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Pesachim Daf 82

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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: If it [the pesach-offering] became tamei, [either] wholly or the greater part of it, we burn it in front of the Birah¹ with the wood of the pile.² If the lesser part of it became tamei, also nossar,³ they [the people] burn it in their court-yards or on their roofs with their own wood. Misers burn it in front of the Birah, in order to benefit from the wood of the pile. (81b4)

GEMARA: What is the reason?⁴ — Said Rabbi Yosi ben Chanina: In order to put them to shame.⁵ (81b4)

If the lesser part of it became tamei etc. But the following contradicts it: Similarly, he who went out of Jerusalem and reconnected that he had holy meat with him, if he has passed Tzofim he burns it where he is; but if not, he returns and burns it in front of the Temple with the wood of the [altar] pile?⁶ — Said Rav Chama bar Ukva, There is no difficulty: One refers to a lodger;⁷ the other [our Mishnah] refers to a householder. Rav Pappa said, Both refer to a lodger: there he had repaired to the road;⁸ here he had not repaired to the road. Rav Zevid said: in truth it is as was first stated, [viz.,] there it refers to a lodger, while here it refers to a householder, and even where he had not taken to the road;

[in the case of] a lodger, since he has not [wood of his own] he was regarded as a miser, for we learned: Misers burn it in front of the temple in order to benefit from the wood of the [altar] pile. (82a1)

Our Rabbis taught: If they come [desire] to burn it in their own court-yards and with the wood of the [altar] pile, we do not heed [permit] them; in front of the Temple and with their own wood, we do not heed them. As for not heeding them [when they wish to burn it] with the wood of the pile in their own courtyards, that is well, [the reason being] lest some of it [the wood] be left over and they come to a stumbling-block through it.⁹ But what is the reason that [they may] not [burn it] in front of the Temple with their own wood? — Said Rav Yosef: So as not to shame him who has none [of his own]. Rava said: On account of suspicion.¹⁰ Wherein do they differ? — They differ where he brought cane reeds and dried branches, which are not fit for the pile.¹¹ (82a1)

We learned elsewhere: The head of the ma'amad used to place the tamei¹² by the East Gate.¹³ What is the reason? Said Rav Yosef: In order to put them to shame.¹⁴ Rava said:

¹ A special place on the Temple Mount.

² The wood specially arranged for the altar for the burning of the olah-offerings etc.

³ That which remained over from a tahor pesach-sacrifice.

⁴ That it is burnt before the Temple, publicly.

⁵ For their carelessness in permitting it to become defiled.

⁶ This shows that even a small portion is burnt thus.

⁷ Who has no home of his own and lacks the facilities for burning it at home.

⁸ Therefore it is too much trouble to return home, and so he burns it in front of the Temple.

⁹ They may use it for other purposes, which is forbidden.

¹⁰ He will take away any wood that is left over, but the onlooker will think that it is wood of the altar pile and so suspect him of theft.

¹¹ Rava's reason is not applicable here, and therefore it is permitted; whereas Rav Yosef's reason still hold hence it is forbidden.

¹² Of the Kehunah division that should have officiated that day in the Temple.

¹³ That all who entered might see them.

¹⁴ For not having taken care to be tahor.

Because of suspicion.¹⁵ Wherein do they differ? — They differ in respect of delicate persons or rope makers.¹⁶ (82a1 – 82a2)

MISHNAH: A pesach-offering which was taken out¹⁷ or was defiled must be burnt immediately.¹⁸ If its owners were defiled or they died,¹⁹ its appearance must be changed,²⁰ and be burnt on the sixteenth. Rabbi Yochanan ben Berokah said: this too must be burnt immediately, because there are none to eat it. (82a2)

GEMARA: As for tumah, it is well, because it is written: And the meat that touches any tamei thing shall not be eaten; it shall be burnt with fire. But how do we know it of what goes out? Because it is written: Behold, the blood of it was not brought into the sanctuary within.²¹ Moshe said to Aaron: 'Why did you not eat the chatas-offering? Perhaps its blood entered the innermost [sanctuary]?'²² 'No,' he answered him. 'Perhaps it was taken beyond its barrier?'²³ he asked. 'No,' replied he, 'it was in the sanctuary.' Said he to him, 'If it was in the sanctuary, and "behold, the blood of it was not brought into the sanctuary within," why have you not eaten it?' From here it follows that if it was taken out, or if its blood entered within, it requires burning. As for when it is defiled, it is well: the Divine Law revealed it in the case of lesser Holy sacrifices, and all the more so in the case of Most Holy sacrifices.²⁴ But as to what goes out; we have found [that it is disqualified in the case of] superior sacrifices; from where do

we know [it of] inferior sacrifices? Moreover, as to what was taught: If its blood was kept overnight,²⁵ if its blood was poured out, or if the blood was taken outside the Temple enclosures, — where it is all established law that it requires burning;²⁶ from where do we learn it? — We deduce it from Rabbi Shimon[’s teaching]. For it was taught, Rabbi Shimon said: In the holy place . . . it shall be burnt with fire: this teaches of the chatas-offering that is burnt in the holy place [sanctuary]. Now, I only know this alone: how do we know it of the unfit of the [other] Most Holy sacrifices and the eimurim of the lesser Holy sacrifices? Therefore it is stated, 'in the holy place . . . it shall be burnt with fire.' We have [thus] found it of the Most Holy sacrifices; from where do we know it of the lesser Holy sacrifices? Rather [that] wherever there is a disqualification in the sacred [sacrifices]²⁷ burning is required, no matter whether it is the Most Holy sacrifices or the lesser Holy sacrifices; — this is known by tradition. And as for Aaron's chatas-offering, that is because the incident that happened, happened thus. (82a2 – 83b1)

Now, according to the Tanna of the School of Rabbah bar Avuha who said, Even piggul requires a change of appearance,²⁸ from where do we know it — [because] he learns the meaning of iniquity from nossar:²⁹ yet let us learn the meaning of iniquity from Aaron's sacrifice?³⁰ — He can answer you: [A sacrifice such as] Aaron's chatas-offering too in such a case³¹ would require disfigurement in [future]

¹⁵ Lest they be suspected of neglecting the Temple service for their private affairs.

¹⁶ Who receive little pay; no Kohen will neglect the Temple service for this. Rava's reason does not apply here, whereas Rav Yosef's reason does.

¹⁷ Beyond its proper boundaries.

¹⁸ On the fourteenth.

¹⁹ So there is none to eat it.

²⁰ I.e., it should be left overnight, thus becoming nossar.

²¹ The previous verses relate how Moshe was angry with Elozar and Isamar for having the chatas-offering burnt instead of eating it.

²² I.e., the Holy of Holies — in that case you had rightly burnt it.

²³ I.e., outside the Temple court.

²⁴ The verse quoted in connection with defilement refers to a shelamim-offering.

²⁵ I.e., the blood of the sacrifice had not yet been sprinkled by sunset.

²⁶ In all these cases the blood is unfit for sprinkling and in turn the meat cannot be eaten, and it must be burnt.

²⁷ Or, whatever its disqualification (that arises) in the sanctuary.

²⁸ Though the disqualification is certainly in itself.

²⁹ Now nossar is naturally disfigured, having been kept too long, and the employment of 'iniquity' in both cases teaches that piggul too requires disfigurement.

³⁰ Hence just as it was burnt there on the same day, before it could become disfigured, so should piggul be.

³¹ Whatever the cause of its disqualification. On this there are two views: (i) it had been defiled; (ii) it could not be eaten because Aaron and his sons were bereaved that day by the death of Nadav and Avihu.

generations;³² but there it was a ruling of the moment.³³ (82b1 – 82b2)

Now that we say, [that] ‘wherever there is a disqualification in the sacred [sacrifices] burning is required, no matter whether it is the most sacred sacrifices or the lesser sacrifices, — this is known by tradition,’ what is the purpose of ‘in the holy place . . . it shall be burnt with fire’? — That is required [to teach] that its burning [must be] in the holy place. What is the purpose of, ‘and the meat that touches any tamei thing shall not be eaten; it shall be burnt with fire’? — That is required for its own sake.³⁴ You might say, All disqualifications of the sacred [sacrifices mean] e.g., if its blood was kept overnight, if its blood was spilled, if its blood went outside, or if it was slaughtered by night: these require burning because they do not apply to chullin.³⁵ But if it became tamei, which disqualifies in the case of chullin too’ I would say, since it has been treated as unconsecrated things [non-holy], it does not require burning, and burial should suffice for it. Hence we are informed [that it is not so]. (82b2)

If its owners were defiled or they died, its appearance must be changed etc. Rav Yosef said: The controversy is where the owners were defiled after the sprinkling, so that the meat had become fit for eating. But if the owners were defiled before the sprinkling, so that the meat had not become fit for eating, all agree that it must be burnt immediately. An objection is raised: This is the general rule: Wherever its disqualification is in itself, it must be burnt immediately; [if it

³² I.e., if a chatas-offering becomes thus disqualified it normally requires disfigurement.

³³ A special dispensation.

³⁴ I.e., to teach that tumah too is a sacred disqualification in this respect.

³⁵ Chullin remains unaffected by these. Thus in spite of these disqualifications the sacrifice has not been subjected to an indignity, as it were, which would disqualify even in the case of chullin.

³⁶ For even if Nadav and Avihu died before the sprinkling, this would not be invalid, the chatas-offering being dissimilar to the pesach-offering in this respect. For the latter stands primarily to be eaten, and therefore if the owners are defiled before the

is] in the blood or in its owner, [their meat] must become disfigured and [then] it goes out to the place of burning?’ Now [the disqualification through] the owners is taught as analogous to [that of] the blood: just as [that of] the blood is before sprinkling, so was [the defilement of] the owners before sprinkling? — Rather if stated, it was thus stated: The controversy is where the owners were defiled before the sprinkling, so that the meat is not fit for eating, whereby it is as though its disqualification were in itself; but if the owners were defiled after the sprinkling, so that the meat had become fit for eating, all agree that its disqualification is through something else [extraneous] and its appearance must be changed. But Rabbi Yochanan maintained: The controversy holds good [even if the owners were defiled] after sprinkling too. Now Rabbi Yochanan is consistent with his view. For Rabbi Yochanan said: Rabbi Yochanan ben Berokah, and Rabbi Nechemyah said the same thing. Rabbi Yochanan ben Berokah, this which we have stated. What is [the allusion to] Rabbi Nechemyah? — For it was taught, Rabbi Nechemyah said: This [Aaron's chatas-offering] was burnt on account of bereavement, therefore it is stated, [and there have befallen me such things] as these. Now surely bereavement is as [a disqualification] after sprinkling.³⁶ Yet when it was burnt; it was burnt immediately.³⁷ Rabbah added: Rabbi Yosi haGellili too. For it was taught, Rabbi Yosi haGellili said: The whole passage speaks only of the bullocks which were burnt and the male-goats which were burnt, and its purpose is to teach that when they are disqualified, they must be burnt before the Temple, and to impose a negative injunction against eating them. Said they to him: A chatas-

sprinkling, the sprinkling is invalid, while if they are defiled after the sprinkling the sprinkling is valid. The purpose of the chatas-offering however, is atonement, so that even if the Kohanim are defiled (here, bereaved) before the sprinkling and cannot eat, the sprinkling is valid. Hence this bereavement, even if it occurred before the blood was sprinkled, is the same as when the owners of the pesach-offering are defiled after the sprinkling.

³⁷ Hence since Rabbi Yochanan identifies Rabbi Yochanan ben Berokah's view with that of Rabbi Nechemyah, this must be the former's opinion also, and thus they differ in our Mishnah where the owners are defiled after the sprinkling too.

offering whose blood entered the innermost [sanctuary], from where do we know [that it is disqualified]? Said he to them, [From the verse] Behold, the blood of it was not brought into the sanctuary within, from where it follows that if it [the sacrifice] went outside or if its blood entered within, it requires burning. But Rabbi Yochanan holds: The blood and the meat are one thing; [while the defilement of] the owners is a different thing. (82b2 – 83a1)

INSIGHTS TO THE DAF

Our Gemora quotes the Mishna in Tamid which states that kohanim who were impure on the day their family served in the Beis Hamikdash were made to stand at the eastern gate. Rav Yosef says that this was done in order to embarrass them, while Rava argues that this was done in order that people should not think that they prefer to do their own work. The difference between the two opinions, the Gemora says, would be in a case where the kohanim are either finicky or are rope weavers. Rashi explains this to mean that they either have no other work, or do not have more profitable work. According to Rav Yosef the reason is still applicable, while according to Rava it is not.

The Lechem Mishna (Hilchos Temidin u'Musafin 6:5) notes that while the Rambam rules like Rava, he does not mention that in cases where they have no work etc. that this was inapplicable. Why does he omit the Gemora's exceptions according to Rava?

The Lechem Mishna therefore understands that the Rambam understood the Gemora differently than Rashi. He understands that finicky means that while they do other work, they do work on their own terms. They only work when they want to work, and are not embarrassed about having become impure while doing something they wanted to do. Similarly, the rope weaver refers to someone who does odd jobs, and is not easily embarrassed. Accordingly, the Rambam understands that according to Rava there is reason to suspect that they are working, and according to Rav Yosef there is no reason to make them stand there, as they are not

easily embarrassed. This is why the Rambam, who rules like Rava, did not mention that there is any difference in these cases.

DAILY MASHAL

"Emor el haKohanim bnei Aharon .. l'nefesh lo yitamo" - Say to the Kohanim the sons of Aharon .. to a soul he shall not defile himself - The Holy Kotzker Rebbi interprets this to mean that a person should not defile his soul with "b'amov," coldness in doing mitzvos. The word "amov" is sourced from "um'mos," coals that are almost totally extinguished and give forth almost no heat.

A take-off on this, says Rabbi Tzvi Akiva Fleisher, might be as follows: We know that Aharon held the kindling of the menorah very dear. Rashi at the beginning of parshas B'haalos'cho comments that although Aharon did the menorah service daily for forty years he never changed, meaning that he performed the lighting forty years later with the same fire and enthusiasm as when he was initiated into priesthood and had just begun his lighting.

"NeFeSH," is an acronym for Ner, Psil, and Shemen. The children of Aharon should take a lesson from their illustrious father and not defile their Ner, Psil, Shemen service by doing this mitzvah in an "um'mos" manner.