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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Mishna

Rabbi Tarfon said: If he cooked in it since the beginning of the festival, he may cook in it throughout the festival (*and then he will be required to purge and rinse it*). But the Sages, however, say: Until the time of eating he should purge and rinse. [*The Gemora will explain that statement.*] “Purging” is as the purging of a cup, and “rinsing” is as the rinsing of a cup. [*The “cup” of wine used after Birchas Hamazon is washed on the inside and outside before being filled up.*] The purging and the rinsing is done with cold water. The spit and the grill (*which were used for the meat from the sacrifices*) are purged in hot water. (96b – 97a)

Purging by the Festival

The *Gemora* explains Rabbi Tarfon’s reasoning: It is based upon the verse: *and you may turn back in the morning (which cannot be referring to the next morning, for it is still Yom Tov) and go to your tents*. The Torah considers all the days of the festival as if they were one (*and just as the commandment of purging and rinsing is at the end of an ordinary day, so too here, it is upon the conclusion of the festival*).

Rav Achadvoi bar Ammi asked: And is there no *piggul* (*beyond its time intent*) during a festival (*if all the days are regarded as one*), and is there no *nossar* during a festival?

The *Gemora* answers: It is based upon the following reason given by Rav Nachman in the name of Rabbah bar Avuha: Since the vessels were used every day, it was considered a purging with respect to the absorptions from the preceding day. (97a)

Purging and Rinsing

The *Mishna* had stated: But the Sages, however, say: Until the time of eating he should purge and rinse.

Rav Nachman said in the name of Rabbah bar Avuhah: He must wait as long as the offering may be eaten, and then (*when it becomes nossar*) purge and rinse it.

The *Mishna* had stated: “Purging” is as the purging of a cup, and “rinsing” is as the rinsing of a cup.

The *Gemora* cites a *braisa*: Purging and rinsing are done with cold water; these are the words of Rebbe; but the Sages hold: Purging is done with hot water, and rinsing is done with cold water.

The reason of the Sages is because it is comparable to the purging of idolaters’ vessels (*which must be done through fire or boiling hot water*). And Rebbe will tell you that he was not speaking of the purging (*which must be done with hot water in order to remove the nossar absorptions*); he was speaking about the purging and rinsing (*as a special mitzvah – done with cold water*) after the purging (*with the hot water*). And the Sages say that by the fact that the Torah wrote purging and rinsing, and not purging and purging, or rinsing and rinsing, this informs us that purging is done with hot water and rinsing is done with cold water. Rebbe says that it is written in that manner to inform us that purging must be as the purging of a cup (*washing with cold water on the inside*), and rinsing must be as the rinsing of a cup (*washing with cold water on the outside*). (97a)



Mishna

If one cooked sacrifices and *chullin* in it, or meat of *kodshei kodashim* with meat of *kodashim kalim*; if they were sufficient to impart their flavor (*into the other one*), the less stringent must be eaten like the more stringent of them (*if shelamim and chullin were cooked together, the chullin must be eaten inside Yerushalayim, and for two days only; if meat of kodshei kodashim was cooked together with meat of kodashim kalim, the kodashim kalim must be eaten in the Courtyard, on the same day, and by male Kohanim only*); but they do not require purging and rinsing (*which will be explained in the Gemora*); and they do not disqualify through contact (*which will also be explained*). If an disqualified wafer *minchah* came into contact with a qualified wafer, or an disqualified piece of meat came into contact with a qualified piece of meat - not the entire wafer or the entire piece of meat is forbidden; only the part that absorbed (*from the disqualified one*) is forbidden. (97a)

Acquiring Status of Kodashim

The *Gemora* explains the *Mishna* to mean as follows: If they were sufficient to impart their flavor, the less stringent must be eaten like the more stringent of them, and they require purging and rinsing (*at the time that the stricter one can no longer be eaten*), and they disqualify through contact (*that if the stricter one was disqualified and came into contact with a lenient one, the lenient one acquires the status of the stringent one and disqualifies other foods*). If they were insufficient to impart their flavor into the other, it is not necessary to eat the less stringent one like the more stringent; and they do not require purging and rinsing, and do not disqualify through contact.

The *Gemora* asks: Granted that they do not require purging and rinsing as *kodshei kodashim*, yet it should be required for them as *kodashim kalim*!?

Abaye answers: It means that they do not require purging and rinsing as *kodshei kodashim*, yet they do require purging and rinsing as *kodashim kalim*,

Rava said: This is following the viewpoint of Rabbi Shimon, who maintains that *kodashim kalim* do not require purging and rinsing.

The *Gemora* cites a *braisa*: *Whatever shall touch (... shall be holy)*. You might think (*that it becomes like the chatas with mere contact*) even if it did not absorb; therefore it is written: *in its meat*, which indicates that it must be absorbed in its meat. You might think that if it touched part of a piece of meat, the entire piece is disqualified; therefore it is written: *Whatever shall touch*; only that which it touches becomes disqualified. This means that the part which absorbed is cut away. In its meat: but not the sinews, bones, horns or hoofs. *Shall be holy*: it should become like the *chatas* which touched it, so that if the *chatas* is disqualified, that which touches it becomes disqualified; while if it is qualified, it may be eaten only in accordance with its stringencies.

The *Gemora* asks: Why is this so? Let the positive commandment (*of eating the sacrificial meat*) come and override the negative prohibition (*against eating disqualified meat*)!?

Rava answered: A positive commandment does not override a negative prohibition in the Temple. For it was taught in a *braisa*: *You shall not break a bone of the pesach offering*. Rabbi Shimon ben Menasya said: This refers to both a bone which contains marrow and a bone which does not contain marrow. Yet why is this so? Let the positive commandment come and override the negative prohibition? It may be inferred from here that a positive commandment does not override a negative prohibition in the Temple.

Rav Ashi answers: *It shall be holy is also a positive commandment*. Accordingly, there is a positive and a negative injunction, and a positive commandment cannot override a positive and a negative injunction together.



The Gemora asks: We have found that a *chatas* sanctifies that which touches it through absorption; how do we know this of other sacrifices?

Shmuel said in the name of Rabbi Elozar: *This is the law of the olah, of the minchah, and of the chatas, and of the asham, and of the inauguration offering, and of the shelamim.*

Sacrifices are compared to an *olah* with regard to a utensil: just as an *olah* requires a utensil, so all sacrifices require a utensil. What utensil is he referring to? It cannot mean a basin (*to accept the blood*), for in respect of a communal *shelamim* as well it is written: *And Moshe took half of the blood, and put it in basins!* Rather, it is referring to a knife (*and not any other sharp implement*). And how do we know that a knife is necessary to slaughter an *olah* itself? It is because it is written: *And Avraham stretched forth his hand, and took the knife to slaughter his son;* and there, it (*Yitzchak*) was an *olah*, as it is written: *And he offered it up for an olah instead of his son.*

Offerings are compared to a *minchah* with regard to the following: just as a *minchah* offering may be eaten only by male *Kohanim*, so all (*other offerings, where the Torah does not specify its eligible eaters*) may be eaten only by male *Kohanim*. The Gemora notes that there are other Scriptural verses which teach us that *chatas*, *asham* and communal *shelamim* offerings may be eaten only by male *Kohanim*. The Gemora concludes that the source for these *halachos* is a matter of *Tannaic* dispute. (97a – 98a)

DAILY MASHAL

Positive Commandment does not Override a Negative Prohibition in the Temple

The Gemora (kesuvos 40a) states that a positive commandment can override a prohibition that carries with it a standard punishment.

The Gemora provides an example for this: The positive commandment of performing circumcision overrides the negative commandment of cutting off *tzaraas*.

My brother, Reb Ben cites the opinion of Rabbeinu Nisim Gaon, who writes the following: Many people cast doubt on this precept, as we know that a negative commandment is more stringent than a positive commandment, so why should a positive commandment supersede a negative commandment? Rabbeinu Nisim answers that a positive commandment is set, and if there is a negative commandment, the negative commandment only functions if there is no contradiction to the positive commandment. This is what Hashem decreed, that the positive commandments remain in place, and the negative commandment only functions if there is no contradiction to the positive commandment. The Ramban, however, writes that the reason a positive commandment supersedes a negative commandment is because in reality, a positive commandment is greater than a negative commandment. A positive commandment is a reflection of the love Hashem has for us, because one who fulfills the instructions of his master is beloved by his master and the master will have compassion on him. A negative commandment, however, is a reflection of Hashem's Attribute of Judgment, and stems from fear. Since love is greater than fear, the Torah states that a positive commandment supersedes a negative commandment.

Reb Yosef Engel explains that this is the reason why our Gemora states that a positive commandment does not override a negative prohibition in the Temple. The Yerushalmi in Brachos states that fear of Hashem stems from the Temple. This is why Yirmiyah said, "*ha-Kel ha-Gadol ha-Gibor,*" but not, "*v'ha-Nora,*" for there cannot be true fear of Hashem after the destruction of the Temple. Accordingly, in the Temple, a positive commandment, which is based upon love, cannot override a negative prohibition, which is based upon fear. In the Temple, a place where the fear of Hashem is amplified, a negative injunction cannot be overridden.



Based on this premise, the Meshech Chochmah explains that one who violates a negative commandment deserves a greater punishment than one who does not fulfill the will of Hashem. Nonetheless, since it is the will of Hashem that one observes both positive and negative commandments, one who fulfills a positive commandment demonstrates his love for Hashem. One who does not violate a negative commandment, however, merely demonstrates that he is afraid and nothing more. For this reason, the Torah states that a positive commandment supersedes a negative commandment. An example of this is one can wear *tzitzis* with *techeiles* on a garment of linen, as the positive commandment of wearing *tzitzis* supersedes the negative commandment of *shaatnez*. The reason for this is that one who wears *shaatnez* does not transgress the will of Hashem. In fact, the opposite is true, as by donning *tzitzis*, he is fulfilling the will of Hashem.

In regards to the question: Why is it that a positive commandment overrides a prohibition and yet the punishment for transgressing a prohibition is much more severe than the punishment for not fulfilling a positive commandment?, [Reb Yossie Schonkopf](#) said over a parable from his Rebbe: A trucker is hired to transport a load across the country and the owner warns him not to go beyond the speed limit, not to crash the vehicle and to follow all the road instructions. If the trucker does everything perfectly but doesn't unload the goods at his destination; rather, he arrives at the destined location and immediately turns around carrying the same load, what is accomplished by the fact that the trucker obeyed the speed limit and followed all the rules?

The meaning is as follows: Our mission in life is to accomplish in this world and 'build the love towards HaShem,' therefore, this building overrides the transgressions. The prohibitions are only there to protect what has been built and not to suffocate the building.

This concept is elucidated by the Ramban in Parshas Yisro. He states that the fulfillment of a positive commandment is based on *ahavas HaShem*, loving HaShem and refraining from committing a transgression is based on *yiras HaShem*, fearing HaShem. It is a higher level to serve HaShem through love, but it is worse to violate a prohibition, which is based upon fearing HaShem.

My brother, Reb Ben asked a similar question: The *Gemora* states that a positive commandment will override a negative commandment when both commandments are performed simultaneously. It is noteworthy that the *Gemora* in Sotah states that a *mitzvah* cannot extinguish an *aveirah*, a sin, yet an *aveirah* can extinguish a *mitzvah*. Apparently, the principle that a positive commandment can override a negative commandment is not a contradiction to this *Gemora*. Perhaps the idea is that when one performs an *aveirah* intentionally, he has rebelled against HaShem, and it is not possible for one to appease HaShem with a *mitzvah* when he has just committed an act of rebellion. When one is simultaneously overriding the negative commandment by performing a positive commandment, however, he is demonstrating that he is fully aware that he is performing a negative commandment, yet he is permitted by the Torah to override the negative commandment. This principle allows him to perform the positive commandment and be rewarded for its performance.

Haga'alah Every Day

The Gaon of Tchebin zt"l asked why the Jews didn't perform *haga'alas keilim* after the giving of the Torah, as their utensils had absorbed forbidden foods. He answered that, at any rate, they had to perform *haga'alah* every day throughout the 40 years that they stayed in the desert. After all, they were commanded not to leave the manna that fell each day till the following morning. The manna was absorbed by their utensils and the latter then needed *haga'alah* each day (*Sefer HaZikaron "Zera Beirach"*).