

OVERVIEW of the Daf

1) The cost of the korbanos (cont.)

R' Yochanan comments that initially they thought that the Mishnah in Peah means that the Olos ראייה has no maximum value but it does have a minimum value until R' Oshaya the Great taught that Biblically it has no maximum or minimum value but the Chachamim assigned a minimum value.

R' Yochanan and Reish Lakish dispute whether the term ראיין refers to appearing in the Beis Hamikdash or appearing with a Korban.

After qualifying the dispute R' Yochanan's position is unsuccessfully challenged three times.

After successfully challenging Reish Lakish the Gemara revises its understanding of the dispute.

Reish Lakish's position is unsuccessfully challenged.

2) Appearing in groups

R' Yosef initially thought that the Baraisa's reference to appearing in groups referred to one who brings five of his sons on one day and another five on another day.

Abaye rejects this interpretation and explains that it refers to people who are engaged in professions that leave a foul odor.

3) MISHNAH: The Mishnah discusses which korbanos must come from unconsecrated funds and which may come from consecrated funds. A second discussion in the Mishnah relates to which Korban meat may be used to fulfill the mitzvah of simcha.

4) Clarifying the Mishnah

The first statement of the Mishnah is successfully challenged and the Gemara teaches that there are two halachos under discussion. Voluntary Olos may only be brought on Chol Hamoed and Obligatory Olos may be brought on Yom Tov but they must come from unconsecrated funds and there is a dispute between Beis Shammai and Beis Hillel concerning the Korban Chagigah of the first day of Pesach.

A Baraisa echoes the corrected reading of the Mishnah.

R' Ashi explains that the reason why Beis Shammai and Beis Hillel disagree whether the Korban Chagigah must come from unconsecrated funds specifically in the context of the first day of Pesach is to teach that the Korban Chagigah of the fourteenth of Nissan is not Biblically mandated. ■

HALACHAH Highlight

There is no upper limit to the mitzvah of kindness

אלו דברים שאין להם שיעור הפאה... וגמילות חסדים

Our Gemara cites the Mishnah in Peah which lists the mitzvos which have no specified limit to their fulfillment. Among these mitzvos is that of גמילות חסדים—performing kindness for others. Tosafos, in the name of the Yerushalmi, notes that this statement is only accurate in terms of kindness done by physically and bodily helping and assisting others. However, in terms of monetary gifts (צדקה), there is a limit. This is a reference to the guideline provided in Kesuvos 50a, where we find that the sages in Usha declared that a person should not give more than one-sixth (שתות) of his possessions to tzedakah.

In שנות אליהו, the commentary of Vilna Gaon to the Mishnah in Peah, it is noted that the ruling of the Mishnah which places no limits on this mitzvah can, in fact, be referring to the Torah law that kindness done bodily as well as kindness done with one's financial resources have no upper limits. The maximum of giving one-sixth of one's financial resources is a rabbinic guideline.

Tosafos concludes by citing the Gemara in Nedarim (39b) where we find that the mitzvah of visiting the sick has no limit. Rava explains that this means that the mitzvah can be fulfilled even a hundred (or more) times a day. Why, then, is this mitzvah not mentioned in this list of mitzvos which have no limit?

Tosafos answers that visiting the sick is included in the category of גמילות חסדים, which is already among the items which are, indeed, enumerated. ■

REVIEW and Remember

1. What is the meaning of the word ראיין?
2. When is it good to avoid bringing korbanos?
3. Why is the mitzvah of simcha not fulfilled by eating bird korbanos?
4. Explain וכל דבר שבחובה אינו בא אלא מן החולין

Distinctive INSIGHT

Double dipping

וכל דבר שבחובה אינו בא אלא מן החולין

And any obligatory offering must come from unconsecrated funds

There was once a person who made a commitment to study eighteen chapters of Mishnayos a day so that he would complete all of Mishnayos every month. This pledge was in addition to his existing commitment of studying the twenty-four chapters of Masseches Shabbos every Shabbos. He then inquired of the Teshuvos Beis Yehudah¹ whether his practice of studying the Mishnayos of Masseches Shabbos could be applied towards his commitment to study eighteen chapters a day.

Teshuvos Beis Yehudah begins his analysis of the issue by quoting a ruling of the Magen Avrohom² who rules that one may not use maaser funds for matanos la'evyonim. The rationale behind this ruling is our Gemara that declares that obligatory offerings must come from unconsecrated funds; similarly, the obligation to give matanos la'evyonim necessitates that it may not come from consecrated funds, e.g. maaser funds. This ruling, though, is contradicted by a ruling of the Maharil³ concerning a woman who took a vow to visit the graves of tzadikim in the city of Regensburg and was unable to fulfill her vow until another matter came which

required a trip to Regensburg and Maharil ruled that a separate trip was not necessary to fulfill her vow. Why in this case is the woman allowed to fulfill her obligation with a trip she was taking anyways and in the case of matanos la'evyonim one is not permitted to take maaser funds and use it for matanos la'evyonim?

Teshuvos Beis Yehudah explains that the restriction against using consecrated funds to fulfill another obligation is limited to a case where both obligations require a person to spend money, e.g. using maaser funds for matanos la'evyonim, thus there are overlapping commitments and the principle of our Gemara is invoked. If, on the other hand, the obligations do not require spending money, e.g. visiting the graves of tzadikim, the obligations are not overlapping and the source of funds to pay for the mitzvah is of no significance. Accordingly, since the two commitments to study Mishnayos address a different intent, i.e. studying eighteen chapters of Mishnayos a day is to complete all of Mishnayos in a month and studying the twenty-four chapters of Mishnayos on Shabbos is to complete the Massechta on Shabbos the commitments do not overlap and the study of Masseches Shabbos can be applied to the pledge of studying eighteen chapters of Mishnayos a day. ■

1. שו"ת בית יהודה סי' י"ט.

2. מג"א סי' תרצ"ד סק"א בשם השל"ה.

3. שו"ת מהרי"ל סי' קי"ח ומובא דבריו בב"י או"ח סי' תקס"ח ד"ה

כתב מהרי"ל. ■

STORIES Off the Daf

Ascending to Yerushalayim

"...שלש רגלים בשנה נצטוו ישראל לעלות
ברגל, בחג..."

A certain Rav once asked Rav Moshe Feinstein, ז"ל, whether the festival pilgrims were obligated to literally ascend to Yerushalayim on foot. "I think that there is a clear Gemara to this effect in Chagiga 7a. The Gemara brings the Baraisa that states that on the three festivals one must go up 'ברגל'—on the festival of matzos, of Shavuos, and of Sukkos. The word ברגל would seem to be superfluous unless it is meant to indicate that they must ascend literally on foot!"

Rav Moshe disagreed with his visi-

tor's claim, however. "If the Gemara meant to tell us that one must ascend literally on foot on these three occasions, it would imply that one is obligated to come at certain other times not necessarily on foot—in other words, that one may ride. This is of course completely untenable. There is no general obligation to go up to Yerushalayim at any other time! If the Gemara had meant to say that one must go on foot, it would have done so in an unequivocal way. It might have said: Three times a year one is obligated to ascend, and one may only ascend on foot.

"Furthermore, the Gemara would have to bring a Torah source to support such a counterintuitive halacha. Ascending to Yerushalayim is only a hechsher mitzvah, and one cannot presume on logic alone that one must go on foot to

fulfill this hechsher mitzvah."

Rav Moshe continued to refute the other man's argument, "Even though the extra mention of רגל appears superfluous since the Gemara has already listed the three festivals, it is not. The word is meant to indicate that the obligation to ascend to Yerushalayim ensues from the onset of the holiday, and anyone who goes later is merely compensating for having failed to come earlier, as Rav Yochanan says on daf 9. The Tanna of our Baraisa means to tell us that ideally one should go up on the day which is Yom Tov, and not on the days of chol hamoed or the days after Shavuos."

Rav Moshe concluded with finality, "So it is clear that one may indeed ride to Yerushalayim when he is oleh l'regel!" ■