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Pesachim Daf 96

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Rabbi Zeira asked: Where did they burn the eimurim of the pesach-offering of Egypt?<sup>1</sup> -Said Abaye, And who is to tell us that it was not prepared roasted? Moreover, surely Rav Yosef taught [a Baraisa]: Three altars were there [for the sprinkling of the blood] viz., the lintel and the two doorposts.<sup>2</sup> Further, was there nothing else?<sup>3</sup> (96a1)

MISHNAH: What is the difference between the Pesach offering of Egypt and the Pesach offering of later generations? The Pesach offering in Egypt was taken on the tenth of Nissan, its blood required sprinkling with a bundle of hyssop on the lintel and on the two doorposts, and it was eaten in haste during one night; whereas the Pesach offering of later generations is kept the entire seven days. (96a1)

The *Gemora* cites the source: From where do we know it? It is because it is written: Speak to all the congregation of Israel, saying: in the tenth day of this month they shall take [to them each man a kid]: the taking of this one was on the tenth, whereas the taking of the Pesach offering of later generations is not on the tenth.

The *Gemora* asks: If so, when it is written: And it shall be yours to guard until the fourteenth day of this month, should we derive from there as well that this requires a four days' examination (that it does not contain a blemish) before slaughtering, but no other requires examination? Surely Ben Bag Bag said in a *braisa*: From where do we know that the lamb used for the *tamid* offering must be examined four days before the slaughtering? It is because it is written (*regarding*

*the tamid offering*): You shall guard, to offer it to Me in its appointed time, and it is written (*regarding the pesach sacrifice*): And it shall be yours for a guarding until the fourteenth day of the month: just as in the latter case the lamb was examined four days before the slaughtering, so too in the former case, the lamb must be examined four days before the slaughtering?

The *Gemora* answers: There it is different, because *tishmeru* [And it shall be yours to guard] is written (and a *gezeirah shavah* taught that it requires examination).

The *Gemora* asks: And regarding the Pesach offering of generations, it is indeed written: then you shall keep this service in this month, which intimates that all the services of this month (in later generations) should be like this.

The *Gemora* answers: The word 'this' is to exclude the second Pesach, which is like itself (that it only lasts for one day).

The *Gemora* asks: But if so, when it is written: and they shall eat the flesh in this night; does that too teach us that this is eaten at night, but another is not eaten at night (and we know this is false, for the Pesach of posterity is eaten at night as well)?

The *Gemora* answers: It is written: then you shall perform this service (indicating that all the services performed in this month should be the same).

<sup>1</sup> As there was no mention made of an altar there.

<sup>2</sup> I.e., there were three places for the sprinkling of the blood, corresponding to the altar in the Temple. But there was no altar for the burning of the eimurim.

<sup>3</sup> In which the pesach-offering in Egypt differed from those offered in the Temple. Surely there were many points of difference (see next Mishnah): why then assume that in this respect they were alike?

The *Gemora* asks: Then what is the purpose of ‘this’?

The *Gemora* answers: It is required for the exposition of Rabbi Elozar ben Azaryah and Rabbi Akiva.<sup>4</sup> (96a2 – 96a3)

The *Gemora* asks: But if so, when it is written: But no uncircumcised person shall eat of it; does that too teach us that he may not eat ‘of it,’ yet he may eat of the Pesach offering of later generations?

The *Gemora* answers: No, for it is written: Then you shall perform this service (indicating that all the services performed in this month should be the same).

The *Gemora* asks: Then what is the purpose of ‘of it’?

The *Gemora* answers: It teaches us that an uncircumcised man cannot partake in the Pesach offering, but he eats *matzah* and *marror*.

The *Gemora* asks: But if so, when it is written: No stranger shall eat of it; is it the case there too that he must not eat of it, yet he eats of the Pesach offering of later generations?

The *Gemora* answers: No, for it is written: Then you shall perform this service (indicating that all the services performed in this month should be the same).

The *Gemora* asks: Then what is the purpose of ‘of it’?

The *Gemora* answers: It teaches us that apostasy is disqualified from the Pesach offering, but he is not disqualified from eating *terumah*. (96a3)

The Torah wrote that an uncircumcised man, and an apostate may not eat from the korban Pesach. The *Gemora* states that

<sup>4</sup> Rabbi Elozar ben Azaryah says that the verse which says that they must eat the meat *balayla hazeh – on this night*, teaches that one must eat it until midnight. Rabbi Akiva says that without this word, we may have thought that one may eat the Pesach on the following night as well, similar to a *shelamim*, which is eaten on the day it is offered and the next day.

both verses are necessary. If the Torah would only have written the law regarding an uncircumcised man, I would have thought that he is disqualified because he is repulsive, however, an apostate, who is not repulsive, I would think that he is not disqualified. If the Torah would only have written the law regarding an apostate, I would have thought that he is disqualified because his heart is not devoted to Heaven, however, an uncircumcised man, who is devoted to Heaven, I would think that he is not disqualified. It emerges that both verses are necessary. (96a3 – 96a4)

The *Gemora* asks: But if so, when it is written: A sojourner [toshav] and a hired laborer [sachir] shall not eat of it; does that too intimate that he must not eat of it, but he does eat of the Pesach of posterity?

The *Gemora* answers: No, for it is written: Then you shall perform this service (indicating that all the services performed in this month should be the same).

The *Gemora* asks: Then what is the purpose of ‘of it’?

The *Gemora* answers: It teaches us that apostasy is disqualified from the Pesach offering, but he is not disqualified from eating *terumah*.<sup>5</sup> (96a4)

The *Gemora* asks: But if so, when it is written: when you have circumcised him, then shall he eat of it; does that too intimate that he (whose sons and slaves were not circumcised) must not eat of it, but he does eat of the Pesach of posterity?

The *Gemora* answers: No, for it is written: Then you shall perform this service (indicating that all the services performed in this month should be the same).

The *Gemora* asks: Then what is the purpose of ‘of it’?

<sup>5</sup> Rashi writes that this question and answer should be stricken from the *Gemora*, for the verse is not referring to apostasy at all, and we have already learned this above.



The Gemora answers: It teaches us that the circumcision of his male children and slaves is required for him to partake in the Pesach offering, but the circumcision of his male children and slaves is not required for him to eat *terumah*. (96a4)

The *Gemora* asks: But if so, when it is written: And they shall not break a bone of it; does that too intimate that he may not break a bone of it, but he may break a bone of the Pesach of posterity?

The *Gemora* answers: No, for it is written: Then you shall perform this service (indicating that all the services performed in this month should be the same).

The *Gemora* asks: Then what is the purpose of 'of it'?

The Gemora answers: It teaches us that the prohibition applies to a valid sacrifice, but not of an invalid one. (96a4)

The *Gemora* asks: But if so, when it is written: You shall not eat of it partially roasted; does that too intimate that 'of it' you may not eat partially roasted, but you may eat partially roasted of the Pesach of posterity?

The *Gemora* answers: No, for it is written: Then you shall perform this service (indicating that all the services performed in this month should be the same).

The *Gemora* asks: Then what is the purpose of 'of it'?

The *Gemora* answers: It is for the teaching of Rabbah in Rabbi Yitzchak's name (that *ma'aser sheini* is like the Pesach offering, and cannot be eaten by an uncircumcised person). (96a4 – 96a5)

<sup>6</sup> When an animal is dedicated for a sacrifice, another must not be declared as a substitute for it; if it is, both animals are holy, the holiness of the second being of the same nature as that of the first. But the substitute of a pesach-offering cannot be offered as such, but must be kept until after the Festival. Normally if a pesach-offering is not sacrificed at the proper time, e.g., if it was lost, it is subsequently sacrificed as a shelamim-offering.

<sup>7</sup> As a shelamim-offering, after Pesach.

And was eaten in haste etc. How do we know it? - Because Scripture said, and you shall eat it in haste: 'it' was eaten in haste, but no other was eaten in haste. (96a5)

And the annual pesach-offering is kept the whole seven [days] etc. To what does this refer? If we say, to the pesach-offering, — is there then a pesach-offering all the seven [days]? — Rather [it must refer] to chametz. Hence it follows that at the Pesach of Egypt [chametz was forbidden] one night and no more; but surely it was taught, Rabbi Yosi HaGelili said: How do we know that at the Pesach of Egypt the [prohibition of] chametz was in force one day only? Because it is said, There shall be no chametz eaten and in proximity [to that] is written, This day you go forth! - Rather this is its meaning: [The pesach-offering is kept] one night, and the same law applies to the annual pesach-offering; while [the prohibition of] chametz [was in force] the whole day, whereas at the pesach-offering of [subsequent] generations [the prohibition of chametz] holds good for the entire seven [days]. (96a5 – 96b1)

MISHNAH: Rabbi Yehoshua said: I have heard [from my teachers] that the substitute [temurah] of a pesach-offering<sup>6</sup> is offered,<sup>7</sup> and that the substitute of a pesach-offering is not offered,<sup>8</sup> and I cannot explain it.<sup>9</sup> Said Rabbi Akiva, I will explain it: the pesach-offering which was found before the slaughtering of the pesach-offering must be left to graze until it becomes unfit,<sup>10</sup> be sold, and one brings a shelamim-offering for its money; and the same applies to its substitute. [If found] after the slaughtering of the pesach-offering, it is offered as a shelamim-offering, and its substitute likewise.<sup>11</sup> (96b1)

<sup>8</sup> As a shelamim-offering, but must graze until it becomes blemished, whereupon it is redeemed.

<sup>9</sup> When it is offered and when it is not.

<sup>10</sup> Through a blemish.

<sup>11</sup> The animal originally dedicated for the pesach-offering was lost, and another was dedicated in its stead. Now if it was found again before the second was slaughtered or before the time of slaughtering the pesach-offering in general (the exact meaning is disputed in the Gemara), the fact

GEMARA: But let him say, The pesach-offering is offered, and the pesach-offering is not offered?<sup>12</sup> - He informs us this, [viz.,] that there is a substitute of a pesach-offering which is not offered [as a shelamim-offering].<sup>13</sup> (96b1)

It was stated: Rabbah said: We learned, Before slaughtering and after slaughtering;<sup>14</sup> Rabbi Zeira maintained: We learned, Before midday and after midday.<sup>15</sup> But according to Rabbi Zeira, surely he teaches, before the slaughtering of the pesach-offering? - Say: before the time of the slaughtering of the pesach-offering.

This is dependent on Tannaim: The pesach-offering which is found before slaughtering must graze [etc.]; [if found] after slaughtering, it is offered. Rabbi Eliezer said: [If found] before midday it must graze [etc.]; after midday, it is offered. (96b1 – 96b2)

[If it is found] after the slaughtering of the pesach-offering, he brings it as a shelamim-offering etc. Rava said: They learned this only if it was found after the slaughtering and he substituted [another] for it after the slaughtering. But if it was found before the slaughtering while he substituted [another] for it after the slaughtering, its substitute derives from the power of rejected sanctity, and it cannot be offered.<sup>16</sup> Abaye raised an objection against him: If [he brings] a lamb [for his offering' etc.]: for what purpose is 'if [he brings] a lamb' stated? To include the substitute of a

that it was present at the time of slaughtering stamps it as a pesach-offering, and by not slaughtering it, one has rejected it, as it were, with his own hands. Consequently, it can no longer be offered itself, but must be sold, etc. If after finding it he substituted another animal for it, that too is governed by the same law. But if it was found after the second was slaughtered, the time of the slaughtering has not stamped it with the name of a pesach-offering, nor has it been rejected therefrom. Consequently, it is brought itself after the Festival as a shelamim-offering.

<sup>12</sup> Why does Rabbi Yehoshua speak about the substitute of a pesach-offering: surely he could say the same about the pesach-offering itself?

<sup>13</sup> For I might otherwise think that since the substitute cannot be sacrificed as a pesach-offering, it is as though he dedicated it in the first place for a shelamim-offering, and therefore must itself be offered as such in all cases, irrespective of what happens to the original. Hence he informs us that where the original cannot be offered, the substitute too cannot be offered.

<sup>14</sup> I.e., if it was found before or after the second was actually slaughtered.

<sup>15</sup> The time for slaughtering the pesach-offering is from midday until evening. Rabbi Zeira maintains that if it is still unfound by

pesach-offering after Pesach, [teaching] that it is offered as a shelamim-offering. How is it meant? If we say that it was found after the slaughtering and he substituted [another] for it after the slaughtering, then it is obvious:<sup>17</sup> why do I require a verse? Hence it must surely apply where it was found before slaughtering and he substituted [another] for it after slaughtering?<sup>18</sup> — No; in truth it applies where it was found after slaughtering and he substituted [another] for it after slaughtering, while the verse is a mere support.<sup>19</sup> Then for what [purpose] does the verse come? - For what was taught: '[If he brings] a lamb [etc.]': this is to include the pesach-offering, in respect of its fat tail.<sup>20</sup> When it is stated, 'If [he bring] a lamb,' this is to include [an animal] more than a year old [dedicated for] a pesach-offering and a shelamim-offering which comes in virtue of a pesach-offering, in respect of all the regulations of the shelamim-offering, [viz.,] that they require laying [of the hands], libations, and the waving of the breast and shoulder. Again, when it states, and if [his offering be] a goat, it breaks across the subject [and] teaches of a goat that it does not require [the burning of the] fat tail [on the altar].<sup>21</sup> (96b2 – 96b3)

Others recite it [Rava's dictum] in reference to the first clause: The pesach-offering which was found before the slaughtering of the pesach-offering must graze until it becomes unfit, be sold, and one brings a shelamim-offering for its money, and the same applies to its substitute. Said Rava, They learned [this] only where it was found before the

midday, it can no longer be stamped as a pesach-offering even if it is found before the second is actually slaughtered, and therefore is subsequently sacrificed itself as a shelamim-offering.

<sup>16</sup> I.e., since the original is rejected, the substitute is in the same position.

<sup>17</sup> Since it follows from the general principle of substitution.

<sup>18</sup> And we are then informed that although the original itself cannot be offered, its substitute is offered!

<sup>19</sup> But not the actual source of the law, which follows indeed from general principles.

<sup>20</sup> The fat tail of all other sacrifices is explicitly stated to be part of the eimurim which are burnt on the altar. The burning of the eimurim is not mentioned at all in connection with the pesach-offering, however, but deduced from elsewhere; consequently, a verse is required to teach that the fat tail too is included.

<sup>21</sup> 'And if' is regarded as a disjunctive, teaching that the provisions that apply to a lamb do not apply to a goat, unless expressly stated. The fat tail is mentioned in connection with the former but not the latter.



slaughtering and he substituted [another] for it before the slaughtering. But if it was found before the slaughtering and he substituted [another] for it after the slaughtering, it is offered as a shelamim-offering. What is the reason? The slaughtering [of the pesach-offering] stamps [with its sanctity] only something that is eligible for it, [but] it does not stamp [with its sanctity] that which is not eligible for it.<sup>22</sup> Abaye raised an objection against him: 'If [he brings] a lamb [etc.]: what is its purpose? To include the substitute of a pesach-offering after Pesach, [teaching] that it is offered as a shelamim-offering. You might think that it is also thus before pesach-offering, therefore it is stated, 'it': 'it' is offered [as a shelamim-offering], but the substitute of a pesach-offering is not offered [as such] — How is it meant? If we say that it was found before slaughtering and he substituted [another] for it before slaughtering, then it is obvious! Why do I require a verse? Hence it must surely apply to where it was found before the slaughtering, 'while he substituted [another] for it after the slaughtering. Thus the refutation of Rava is indeed a refutation. (96b3 – 97a1)

#### INSIGHTS TO THE DAF

#### **IS AN UNCIRCUMCISED PERSON OBLIGATED TO EAT MAROR?**

The Gemora derives from the verse, "Any male without a circumcision should not eat it," that he only should not eat the korban pesach, but he can eat the matza and maror. Does this mean that he is obligated to eat matza and maror, or that he can fulfill the mitzva if he so chooses?

The Minchas Chinuch (Mitzva #17:27) says that it is obvious that he is obligated to eat matza. Being that matza is a separate Torah mitzva, there is no reason to think he is not obligated to eat matza. However, although our Gemora and many commentaries quoting seemingly lump matza and maror together in this law, the Minchas Chinuch does not

understand why he would be obligated to eat maror. After all, it is only a mitzva to eat maror together with the korban pesach. If someone cannot eat the korban pesach, why should he be commanded to eat maror (especially when there is a Beis Hamikdash)? The Minchas Chinuch does not resolve the question, but does discuss various possible sources at length.

Indeed, there is a responsa from Rabeinu Avraham Ben Ha'Rambam (Maseh Nisim #6) where he states that the Gemora is not stating that this is an obligation, but rather that such a person is permitted to eat maror. The Meiri in Yevamos (71a) says that this is in fact argued about by various Rishonim.

#### ***Chametz in Egypt***

The Mishna lists several differences between the way Pesach was celebrated when Bnei Yisrael first left Egypt, and the way it has been celebrated ever since. Among these differences is the prohibition against chametz. According to the Gemara's conclusion, in Egypt chametz was only forbidden on the first day, whereas in all other years it is forbidden for all seven days of Pesach. We see that in Egypt chametz was forbidden on the first day. How then can we understand the possuk: "They baked the dough that they had taken out of Egypt into cakes of matza that had not risen, since they were sent out of Egypt and could not wait. They also prepared no provisions for themselves" (Shemos 12:39)? Only because they were in such a hurry to leave did they suffice with matzos. It seems that had they been able, they would have baked chametz bread. Yet from our Gemara we see that they were forbidden to have chametz on the first day of Yetzias Mitzraim?

In answer to this question, the Tzlach explains that chametz was indeed forbidden for the first day - but not the fifteenth of Nissan when they left Egypt, rather the fourteenth of

<sup>22</sup> I.e., if the animal is dedicated for a pesach-offering, the act or time of slaughtering the second animal stamps it with that sanctity, and since it was not offered then, it was rejected and must graze. But the act of slaughtering cannot stamp an animal with that sanctity, that it should be regarded as rejected if it was not fit for a pesach-offering at the time, and in the latter

case this substitute was indeed unfit, since at that time it was as yet unconsecrated. Consequently, now that it is consecrated, it is offered itself as a shelamim-offering.



Nissan when they sacrificed the Korban Pesach. On that day and the following night, when the Korban Pesach was eaten, chametz was forbidden. The next morning when they left Egypt, chametz was already permitted.

Another explanation is offered by the Ritva (in his commentary on the Haggada) and Ran (116b), that our Gemara refers only to the prohibition against eating chametz. They were still permitted to own chametz, even on the first day. Therefore we can explain the possuk to mean that Bnei Yisrael would have baked chametz bread to take with them and eat after the first day, had time allowed. Still, they could not have eaten chametz on the first day, as our Gemara explains.

**“As we find in Pesach Sheini”:** In the course of his explanation, the Ran states that chametz was then prohibited for only one day “as we find in Pesach Sheini.”

The Abarbanel (Haggadah Zevach Pesach) staunchly objects to this comparison, and concludes that the Ran was simply mistaken. There is no reason at all to compare Pesach Mitzraim to Pesach Sheini.

To defend the Ran, we can explain that he did not refer to the holiday of Pesach Sheini. He referred to Maseches Pesach Sheini. As we discussed in our introduction to Maseches Pesachim, there are in fact two masechtos of Pesachim. Pesach Rishon includes the chapters that discuss the relevant laws of chametz and matza. Pesach Sheini includes the chapters discussing the Korban Pesach. The Ran pointed to Maseches Pesach Sheini, referring to daf 96, where this sugya is found.

**Pesach Mitzraim for seven days:** The Tosefta (Tzukremandel printing, ch. 8) offers a variant opinion that even in Egypt chametz was forbidden for all seven days of Pesach. According to this opinion, there is no difference between the prohibition against chametz during Pesach Mitzraim and during all subsequent Pesachs. If so, how can we explain the

possuk cited above. Why would Bnei Yisrael have wanted to bake chametz?

Daas Zekeinim of the Baalei Tosefos (12:39) asks this question and answers by changing the punctuation of the possuk and interpreting it differently: “They baked the dough they had taken out of Egypt into cakes of matza since they were *not allowed to let them rise*. They were sent out of Egypt and could not wait, therefore they prepared no provisions for themselves.”

#### DAILY MASHAL

Alternatively, the Avudraham cites from Rav Yosef Kimchi an interesting explanation, which resolves this question nicely. Hashem foresaw that Bnei Yisrael would be forced to leave Egypt quickly, and would not have time to let their dough rise. He commanded them and all future generations not to eat chametz on Pesach, in commemoration of this event. Interestingly, at the time Hashem commanded us not to eat chametz, this event had not yet occurred.