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Pesachim Daf 85

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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. Pigul and nosar cause people hands to become impure.

The Mishna later (120b) makes this statement, and our Gemora states why the Rabbanan declared that this should be the law. The reason they declared this should be the case by pigul is in order to deter kohanim from causing a korban (of their enemies) to become pigul. Being that they will have to immerse their hands before touching other kodesh, they will not do so. The reason they declared this should be the case by nosar is in order to make sure the kohanim eat the korbanos, and not let them become nosar.

2. It is prohibited to bring meat from a korban pesach from one group to another.

The verse states, “Do not take out from the meat outside.” The Beraisa states that this not only means that one cannot take the meat outside of a house where it is being eaten, but even to take it from the area where one group is eating to where another group is eating within that house is forbidden.

3. The same laws that apply to carrying on Shabbos apply to transporting meat of a korban pesach.

Rabbi Ami says that just as on Shabbos one has only transgressed the Torah prohibition of carrying if he has done an “akirah” -- “uprooting (taking something from

its place)” and a “hanachah” -- “placing down,” so too he only transgresses bringing meat from one group to another if he carries in this fashion. This is derived from the fact that the same term “taking out” is used by Shabbos and transporting meat of the korban pesach.

4. There is an argument regarding whether or not a person who stands outside the doorway of a shul is considered as part of the congregation.

Rav Yehuda says in the name of Rav that someone who stands outside the doorway is not considered part of the congregation (for tefila b’tzibur). This is similar to the law in our Mishna, which states that someone who stands outside the gateway is no longer considered to be in Yerushalayim. However, the Gemora says that this argues on Rabbi Yehoshua ben Levi who says that even an iron wall does not separate between Jews and their Father in Heaven.

5. The gate of Yerushalayim is considered outside Yerushalayim, while the gates of the Beis Hamikdash are considered inside the Beis Hamikdash, besides for the gate of Nikanor.

The Gemora says that the gates of Yerushalayim were not made holy, because there were lepers and others who used to go under the gateway for shelter. The gates of the Beis Hamikdash were holy besides for the

gate of Nikanor where the lepers use to place their big fingers and toes for the sprinkling of the blood.

INSIGHTS TO THE DAF

The Mishna states that pigul causes one's hands to become impure. The reason they declared this should be the case by pigul is in order to deter kohanim from causing a korban (of their enemies) to become pigul. Being that they will have to immerse their hands before touching other kodesh, they will not do so.

Tosfos points out that causing one's korban to become pigul is a serious sin. If they are already sinners, why would they care about serving when impure? Tosfos answers that although these Kohanim were sinners, they were more stringent when it came to becoming impure.

Tosfos references a Gemora in Yoma (23a) to this effect. The Gemora mentions how two kohanim were having a race up the ramp of the mizbe'ach in order to determine who would do the service of the Beis Hamikdash that day. When one saw the other might get ahead of him, he took out a knife and killed him. When the kohen was still writhing in his death throes, the victim of the father came and said that they should take the knife away as he still was alive and did not yet make it impure. The Gemora says that this shows that they were more concerned about impurity than the actual murder.

LIVING ABOVE THE SHUL

In our sugya, we find a discussion whether the roofs and second stories above the Beis HaMikdash were sanctified with the kedusha of the Beis HaMikdash. The Gemara concludes that the roofs above the various chambers of the courtyard (*azara*) were not sanctified,

but the roof above the Heichal (which housed the Aron Kodesh and Menora) was sanctified.

The Poskim apply this discussion to the roofs and second stories above shuls. Are they sanctified with the kedusha of the shul? If so, perhaps it is forbidden to live in an apartment above a shul.

R' Meir of Rottenburg (cited in Mordechai, Shabbos 228) compares our shuls to the chambers of the courtyard of the Beis HaMikdash. Therefore, the floor above the shul is not sanctified, and it is permitted to live there. Nevertheless, one should not perform functions there that would be disrespectful to the sanctity of the shul below. The Mordechai himself, however, questions whether our shuls are more comparable to the Heichal, since they are now the dwelling place of the Shechina, as long as the Beis HaMikdash is in ruins. If so, it is forbidden to live on the floor above a shul (both opinions are cited by Beis Yosef O.C. 151).

The Shulchan Aruch (O.C. 151:12) rules: "One should be careful not to use the floor above a shul consistently for a disrespectful function. It is questionable whether other functions may be performed there." He did not wish to decide between these two opinions.

The Maharit (II, Y.D. 4) challenges the entire comparison between the roofs and second floors above the Beis HaMikdash, and those above our shuls. The roof over the Heichal was not sanctified because of the Heichal beneath. Rather, it itself was considered part of the Heichal and therefore sanctified in its own right. The same cannot be said of the floor above a shul; it is not considered part of the shul. Furthermore, the holiness of the Beis HaKnesses is less than that of the Beis HaMikdash.

The Chasam Sofer (Teshuvos, O.C. 30), on the other hand, accepts the comparison. He also offers another reason why the roofs of our shuls are more comparable to the roof of the Heichal, than to the roof of the chambers around the courtyard. The animal korbanos were offered in the courtyard, which had no roof. The surrounding chambers served only to house the wood for the mizbei'ach, the clothes for the kohanim, and so on. Since korbanos were not offered in these chambers, their roofs were not sanctified. The Heichal, on the other hand, housed the Mizbei'ach HaZahav, where the ketores was offered. Therefore its roof was sanctified. The same can be said of our shuls. They are the place where we offer Hashem our prayers, which come in place of the korbanos. The roofs of the shuls are sanctified, just like the roof of the Heichal.

Moving a shul into the first floor: The Rema writes that this discussion refers only to a building that was initially constructed to be a shul, and then someone decided to build an apartment on top. If a two-story building was constructed and then the bottom floor was designated as a shul, it is permitted to live on top and even perform disrespectful functions there.

The Taz adds that when a two-story building is made with intention that the first floor be a shul and the second floor an apartment, it is also permitted to live there and perform slightly disrespectful functions. However, one should be careful that terribly disgraceful things not be brought there, such as idolatry or a bathroom, which would prevent the prayers from ascending. In any case, if one does have an apartment above a shul, he should conduct himself with the utmost cleanliness.

The Taz also relates a tragic incident that occurred to him when he lived in Krakow. During that time he lost a son, and he attributed it to his having lived above the shul. The Knesses HaGedola also writes that people who live above shuls, "did not see good from it." The Magen Avraham writes, "a person should guard his soul, and not rely on the Rema's leniency."

A Ground Floor Apartment in Yerushalayim

by: Meoros HDaf HaYomi

In our sugya, Rav says that one may not eat the Korban Pesach on the second floor, since the roofs and second floors of houses in Yerushalayim were not sanctified with the kedusha of Yerushalayim.

Forcing one's spouse to move to Yerushalayim: The holiness of Yerushalayim is so great, and the advantage of living there so pronounced, that one can force his or her spouse to move there (Kesubos 110b). According to the Tashbatz (III, 201) this applies even today, though there is no Beis HaMikdash. According to the Pri Ha'Aretz (III, Y.D. 7) a person may not leave Yerushalayim to live elsewhere without pressing reason, just as one may not leave Eretz Yisrael.

In light of these opinions, The Tzitz Eliezer (XIV, 52) was once asked if this applies specifically to a ground floor apartment in Yerushalayim. Since the roofs and second floors were not sanctified, perhaps there is no advantage to living there over living elsewhere in Eretz Yisrael.

The Tzitz Eliezer rejected this conclusion, by distinguishing between two different aspects of the kedusha of Yerushalayim. The korbanos may only be eaten in a place conquered by Bnei Yisrael, and

sanctified through their conquest. However, the eternal holiness of Yerushalayim, which Hashem bestowed upon it, rests on every area therein. It is because of this holiness that we are so encouraged us to live in Yerushalayim.

Furthermore, it is not clear that Rav's opinion is accepted in halacha. The Rashba (Teshuvos I, 34) rules that one may not slaughter a korban on the second floor of the *azara*, or eat *kodashei kodashim* korbanos there. The Korban Pesach is classified as *kodashim kalim*, which the Rashba implies may be eaten on the second floor. The Minchas Chinuch (362) also rejects Rav's ruling, and concludes that the second floors and roofs were sanctified.

Many Acharonim, including the Minchas Chinuch and the Or Samei'ach, understood from the Rambam (Beis HaBechira 6:7) that although the roofs of the courtyard were not sanctified with the kedusha of the Beis HaMikdash, the roofs of Yerushalayim were sanctified with the kedusha of Yerushalayim.

DAILY MASHAL

Insights into Hallel on Pesach Night

When our Sages made the order of the Pesach Seder, they placed the meal in between two halves of Hallel. This was in order to teach us that we must eat like we pray, with holy thoughts and joyous thanksgiving to Hashem (Imrei Emes of Ger, Likutei Yehuda, Haggada shel Pesach 110). Just as the food we eat gives strength and life to our bodies, our prayers and mitzvos give strength to our souls. For this reason, we eat the Korban Pesach in the middle of Hallel (R' Tzadok HaKohen of Lublin, Resisei Layla 34).

The Chiddushei HaRim would say a parable in the name of the Baal Shem Tov, to explain why we eat a festive meal on Seder night. Once there was a prince who was captured and sent into exile to a city far away from his home. Years later, he received a secret message from his father the king that a rescue attempt was underway and if all went well he would soon be redeemed. The prince's joy knew no bounds. He wanted to dance and sing over the good news, but was afraid that his captors would see and be suspicious, and his rescue would be jeopardized. Instead, he invited all the other people in the work camp to join him for a round of drinks. After they had all drunk, they began to laugh and sing. The prince sang too, but his song was of entirely different nature. He sang for joy over his impending liberation, while they sang with drunken delirium. The guards could not tell the difference, so they let the prince sing and dance as he liked, until finally the king came to redeem him.

The same is true on Pesach night. We want to rejoice with the knowledge that Hashem will redeem us from Golus, but the coarse physicality of our bodies restricts us. Therefore, we give our bodies a good meal of meat and wine in order that it may also rejoice, and let the neshama rejoice with Hashem.

The Chiddushei HaRim would add that the parable is not exactly similar. In the parable, the drunken peasants rejoiced over nothing more than a cup of liquor. On Seder night, the body is so uplifted by the Yom Tov Seuda that it joins together with the neshama to rejoice over the Simchas Yom Tov.