



OVERVIEW of the Daf

1) MISHNAH (cont.)

2) Clarifying the Mishnah

The first halachah of the Mishnah, namely, that an אונן may eat from the Korban Pesach but not from other korbanos, is explained.

The case involving gathering bones is clarified.

Rabbah bar bar Channah in the name of R' Yochanan explains the dispute between Beis Shammai and Beis Hillel concerning the convert who converted on Erev Pesach.

A Baraisa is cited that supports this explanation. Rava notes a number of cases where Chazal maintained their decree even in the face of kareis, and other cases where they did not maintain their decree where it conflicted with a prohibition punishable with kareis.

הדרן עלך האשה

3) MISHNAH: The Mishnah discusses circumstances when a person would be obligated to bring a korban on Pesach Sheni.

4) One who was on a distant road

R' Nachman and R' Sheishes dispute whether it is effective to offer the Korban Pesach for one who is on a distant road. According to R' Nachman it is effective whereas according to R' Sheishes it is not effective.

The rationale for each opinion is explained.

R' Nachman presents a proof to his position and the Gemara explains how R' Sheishes would respond to this proof.

R' Sheishes begins to present a proof that his position is correct. ■

REVIEW and Remember

1. How does R' Yochanan explain the dispute between Beis Shammai and Beis Hillel?
2. According to Rava, in which cases did Chazal maintain their decree and in which cases did they not maintain their decree?
3. What categories of people are obligated to bring a korban on Pesach Sheini?
4. Explain the dispute between R' Nachman and R' Sheishes.

Distinctive INSIGHT

One who does not bring the Pesach Sheni due to negligence

א"כ למה נאמר טמא ושהיה בדרך רחוקה שאלו פטורין מהכרת ואלו חייבין

Rabbi Obadiah of Bertinoro and Rambam, in his Commentary to the Mishnah, both explain that if someone was exempt from participating in the first Pesach due to his being tamei or having been too far away, even if this person intentionally and neglectfully disregards the opportunity to bring the second Pesach, he is not liable for kareis, for he was legitimately exempt from the first Pesach. However, someone else who did not bring the first Pesach due to an accident or oversight, if he then did not bring the second Pesach due to negligence, is liable for kareis. This level of liability for not offering Pesach Sheni as prescribed follows the opinion of Rebbe (93a). This is also the ruling of Rambam in Hilchos Korban Pesach (5:2).

Nevertheless, Ra'avad asks why there should be a distinction between different reasons why the first Pesach was not brought. Why is kareis only applied for non-participation in the second Pesach when the first was not done due to אונס, but not when it was not done due to impurity or due to one's being far away?

Lechem Mishna explains that the liability of kareis for not bringing the second Pesach is based upon the verse (Bamidbar 9:13) חטאו ישא. This means that the punishment of kareis is only applied to "a person who was tahor, and was not on the road". However, if one was legitimately excused due to being tamei or being far away, even if he subsequently was negligent in not bringing the second Pesach, the result of kareis would not apply to him. ■

Today's Daf Digest is dedicated by
The Muskat and Lindner families
In loving memory of their mother
מרת ציפורה פייגא בת הרב אלכסנדר סנדר ע"ה

Today's Daf Digest is dedicated לזכר נשמת
הרב הקדוש רבי אלימלך
בן הרב הקדוש רבי אליעזר ליפמאן זצלה"ה מליזענסק

Today's Daf Digest is dedicated in memory of
ר' בערל בן ר' יחיאל

HALACHAH Highlight

Telling a non-Jew to do a D'Rabbanan

איזמל, דתניא כשם שאין מביאין אותו דרך רה"ר כך אין מביאין אותו דרך גגות

[Concerning the Izmal (the knife used for a bris)] We learned in a Baraisa: Just as one may not carry it via the public domain, one may not carry it via the rooftops.

The Rishonim disagree about this point. There are those who say¹ that an issur d'rabbanan is only prohibited when a physical action is involved, such as in our Gemara where a Jew may not even carry the איזמל in a place where it is rabbinically prohibited to do so. However, he may tell a non-Jew to carry the knife even through a public thoroughfare. This is permitted because אמירה לנכרי is a d'rabbanan which has no physical action to it. Others² hold that אמירה לנכרי is only permitted in a case of two d'rabbanans. An example of this would be to tell a non-Jew to carry the knife via the rooftops. The Mishna Berura³ is stringent in the matter. However, the Mishna Berura⁴ writes that one who is lenient in regards to mila and relies on the first opinion "does not lose." He adds that in our days when according to many poskim we do not have a biblically ordained reshus harabim⁵, a mohel who forgets his knife may have it carried for him by a non-Jew. HaRav S. Vosner⁶ zt"l is in doubt whether one has the

right to be stringent in such a case. [Note—There are practical ways⁷ which will alter the situation to ensure that the carrying is no more than a d'rabbanan. With this, one can certainly ask a non-Jew, for asking a non-Jew itself is a d'rabbanan. Therefore, such a case would be a "double d'rabbanan" and all opinions would agree that the knife could be carried to the mohel.] ■

1. דעת הבה"ג, והובא בתוס' דלהלן
2. בתוס' בגיטין דף ח' ב', בד"ה אע"ג. ולתוס' שם אפילו בתרי דרבנן לא הקילו אלא לצור מצות מילה, ולא לשאר מצות. ולדעת הרמב"ם (בהלכות שבת פ"ו ה"ט י'), בתרי דרבנן מותר גם לשאר מצות. ובעל העיטור (בהלכות מילה דף צ"ט ע"א והובא בר"ן בשבת בדפי הרי"ף נ"ו ע"א ד"ה ונמצא, ובד"צ הארוך באו"ח רע"ו ס"ק א') הוא דעה שלישית שהתיר אפילו אמירה לעכ"ם לעשות מלאכה דאורייתא לצורך כל מצוה. ולדינא במ"ב דלהלן כתב דלא כבה"ג אלא שלענין מילה המיקל כבה"ג לא הפסיד. ובמחלוקת תוס' ורמב"ם הנ"ל בתרי דרבנן לצורך מצוה שו"ע ש"ז ס"ה הקיל כרמב"ם. ובמ"ב סימן רע"ו ס"ק כ"ד כתב דלא כבעל העיטור הנ"ל, ועע"ש
3. בסימן של"א ס"ק כ"ב
4. שם. ועע"ש בבה"ל
5. שם. וכן עי' סימן רס"ו ס"ק ב' וס"ק ל"ד, וע"ע בבה"ל בסימן שמ"ה ס"ז בד"ה וי"א
6. בשו"ת שבט הלוי ח"ד סימן קל"ב בד"ה בשו"ע ס"ה
7. כמש"כ בשו"ת איגרות משה ח"ד סימן צ' לגבי כסא גלגלים, שהגוי ירים חצי למזרכה ואח"כ ירים את החצי השני. וכך יכול לעשות עם העגלת תינוק או התיק של המוהל, שיאמר לגוי להוציא חציו ושוב יוציא את החצי השני, ושכן יעשה בכניסתו לבית שימולו בו. ושברה"ר שהגוי יטלטלנו פחות פחות מד"א. שאם יאמר כן לגוי, אפילו אם לבסוף הגוי לא יעשה כן, מ"מ מה שהוציאו בבת אחת וכדו' עשה להקלה לעצמו. ואכמ"ל. וע"ע במ"ב סימן שמ"ט ס"ק ט"ז, וסימן רס"ו ס"ק י"ז ■

STORIES Off the Daf

"You gain nothing from an exemption!"

מי שהיה טמא או בדרך רחוקה ולא עשה את הראשון יעשה את השני... שאלו פטורין

Originally, the group in the desert who were exempt from bringing the Korban Pesach complained: "Why should we lose our opportunity to bring Hashem's offering?" If they were exempt, it meant that they had no obligation—so what was there to complain about? The Chiddushei Ha-

Rim, zt"l, explains that their words expressed exactly what they felt—a loss, a longing with all their hearts to bring the offering. It was this longing that brought about the revelation of an entirely new mitzvah—Pesach Sheini. They weren't even asking for a deferred Pesach—they were asking to be considered a separate tzibbur so that they could bring the offering in a state of impurity. Their holy yearning brought them to an even higher level—to bring it later, but in purity.

Once, the Chofetz Chaim, zt"l, was invited to be the mesader kidushin at a wedding, but it appeared as if there was going to be some delay.

When the Chofetz Chaim heard that the bride had not yet arrived, he went off to a nearby shul to learn in the interim.

People followed him and asked, "Isn't it true that one defers Torah study for the sake of hachnosas kal-lah?"

The Chofetz Chaim answered emphatically: "You don't gain anything from a פטור, a dispensation!"

True, a dispensation lets you out of your obligation, but it doesn't mean that you get rewarded for having done the mitzvah that got shunted to the side! ■

