

OVERVIEW of the Daf

1) MISHNAH: (cont.)

The Mishnah concludes the debate concerning the force of certain Rabbinic restrictions when offering the Korban Pesach.

2) The source that permits slaughtering the Korban Pesach on Shabbos

A Baraisa records the story of Hillel the Babylonian teaching the sons of Besaira the law that it is permitted to slaughter the Korban Pesach on Shabbos. It was also clarified from the behavior of the people what should be done if one forgot to bring a slaughtering knife before Pesach.

The Gemara clarifies the nature and necessity for Hillel to prove that the Korban Pesach may be slaughtered on Shabbos from a gezairah shavah and a kal vachomer.

The Gemara unsuccessfully questions the practice of placing the knife on the animal and having the animal transport the knife because it seemingly violates the prohibition against doing work with a consecrated animal.

The Gemara again unsuccessfully challenges the practice because it seemingly violates the prohibition against leading a laden animal.

3) The consequence of acting haughty

R' Yehudah in the name of Rav derives a lesson concerning haughtiness from Hillel's behavior and the immediate

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REVIEW and Remember

1. What is R' Akiva's rule for determining when the Korban Pesach will override Shabbos prohibitions?
2. How did R' Akiva determine the halacha for transporting a knife to the Beis HaMikdash?
3. What happens to a person's Torah when he gets angry?
4. What is the source that teaches that the Korban Tamid overrides Shabbos?

Today's Daf Digest is dedicated

By the Mishlati family

In loving memory of their mother and grandmother

מרת עליזה בת ר' אברהם ע"ה

Distinctive INSIGHT

Consecrating the animal as a Pesach on Shabbos

פסח בשבת היכי מצי מקדיש ליה והתנן אין מקדישין ואין בעריכין ואין מחרימין... בשבת

The Gemara informed us of the famous method of Hillel, whose idea helped everyone to avoid ever being in violation of transgressing against private usage of an Olah. The suggestion was not to declare an animal as consecrated until it was brought into the courtyard of the Mikdash. Only at that moment would the owner declare it to be holy, and he would immediately place his hands upon the animal (סמיכה) and do the שחיטה. This was a wonderful idea, and it allowed no time for accidental personal use of an animal that was to be used as an offering. The only problem was if erev Pesach fell on Shabbos, where the Gemara suggests this same method be used. However, asks the Gemara, how could this be effective? It is prohibited to declare an item as consecrated on Shabbos! The Gemara answers that in this case specifically, because the Korban Pesach is an offering which is fixed in time, it is allowed.

Sfas Emes notes that in its question, the Gemara finds it difficult how an animal for a Korban Pesach could become הקדש on Shabbos. There seems to be a simple solution which the Gemara does not suggest. Why can we not be speaking of a case where the person declared this animal to be a Korban Pesach on Friday, but where he stipulated that the actual consecration not be effective until Shabbos when he enters the courtyard? In fact, the Gemara (Nedarim 29a) says that such a statement is binding. This seems to solve everything. The animal can walk to the עזרה with the knife placed in its fur or horns, because at that moment it is an unusual manner of carrying, and the animal is still חולק. As the animal enters the courtyard it becomes consecrated, so we also avert the problem of חולק בעזרה.

Sfas Emes answers that this is still in the realm of being rabbinically prohibited, for it is as if he declared it to be holy during Shabbos. This still mimics a business transaction, as the animal transfers from the private to the holy domain due to his declaration. This can resolve a query proposed by Rabbi Akiva Eiger (#159) whether before Shabbos one may set in motion a condition for הקדש to apply on Shabbos. The statement was made before Shabbos, but the effect occurs on Shabbos. R' Akiva Eiger concludes, as we have found, that such a situation is unacceptable. ■

HALACHAH Highlight

When to follow minhag over halachah

אמר להן הלכה זו שמעתי ושכחתי אלא הנח להם לישראל אם אינן נביאים הן בני נביאים הן

He said to them, "this law I've forgotten however leave it to the Jews, for even if they are not prophets, they are sons of prophets."

Our Gemara is a source for the words of the HaBayis L'Dovid¹ who writes that whenever a law has become forgotten, one can base his actions on the common custom of what Jews do. However, if a minhag seems that it may actually be prohibited, the Ritva² writes that one should not follow such a lenient custom, even if it emerged from great people. Any custom should be avoided if it seems to border on something halachically forbidden in the eyes of the halachic decisors of that generation. This is also the opinion of the Chasam Sofer and the Pri Chadash.

However, the Maharik⁴ writes that if the minhag has some basis in a previous Posek or is based on a Psikta or other sefer, in such a case we would say that the minhag can uproot the technical halachah. In this case, we can be certain that there is a clear tradition for the existence of such a leniency before the Shas forbade it. The Beur Halachah⁵ follows the opinion of the Chasam Sofer and the Pri Chadash, that one should not follow a minhag where it has some aspect of issur in it. ■

diate consequence.

Reish Lakish teaches a similar lesson about one who becomes angry.

An additional lesson regarding anger is recorded.

4) The source that permits slaughtering the Korban Pesach on Shabbos (cont.)

The Gemara presents a source that indicates that the Korban Tamid and Korban Pesach can override the laws of tum'ah.

R' Yochanan and Reish Lakish disagree regarding the precise source that indicates that the Korban Pesach will override the laws of tum'ah. ■

1. הבית דוד סימן כ"ח ה'. ונ"ל שכן כונת האג"מ באור"ח ח"ד בריש סימן ע"ו בד"ה והנה, שכתב שם שרק דן בדיון העצמות שבשאלאנט מפני שלא ראה מנהג בזה
2. הריטב"א לעיל נ"א א'
3. החדושי חת"ס על שו"ע אור"ח בסוף סימן תר"צ, ובשם הפר"ח
4. המהרי"ק בשורש ש"ט, ושנ"ד, וש"ב, וקמ"ד, והובא בשו"ת הרמ"א סימן י"ט, והובא בדבריו ברמ"א ביור"ד קנ"ט ס"ב, ועע"ש בש"ד ס"ק כ'. וכן במגן אברהם בסימן תר"צ ס"ק כ"ב
5. הבאה"ל תר"צ ססי"ז בד"ה ואין. ומ"מ במנהג שאין לו ראיה מהתורה או שע"פ בעלי בתים ולא ע"פ חכמי המקום או שאינו מנהג וותיקין קבוע לפני האיסור, עי' בש"ף הנ"ל דלכו"ע אסור. ונלע"ד להוכיח כן ממש"כ להדיא בריש מסכת כלה (דאר"א על המנהג שהכלה חילקה "לחיים" למסובים בחתונתה) דמנהג שאין דברי תורה עוברים על פיו אינו בו דרף ארץ. וכן עי' ב"י ביור"ד סוף סימן קנ"ה, ובכללי הש"ף שביור"ד בסוף סימן רמ"ב ■

STORIES Off the Daf

A new man

איש נדחה לפסח שני ואין ציבור נידחין לפסח שני
The individual's obligation can be deferred until Pesach sheini, but not that of the community.

Rav Tzaddok HaKohen, zt"l, explains that a personal flaw caused the individual to miss bringing the korban in its time, and it is only an intensely personal teshuvah that will make him worthy once again of bringing it. Moshe Rabeinu could not answer the painful question of the first group to miss the offering: "Why should we be deprived of the opportunity to offer Hashem's sacrifice?" Their question is the quintes-

sential cry of the ba'al teshuvah, and only Hashem can answer it. Technically, there should not be another opportunity, but the brokenhearted plea to rejoin the holy Jewish people is itself teshuvah. The individual becomes a new man, one who is indeed worthy of bringing the korban.

Dr. Gordon zt"l, a close contemporary of the Maggid of Mezritch and a famous ba'al teshuvah, once came to the Maggid for advice. He found that thoughts about his former sinful life would return to haunt him, and he wanted to be free of them. The Maggid offered a parable.

"A Jew once owned a tavern, and the peasants used to come around and drink. They would even show up quite late at night, disturbing the poor man's

rest. After some time, the Jew decided to leave that business and took up selling lumber. He was very successful and led a wonderful life, except for one small problem. The locals continued to come around to his home in the middle of the night, demanding their drink! The Jew persevered; each time it happened, he would patiently tell them that he had left the business, and eventually they learned that they had no reason to keep on pestering him."

"You, my friend, must do the same thing. Every time these disturbing thoughts come to knock on the walls of your heart, you have to repeat over and over again: I am not the same anymore—I am a new man, and I have nothing to do with such thoughts! Eventually, they will stop coming around." ■