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Wrong Time for a Pesach

The *Gemara* asks: Is there anything that if one slaughtered it in the morning it is said to be in its correct time, but if it is delayed until the afternoon we say that it should be postponed (*until after the tamid*)?

The *Gemara* answers: We indeed find such a case. Rabbi Yochanan says: the *halachah* is that one should first pray *Minchah* and then pray *Mussaf* (if he did not pray *Mussaf* in the morning; now, *Mussaf* can be prayed in the morning, yet, if it was delayed until afternoon, it should be postponed until after *Minchah*).

The *Gemara* asks: Why does the Torah say, “*bein ha’arayim*” -- “between the evenings” regarding the *ketores* (incense) and the lighting of the Menorah (*in the Beis Hamikdash*)? [The *Gemara* earlier (11b) explains that according to Rabbi Oshaya, these words do not mean “the afternoon,” so therefore there are other verses that dictate when we should burn the incense and light the menorah then. Accordingly, why did the Torah state “between the evenings”?]

Additionally, Rebbe answered on behalf of Ben Beseirah, asking a question on Rabbi Yehoshua’s position (*in the Mishnah*). The question was that a *pesach* offering brought not for its own sake is valid on the thirteenth because a *pesach* cannot be brought anytime on the thirteenth and be valid. This is not true, however, for the

fourteenth, when the *pesach* is valid part of the day (*in the afternoon*). Now, if Ben Beseirah in fact holds that a *pesach* brought on the morning of the fourteenth is valid as a *pesach*, Rebbe should have said that according to Ben Beseirah the entire fourteenth is valid!?

Rather, Rabbi Yochanan states: Ben Beseirah ruled that a *pesach* slaughtered on the morning of the fourteenth was invalid, whether it was slaughtered for its own sake (*as a pesach*) or not for its own sake, being that during part of the day (*i.e. the afternoon*) it would be valid.

Rabbi Avahu scorned this teaching. He asked: If so, when would a *pesach* ever be valid? If he designates it as a *pesach* earlier in the day, it should be rejected from being a *pesach* (*as it cannot be brought as any korban during the morning of the fourteenth*)! Even if it was designated the day before, it should be rejected once the morning of the fourteenth starts!?

Rather, Rabbi Avahu answered: A *pesach* can only be valid according to Ben Beseirah if he designated the animal in the afternoon of the fourteenth (*when it is fit to be offered as a pesach*).

Abaye answers: It is even possible to designate the *pesach* in the morning of the fourteenth. This is because a *korban* is not called premature if it will become valid later on that day.

Rav Pappa answers: It can even be designated as a *korban* at night, as the night is not called premature if it will become valid later on that day. [Even though sacrifices are not brought at night, the fact that its designation is at night does not render it invalid.]

This is as was taught in the Academy of Rabbi Yishmael: An animal can be brought into the pen to be tithed on the eighth night after its birth (although they are only valid to be brought as sacrifices on the eighth day).

This is also like Rabbi Aptoniki. He asks: The verse states: *It shall remain for seven days under its mother*. This implies that it is fit on the eighth night. However, another verse states: *And from the eighth day and on it will be acceptable* - indicating that it is not valid on the eighth night. How can we reconcile these verses? It must be that he may dedicate the animal on the eighth night, and it will only be accepted (as a *korban*) on the eighth day. (12a1 – 12a3)

Permanently Rejected

Rabbi Zeira said to Rabbi Avahu: Does this mean that Rabbi Yochanan holds that live animals can be rejected from being sacrifices? [Rabbi Avahu was compelled to explain according to Rabbi Yochanan how the *pesach* offering was not permanently rejected from being offered as a *korban*; there is an opinion that holds that only slaughtered animals can be rejected.]

Rabbi Avahu replied: Yes. This is as Rabbi Yochanan states: An animal owned by two partners, and one partner designated his half as a *korban*, and then he purchased the other half of the animal and consecrated that as well, it is holy but it cannot be brought as a *korban*. It can create *temurah* (an exchanged animal), and renders the *temurah* to be similar in holiness to it. [In this case there was a second partner which prevented the animal from being a

full-fledged *korban* that can be brought on the Altar; once it is rejected it remains that way even after the other partner's portion was bought out.]

This indicates that Rabbi Yochanan holds three things. He holds that live animals can be permanently rejected from being able to be brought as sacrifices. He also holds that if originally (at the time of its designation), it is not fit, it is permanently rejected. He also holds that even if the animal was originally invested only with a monetary sanctity (it cannot be intrinsically holy due to the other half being owned by someone else), it permanently rejects the animal from being brought as a sacrifice. (12a3 – 12b1)

Ulla says in the name of Rabbi Yochanan: If someone inadvertently ate forbidden fat, designated a *korban* for this purpose, he then abandoned his religion completely and then repented, he no longer brings a *korban*, being that it was pushed aside (when he was an apostate).

It was taught that Rabbi Yirmiyah said in the name of Rabbi Avahu who said in the name of Rabbi Yochanan: If he inadvertently ate forbidden fat and designated a *korban* for this purpose, and he then became insane and later regained his sanity, being that the sacrifice was rejected (as an insane person cannot bring a sacrifice) it remains so.

The *Gemara* explains: Both of these similar teachings by Rabbi Yochanan are necessary (and we cannot derive one from the other). If he would only say the law regarding a person who abandoned his religion completely, this could be because he actively disqualified himself. However, if he becomes insane, perhaps he is merely considered like he is sleeping. On the other hand, if he would only say the case where he became insane, perhaps this is because it is not within his power to become sane. However, if he abandoned his religion completely perhaps he should be able to bring the sacrifice, as it is always within his power

to return to his religion. This is why both cases were stated by Rabbi Yochanan. (12b1)

Rabbi Yirmiyah inquired: If one inadvertently ate forbidden fat and designated a *korban* for this purpose, and the court then erroneously ruled that forbidden fats were permitted (*so at that time the korban became rejected, for all individuals would be exempt from a korban at this time*), and subsequently they retracted their ruling, what is the law? Is his sacrifice permanently rejected?

An elder told him: When Rabbi Yochanan taught this topic, this was the first case that he ruled to be rejected. Why? In the previous cases the person was not fit to bring a sacrifice, but the sacrifice was fit. In this case the sacrifice itself would not have been brought. (12b1 - 12b2)

Olah

The *Mishnah* had stated that Shimon ben Azzai had a tradition from seventy-two elders etc.

The *Gemara* asks: What is the significance of stating that this tradition is from seventy-two elders (*zakein – in a singular form; it should have said “zekeinim,” in the plural form*)?

The *Gemara* answers: This is because they were all unanimous in their decision. (12b2)

The *Mishnah* had stated that Ben Azzai only added an *olah* (*that it will be invalid if it was slaughtered for the sake of a different korban*).

Rav Huna asked: What is Ben Azzai’s reasoning? The verse states: *It is an olah, a fire offering that is a pleasant aroma to Hashem*. This teaches us that it is only valid if it is brought as an *olah*, not as a different sacrifice.

The *Gemara* asks: Doesn’t the verse say, *it is an asham* as well?

The *Gemara* answers: This is only stated after the burning of the sacrificial parts of the *asham* (*not in the context of it being brought*).

The *Gemara* asks: The verse regarding the *olah* is also after the sacrificial parts are burned!?

The *Gemara* answers: Regarding the *olah*, there are two verses “it.” [*The extra one teaches us regarding the earlier stage of the sacrifice.*]

The *Gemara* asks: Regarding the *asham*, there are also two verses “it!”

Rather, the *Gemara* answers: Ben Azzai derived his law from a *kal vachomer*. If a *chatas* that is not totally burned on the Altar, is invalid if brought not for its own sake, certainly this is the law regarding an *olah*, which is totally burned!

The *Gemara* asks: A *chatas*, however (*is more stringent in a sense*), atones for a sin!?

The *Gemara* rejoins: We can prove this from a *pesach* sacrifice (*which does not atone for a sin and yet is invalid if brought with intent for a different type of sacrifice*).

The *Gemara* asks: A *pesach*, however (*is more stringent in a sense*), is only brought at a specific time!?

The *Gemara* rejoins: We could derive this point from a *chatas*. We therefore can derive from the combination of *chatas* and *pesach* together (*tzad hashaveh – the common characteristic*) that just as they are sacrifices that are



invalid if brought not for their own sake, certainly this is the law regarding an *olah*!

The *Gemara* asks: *Pesach* and *chatas* are different than *olah*, as they are associated with a *kares* punishment (*if one does not bring a pesach he is liable to receive kares, and a chatas atones for sin for which one is liable to receive kares if he does so willingly*)!?

The *Gemara* answers: Ben Azzai does not agree that the element of *kares* (*associated with both of them*) is legitimate grounds for a refutation.

The *Gemara* asks: If so, we can derive *asham* from them as well!?

The *Gemara* answers: They are both different than *asham*, for they are applicable to a community as well as an individual.

Alternatively, Ben Azzai does agree with the refutation regarding *kares*; however, his source than an *olah* is invalid if it was slaughtered not for its own sake is the tradition that he received from the seventy-two elders. He only mentioned the *kal vachomer* to sharpen the minds of his students. (12b2 – 13a1)

DAILY MASHAL

Our *Gemara* discusses a mistake that may occur on *Pesach* with the *korban*. That is not the only mistake that can happen: A wealthy businessman from the city of Yanov with many powerful associates was once negotiating a deal during *Chol Hamoed Pesach* in the city of Levov. His concentration was so great that when a gentile offered him a glass of beer, he mistakenly accepted and drank it, forgetting that it was *Pesach*. Later when he grasped that he had violated the Torah's prohibition of consuming

chametz on *Pesach*, he went to the Rav of the city, the Gaon Rav Yosef Shaul Natansohn for instructions on how to do *teshuvah*. The merchant was told to go to R' Yissachar of Belz. He followed the Gaon's advice and spent the last two days of *Pesach* with the Rebbe of Belz.

At the close of *Pesach*, the Rebbe told him that he must travel to Eretz Yisroel to be appropriately atoned. When Rav Natansohn heard this, he was very surprised, for he did not understand the connection between eating *chametz* on *Pesach* and going to Eretz Yisroel. Later, he recalled what he had heard in the name of the Vilna Gaon regarding the Midrash *Eichah* on the verse (1:3): Yehudah was exiled *mai'oni* – for eating *chametz* on *Pesach* (instead of *lechem oni*; *matzah* – the bread of affliction). If the punishment for eating *chametz* is exile, let him at least be exiled to Eretz Yisroel!

Rav Yosef Shaul remarked that this is alluded to in the Torah as well, for the verse (*Shemos* 12:19) describing what will happen to the soul of a person who eats *chametz* on *Pesach* says: and it shall be cut off. The incantation sign over that word (*v'nichrasah*) is *girshayim*, though this sign never appears elsewhere where *kares* is mentioned. The word '*girshayim*' means 'driven away' or 'sent into exile.'