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Pesachim Daf 73

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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

**When the korban pesach is invalid on an Erev Pesach that falls on Shabbos, a person has transgressed Shabbos. [See INSIGHT below.]**

The Gemora asks, why is this considered transgressing Shabbos? The transgression of Shabbos must have a positive result to be considered transgressing Shabbos, or else it is considered ruining, which is only a Rabbinic prohibition! The Gemora answers that because the limbs of the korban may still stay on the mizbe’ach once they were put on, the person has effected a “kosher” development by slaughtering this korban, and is therefore considered as having transgressed Shabbos.

Rav Huna bar Chinena said to his son: When you go before Rabbi Zerika, ask him: According to the one who holds that he who causes damage through a wound is not liable, when we learned in the *Mishna*: if he slaughtered it for those who are not its eaters, he is liable, what positive value has he effected?

He answered: He effected that if they [the sacrificial parts] ascended [the top of the altar], they do not descend.

The next question was: The *Mishna* states: If he slaughtered it, and it was found to possess a blemish, he is liable; what positive value has he effected?

He answered: He effected something positive in the case of cataracts in the eye. This is in accordance with Rabbi Akiva, who maintained: If they [the emurim] ascended, they do not descend.

The next question was: The *Mishna* states: If he slaughtered it and it was found to be a tereifah internally, he is not liable. We may infer from here that if it is in an exposed part, he is liable; yet what has he effected?

He answered: He effected its removal from the state of neveilah.

Ravina asked: As to what was taught in a *braisa*: If one inadvertently slaughtered on *Shabbos* a *chatas* offering outside the Courtyard as a sacrifice to an idol, he is liable to three *chatas* offerings. [*He is liable for: 1. violating the Shabbos; 2. slaughtering a consecrated animal outside the Courtyard; 3. slaughtering to idols.*] What has he effected?

Rav Avira answered: Because he removes it from the status of a limb cut from a living animal.

If an *asham* is put out to pasture (*i.e. in a case where its owner died*) and it was then slaughtered as a *korban* without specific intent for what *korban* it

should be, it is valid (*as an olah, as this is its intended purpose*).

The *Gemora* asks: This implies that it is only true if it was officially put out to pasture and removed from being an *asham*. Why should it depend on whether or not it was removed?

The *Gemora* answers: When it is sacrificed immediately after atonement, it is preventively forbidden on account of when it is sacrificed like that even before atonement.

The *Gemora* proves this from that which we learned in a *Mishna*: An *asham*, whose owner had died or he received atonement through another one, is sent out to graze until it develops a blemish and they should then be sold, with the proceeds used for voluntary communal offerings. Rabbi Eliezer said: It should be left to die (*for it is likened to a chatas*). Rabbi Yehoshua said: The proceeds should be used by the owner to purchase an *olah* offering.

The *Gemora* infers that it is only with its money (that an *olah* may be purchased), but not it itself, because he preventively forbids it when sacrificed after atonement on account of when it is sacrificed before atonement. This indeed proves it.

**When a korban is integrally invalid, it is burned right away. When it is invalid due to an outside factor, it is first left overnight and only burned then.**

The braisa states that any korban which itself is invalid is burned right away. Rashi explains that this refers, for example, to korbanos that are pigul, impure, etc. However, korbanos that become invalid

because something happened to their blood or their owners, are only burned after being left out overnight. Rashi gives examples such as the blood having been spilled or the owner of a korban pesach dying before the sprinkling of the blood.

**A korban is not pushed aside from being a korban as long as it is alive.**

Rav holds that a korban can become invalid after it is slaughtered, but will not usually become totally invalid if it is still alive (and free of blemish). [Some exceptions apply. For example, if its owner died and it is a chatas or asham, it can no longer be brought as a korban and must be killed (chatas) or put out to pasture (possibly by asham).]

**If someone could have checked if a person he was slaughtering a korban pesach for was alive and did not do so, he has sinned if he brought it and the person was indeed dead.**

Rabbi Yishmael the son of Rabbi Yochanan ben Beroka says that a person who could check this out and does not has sinned unknowingly, and is obligated to bring a korban chatas if he brought the animal on Erev Pesach that fell on Shabbos. This is because the lack of his checking contains a measure of negligence.

## INSIGHTS TO THE DAF

The *Gemora* asks why our *Mishna* states that a korban pesach slaughtered on an Erev Pesach that falls on Shabbos for people who are not going to eat

it is considered transgressing Shabbos. The Gemora answers that because the limbs of the korban may still stay on the mizbe'ach once they were put on, the person has effected a "kosher" development by slaughtering this korban, and is therefore considered as having transgressed Shabbos.

The Maharsha asks an obvious question. Why did the Gemora specifically ask about the case where the korban was slaughtered for people who are not going to eat it? Why didn't it ask about someone who slaughtered the korban pesach with intent that it was another korban? The answer should apply to both cases, and this case is quoted earlier in the Mishna!

The Maharsha answers that someone who slaughters a korban pesach as a shelamim has at least insured that there will not be a prohibition of nosar for a longer amount of time (two days and one night) than there would be for a korban pesach (the next morning).

The Tzlach, however, argues with the Maharsha and says that when someone slaughters a korban that is ruled invalid, the prohibition of nosar does not even apply!

The Sfas Emes explains that the Maharsha and Tzlach are not arguing (in this point). Everyone agrees that there is no prohibition liable to be punished with Kares for eating a korban that is invalid and is nosar. However, the laws of nosar still apply, and therefore the meat should not be left longer than the amount of time a kosher korban of this type would be allowed to be eaten. This means that one is allowed to leave the meat until the time when it would become nosar.