

## OVERVIEW of the Daf

### 1) Clarifying the Mishnah (cont.)

R' Zeira continues his criticism of R' Yirmiyah's qualification to the Mishnah.

### 2) Designating ma'aser sheni funds for a shelamim

R' Ami rules that if a person designates money to be used to purchase a shelamim the designation is ineffective.

This ruling is unsuccessfully challenged.

The Gemara relates that R' Yochanan maintains that the designation is valid whereas R' Elazar disagrees.

The disagreement is qualified.

R' Elazar's position is unsuccessfully challenged.

3) **MISHNAH:** The Mishnah presents the exposition that teaches that one may not use ma'aser sheni funds to pay for an obligatory korban.

### 4) Korban Pesach

A Baraisa is cited that teaches that one may not purchase one's Korban Pesach with ma'aser sheni funds.

The Gemara elaborates further on R' Akiva's rationale.

The Gemara presents a possible response for R' Eliezer to R' Akiva.

This suggested response is unsuccessfully challenged.

The mechanics of R' Eliezer's exposition is unsuccessfully challenged.

The Gemara cites a lengthy Baraisa to explain how R' Akiva, who disagrees with R' Eliezer, knows that the Korban Pesach may only be purchased with non-sacred funds. The Baraisa begins with R' Eliezer's exposition and will later present R' Akiva's response.

The Gemara pauses to explain different points as it presents R' Eliezer's exposition. ■

## REVIEW and Remember

1. Can one designate ma'aser sheni funds for the purchase of a shelamim?  
.....
2. What is the source that one may not use sacred funds to pay for a voluntary korban?  
.....
3. What is the point of dispute between R' Eliezer and R' Akiva?  
.....
4. How does R' Akiva know that the Pesach may not be funded by sacred funds?  
.....

## Distinctive INSIGHT

### Comparing Pesach of Egypt to Pesach of later generations

מה לפסח מצרים שכן אין טעון מתן דמים ואימורין לגבי מזבח תאמר בפסח דורות שטעון מתן דמים ואימורין לגבי מזבח

The rule was established before (Mishnah, 81a-b) that an offering that is brought for one's obligation must be brought from unconsecrated funds, and not from ma'aser funds. The Mishnah on our daf identifies the Pesach offering in Egypt as the source for this halacha. In the Gemara, a Baraisa brings a discussion between R' Eliezer and Rabbi Akiva in this matter, where R' Akiva challenges the explanation of R' Eliezer who defended the proof that this rule is learned from the law of Pesach. R' Akiva presents a different argument to show that the law of Pesach in Egypt cannot be brought to teach a rule for subsequent generations. R' Akiva notes that the Pesach offering in Egypt did not require placement of its blood or of its limbs on the Altar, and it therefore cannot be compared to shelamim offerings where the blood and the limbs of the offerings must be placed upon the Altar. For this reason, it is quite possible that the guidelines are different regarding whether the offerings of later generations may be brought from consecrated funds.

In the Commentary attributed to Rashba, he notes that the argument of R' Akiva suggests that the Pesach offering in Egypt is more lenient than shelamim, because the Pesach did not require its blood or limbs to be placed on the Altar. Yet, the Gemara is trying to show that this leniency is the reason that the Torah did not allow it to be brought from ma'aser funds, as opposed to shelamim of later generations which perhaps may be brought from ma'aser funds. Rashba points out that if the Pesach in Egypt were more lenient regarding portions of it not being placed on the Altar, this should lead us to a קל וחומר to prove R' Eliezer's contention, and not to disprove it. If the Pesach which was lenient was not allowed to be brought from ma'aser funds, then shelamim of later generations, which is more strict in that it has portions which must be placed upon the Altar, would certainly have the restriction that it may not be brought from ma'aser monies.

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# HALACHAH Highlight

## Is "double dipping" allowed?

אף כל דבר שבחובה אין בא אלא מן החולין  
 So too any obligatory [korban] may be brought only from unconsecrated funds

The Mishnah teaches the principle that one may not pay for an obligation from sacred funds. Poskim take this principle that originates in the halachos related to korbanos and expand it to other areas of halacha as well. Teshuvos Maharil<sup>1</sup> was asked whether one could use his ma'aser funds for the mitzvah of matanos la'evyonim. Do we say that since this money would anyway go to the poor he does not fulfill the obligation of matanos la'evyonim or perhaps the primary dimension of the mitzvah of matanos la'evyonim is to provide the poor with the joy of having money and since the poor are not interested in the origin of the money the mitzvah is fulfilled. Maharil answered that it seems reasonable that one does not fulfill the mitzvah if one uses his ma'aser funds for matanos la'evyonim. The reason is that once Chazal instituted the mitzvah of matanos la'evyonim it becomes obligatory and one is not allowed to pay for his obligations with ma'aser funds.

Someone once committed himself to study 18 chapters of Mishnayos a day. He had a preexisting practice to study the 24 chapters of Masseches Shabbos on Shabbos and inquired whether the study of those 24 chapters on Shabbos could also be credited towards his new commitment to study 18 chapters of Mishnayos a day. Teshuvos Beis Yehudah<sup>2</sup> cited a con-

(Insight...continued from page 1)

Rashba explains that the factor of not having its blood and limbs placed upon the Altar is not meant to show the Pesach as a lenient case, but rather as a comparative factor. The Pesach in Egypt which did not have any portions placed on the Altar, still had to be purchased from unconsecrated money. Had it been allowed to be bought with ma'aser money, it would have had a compounded sanctity, that of Pesach and ma'aser, and it would have had to have its portions placed upon the Altar.

Accordingly, it is logical that Pesach of later generations, and shelamim, which have portions placed on the Altar, may be purchased from ma'aser. ■

temporary who utilized Maharil's ruling to conclude that one could not use a preexisting obligation to fulfill a new obligation. He then noted that another teshuvah from Maharil<sup>3</sup> indicates that one could fulfill an obligation with an act that he would have done anyways. He answers that the restriction against using sacred funds to fulfill an obligation is limited to obligations that involve a payment. In other words, funds that were designated to discharge a particular obligation may not be used to simultaneously discharge a second obligation. If, however, it is not an issue involving money but an obligation to do something or to not do something, there is no issue for one to "double dip." Accordingly he ruled that one may discharge his obligation to study 18 chapters of Mishnayos with the study of the 24 chapters of Masseches Shabbos. ■

1. שו"ת מהרי"ל סי' נ"ו אות ז.
2. שו"ת בית יהודה סי' י"ט.
3. שו"ת מהרי"ל סי' קי"ח. ■

# STORIES Off the Daf

## The Kindness of Avraham Avinu

"ויקח את המאכלת לשחוט את בנו..."

The end of today's daf discusses the akeidah. We may well wonder how Avraham Avinu mustered the hardheartedness needed to perpetrate such a deed.

The Alter of Kelm, zt"l, gives great insight into Avraham's character. "Is it possible to imagine a greater paradox? A man undergoes huge distress while he is in pain due to his lack of guests. When three strangers finally grace his home he ignores his discomfort and runs to

slaughter three perfect calves for them. He runs before his guests himself, serving them with great honor. Can a person with such a developed sense of kindness muster up the cruelty to throw one beloved son out of his house, not caring that the son is ill? When he removes this son and her mother he won't provide even one camel to carry him! He won't even wait to send him off. First thing in the morning, he sends the sick child into the desert, perhaps to die. Can this be the same man?

"We resolve this apparent paradox by understanding Avraham's motives. Avraham was not motivated by his desires or his natural drive. His only

thought was what Hashem wanted. When the Torah prescribes limitless kindness, he did his utmost. And when the Torah demands cruelty, he did not hesitate to fulfill its dicta to the letter.

"This is the ultimate level. One's character traits are completely mastered by his intellect, like material in the hands of a master craftsman. If he wishes, he expands it. And if necessary, he cuts it down. This is the lesson from Avraham—to prepare and purify our nature with all of its traits until they all obey the commands of the intellect which uses them to fulfill the commands of the Torah."<sup>1</sup> ■

1. בית קלם, ע' ש"ח-ש"ט ■

