preliminaries] override [the Shabbos]. While if he informed us [this of] circumcision, [I would argue,] it is only there that the necessary preliminaries of the mitzvah do not override the Shabbos, since there is no kares;³⁴ but as for the pesach sacrifice, where there is kares, I might argue: Let the necessary preliminaries override [the Shabbos]. Thus they are necessary. (69b3)

DAILY MASHAL

Should a person tell his Rebbi, "You yourself taught me this lesson," when his Rebbi forgot what he taught him?

The Gemora says that Rabbi Akiva did not originally tell Rabbi Eliezer that he himself had taught Rabbi Akiva a certain teaching. The Gemora asks, why didn't Rabbi Akiva tell him this originally? The Gemora answers that Rabbi Akiva thought that it was not respectful to do so. The Teshuvos b'Tzel ha'Chachma (3:20) says that we can deduce from the fact that the Gemora says "Rabbi Akiva thought" that it was not appropriate, that this was the personal opinion of Rabbi Akiva. In fact, Rabbi Akiva's friends thought otherwise, that he should have immediately told Rabbi Eliezer that he was just reinforcing an opinion that Rabbi Eliezer himself had taught him. Being that this led to Rabbi Eliezer cursing him that he will be killed, it is very possible that the appropriate course of action is in fact to tell one's Rabbi right away in such a situation that in fact he himself stated the opposite (of course, in a respectful manner). The b'Tzel ha'Chachma remains unsure as to the appropriate course of action in this case.

²⁷ For he could have the animal sacrificed by another, and he would be tahor in the evening to eat it. Hence he must hold that you cannot sacrifice for him whilst he is tamei, i.e., before he performs tevillah, yet even so he incurs kares since he could have performed tevillah.

²⁸ The community is not bound to perform haza'ah, even if it could, but sacrifices in tumah.

²⁹ If he held that you may not slaughter etc., then haza'ah would certainly be permitted on the Shabbos and obligatory too, notwithstanding that it is not

obligatory upon a community. Since he holds the reverse, however, the actual sacrificing is possible without haza'ah at all.

³⁰ He cannot eat of the pesach sacrifice, as indeed of all sacrifices, without previous haza'ah.

³¹ For the fulfilment of the mitzvah of the pesach sacrifice.

³² When the Shabbos is the eighth day from birth.

³³ In the passage enjoining circumcision upon Avraham and his descendants 'covenant' is mentioned thirteen times, which shows its great importance.

³⁴ If circumcision is postponed.