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Pesachim Daf 14

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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

MISHNAH: Rabbi Chanina Sgan HaKohanim said that as long as the Bais HaMikdash stood and the Kohanim were in charge of disposing of consecrated items that became *tamei*, the Kohanim did not refrain from burning meat of sacrifices that had become *tamei* through a *velad hatumah*, i.e. a derived *tumah*, together with meat of sacrifices that had become *tamei* through an *av hatumah*, i.e. anything that has the ability to make people or utensils *tamei*. This burning of *tamei* meat was performed even if by doing this they added *tumah* to the status of *tumah* that the meat had obtained previously. Rabbi Akiva added to the statement of Rabbi Chanina Sgan HaKohanim and Rabbi Akiva said that as long as the Bais HaMikdash stood, the Kohanim did not refrain from kindling oil of *terumah* that had become unfit because a *tevil yom* had touched it in a lamp that had become *tamei* from one who was *tamei* because of a corpse. This kindling was performed even though they were adding *tumah* to the oil of *terumah*.<sup>1</sup> Said Rabbi Meir: From their words we learn that we may burn tahor *terumah* together with *tamei* *terumah* on Pesach.<sup>2</sup> Rabbi Yosi said: That is not an analogy.<sup>3</sup> And Rabbi Eliezer and Rabbi Yehoshua admit that each is burnt separately; where do they differ? In respect of doubtful [terumah] and *tamei* [terumah]. Rabbi Eliezer ruling, each must be burnt separately, while Rabbi Yehoshua rules, both together. (14a)

<sup>1</sup> The oil of *terumah* touched by a *tevil yom* is unfit, and therefore is rendered a *shelishi*. One who became *tamei* because of a corpse is an *av hatumah*, and he then went and made the lamp a *rishon letumah*. Now that the oil is poured into the lamp the oil becomes a *Sheini*. Given that the oil was previously *tamei*, the kohanim allowed for the oil to have *tumah* added to it. (A *tevil yom* is one who has immersed in a mikveh and now does not make *Chullin tamei* and is allowed to eat Maaser *Sheini*, but he cannot eat *terumah* or *kodesh* until after sunset. If a *tevil yom* touches *terumah* or *kodesh*, he makes the food a *shelishi*.)

GEMARA: Consider: Flesh which was defiled by a derivative *tumah*, what is it? A *sheini*, i.e., second degree. When it is burnt together with flesh which was defiled by an *av hatumah*, i.e., a principal defilement, what is it? A *sheini*;<sup>4</sup> [thus] it was a *sheini* [before] and [is] a *sheini* [now], then what adding of *tumah* to its *tumah* is there?—Said Rav Yehudah: We treat here of the derivative of a derivative, so that it is a *shlishi*, i.e., a third degree, and he holds that a *shlishi* may be raised to a *sheini*. But food cannot defile food, for it was taught: One would think that food can make other food *tamei*, so the Torah must state: *but if water has been placed on a seed and then their carcass falls upon it, it is tamei*. The words *it is tamei* teaches us by inference that the seed is *tamei* but the seed, i.e. food, cannot make another food *tamei*. All is well according to Abaye who explains that the Baraisa was taught only regarding *chullin*,<sup>5</sup> but food of *terumah* and *kodashim* can make other food *tamei*.<sup>6</sup> And [it is also well] according to Rav Adda bar Ahavah who said in the name of Rava that the Baraisa was taught only regarding *chullin* and *terumah*, but food that is *kodashim* can make another food *tamei*. But according to Ravina who said in the name of Rava that the biblical verse states clearly that *chullin*, *terumah* and *kodashim* cannot make other food *tamei*, what can be said? We deal here of a case where there is liquid

<sup>2</sup> I.e., on the eve of Pesach, when *chametz* must be burnt. Rabbi Meir reasons that since a higher degree of *tumah* may be imposed upon *terumah* and sacred flesh when they must be burnt in any case, the same holds good for *chametz*, even if one is not *tamei* at all.

<sup>3</sup> You cannot deduce one from the other.

<sup>4</sup> For the latter is a first degree and its contact renders this flesh a second degree.

<sup>5</sup> That food cannot make other food *tamei*.

<sup>6</sup> And the meat which is *Shlishi* can acquire a greater degree of *tumah* when it is burned together with a *rishon*.

together with the flesh, so that it is defiled on account of the liquid.<sup>7</sup> If so, [instead of] this [phrase] ‘Together with flesh which had been defiled with an *av hatumah*,’ he should state, ‘together with flesh and liquid’ [etc.]?<sup>8</sup> Rather, [reply] while it’s true that Biblically speaking, foods can make liquids *tamei* and liquids can make foods *tamei*, but Rabbinically, foods can make other food *tamei*.<sup>9</sup> (14a)

Rabbi Akiva added that the Kohanim did not refrain from kindling [oil of *terumah* that had become unfit because a *tevil yom* had touched it in a lamp that had become *tamei* from one who was *tamei* because of a corpse. This kindling was performed even though they were adding *tumah* to the oil of *terumah*]. The Gemara questions this statement, because oil that became unfit through contact with a *tevil yom* is a *shelishi*, and when one kindles the oil in a lamp that became *tamei* through a corpse, the oil is a *sheini*, and we already know from the statement of Rabbi Chanina Sgan HaKohanim that *terumah* that is a *shelishi* can become a *sheini*. Rav Yehudah answers that the Mishnah is discussing a lamp that is metal and the Torah states: *the body of someone felled by a sword*, and we learn from this verse that a sword or any other metal object that comes into contact with a corpse is like the body concerning *tumah*. Thus, the metal lamp that became *tamei* from one who was a *tamei meis*, *tumah* through a corpse, will become an *av hatumah*. Rabbi Akiva maintains that the oil of *terumah* that is unfit because it came into contact with a *tevil yom* and was a *shelishi* can be made into a *rishon*. Rabbi Chanina had only taught that a *shelishi* can become a *Sheini*, and Rabbi Akiva added that a *shelishi* can become a *Rishon*. (14a -14b)

<sup>7</sup> When the flesh was defiled there was water upon it, which is still there when it is burnt with the flesh defiled in a lower degree. The *tumah* of the latter is raised through contact with the water.

<sup>8</sup> The Gemara attempted to explain that what Rabbi Chanina Sgan HaKohanim meant when he said that the kohanim added *tumah* to the status of *tumah* was that the meat had a liquid and the liquid is a *rishon*, and the meat that until now was a *shelishi* (because the meat became *tamei* through a *velad velad tumah*, i.e. a derivative of a derived *terumah*) became a *Sheini* because of the liquid. The Gemara rejects this explanation because the Mishnah stated that they would burn

The Gemara wonders why Rabbi Akiva could not have been referring to a case where the lamp is earthenware and whereas Rabbi Chanina was discussing a case where the meat of the sacrifice remained *tamei*, just that the meat attained a higher level of *tumah*, Rabbi Akiva was referring to a case where the oil was initially unfit and was a *shelishi*, and when kindled in the earthenware lamp that became *tamei* from a corpse and is a *rishon*, the oil becomes a *sheini*. Now the oil can make other *terumah tamei*, and this is a noticeable addition to Rabbi Chanina’s statement. Rava answers that the reason the Mishnah refers to a metal lamp and not an earthenware lamp is because the Mishnah stated that the lamp had become *tamei* through a *tamei meis*, and the Mishnah did not state that the lamp had become *tamei* through a *sheretz*, a rodent. We infer from the fact that the Mishnah discusses a case where the lamp becomes *tamei* from a *tamei meis* that regarding a metal object there is a distinction between becoming *tamei* through a *tamei meis* or becoming *tamei* through a *sheretz*. When the metal object becomes *tamei* through a *tamei meis*, the metal object receives the same level of *tumah* as that *tamei meis*, whereas when the metal object becomes *tamei* through a *sheretz*, the metal object receives a lesser degree of *tumah*. (14b)

Rava said: We can learn that Rabbi Akiva maintains that liquids that are *tamei* can make other items *tamei* from a biblical perspective. Proof of this is because Rabbi Akiva stated that the oil of *terumah* that is a *shelishi* and is kindled in the lamp that was *tamei* now becomes a *rishon*. The oil was previously unfit because it came into contact with a *tevil yom*, but its *tumah* was not strong enough to make other food *tamei*, and now that it becomes a *rishon* it can make the food *tamei*. – But perhaps one can counter the above-

meat that became *tamei* from a *velad hatumah* with meat that became *tamei* through an *av hatumah* and the Mishnah should have stated “together with meat and liquids that became *tamei* by an *av hatumah*.”

<sup>9</sup> Rather, we must offer a different explanation of the Mishnah, and that is that although biblically speaking, one food cannot make another food *tamei*, a food can Rabbinically make another food *tamei*. Rabbi Chanina was saying that one can burn meat of a sacrifice that is a *shelishi* along with meat of a sacrifice that is a *rishon* even though the meat will rabbinically become a *Sheini*.

mentioned thesis by claiming that the oil can only make other items *tamei* under Rabbinical law? – If it would be merely under Rabbinical law, then the lamp does not have to be an *av hatumah*,. Even if the oil was kindled in lamp that is a *rishon* or *sheini* will be deemed a *rishon* from a rabbinical standpoint. Proof of this is from a Mishnah that states that anything that makes *terumah* unfit through contact, like a *sheini* that makes *terumah* a *shelishi* through contact, will make liquids a *rishon*, except for a *tevul yom* which makes *terumah* unfit through contact but does not cause liquids to become a *rishon*. Since Rabbinically speaking oil that became unfit through contact with a *tevul yom* can become a *rishon* even through contact with a *sheinei*, Rabbi Akiva must have stated his ruling regarding lighting oil in a lamp that is an *av hatumah*, where it biblically becomes a *rishon*, as Rabbi Akiva wanted to teach that oil would have the ability to make other items *tamei* biblically. We thus see that Rabbi Akiva maintains that liquids that are *tamei* can make other things *tamei* from a biblical perspective. (14b)

Rabbi Meir said that from the words of Rabbi Chanina Sgan HaKohanim and from the words of Rabbi Akiva we learn that we can burn *terumah tehovah* of chametz together with the *tamei* on the eve of Pesach. The Gemara challenges this statement, because Rabbi Chanina was referring to a case where the Kohanim burned meat that was *tamei* with meat that was *tamei*, and they just added to the level of *tumah*. Rabbi Meir, however, permitted burning the *tahor terumah* with the *tamei*. Rabbi Akiva was referring to burning oil that was unfit in a lamp that was *tamei* and the oil only was transformed from being unfit to becoming *tamei*. Rabbi Meir, however, permitted burning *tahor* with *tamei*. The Gemara initially suggested that Rabbi Meir maintains that Rabbi Chanina's statement referred to burning meat that had become *tamei* through a biblical *av hatumah* together with meat that had become *tamei* through a rabbinically imposed *tumah*, which would be *tahor* biblically.<sup>10</sup> The explanation of

the Mishnah would then be that Rabbi Meir derived his statement from the words of Rabbi Chanina, and since Rabbi Chanina stated that meat that became *tamei* rabbinically was allowed to be burned with meat that was biblically *tamei*, the same should hold true regarding *tahor* chametz of *terumah* in the sixth hour of the fourteenth of Nissan. Since the chametz becomes rabbinically prohibited for benefit, one is allowed to burn it together with food that is *tamei* even though the *tamei* food will rabbinically render the food that was *tahor* to be *tamei*. (14b-15a)

#### DAILY MASHAL

##### *Removing Tumah*

The Gemara discusses the laws of *tumah* and *taharah*, ritual contamination and purity. It is fascinating that the source of these laws is taught in Maseches Pesachim. Clearly, the authors of the Mishnah intended that these laws be incorporated in this Maseches, and the reason for this can be found in the words of the Medrash. The Medrash states that when Moshe was offering the *Korban Pesach* in Egypt the Jewish People smelled the intoxicating aroma, they came running to Moshe, imploring him that they be allowed to partake from the *Korban Pesach*. Moshe responded that any male that was uncircumcised was forbidden to partake in the *Korban Pesach*, and the Jewish People then circumcised themselves. The Jewish people were steeped in idolatry in Egypt, and idolatry is compared to *tumas meis*, *tumah* from a corpse. By circumcising themselves and distancing themselves from idolatry, the Jewish People purified themselves and were allowed to partake in the *Korban Pesach*. Similarly, the laws of *tumah* and *taharah* are incorporated in Maseches Pesachim to teach us that in order to offer sacrifices and attain closeness to Hashem, we must purify ourselves by ridding the impurities that we have absorbed and by performing mitzvos, and then we can truly come closer to Hashem.

<sup>10</sup> Although the *shelishi* meat was *tahor* biblically, since it was rabbinically deemed *tamei*, the Kohanim were permitted to burn it together with meat that was rendered a *rishon* biblically, thus making the rabbinically *tamei* meat a *sheini*. The reason this was permitted was

because food cannot biblically make other food *tamei*, so the Chachamim did not prohibit making food that was previously *tamei* rabbinically into a higher level of rabbinic *tumah*.