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Pesachim Daf 61

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Tzvi Gershon Ben Yoel (Harvey Felsen) o”h

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: If he slaughtered the *korban pesach* for those who cannot eat it or for those who were not registered for it, for uncircumcised or for *tamei* people, it is disqualified. If he slaughtered it for those who can eat it and for those who cannot eat it, for those who were registered and for those who were not registered for it, for those who were circumcised and for those who were uncircumcised, for those who were *tamei* and for those who were *tahor*, it is valid. If he slaughtered it before midday, it is invalid, because “*in the afternoon*” is said in connection with it. If he slaughtered it before the afternoon *tamid* offering, it is valid, and he must stir its blood until he sprinkles the blood of the *tamid*. (61a2)

GEMARA: Our Rabbis taught: How is ‘for those who cannot eat it’ meant? [If it was slaughtered] in the name of an invalid or an old man. How is ‘for those who were not registered for it’ meant? If one company registered for it and he slaughtered it in the name of a different company. (61a2)

How do we know this? Because our Rabbis taught, [Then shall he and his neighbor next unto him take one] according to the number of [be-michsas] [the souls]; this teaches that the *Korban Pesach* is not slaughtered

save for those who are registered [numbered] for it. You might think that if he slaughtered it for those who were not registered for it, he should be as one who violates the mitzvah, yet it is fi; therefore, it is stated, ‘according to the number of [be-michsas] [the souls] ... you shall make your count [tachosu]’: the Torah reiterated it, to teach that it is indispensable. Rebbe said: This is an Aramaic expression, as a man who says to his neighbor, ‘Slaughter [chos] me this lamb.’¹ We have thus found [it disqualified if slaughtered] for those who are not registered for it; how do we know [the same of] those who cannot eat it? Scripture said, according to every man's eating you shall make your count,’ [thus] eaters are compared to registered [people]. (61a2 – 61a3)

If he slaughtered it for circumcised people on condition that uncircumcised people should be atoned with it through the sprinkling,² — Rav Chisda said: It [the lamb] is disqualified; Rabbah ruled: It is fit. Rav Chisda said, It is disqualified: There is [a disqualification in] an intention for uncircumcised at the sprinkling. Rabbah ruled, It is fit: There is no [disqualification in] an intention for uncircumcised at the sprinkling. Rabbah said, From where do I know it? Because it was taught: You might think that he [an uncircumcised person]

¹ Thus Rebbe connects the word with slaughter. But he also admits its Hebrew connotation of counting, and he thus points out that an intention for those who cannot eat it or who are not registered for it disqualifies the sacrifice only when it is expressed at the killing, but not when it is expressed at one of the other services.

² Whether the latter were registered for it or not. [‘To be atoned for’ here is employed in a technical sense denoting to have the blood sprinkled on behalf of (a person), as there is no question of atonement with the *Korban Pesach*.]



disqualifies the members of the company who come with him,³ and it is logical: since uncircumcision disqualifies, and tumah disqualifies, [then] just as with tumah, part tumah was not made tantamount to entire tumah,⁴ so with uncircumcision, part uncircumcision was not made tantamount to entire uncircumcision. Or reason this way: since uncircumcision disqualifies, and time⁵ disqualifies: then just as with time, part [in respect to] time was made tantamount to the whole [in respect of] time,⁶ so with uncircumcision, part [in respect] to uncircumcision should be made tantamount to the whole [in respect to] uncircumcision. Let us see to what it is similar: you judge [draw an analogy between] that which does not apply to all sacrifices by that which does not apply to all sacrifices,⁷ and let time not provide an argument, which operates [as a disqualification] in the case of all sacrifices. Or reason this way: you judge a thing which was not freed from its general rule by a thing which was not freed from its general rule;⁸ and let tumah not provide an argument, seeing that it was freed from its general rule.⁹ Therefore it is stated: This [is the ordinance of the Pesach].¹⁰

³ I.e., if he registered together with duly circumcised, all are disqualified from partaking of this lamb.

⁴ Only if all who register are tamei is the sacrifice disqualified. but not if merely some of them are tamei.

⁵ If a sacrifice is slaughtered with the intent of eating it after its prescribed time, it is disqualified – piggul.

⁶ I.e., if he expressed an intention of eating only part of the sacrifice even after the time legally permitted, the whole sacrifice is piggul and disqualified.

⁷ Uncircumcision and tumah are not disqualifications in the case of other sacrifices, which may be slaughtered on behalf of their owners even if they are uncircumcised or tamei.

⁸ In no case may a sacrifice be eaten by an uncircumcised person or after its permitted time.

⁹ If the whole community is tamei, the Korban Pesach is sacrificed and eaten by them. — Thus two contradictory arguments are possible.

¹⁰ The passage proceeds to disqualify an uncircumcised person, and this word is quoted as teaching that an uncircumcised person does not disqualify others who register with him. 'This' is a limitation, teaching that the law is exactly as stated, and is not to be extended to others.

[Rabbah explains:] What is [the purpose of] 'this'?¹¹ If we say it is [to teach] that entire uncircumcision disqualifies it [the Korban Pesach], but part of it¹² does not disqualify it, surely that is deduced from, and all uncircumcised person[s] [shall not eat of it]?¹³ Hence he [the Tanna] must have taught thus: Therefore it is stated, 'and all uncircumcised shall not eat of it. Entire uncircumcision disqualifies it, [but] part of it does not disqualify it. And should you say, the same law applies to sprinkling, viz., that entire uncircumcision at least does disqualify it,¹⁴ therefore 'this' is stated, [teaching,] it is only at the slaughtering that entire uncircumcision disqualifies, but [as for] sprinkling, even entire uncircumcision too does not disqualify it.¹⁵ And should you ask, What is the leniency of sprinkling?¹⁶ That there is no intention of eaters in respect to sprinkling.¹⁷

But Rav Chisda [maintains,] On the contrary, [the Baraisa is to be explained] in the opposite direction. [Thus:] therefore it is stated, and all uncircumcised person[s] [shall not eat of it]: if the whole of it [the registered company] is [in a state of] uncircumcision, it disqualifies it, but part of it does not disqualify it. But

¹¹ This is part of Rabbah's argument. How does 'this' signify that the uncircumcised does not disqualify the members of the company that come with him?

¹² I.e., when only some of the registered company are uncircumcised.

¹³ This is interpreted as follows: when all who have registered for a particular animal are uncircumcised, none must eat of it, but if only a fraction are uncircumcised, the circumcised may eat of it.

¹⁴ Viz., where he expressed an intention that the sprinkling should make atonement for uncircumcised only.

¹⁵ 'This' implies that uncircumcision disqualifies at one of the four services only, which is assumed to be the slaughtering. This interpretation of the Baraisa supports Rabbah's view.

¹⁶ What other leniency do you find in sprinkling, that you assume that the limitation of 'this' teaches a further leniency in respect to uncircumcision.

¹⁷ He need not sprinkle expressly for those who are registered, as the requirement of registration and eaters is stated in connection with slaughtering.



[as for] sprinkling, even part of it disqualifies it. And should you say, the same law applies to sprinkling, viz., that unless there is entire uncircumcision it does not disqualify it, therefore 'this' is stated, [teaching,] only at the slaughtering does part of it not disqualify it, but at the sprinkling even part of it disqualifies it. And should you ask, What is the stringency of sprinkling?¹⁸ [It is] that [the prohibition of] piggul cannot be imposed save at the sprinkling.¹⁹

To this Rav Ashi demurred: From where [do you know] that this [verse] 'and all uncircumcised person[s],' implies in its entirety; perhaps this [verse], 'and all uncircumcised person[s]' implies whatever there is of uncircumcision,²⁰ [and] therefore the Merciful One wrote 'this' to teach that unless there is an entire [company in a state of] uncircumcision, it does not disqualify it, there being no difference whether [it is] at the slaughtering or at the sprinkling?²¹ - Rather, said Rav Ashi, Rav Chisda and Rabbah differ in this verse: And it shall be accepted for him to make atonement for him: 'for him', but not for his companion. Rabbah holds, His companion must be like himself: just as he is capable of atonement, so must his companion be capable of atonement, thus excluding this uncircumcised person, who is not capable of atonement. But Rav Chisda holds, This uncircumcised person too, since he is subject to the obligation, he is [also] subject to atonement, since if he wishes he can make himself fit. (61b1 – 62a1)

INSIGHTS TO THE DAF

The Mishna states that if one slaughters the korban pesach before the korban tamid is brought, it is kosher (if it is done after chatzos). However, this is on condition that someone must stir the blood the entire time before the sprinkling of the korban tamid, and only then sprinkle the blood of the korban pesach.

The Sfas Emes says that he is unsure whether we similarly say that just as the sprinkling of the korban pesach should be after that of the korban tamid, so too the burning of the limbs of the animals of the korban pesach should be done after the burning of the limbs of the korban tamid. On the one hand, the Tanna should have said this if it is correct. On the other hand, it is possible that the simple meaning of the Mishna is that all parts of sacrificing the korban should wait until the corresponding parts of the korban tamid are completed. The Sfas Emes remains unsure how to answer this query.

¹⁸ What other stringency do you find in sprinkling, that you assume that the limitation of 'this' teaches a further stringency in respect to uncircumcision.

¹⁹ An illegitimate intention to partake of the sacrifice after the permitted time, expressed at one of the four services renders it piggul, and he who eats it even within the permitted time, incurs kares, only if the subsequent services are performed without any intention at all or with a legitimate intention or with the same illegitimate intention. But if any one of the subsequent services is performed with a different

illegitimate intention, e.g., to eat it without the permitted boundaries, it ceases to be piggul and does not involve kares. Hence the only service in which it can definitely be fixed as piggul without possibility of revocation is sprinkling, because that is the last service. That is regarded as a stringency of sprinkling.

²⁰ I.e., on the contrary it may imply that even if a single person of those who are registered for the sacrifice is uncircumcised, it is disqualified.

²¹ For on the present exegesis there is no verse to intimate a distinction.