

- רע"ב -

מדם התערובות.  
המוטל על הרלפה.  
ואין הלכה כרזי יהודה:  
(ט) אונקליות. מסמרים  
שראשיהן כפופים  
למעלה:

רְבִי יְהוּדָה אוֹמֵר, כּוֹס הָיָה מְמַלֵּא מִדָּם הַתְּעֲרוּבוֹת, זָרְקוּ זָרִיקָה אַחַת עַל גְּבֵי הַמִּזְבֵּחַ, וְלֹא הוֹדוּ לוֹ חֻכָּמִים.

[ט] כִּיצַד תּוֹלִין וּמַפְשִׁיטִין, אֲנָקְלִיּוֹת

The Mishnah cites a dispute (unrelated to Shabbos) about another part of the *pesach* service:

**R' Yehudah says:** After the Kohanim finished throwing the blood of all the *pesach* offerings, **כּוֹס הָיָה מְמַלֵּא מִדָּם הַתְּעֲרוּבוֹת** — a Kohen would fill a cup from the intermingled blood of all the offerings that had accumulated on the floor **זָרְקוּ זָרִיקָה אַחַת עַל גְּבֵי הַמִּזְבֵּחַ** — and throw it once on the wall of the Altar. In the event that, in the rush to bring the offerings, the blood of any offering had spilled and had not been thrown on the Altar,<sup>[4]</sup> it would now be thrown as part of this cup, which contains blood from all the offerings brought that day.<sup>[5]</sup> **וְלֹא הוֹדוּ לוֹ חֻכָּמִים** — **But the Sages did not agree with [R' Yehudah].** According to the Sages, this should not be done, because the intermingled blood from the floor is not fit for throwing on the Altar.<sup>[6]</sup>

[9] After the blood service was over, they would skin the offerings in order to remove certain parts, which they would burn on the Altar (as we will learn in the next Mishnah). So that they could be skinned easily, the offerings were suspended by their hind legs. The Mishnah discusses how this was done:

**אֲנָקְלִיּוֹת** — **How did they hang the offerings and skin them?** **כִּיצַד תּוֹלִין וּמַפְשִׁיטִין**

## NOTES

4. In which case, that offering would be invalid, since throwing the blood on the Altar's wall (זָרִיקָה) is an essential part of the *avodah* of any offering.

5. Since blood is a liquid substance, we assume that in any area in which it is contained, it all mixes together evenly. Thus, a cup of blood from the floor is assumed to contain at least a drop of blood from every animal whose blood spilled there (*Rashi, Zevachim* 80a רבנן בשלמא רבנן).

6. The Sages hold that the blood on the floor cannot be used to fulfill the obligation of throwing the blood for the following reason: The blood that must be thrown on the Altar is the "lifeblood" (דָּם הַחַיִּי) of the animal; that is, the blood that *spurts* from an animal's neck as soon as it is slaughtered. Most of the "lifeblood" from the *pesach* offerings was received in vessels and thrown on the

Altar; consequently, the majority of blood on the floor is blood that *drained* from the animals after the spurting stopped (דָּם הַתְּמַצִּית). This blood is unfit for throwing on the Altar. The Sages therefore apply the principle of *ביטול ברוב*, *nullification by the majority*, which states that when two substances are mixed, the majority substance cancels out the minority one. Thus, the small amount of "lifeblood" on the floor is canceled out by the larger amount of unsuitable blood, and the blood on the floor is not fit to be thrown on the Altar.

R' Yehudah, though, maintains that the principle of *nullification* does not apply to two substances that are alike (מִין בְּמִינוֹ). Therefore, one type of blood cannot cancel out another type of blood. Whatever "lifeblood" is on the floor thus retains its identity and can be thrown on the Altar (*Gemara* 65b).

- רע"ב -

שֶׁל בְּרוֹזַל הָיוּ קְבוּעִים בְּכִתְלֵים וּבַעֲמוּדִים  
שָׁבְהֵן תּוֹלִין וּמִפְּשִׁיטִין. וְכֹל מִי שָׁאִין לוֹ  
מָקוֹם לְתֵלוֹת וּלְהַפְשִׁיט, מְקַלּוֹת דְּקִים  
חֲלָקִים הָיוּ שָׁם, וּמְנִיחַ עַל כְּתָפוֹ וְעַל כְּתָף  
חֲבֵירוֹ, וְתוֹלֶה וּמִפְּשִׁיט. רַבִּי אֱלִיעֶזֶר אוֹמֵר,  
אַרְבָּעָה עָשָׂר שָׁחַל לְהִיּוֹת בַּשַּׁבָּת, מְנִיחַ יָדוֹ  
עַל כְּתָף חֲבֵירוֹ, וְיָד חֲבֵירוֹ עַל כְּתָפוֹ, וְתוֹלֶה  
וּמִפְּשִׁיט.

ובעמודים. שהיו קבועין  
בצית המטבחים בעזרה  
עמודים קטנים נקראים  
נכסים: חלקים. מפוללות  
קליפתן: שחל להיות  
בשבת. ואין יכול לטלטל  
המקלות: ידו על כתף  
חבירו. ותולה אותו  
בגדי ארכוזתיו בזרועו.  
ואין הלכה כרבי אליעזר,  
שמותר לטלטל אותן  
המקלות דאין שבות במקדש:

שֶׁל בְּרוֹזַל הָיוּ קְבוּעִים בְּכִתְלֵים וּבַעֲמוּדִים  
שָׁבְהֵן — Iron hooks were affixed in the walls  
of the Temple Courtyard and in pillars that stood in the Courtyard,<sup>[1]</sup>  
— and on [these hooks], they would hang the offerings and  
skin them. — וְכֹל מִי שָׁאִין לוֹ מָקוֹם לְתֵלוֹת וּלְהַפְשִׁיט —  
And for anyone who had no place to hang his offering and skin it (because the hooks were all occupied  
by other offerings),<sup>[2]</sup> — מְקַלּוֹת דְּקִים חֲלָקִים הָיוּ שָׁם — there were thin, smooth  
sticks of wood there;<sup>[3]</sup> — וּמְנִיחַ עַל כְּתָפוֹ וְעַל כְּתָף חֲבֵירוֹ — and [a person] would  
face his friend and rest one end of a stick on his shoulder and the other end  
on his friend's shoulder, — וְתוֹלֶה וּמִפְּשִׁיט — and he would hang the offering  
from the stick and skin it.

— אַרְבָּעָה עָשָׂר שָׁחַל לְהִיּוֹת בַּשַּׁבָּת — R' Eliezer says: — If  
the fourteenth of Nissan fell on Shabbos, when the sticks could not be used  
because they were *muktzeh*,<sup>[4]</sup> — מְנִיחַ יָדוֹ עַל כְּתָפוֹ — a person who could not find an available hook would place his hand on  
his friend's shoulder, and his friend would place a hand on his shoulder,  
— וְתוֹלֶה וּמִפְּשִׁיט — and they would hang the offering from their arms and skin  
it.<sup>[5]</sup>

## NOTES

## [9]

1. A section in the northern side of the Courtyard was known as “the butchering area” (בֵּית הַמְטָבְחִים), and was where the offerings were slaughtered and their hide was removed. That area contained eight short stone pillars topped with blocks of wood in which hooks were affixed (*Tamid* 3:5). In addition, hooks were affixed to the walls of the Courtyard in that area (*Rashi*).

2. Due to the great number of *pesach* offerings that were brought, there were usually not enough hooks for everyone (*Kol HaRemez*).

3. The bark was peeled off the sticks to make them smooth (*Rav*).

4. Since the sticks were designated to use for skinning animals, which is an activity that is normally forbidden on Shabbos, they were *muktzeh* and could not be moved.

The Tanna Kamma, however, holds that the sticks may be used even on Shabbos, because *muktzeh* is only a Rabbinic restriction of Shabbos, and Rabbinic restrictions on Shabbos activity do not apply in the Temple (*Rav*).

5. Two people would face each other and each would rest his left hand on the other's right shoulder; they would suspend the offering from their arms and use their free right hands to skin it (*Tos. Yom Tov*).

- רע"ב -

**[י] קָרְעוּ וְהוֹצִיא אֲמוֹרָיו, נָתְנוּ בַמִּגָּס וְהִקְטִירָן עַל גְּבֵי הַמִּזְבֵּחַ. יָצְתָה בֵּית רֵאשׁוֹנָה וַיִּשְׁבָּה לָהּ בְּהַר הַבַּיִת, שְׁנִיָּהּ בַּחֵל, וְהִשְׁלִישִׁית בְּמִקְוֵמָה עוֹמְדָת. חֲשֵׁכָה, יָצְאוּ וַצְלוּ אֶת פְּסָחֵיהֶן.**  
 נָטַס צַחֲלַת עַלִיית הַבַּיִת: חֲשִׁיכָה יִצְאוּ וַצְלוּ אֶת פְּסָחֵיהֶן. שְׁאִין לַלֵּיִת הַפֶּסַח דּוּחָה אֶת הַשְּׂצַת:

**[10] — After the offering was skinned, [the owner] tore open its abdomen and removed its sacrificial parts (the fats and organs that are burned on the Altar).<sup>[1]</sup> נָתְנוּ בַמִּגָּס וְהִקְטִירָן עַל גְּבֵי הַמִּזְבֵּחַ — He put them in a bowl in order for a Kohen to take and burn them on the Altar.<sup>[2]</sup>**

When each of the three groups finished making their offerings, everyone would take the meat of their offering to their place in Jerusalem and would roast it. The Mishnah describes what was done when Erev Pesach was on Shabbos, when they could not carry the meat home because of the prohibition to carry outside on Shabbos:

**יָצְתָה בֵּית רֵאשׁוֹנָה וַיִּשְׁבָּה לָהּ בְּהַר הַבַּיִת — When Erev Pesach was on Shabbos, the first group left the Courtyard after making their offerings and sat on the Temple Mount.<sup>[3]</sup> שְׁנִיָּהּ בַּחֵל — The second group, after finishing their offerings, left the Courtyard and sat in the *cheil*.<sup>[4]</sup> וְהִשְׁלִישִׁית עוֹמְדָת — And the third group, after finishing their offerings, stood in place in the Courtyard.<sup>[5]</sup> חֲשֵׁכָה יָצְאוּ וַצְלוּ אֶת פְּסָחֵיהֶן — When it grew dark (and Shabbos ended), [all three groups] left and roasted their *pesach* offerings.**

## NOTES

## [10]

1. Certain fats, the kidneys, the diaphragm along with part of the liver, and when the offering was a sheep, the fat tail, are all burned on the Altar (see *Leviticus* 3:3-4,9). These parts are known as *emurin*.

2. The acts of skinning the animal and removing the sacrificial parts do not need to be done by a Kohen, and were usually done by the offering's owner, since the Kohanim were occupied with other parts of the service (*Meiri*). However, placing the sacrificial parts on the Altar must be done by a Kohen (*Tos. Yom Tov*).

3. Outside the Temple buildings and Courtyards. The Temple Mount was surrounded by a wall and was considered a private domain, in which one is permitted to carry on Shabbos (*Meiri*).

4. The *cheil* was an area that stretched ten *amos* from the outer walls of the Women's Courtyard. It was surrounded by a low partition called the *soreg* (*Rav*).

5. [While the first two groups were allowed to sit, the third group, which remained in the Main Courtyard, had to remain standing, because no one may sit down in the Temple Courtyard (except for the kings from the House of David) (*Tiferes Yisrael*).]

# Chapter Six

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- רע"ב -

[א] אלו דברים בפסח דוחין את השבת, שחיטתו וזריקת דמו ומחוי קרביו והקטר חלביו, אבל צלייתו ונהדחת קרביו אינן דוחין את השבת.

פרק ששי - ואלו דברים. (א) ואלו דברים בפסח דוחין את השבת. פסח דוחה את השבת, דנאמר מועדו בפסח (צמדצב ט, ז) ויעשו בני ישראל

את הפסח במועדו, ונאמר מועדו בתמיד (טס כת, ז) תשמרו להקריב לי במועדו, מה מועדו האמור בתמיד דוחה את השבת שנאמר (טס פסוק י) על עולת התמיד, אף מועדו האמור בפסח דוחה את השבת: שחיטתו וזריקת דמו. אי אפשר לעשותן כלילה דכתיב (ויקרא ז, לח) זיום לוותו להקריב, זיום ולא כלילה: מחוי. קינות, כמו (משלי ל, כ) אכלה ומתה פיה. מחוי קרביו דוחה את השבת, שלא יסריחו: צלייתו ונהדחת קרביו אינן דוחין. דאפשר משתחשך:

[1] We learned in the previous chapter (Mishnah 8) that the *pesach* offering was brought on Erev Pesach even when it fell on Shabbos. However, the parts of the service that can be done before or after Shabbos may not be done on Shabbos. This Mishnah lists which parts of the service of the *pesach* offering are done on Shabbos and which parts are not done on Shabbos:

אלו דברים בפסח דוחין את השבת — These are the things in the service of the *pesach* offering that override the Shabbos restrictions:<sup>[1]</sup> שחיטתו — slaughtering it, ומחוי — throwing its blood on the wall of the Altar,<sup>[2]</sup> וזריקת דמו — and cleaning of its intestines from waste matter,<sup>[3]</sup> והקטר חלביו — burning its fats and organs on the Altar.<sup>[4]</sup> Since Erev Pesach is the designated time to do these things, they are done on Erev Pesach even when it is Shabbos. However, צלייתו ונהדחת קרביו אינן דוחין את השבת, and rinsing its intestines to clean them thoroughly,<sup>[5]</sup> do not override the Shabbos laws, because they can be done after Shabbos ends.

## NOTES

## [1]

1. That is, even though these things involve activities usually forbidden on Shabbos, they are permitted when making the *pesach* offering.

The Sages learn from a Scriptural link (*gezeirah shavah*) between the *tamid* offering and the *pesach* offering that just as bringing the *tamid* overrides the Shabbos laws (as stated in *Numbers* 28:10), so does bringing the *pesach* override the Shabbos laws (*Rav*; see the next Mishnah).

2. The *pesach* must be slaughtered, and its blood thrown on the Altar, during the daytime on Erev Pesach. These services are therefore done at that time even when it is Shabbos (*Rav*).

3. The intestines, which are eaten along with the meat of the offering, are punctured, and the waste matter is removed

from them (Gemara 68a). Even though cleaning the intestines is not part of the service of the offering, it is done on Shabbos because the intestines will become putrid if the waste matter remains in them until nightfall (*Rav*).

4. Although the sacrificial parts *may* be burned after Shabbos, they are burned on Shabbos because it is *preferable* to burn the parts right after the offering is made. It is so important to do this mitzvah at the preferred time that we override the Shabbos laws to do so (*Tos. Yom Tov*, from Gemara 68b).

5. After the waste has been removed, the intestines must be rinsed to remove any waste matter still sticking to them. This can be done after Shabbos ends, because this small amount of waste matter will not cause the intestines to spoil even if they are not rinsed until nightfall (*Meiri*).

- רע"ב -

הֲרִבְבֵתוּ. עַל כֹּתְפוֹ לְהַבְיִאוֹ דֶרֶךְ רְשׁוֹת הַרְצִים לְעִזְרָה אֶף עַל פִּי שֶׁאֵין צוֹ אֱלֹהֵי אִיסוּר שְׁבוֹת, שֶׁהָיָה נוֹשֵׂא אֶת עַלְמוֹ, אֵין דּוּחָה, דְּהוּא לִיָּה לְמַעֲבָדָה מֵאֲתָמוּל. וְכֵן הִבְאִיתוּ מִחוּץ

הֲרִבְבֵתוּ וְהִבְאִיתוּ מִחוּץ לְתַחֲוֹם, וְחִתִּיכֵת יִבְלֵתוּ, אֵין דּוּחִין אֶת הַשְּׁבֵת. רַבִּי אֱלִיעֶזֶר אֹמֵר, דּוּחִין.

[ב] אָמַר רַבִּי אֱלִיעֶזֶר, וְהֵלֵא דִין הוּא,

לְתַחֲוֹם וְחִתִּיכֵת יִבְלֵתוּ שֶׁל קֶרֶבֶן פֶּסַח לְהַסִּיר מוֹמוֹ, אֶף עַל פִּי שֶׁאֵין צוֹ אֱלֹהֵי אִיסוּר שְׁבוֹת, שְׁחֹתְכָה בְּשִׁנְיֹו אוֹ צִידוֹ, אֵין דּוּחִים. וְהָאֵל דַּתְּנָן בְּשִׁלְהֵי עִירוּצִין חוֹתְכִין יִבְלֵת בְּמַקְדָּשׁ, הֵיִיא צִיבָּשָׁה דְּמַפְרָךְ פְּרָכָה, וּמִתְנִיתִין דְּהִכָּא בְּלַחָה. וְאֶף עַל פִּי דְּכַשְׁחֹתְכָה בְּשִׁנְיֹו אוֹ צִידוֹ כְּלֹאֲחֵר יָד הוּא, אֶפִּילוּ הִכִּי אִסוּר בְּלַחָה דְּהוּא לִיָּה לְמַעֲבָדָה מֵאֲתָמוּל: רַבִּי אֱלִיעֶזֶר אֹמֵר דּוּחִין. דְּסַבְרַן מַכְשִׁירֵי מִלּוּה דּוּחִים אֶת הַשְּׁבֵת, בְּמַסְכַּת שְׁבוֹת:

The Mishnah cites a dispute whether certain preparations for bringing the *pesach* may be done on Shabbos:

However, carrying [the offering] through a public domain (street) to the Temple,<sup>[6]</sup> or bringing it from out of the *techum* (Shabbos boundary),<sup>[7]</sup> — or cutting off its wart to make it fit to be an offering,<sup>[8]</sup> — אין דוחין את השבת — do not override the Shabbos laws. Since these preparations can be done before Shabbos, they may not be done on Shabbos. But R' Eliezer says that [these activities] also override the Shabbos restrictions. According to R' Eliezer, just as the service of the *pesach* may be done on Shabbos, preparations for bringing the *pesach* may also be done on Shabbos, even though they could have been done before Shabbos.<sup>[9]</sup>

[2] This Mishnah continues to discuss the dispute between the Tanna Kamma and R' Eliezer at the end of the previous Mishnah. R' Eliezer attempts to prove his ruling by means of a logical argument:

R' Eliezer said: — Can it not be proven by the following logical argument that carrying an offering through a public

## NOTES

6. Since a person is forbidden to carry in a public domain (*reshus harabim*) on Shabbos, if the animal cannot walk by itself, he may not carry it to the Temple through a public domain.

7. A person is forbidden to go on Shabbos more than 2,000 *amos* from where he was residing when the day began. This limit is called the *techum Shabbos* (Shabbos boundary). It is also forbidden to bring an animal or object more than 2,000 *amos* from where its owner was residing when Shabbos began. Thus, an animal whose owner had been residing more than 2,000 *amos* from Jerusalem when Shabbos began may not be brought to the Temple on Shabbos — even if it walks by itself.

8. A wart is one of many blemishes (מום) that invalidates an animal from being used as an offering (*Leviticus 22:22*). Once the wart is removed, the animal may be used.

9. According to R' Eliezer, wherever the Torah allows a mitzvah to override the prohibitions of Shabbos (for example, circumcising a baby), not only does the performance of the mitzvah itself override Shabbos, but so too do any preparations needed to make the mitzvah possible. (Such preparations are known as *מְכַשְׁרִים*.) According to the Tanna Kamma, preparations that could have been done before Shabbos do not override the Shabbos laws (*Rav*; see *Shabbos 19:1*).

- רע"ב -

מָה אִם שְׁחִיטָה שְׁהִיא מְשׁוּם מְלֶאכָה דוּחָה אֶת הַשַּׁבָּת, אֵלּוּ שֶׁהֵן מְשׁוּם שְׁבוּת לֹא יִדְחוּ אֶת הַשַּׁבָּת. אָמַר לוֹ רַבִּי יְהוֹשֻׁעַ, יוֹם טוֹב יוֹכִיחַ, שֶׁהִתִּירוּ בּוֹ מְשׁוּם מְלֶאכָה, וְאָסְרוּ בּוֹ מְשׁוּם שְׁבוּת. שְׁחִיטָה וּצְיָוֵל שֶׁהוּא אֵצֶל מַלְאָכָה וּמוֹתְרִין לַהֲדִיּוֹט, וְאָסְרוּ בּוֹ לַהֲצִיאַ דָּבָר מִחוּץ לַתְּחוּם וּלְאֲכָלוֹ, הוֹאִיל וְהִיא אֲפָשָׁר לוֹ מֵאֲתָמוּל, וְאֵף עַל גַּב דְּתַחוּמִים מִדְּרַבָּנִן:

domain, or bringing it from out of the *techum*, or removing its wart, are permitted on Shabbos? — **מָה אִם שְׁחִיטָה שְׁהִיא מְשׁוּם מְלֶאכָה דוּחָה אֶת הַשַּׁבָּת** — For if slaughtering a *pesach* offering, which is an act that involves a Biblical *melachah*, overrides the laws of Shabbos, **אֵלּוּ שֶׁהֵן מְשׁוּם שְׁבוּת לֹא יִדְחוּ אֶת הַשַּׁבָּת** — then should these acts, which involve only Rabbinic decrees,<sup>[1]</sup> not surely override the laws of Shabbos for the sake of the *pesach*?<sup>[2]</sup>

R' Yehoshua challenges this argument:

— **אָמַר לוֹ רַבִּי יְהוֹשֻׁעַ** — R' Yehoshua said to him: **יִדְחוּ אֶת הַשַּׁבָּת** — The laws of Yom Tov will show that this is not a valid argument. **שֶׁהִתִּירוּ בּוֹ מְשׁוּם מְלֶאכָה** — For [the Torah] permitted preparing food on [Yom Tov] with activities that involve Biblical *melachah*, **וְאָסְרוּ בּוֹ מְשׁוּם שְׁבוּת** — yet [the Sages] forbade certain activities that involve Rabbinic decrees, even for the sake of food.<sup>[3]</sup> Clearly, the fact that Biblical prohibitions may be lifted does not prove that Rabbinic decrees are also lifted. Therefore, with regard to the *pesach*, just because a Biblical *melachah* (slaughtering) is permitted, it does not necessarily

## NOTES

[2]

1. Although carrying in a public domain is usually forbidden on Shabbos on the Biblical level, carrying a living animal is forbidden only Rabbinically, because of the principle of *חַי נוֹשֵׂא אֶת עַצְמוֹ*, *a living creature supports its own weight* (by shifting around to balance itself, thus lightening the load on the one carrying it). Because of this principle, carrying a living creature is not considered “carrying” on the Biblical level. Bringing an animal from outside the *techum* is also forbidden only Rabbinically, because the laws of *techum* are only Rabbinic in nature. With regard to cutting off a wart, the Mishnah refers to a person who does not use a knife; rather he removes the wart with his fingers or teeth, which is forbidden only Rabbinically, because that is an unusual way of removing a wart (*Rav* to Mishnah 1).

2. In fact, R' Eliezer holds that even preparations that involve a Biblical prohibition may be done on Shabbos for the sake of the *pesach* (see Mishnah 1 note 9). His point here is only to argue that even those who disagree with him about his general rule should surely agree that at least *these* activities (carrying the animal through a public domain, bringing it from out of the *techum*, and removing a wart), which involve only Rabbinic prohibitions, should be allowed for the sake of the *pesach* (*Tosafos* 68b).

3. On Yom Tov, a person is allowed to cook food (which involves a Biblical *melachah*); however, preparations for cooking that could have been done before Yom Tov (for example, bringing food from outside the *techum*) are forbidden, even if they involve only Rabbinic prohibitions (*Rav*).

- רע"ב -

אָמַר לוֹ רַבִּי אֶלְיָעֶזֶר, מַה זֶה, יְהוֹשֻׁעַ, מַה  
 רְאִיָּה רִשׁוּת לְמִצְוָה. הַשֵּׁיב רַבִּי עֲקִיבָא  
 וְאָמַר, הַנָּזָה תּוֹכִיחַ, שֶׁהִיא מִצְוָה וְהִיא  
 מְשׁוּם שְׁבוּת וְאִינָה דוֹחָה אֶת הַשַּׁבָּת.  
 מה ראייה רשות למצוה. אכילת הדיוט  
 רשות הוא, ולורך גזוה  
 מלוה היא, ואס העמידו  
 חכמים איסור שבות שלהן  
 במקום רשות, יעמידוהו  
 הם אף במקום מלוה.

ורבי יהושע סבר כל שמחת יום טוב מלוה היא, ואפילו הכי אינה דוחה שבות: הוזה תוכיח שהיא  
 מצוה. בטמא מת שחל שביעי שלו להיות בשבת ערב הפסח, שאם לא יזה לא יעשה פסחו, ואפילו  
 הכי אינה דוחה דהכי קים ליה לרבי עקיבא דלא דחיא. והזאה שבות היא דמיחזי כמאן דמתקן גזרא:

follow that other Rabbinically forbidden activities (such as carrying an animal through a public domain, bringing it from out of the *techum*, and removing its wart) are also permitted.<sup>[4]</sup>

R' Eliezer defends his argument by refuting R' Yehoshua's challenge:

אָמַר לוֹ רַבִּי אֶלְיָעֶזֶר — R' Eliezer said to him: מַה זֶה יְהוֹשֻׁעַ — What proof  
 is this, Yehoshua? מַה רְאִיָּה רִשׁוּת לְמִצְוָה — What proof can there be from  
 an optional activity (eating on Yom Tov) to a mitzvah (bringing the *pesach*  
 offering)? True, some activities involving Rabbinic decrees are forbidden even  
 for the sake of preparing food on Yom Tov, but that is because eating on Yom  
 Tov is only an optional activity. This does not prove that such activities are  
 forbidden for the sake of bringing the *pesach*, which is a mitzvah!<sup>[5]</sup>

R' Akiva challenges R' Eliezer's argument from a different law:

הַנָּזָה — R' Akiva responded to R' Eliezer and said: הַשֵּׁיב רַבִּי עֲקִיבָא וְאָמַר  
 — The law of sprinkling *mei chatas* (water mixed with the ashes of a  
*parah adumah*) on a person who is *tamei*<sup>[6]</sup> will show that your argument is not  
 valid. When a person needs to be sprinkled with *mei chatas* on Erev Pesach,  
 שֶׁהִיא מִצְוָה — then [the sprinkling] is a mitzvah, because it enables him to  
 become *tahor* and bring a *pesach*,<sup>[7]</sup> וְהִיא מְשׁוּם שְׁבוּת — and it involves only  
 a Rabbinic decree, וְאִינָה דוֹחָה אֶת הַשַּׁבָּת — and yet it does not override  
 the laws of Shabbos (i.e., it may not be done on Shabbos even if it is Erev  
 Pesach).<sup>[8]</sup> This shows that we do not override a Rabbinic prohibition even

## NOTES

4. Rather, on Shabbos just as on Yom Tov, preparations that could have been done the day before may not be done, even if they involve only Rabbinic decrees.

5. R' Yehoshua, however, disagrees with R' Eliezer and holds that eating on Yom Tov is a mitzvah and can therefore be compared to the *pesach* (*Rav*).

6. A person who became *tamei* from a corpse must go through a seven-day purification process; spring water mixed with the ashes of a *parah adumah* (red cow) is sprinkled on him on the third and seventh days (*Numbers* 19:14-19).

7. The Mishnah refers to a *tamei* person

whose seventh day of purification fell on Erev Pesach. Since a person who is *tamei* may not take part in a *pesach*, no *pesach* may be brought for him unless he is sprinkled with *mei chatas* (*Rav*).

8. The Rabbis prohibited sprinkling *mei chatas* on Shabbos, because doing so “repairs” the person from his state of *tumah*, which resembles the Biblical *melachah* of making a repair to a utensil (*Rav*).

This Tanna holds that a person may never be sprinkled with *mei chatas* on Shabbos, even when it is Erev Pesach and he cannot bring the *pesach* unless he is sprinkled (see note 14).



- רע"ב -

ועליה אני דן. וגם על  
ההזאה אני חולק וחומר  
סתדה ולא תעכזה  
מפסה, מקל וחומר זה  
צטלמו: אמר לו רבי  
עקיבא או חלוף. או אני  
אחליף את הדין. דפשיטא  
ליה דהזאה מעכזה  
וילפינן בקל וחומר  
מינה לשחיטה [סתכזה]:

אף אתה אל תתמה על אלו, שאף על פי  
שהן מצוה והן משום שבות, לא ידחו  
את השבת. אמר לו רבי אליעזר, ועליה  
אני דן, ומה אם שחיטה שהיא משום  
מלאכה, דוחה את השבת. הוזה שהיא  
משום שבות, אינו דין שדוחה את השבת.  
אמר לו רבי עקיבא, או חלוף, מה אם  
הוזה שהיא משום שבות, אינה דוחה את השבת.  
שהיא משום מלאכה, אינו דין שלא תדחה את השבת.

for the sake of a mitzvah. — Therefore, you too should not be surprised that these preparations for the *pesach*,<sup>[9]</sup> שאף על פי שהן מצוה והן משום שבות לא ידחו את השבת — even though they involve a mitzvah, and they are prohibited only by Rabbinic decree, will not override the laws of Shabbos.

R' Eliezer answers that he disagrees with the basis of R' Akiva's challenge: — In regard to this very law of sprinkling the *mei chatas* I can make the same logical argument. In my opinion, sprinkling *mei chatas* does override the laws of Shabbos when needed in order to bring a *pesach*, based on the same argument I used to prove that other preparations for the *pesach* override the laws of Shabbos, as follows: — If slaughtering the *pesach* offering, which involves a Biblical *melachah*, overrides the laws of Shabbos, — then is it not logical that sprinkling *mei chatas*, which involves only a Rabbinic decree, should surely override the laws of Shabbos for the sake of the *pesach*? You cannot disprove my argument from the law of sprinkling *mei chatas*, because I disagree with you regarding that very law!

R' Akiva responds:

— Perhaps we should reverse your argument, and reason as follows: — If sprinkling *mei chatas*, which involves only a Rabbinic decree, does not override the laws of Shabbos, — then is it not logical that slaughtering an animal, which involves a Biblical *melachah*, should not override the laws of Shabbos. Why do you use this argument to prove that sprinkling is permitted on Shabbos? It can just as well be used to prove that slaughtering is forbidden on Shabbos!<sup>[10]</sup>

## NOTES

9. Carrying the offering through a public domain, bringing it from out of the *techum*, and removing a wart.

10. R' Akiva knew that his argument was

- רע"ב -

אָמַר לוֹ רַבִּי אֱלִיעֶזֶר, עֲקִיבָא, עֲקִרְתָּ מַה  
שְׁפָתוֹב בְּתוֹרָה, בֵּין הָעֲרִבִים ... בְּמוֹעֲדוֹ,  
בֵּין בַּחֹל בֵּין בְּשַׁבָּת. אָמַר לוֹ, רַבִּי,  
הֵבֵא לִי מוֹעֵד לְאֵלוֹ בְּמוֹעֵד לְשַׁחֲיטָה.

במועדו. ויעשו בני ישראל את הפסח במועדו (במדבר ט, ז): הבא לי מועד לאלו. שיהא להם זמן קבוע, כמו שקבע לשחיטה, הילכך כיון שלא קבע להם זמן ומני למעבד מאתמו, לא דחיא, והזאה נמי לאו מגופיה דפסח היא ולא כתיב צה במועדו. והלכה כרבי עקיבא:

R' Eliezer refutes this argument:

R' Eliezer said to him: Akiva! If you use this argument to prove that slaughtering the *pesach* is forbidden on Shabbos, **עֲקִרְתָּ מַה שְׁפָתוֹב בְּתוֹרָה** (בין הערבים...) **בְּמוֹעֲדוֹ** — you will have uprooted that which is stated in the Torah (*Numbers 9:2*): *The Children of Israel shall make the pesach offering in its appointed time* — from which we learn that the *pesach* is brought on the fourteenth of Nissan (its appointed time), **בֵּין בַּחֹל** — whether it is a weekday or Shabbos.<sup>[11]</sup> Since we have a clear tradition, based on a verse, that the *pesach* is brought (i.e., slaughtered), on Shabbos, any argument to prove otherwise must be incorrect.<sup>[12]</sup>

R' Akiva offers a final refutation of R' Eliezer's argument by showing that preparations for the *pesach* are not the same as its slaughter:

My teacher! Give me an appointed time when these preparations (carrying the offering through a public domain, bringing it from out of the *techum*, and removing its wart) must be done, **בְּמוֹעֵד לְשַׁחֲיטָה** — just as there is an appointed time for the offering's slaughter — and I will then allow these preparations to be done on Shabbos. Only services that must be done at a designated time — like slaughtering the offering, which can be done only on Erev Pesach — override the laws of Shabbos. These other preparations, though, have no appointed time and can be done the day before; therefore, they do not override the laws of Shabbos.<sup>[13]</sup>

## NOTES

faulty, as R' Eliezer will respond; R' Akiva was merely trying to remind R' Eliezer that he himself had once taught that sprinkling is *forbidden* on Shabbos; see the next note.

11. R' Akiva was aware of this. However, he had previously learned from R' Eliezer, who was his teacher, that sprinkling *mei chatas* is *forbidden* on Shabbos. R' Eliezer had forgotten this teaching and now wished to reason that sprinkling should be *permitted* on Shabbos. R' Akiva thus used this argument — which is based on the fact that sprinkling is *forbidden* on Shabbos — to subtly remind R' Eliezer of the law in a respectful manner

[without telling him directly that he had erred] (*Tiferes Yisrael*, from Gemara 69a).

12. The Torah uses the same word — *בְּמוֹעֲדוֹ*, *in its appointed time* — with regard to the *tamid* offering (*Numbers 28:2*). The Sages learn from this that just as bringing the *tamid* overrides the Shabbos laws (as stated in v. 10 there), so too does bringing the *pesach* (Gemara 66a).

13. In conclusion: R' Eliezer had argued that if slaughtering the offering, which involves a Biblical *melachah*, can be done on Shabbos, then these preparations, which involve only Rabbinic prohibitions, should surely be allowed on Shabbos.

R' Akiva now answers that the

- רע"ב -

(ג) אימתי מביאים עמו חגיגה. עס הפסח צ"ד צניסן: בזמן שהוא בא בחול בטרהרה. דאף על גז דפסח דחי שצת וטומאה, חגיגה לא דחיא שצת: ובמועט. שהיה פסח מועט לאכילת צני חצורה, ואוכלין החגיגה תחלה כדי שהיה הפסח גמר שציתן:

בְּלֵל אָמַר רַבִּי עֲקִיבָא, כָּל מְלֶאכֶה שְׂאֵפְשָׁר לַעֲשׂוֹתָהּ מִעֶרֶב שַׁבָּת, אֵינָה דוֹחָה אֶת הַשַּׁבָּת. שְׁחִיטָה שְׂאֵי אֵפְשָׁר לַעֲשׂוֹתָהּ מִעֶרֶב שַׁבָּת, דוֹחָה אֶת הַשַּׁבָּת.

[ג] אֵימָתִי מְבִיא חֲגִיגָה עִמוֹ, בְּזֶמֶן שֶׁהוּא בָּא בְּחֹל בְּטָהֳרָה וּבְמַעֵט.

R' Akiva summarizes his opinion:

כָּל מְלֶאכֶה שְׂאֵפְשָׁר — R' Akiva stated a rule: — בְּלֵל אָמַר רַבִּי עֲקִיבָא — Any work needed for the *pesach* offering that is possible to do before Shabbos — אֵינָה דוֹחָה אֶת הַשַּׁבָּת — does not override the laws of Shabbos. — שְׁחִיטָה שְׂאֵי אֵפְשָׁר לַעֲשׂוֹתָהּ מִעֶרֶב שַׁבָּת — Slaughtering the offering, which is impossible to do before Shabbos, since it must be done on Erev Pesach, — דוֹחָה אֶת הַשַּׁבָּת — overrides the laws of Shabbos.<sup>[14]</sup>

[3] In addition to the *pesach*, another offering, known as the *chagigah*, was usually brought on Erev Pesach and eaten that night along with the *pesach*.<sup>[1]</sup> This Mishnah states the circumstances in which the *chagigah* was brought:

אֵימָתִי מְבִיא חֲגִיגָה עִמוֹ — When does [a person] bring a *chagigah* offering together with [the *pesach* offering]? — בְּזֶמֶן שֶׁהוּא בָּא בְּחֹל — When [the *pesach*] is brought on a weekday (i.e., Erev Pesach is a weekday), — בְּטָהֳרָה — and the *pesach* is brought in purity (and not by people who are *tamei*),<sup>[2]</sup> — וּבְמַעֵט — and it is too small for its meat to satisfy everyone in the group bringing it.<sup>[3]</sup> Ideally, eating the meat of the *pesach* should bring a person to a feeling of complete satisfaction. Therefore, when there is not enough meat

## NOTES

slaughter — which must be done on Erev Pesach — cannot be compared to these preparations, which can be done the day before.

14. The same applies to any other part of the service that, like the animal's slaughter, must be done on Erev Pesach. (See the previous Mishnah for a list of services that are done on Shabbos.)

Sprinkling *mei chatas*, however, is not done on Shabbos, even when that is the only day to do it (i.e., when the seventh day of purification is on Erev Pesach, which falls on Shabbos), since it is not part of the actual *pesach* offering [but simply allows the person to bring a *pesach*] (*Rav*).

## [3]

1. This offering was a special *chagigah* known as the *chagigah of the fourteenth [of Nissan]*; it was brought only under the circumstances listed in this Mishnah. It should not be confused with the regular *chagigah* offering brought on the three festivals (see *Chagigah* 1:2).

2. A *pesach* is sometimes brought even by people who are *tamei*; see note 5.

3. A group may contain a lot of people, so that each of them receives only a small piece of meat from the offering. [To fulfill the basic obligation of eating the *pesach*, a person needs to eat only a piece of meat the size of an olive (a *kezayis*).]

- רע"ב -

וּבְזִמְן שֶׁהוּא בָּא בַשַּׁבָּת בְּמִרְבֵּה וּבְטִמְאַה, אֵין  
מְבִיאִין עִמּוֹ חֲגִיגָה.

במרובה. שהיתה  
החזרה מועטת ודי להן  
צפסח לצדו: ובטומאה.  
שרוב לצור טמאין: אין  
מביאין עמו חגיגה.  
שחגיגת יוס י"ד רשות  
היא ולא חובה: (ד) מן  
הבקר. מה שאין כן  
צפסח שאינו צא לא מן  
הבקר ולא מן הנקבות:

[ד] חֲגִיגָה הֵיְתָה בָּאָה מִן הַצֵּאֵן, מִן הַבֶּקֶר,  
מִן הַכִּבְשִׁים וּמִן הָעֹזִים, מִן  
הַזְּכָרִים וּמִן הַנְּקֻבוֹת. וְנֹאכְלָת לְשָׁנֵי יָמִים  
וְלַיְלָה אֶחָד.

from the *pesach* to fully satisfy everyone in the group, they bring a *chagigah* offering to provide extra meat, which they would eat first, so that when they eat the *pesach*, they become fully satisfied.

The Mishnah states when a *chagigah* is not brought:

וּבְזִמְן שֶׁהוּא בָּא בַשַּׁבָּת — However, when [the *pesach*] is brought on Shabbos (i.e., when Erev Pesach is Shabbos), **בְּמִרְבֵּה** — or is large enough to satisfy everyone in the group,<sup>[4]</sup> **וּבְטִמְאַה** — or is brought under conditions of *tumah*,<sup>[5]</sup> **אֵין מְבִיאִין עִמּוֹ חֲגִיגָה** — they do not bring a *chagigah* along with it. Although the *pesach* offering is brought on Shabbos and under certain conditions of *tumah*, the *chagigah* may not be brought on Shabbos or under any condition of *tumah*. And it is also brought only when it is needed to ensure that everyone in the group is completely satisfied from the *pesach*.

[4] The Mishnah gives some details of the *chagigah* offering:

**חֲגִיגָה הֵיְתָה בָּאָה מִן הַצֵּאֵן מִן הַבֶּקֶר** — The *chagigah* may be brought from small livestock or from cattle — **מִן הַכִּבְשִׁים וּמִן הָעֹזִים** — “from small livestock” means from sheep or from goats; **מִן הַזְּכָרִים וּמִן הַנְּקֻבוֹת** — it may be brought from male or from female animals; **וְנֹאכְלָת לְשָׁנֵי יָמִים וְלַיְלָה אֶחָד** — it may be eaten for two days and one night after it is offered. That is, it may be eaten the day it is brought (the 14th of Nissan), the following night, and the next day (the 15th of Nissan).<sup>[1]</sup>

## NOTES

4. It is brought by a small group, so each person receives a large amount of meat (*Rav*).

unless its owners and the Kohanim bringing it are *tahor*.

[4]

5. Under ordinary circumstances, no offering may be brought or eaten by people who are *tamei*. However, a special dispensation is made for the *pesach* in a case when most of the Jewish people or most of the Kohanim have become *tamei* from a corpse. In that case, the *pesach* is brought and eaten even though the people are *tamei* (see Mishnah 7:4,6). However, no dispensation is made for the *chagigah*, and it may not be brought

1. These are the laws that apply to all ordinary *shelamim* offerings and therefore apply to the *chagigah*, which is a *shelamim* offering.

The *pesach* offering, however, must be a male lamb or kid [and may be eaten only on the night following the 14th of Nissan] (*Rav*). In addition, the *pesach* must be an animal less than a year old, while the *chagigah* may be an adult animal.

- רע"ב -

[ה] הַפֶּסַח שֶשְׁחָטוּ שְׁלֹא לְשֵׁמוֹ בַּשַּׁבָּת, חֵיב עָלָיו חֲטָאת. וְשָׂאָר כָּל הַזְּבָחִים שֶשְׁחָטָן לְשׁוֹם פֶּסַח, אִם אֵינָן רְאוּיִין, חֵיב. וְאִם רְאוּיִין הֵן, רַבִּי אֱלִיעֶזֶר מְחִיב חֲטָאת, וְרַבִּי יְהוֹשֻׁעַ פּוֹטֵר.

או נקבה. חייב עליו חטאת אם נתעלמה ממנו שבת או סבור שמוטר לשחוט זבחים אחרים לשם פסח בשבת, דהאי לאו טועה בדבר מלוא, דהכל יודעים שאין זה כשר לפסח: ואם ראויין הן. כגון שהן בן שנה של שלמים ששחטו לשם פסח, דמתוך שהוא טרוד וזהו לשחוט פסחו טעה בדבר זה ולא נזכר שהקדישו לזבח אחר: רבי אליעזר מחייב חטאת. אף על פי שטעה בדבר מלוא: ורבי יהושע פוטר. דקסבר טעה בדבר מלוא וטעה כל דהוא פטור מחיוב חטאת שבה, וזה טעה מלוא שהקריב קרבן,

[5] The Mishnah returns to the subject of a *pesach* offered on Erev Pesach that falls on Shabbos. As we have learned (Mishnah 5:2), a *pesach* offering is valid only if it is slaughtered for its own sake. This Mishnah states the law for a person who slaughters a *pesach* on Shabbos for the sake of a different offering:

חֵיב עָלָיו הַפֶּסַח שֶשְׁחָטוּ שְׁלֹא לְשֵׁמוֹ בַּשַּׁבָּת — If a *pesach* was slaughtered on Shabbos (i.e., when Erev Pesach was Shabbos) not for its own sake,<sup>[1]</sup> חֵיב עָלָיו חֲטָאת — [the slaughterer] must bring a *chatas* offering for this, because he has desecrated Shabbos.<sup>[2]</sup> The Torah allows the mitzvah of slaughtering the *pesach* to override the prohibition of slaughtering an animal on Shabbos. However, a *pesach* that was slaughtered not for its own sake is invalid; therefore, its slaughter does not fulfill the mitzvah of *pesach* and is a desecration of Shabbos.

The Mishnah now discusses the law for a person who slaughters other offerings on Erev Pesach that is Shabbos with the intention that they should be a *pesach* offering:

וְשָׂאָר כָּל הַזְּבָחִים שֶשְׁחָטָן לְשׁוֹם פֶּסַח — In regard to all other offerings that [a person] slaughtered on Shabbos for the sake of a *pesach*,<sup>[3]</sup> the law is as follows: אִם אֵינָן רְאוּיִין חֵיב — If they are the kind of animals that are not fit to be a *pesach* offering,<sup>[4]</sup> he must bring [a *chatas*], since he has desecrated Shabbos. וְאִם רְאוּיִין הֵן — However, if they are animals that are fit to be a *pesach* offering,<sup>[5]</sup> there is a dispute: רַבִּי אֱלִיעֶזֶר מְחִיב חֲטָאת — R' Eliezer says that he must bring a *chatas*, וְרַבִּי יְהוֹשֻׁעַ פּוֹטֵר — but R' Yehoshua

## NOTES

[5]

1. It was slaughtered with the intention that it should be a different type of offering (for example, a *shelamim*) and not the *pesach*.

2. Someone who desecrates Shabbos unintentionally must atone for his sin by bringing a *chatas* offering (*Kereisos* 2a). The Mishnah refers to a person who did this unintentionally — for example, he

thought it was permitted to slaughter a *pesach* not for its own sake on Shabbos (*Rav*).

3. For example, he slaughtered a *shelamim* offering for the sake of a *pesach*.

4. For example, a calf or a female sheep. A *pesach* must be a male lamb or kid less than one year old (*Exodus* 12:5).

5. That is, a male lamb or kid less than one year old.

- רע"ב -

אָמַר רַבִּי אֱלִיעֶזֶר, מָה אִם הַפֶּסַח שְׁהוּא  
 מִתֵּר לְשִׁמוֹ, בְּשִׁשְׁנָה אֶת שְׁמוֹ, חֵיב. זְבָחִים  
 שֶׁהֵן אֲסוּרִין לְשִׁמּוֹן, בְּשִׁשְׁנָה אֶת שְׁמׁוֹן, אֵינוֹ  
 דִּין שְׂיָהָא חֵיב. אָמַר לוֹ רַבִּי יְהוֹשֻׁעַ, לֹא,  
 הַפֶּסַח. שְׁמוֹתָ לְשׁוֹטְטוֹ בְּשִׁשְׁנָה לְשִׁמוֹ, שִׂינָה אֵת שְׁמוֹ אֲרֻדִית מִיָּהָא דְחֵיב חֲטָאת כְּדַקְתָּנִי לְעִיל:

exempts him from a *chatas*. Since the animal was the same type as the *pesach*, it is assumed that he slaughtered it by mistake in his hurry to bring the *pesach*, forgetting that it was a different offering. According to R' Yehoshua, when a person commits a sin through an error made while he was trying to do a mitzvah, he is exempt from a *chatas*.<sup>[6]</sup>

R' Eliezer tries to prove his ruling by a logical argument:

אָמַר רַבִּי אֱלִיעֶזֶר — R' Eliezer said: מָה אִם הַפֶּסַח שְׁהוּא מִתֵּר לְשִׁמוֹ — Now, in the case of the *pesach*, which one is permitted to slaughter on Shabbos for its own sake, בְּשִׁשְׁנָה אֶת שְׁמוֹ חֵיב — nevertheless, if [a person] changed its designation (i.e., if he slaughtered it not for its own sake), he must bring [a *chatas*];<sup>[7]</sup> זְבָחִים שֶׁהֵן אֲסוּרִין לְשִׁמּוֹן — then in the case of other offerings, which we are forbidden to slaughter on Shabbos even for their own sake, בְּשִׁשְׁנָה אֶת שְׁמׁוֹן אֵינוֹ דִּין שְׂיָהָא חֵיב — if a person changes their designation and slaughters them not for their own sake, should he not surely have to bring [a *chatas*]?<sup>[8]</sup>

R' Yehoshua responds that these two cases cannot be compared:

אָמַר לוֹ רַבִּי יְהוֹשֻׁעַ לֹא — R' Yehoshua said to him: No! That is not a valid

## NOTES

6. This is known as *טוּעָה בְּדַבַּר מִצְוָה*, *one who errs in the matter of a mitzvah*. R' Yehoshua maintains that if, while preoccupied in trying to do a mitzvah, a person errs and does a sin that would usually make him liable to a *chatas*, he is exempt from the *chatas* — provided that he accomplishes a mitzvah of some sort. Here, the person was preoccupied with trying to do the mitzvah of bringing the *pesach*, and while doing so he mistakenly slaughtered a different offering, thereby violating Shabbos. Even so, he performed a mitzvah, since that other offering is a valid offering (just not a valid *pesach* offering). [As we learned in Mishnah 5:4, most other offerings slaughtered for the sake of a *pesach* are valid.] Accordingly, he is exempt from a *chatas*. R' Eliezer, though, does not accept R' Yehoshua's rule, and he therefore maintains that this person must bring a *chatas* just as for any violation of Shabbos (*Rav*).

However, if a person slaughters an animal that is unfit to be a *pesach*, all agree that he must bring a *chatas*. Since he could not have simply mistaken that animal for a *pesach*, his transgression is not an error made because he was preoccupied with a mitzvah [but simply an ordinary mistake] (*Rav*).

7. As we learned in the beginning of the Mishnah.

8. In essence, R' Eliezer argues as follows: A *pesach* may be slaughtered on Shabbos, yet a person who slaughters it with improper intentions must bring a *chatas*. Surely, then, if a person slaughters an offering that he was *not* permitted to slaughter on Shabbos, he should be required to bring a *chatas* no matter his intention — an improper intention should not make things *better* for him!

- רע"ב -

ששינהו לדבר האסור.  
שחטו לשם קרבנות  
אחרים שאסורים לשחטן  
בשבת: ששינהו לדבר  
המותר. שחטו לשם  
דבר המותר לשחטו  
בשבת: אימורי ציבור.  
קרבנות האמורים

אם אמרת בפסח ששנהו לדבר אסור, תאמר  
בזבחים ששנן לדבר המותר. אמר לו רבי  
אליעזר, אמורי צבור יוכיחו, שהן מתרין לשמן,  
והשוחט לשמן, חיב. אמר לו רבי יהושע, לא,  
אם אמרת באמורי צבור שיש להן קצבה,

בלצור בשבת כגון תמידים ומוספים יוכיחו שמתרים לשחטן לשמן, והשוחט שאר זבחים לשמן  
בשבת חייב: שיש להן קצבה. שאינו רואה אחרים עסוקין בשחיטתו, וכיון ששחט התמיד  
יודע הוא שאין לריך לשחוט עוד, הילכך אין זה טועה אלא שוגג, דלא היה לו לטעות בדבר:

argument. — For if you say that a person must bring a *chatas* for slaughtering a *pesach* on Shabbos not for its own sake, that is only because he intended to change it to something forbidden on Shabbos; that is, he slaughtered it for the sake of an ordinary offering, which may not be slaughtered on Shabbos. תאמר בזבחים ששנן לדבר המותר — Will you say the same for other offerings, which he intended to change to something permitted on Shabbos (i.e., to a *pesach*)? Since it is permitted to slaughter the *pesach* on Shabbos, a person who slaughters another offering for the sake of a *pesach* has erred while trying to do a mitzvah (bringing a *pesach*). For this reason he is exempt from a *chatas*. No argument can be made from slaughtering a *pesach* not for its own sake, because in that case, he has not erred while trying to do a mitzvah!<sup>[9]</sup>

R' Eliezer refutes R' Yehoshua from another law:

אמר לו רבי אליעזר — R' Eliezer said to him: — אמורי צבור יוכיחו — The law of communal offerings<sup>[10]</sup> will prove that even a person who errs while trying to do a mitzvah must bring a *chatas*. — שהן מתרין לשמן — For [communal offerings] (such as the daily *tamid* offerings and the Shabbos *mussaf* offerings) are allowed to be slaughtered on Shabbos for their own sake;<sup>[11]</sup> והשוחט לשמן — nevertheless, a person who slaughters a different offering on Shabbos for the sake of one of these communal offerings<sup>[12]</sup> must bring [a *chatas*] — even though he has erred while trying to do a mitzvah. Clearly, a sin done while trying to do a mitzvah is not exempted from a *chatas*.

R' Yehoshua answers:

אמר לו רבי יהושע לא — R' Yehoshua said to him: No! That does not prove your argument. — אם אמרת באמורי צבור שיש להן קצבה — For if you say

## NOTES

9. Since he slaughtered it with the intention of bringing an offering that he is forbidden to bring, he was not trying to do a mitzvah.

10. [Although the term אמורין usually refers to the sacrificial parts that are burnt on the Altar,] here it refers to communal offerings, which the Torah said (אמר) to offer on Shabbos (*Rau*).

11. The Torah says explicitly that the daily *tamid* is offered even on Shabbos, and that a *mussaf* offering be brought on Shabbos (*Bamidbar* 28:9-10).

12. For example, he slaughters a *shelamim* offering for the sake of the Shabbos *mussaf* offering.

[This applies every Shabbos of the year and not only Erev Pesach.]

- רע"ב -

תֹּאמַר בַּפֶּסַח שְׂאִין לוֹ קֶצֶבָה. רַבִּי מֵאִיר  
 אֹמֵר, אֵף הַשּׁוֹחֵט לְשֵׁם אֲמוּרֵי צְבוּר,  
 פֶּטוּר.

תאמר בפסח שאין לו  
 קצבה. דהכל לריכין לכך  
 והרי הוא רואה אחרים  
 הרבה עסוקים בכך  
 וטרוד הוא להתעסק  
 במנוה. ואפילו שחט הוא  
 פסח כבר ומלא זבח זה

[ו] שְׁחָטוּ שְׂלֵא לְאוֹכְלָיו וְשְׂלֵא לְמִנּוּיָיו,

עומד בצורה וכסבור שהוא פסח ושחטו לשם מי שהוא, טועה בדבר מנוה הוא: רבי מאיר  
 אומר. השוחט בשבת אחרים כל ימות השנה לשם אמורי לצור פטור. והלכה כרבי יהושע  
 ואין הלכה כרבי מאיר:

that a person must offer a *chatas* for the sin of bringing other offerings for the sake of communal offerings, that is only because [the communal offerings] have a set amount. A limited number of communal offerings are brought every Shabbos, and once those have been slaughtered, everyone knows that no more offerings may be slaughtered that day. If a person then slaughters another offering for the sake of a communal offering, that is not an error made while preoccupied with a mitzvah, but simply an ordinary mistake. תֹּאמַר בַּפֶּסַח שְׂאִין לוֹ קֶצֶבָה — But will you say the same for the *pesach* offering, which has no set amount? Since a very great number of *pesach* offerings are brought on Erev Pesach, everyone is preoccupied with their slaughter and it is easy to make an error and slaughter a different offering, thinking it is a *pesach* offering. Therefore, a person who does so has made an error while trying to do a mitzvah, and he does not have to bring a *chatas*.

This concludes the debate between R' Eliezer and R' Yehoshua. Both agreed, however, that a person who slaughters any other offering on Shabbos for the sake of a communal offering must bring a *chatas*. The Mishnah cites a different opinion:

— אֵף הַשּׁוֹחֵט לְשֵׁם אֲמוּרֵי צְבוּר פֶּטוּר — רַבִּי מֵאִיר אֹמֵר — R' Meir says: Even a person who slaughters other offerings on Shabbos for the sake of communal offerings is exempt from a *chatas*, because even in such a case, he is considered to have erred while trying to do a mitzvah.<sup>[13]</sup>

[6] Besides slaughtering the offering not for its own sake, there are several other improper intentions that can invalidate a *pesach*, as we learned in Mishnah 5:3. This Mishnah states the law for a person who slaughters a *pesach* on Shabbos with one of those intentions:

— וְשְׂלֵא לְמִנּוּיָיו — or — שְׁחָטוּ שְׂלֵא לְאוֹכְלָיו — If [a person] slaughtered [a *pesach*] on Shabbos with the intention that it be for those who are not able to eat it,<sup>[1]</sup>

## NOTES

13. R' Meir agrees with R' Yehoshua that one who errs while trying to do a mitzvah is exempt. Moreover, R' Meir holds that even though a person cannot easily confuse a different offering for a communal offering, one who does so is still

considered to have erred while preoccupied with a mitzvah (see *Rashi* 72b).

[6]

1. For example, people too sick or weak to eat it.



- רע"ב -

לְעֶרְלִין וְלְטֹמְאִין, חֵיב. לְאוֹכְלֵיו וְשֵׁלֵא לְאוֹכְלֵיו, לְמִנְוֵיָיו וְשֵׁלֵא לְמִנְוֵיָיו, לְמוֹלִין וְלְעֶרְלִין, לְטַהוֹרִים וְלְטֹמְאִים, פְּטוֹר. שְׁחָטוּ וְנִמְצָא בְעַל מוֹם, חֵיב. שְׁחָטוּ וְנִמְצָא טְרֵפָה בְּסֵתֶר, פְּטוֹר.

לא פסל: שחטו ונמצא בעל מום חייב. דשוגג הוא ולא חנוס שהיה לו ולצקרו:

for those not registered for it, לְעֶרְלִין וְלְטֹמְאִין — or for uncircumcised people or *tamei* people, חֵיב — he must bring [a *chatas*], because such a *pesach* is not valid,<sup>[2]</sup> and he has therefore desecrated Shabbos by slaughtering it.<sup>[3]</sup>

לְאוֹכְלֵיו וְשֵׁלֵא לְאוֹכְלֵיו — However, if he slaughtered it for those who are able to eat it *and* for those not able to eat it, לְמִנְוֵיָיו וְשֵׁלֵא לְמִנְוֵיָיו — or for those registered for it *and* those not registered for it, לְמוֹלִין וְלְעֶרְלִין — or for circumcised people *and* uncircumcised people, לְטַהוֹרִים וְלְטֹמְאִים — or for *tamei* people *and* *tahor* people, פְּטוֹר — he is exempt from a *chatas*, because in these cases, the *pesach* is valid and its slaughter overrides the laws of Shabbos.

The Mishnah discusses one who slaughters other kinds of invalid *pesach* offerings on Shabbos:

שְׁחָטוּ וְנִמְצָא בְעַל מוֹם חֵיב — If he slaughtered it and it was found to be blemished and unfit to be an offering,<sup>[4]</sup> he must bring [a *chatas*]. שְׁחָטוּ וְנִמְצָא טְרֵפָה בְּסֵתֶר פְּטוֹר — However, if he slaughtered it and it was found to be a *tereifah* from a hidden defect, he is exempt from a *chatas*, even though the offering is invalid.<sup>[5]</sup> Since it was impossible to discover this defect before the animal was slaughtered, his sin was unavoidable, and he is exempt from a *chatas*.<sup>[6]</sup>

## NOTES

2. As we learned in Mishnah 5:3.

3. As in the previous Mishnah, the Mishnah refers to a person who sinned unintentionally (for example, he did not know that it was forbidden to slaughter a *pesach* on Shabbos with such an intention).

4. It had one of the many blemishes (מוֹם) that invalidate an animal from being used as an offering (see *Leviticus* 22:17-24). Although these blemishes are all on the outside of the animal, this one was not noticed until after the slaughter.

5. A *tereifah* is an animal with certain fatal wounds or defects; it may not be eaten, nor may it be brought as an offering (*Menachos* 5b). This animal had such a defect, but one that could not be seen until the animal was cut open;

for example, it had a hole in its lung (*Rambam Commentary*).

6. A person brings a *chatas* only when he sins בְּשׁוֹגֵג, *unintentionally*, which means that he did not know (or forgot) that the act he was doing was forbidden. When a person sins בְּאוֹנֵס, *unavoidably*, that is, due to circumstances beyond his control, he is exempt from a *chatas*. If a person slaughters a *pesach* that is later found to have a defect inside its body, he could have done nothing to prevent the sin, and so he is exempt from a *chatas*. When the animal has a blemish outside its body, he could (and should) have checked it beforehand. His sin, though unintentional, was not unavoidable. He must therefore bring a *chatas* to atone for it (*Rav*).

- רע"ב -

שְׁחָטוּ וְנוֹדַע שְׁמִשְׁכּוּ הַבְּעָלִים אֶת יָדָם, אֹר  
 שְׁמִתּוֹ אוֹ שְׁנַטְמָאוּ, פְּטוֹר, מִפְּנֵי שֶׁשָּׁחַט  
 בְּרִשּׁוֹת. שְׁמִתּוֹ אוֹ שְׁנַטְמָאוּ. דַּעֲכָסִי לֹא נִתְּנָה

שְׁחָטוּ וְנוֹדַע שְׁמִשְׁכּוּ הַבְּעָלִים אֶת יָדָם, אֹר  
 שְׁמִתּוֹ אוֹ שְׁנַטְמָאוּ, פְּטוֹר, מִפְּנֵי שֶׁשָּׁחַט  
 בְּרִשּׁוֹת. שְׁמִתּוֹ אוֹ שְׁנַטְמָאוּ. דַּעֲכָסִי לֹא נִתְּנָה  
 שְׁחָטוּ וְנוֹדַע שְׁמִשְׁכּוּ הַבְּעָלִים אֶת יָדָם, אֹר  
 שְׁמִתּוֹ אוֹ שְׁנַטְמָאוּ, פְּטוֹר, מִפְּנֵי שֶׁשָּׁחַט  
 בְּרִשּׁוֹת. שְׁמִתּוֹ אוֹ שְׁנַטְמָאוּ. דַּעֲכָסִי לֹא נִתְּנָה

A *pesach* is valid only if it has at least one owner (i.e., a person registered to it) who is able to eat it. The Mishnah states the law for a person who slaughters a *pesach* that has no owner on Shabbos:

שְׁחָטוּ וְנוֹדַע שְׁמִשְׁכּוּ הַבְּעָלִים אֶת יָדָם — If he slaughtered [a *pesach*] and then found out that all the offering's owners had withdrawn their registration from it before the slaughter,<sup>[7]</sup> אוֹ שְׁמִתּוֹ אוֹ שְׁנַטְמָאוּ — or that [the owners] had died or became *tamei* before the slaughter, and the offering is therefore invalid (since there is no one to eat it), פְּטוֹר מִפְּנֵי שֶׁשָּׁחַט בְּרִשּׁוֹת — [the slaughterer] is exempt from a *chatas*, because he slaughtered it with permission. Since he did not know that the offering no longer had valid owners, his sin was unavoidable and he is exempt from a *chatas*.<sup>[8]</sup>

## NOTES

7. As long as a *pesach* has not yet been slaughtered, the people registered for it may withdraw their registration and register for a different offering (Mishnah 8:3).

8. The Sages did not require a person

who slaughters a *pesach* to investigate whether its ownership is still valid; therefore, if the ownership changed and became invalid, the slaughterer is considered to have sinned due to circumstances beyond his control (*Rav*).



# Chapter Seven

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- רע"ב -

פרק שביעי – כיצד צולין. (א) שפוד של רמון. ולא שאר עלים, דמפקי מיא והוה ליה צל מצושל צמים, ורמון לא מפיק מיא. וצשפוד של מתכת לא, כדלקמן, דחס מקלתו חס כולו ונללה מחמת שפוד, ורחמנא אמר ללי אש ולא ללי דצר אחר: במין בשול הוא זה. שמתצולין צני מעיו לתוכו כצתוך הקדרה:

[א] **כיצד צולין את הפסח, מביאין שפוד של רמון, תוחבו מתוך פיו עד בית נקובתו, ונותן את כרעיו ואת בני מעיו לתוכו, דברי רבי יוסי הגלילי. רבי עקיבא אומר, במין בשול הוא זה, אלא תולין חוצה לו.**

[ב] **אין צולין את הפסח לא על השפוד ולא על האסבלא.**

תולין חוצה לו. תוחבן צשפוד למטלה מפיו של טלה. והלכה כרבי עקיבא: (ב) אמר רבי צדוק בוי. מתניתין חסורי מחסרא והכי קתני, ואם אסבלא מנוקצת היא כשרה ואמר רבי לדוק וכו'. והלכה כרבי לדוק:

[1] The Torah states: *You shall not eat [the pesach] partially roasted or cooked in water; only roasted over fire (Exodus 12:9)*, which teaches that the meat of the *pesach* offering must be roasted over fire, and not cooked in any other way. The Mishnah discusses how it was roasted:

**מביאין שפוד של — כיצד צולין את הפסח** — **We bring a spit made of pomegranate wood**, which does not give off moisture,<sup>[1]</sup> **— תוחבו מתוך פיו עד בית נקובתו** — and push it completely through the body of the animal, from its mouth to the opening in its back. **ונותן את כרעיו ואת בני מעיו לתוכו** — He then puts its legs and intestines (which were removed from the animal after it was slaughtered)<sup>[2]</sup> inside the cavity of its body, so that they will be roasted along with the animal. **דברי רבי יוסי** — **But R' Akiva says:** **— רבי עקיבא אומר** — **אין צולין חוצה לו** — **Rather, we hang** the legs and intestines directly on the spit **outside [the animal]**, so that they face the fire.

[2] **אין צולין את הפסח לא על השפוד ולא על האסבלא** — **We may not roast the pesach on a metal spit or on a metal grill**, because the meat will be roasted by the heat of the metal and not directly by the fire.<sup>[1]</sup>

## NOTES

## [1]

1. Since a *pesach* must be fire-roasted, we must ensure that it is not roasted with any water, which would be considered “cooking.” Most types of wood give off some moisture when heated, and if used as a spit, the moisture might mix with the *pesach* and cause part of it to be “cooked” and not roasted. Therefore, they used pomegranate wood, which does not give

off any moisture [A wooden spit must be used, not a metal one, as we will learn in the next Mishnah.] (*Rav*).

2. The legs were cut off at the knees; the intestines had been removed earlier to be cleaned from waste matter (see Mishnah 6:1).

## [2]

1. Not only must the *pesach* be roasted, but it must be *צלי אש*, *roasted over fire*,

- רע"ב -

אָמַר רַבִּי צְדוֹק, מֵעֵשָׂה בְּרֶבֶן גַּמְלִיאֵל  
שֶׁאָמַר לְטָבִי עֲבָדוּ, צֵא וּצַלֵּה לָנוּ אֶת  
הַפֶּסַח עַל הָאֶסְבֵּלָא. נִגַּע בְּחֶרְסוֹ שֶׁל  
תַּנּוּר, יִקְלַף אֶת מְקוּמוֹ. נִטַּף מֵרֶטְבוֹ  
עַל הַחֶרֶס וְחֹזַר עָלָיו, יִטַּל אֶת מְקוּמוֹ.

נגע הפסח בחרסו של  
תנור יקלוף. מן הפסח  
מקום הנוגע בתנור, שנללה  
שם מחוס חרס התנור ולא  
ללי אש הוא: נטף מרוטבו  
על החרס וחזר עליו.  
שחזר שומן שנתחמם מן  
החרס ונבלע בפסח: יטול

את מקומו. ולא סגי בקליפה אלא בנטילה כעוֹבֵי אֲלֻבֵי, דשומן נבלע בתוכו הרצה, ואותו שומן ללי  
מן החרס הוא:

The Gemara (75a) teaches that the Mishnah is missing the following clause, which must be inserted:<sup>[2]</sup>

However, one may place the wooden spit that holds the *pesach* on a grill that has large gaps between its rods, because the gaps allow the meat to be roasted directly by the fire;<sup>[3]</sup> אָמַר רַבִּי צְדוֹק — as R' Tzadok said: מֵעֵשָׂה בְּרֶבֶן גַּמְלִיאֵל שֶׁאָמַר לְטָבִי עֲבָדוּ — It once happened that Rabban Gamliel said to Tavi, his slave, צֵא וּצַלֵּה לָנוּ אֶת הַפֶּסַח עַל הָאֶסְבֵּלָא — “Go out and roast the *pesach* for us on a grill that has large gaps between its rods.”

The spit with the *pesach* was suspended inside an earthenware oven, and a fire was kindled beneath it on the oven floor.<sup>[4]</sup> The Mishnah discusses some laws that apply while it is roasting:

נִגַּע בְּחֶרְסוֹ שֶׁל תַּנּוּר — If [the meat] touched the hot earthenware wall of the oven, יִקְלַף אֶת מְקוּמוֹ — he must peel off the place on the meat that touched the oven, because that meat was roasted by the heat of the earthenware and not directly by the fire.<sup>[5]</sup> נִטַּף מֵרֶטְבוֹ עַל הַחֶרֶס וְחֹזַר עָלָיו — If some juice from the *pesach* dripped onto the hot earthenware, and then splattered back and was absorbed by the meat, it is not enough to just peel that spot; rather, יִטַּל אֶת מְקוּמוֹ — he must remove from the meat the place that absorbed the juice.<sup>[6]</sup> Since that juice touched the earthenware and became cooked by its heat, it may not be eaten; since it was then reabsorbed by the meat, the meat may not be eaten. Therefore, he must remove the whole section of meat in

## NOTES

and not roasted by any other means. Since metal, unlike wood, conducts heat, if a metal spit or tray is used, the meat will be roasted by the heat of the metal and not directly by the fire (*Rambam Commentary*).

2. Without this clause, the statement of R' Tzadok that follows would contradict the law just stated — that a grill may not be used; and a Mishnah never cites an incident to contradict a ruling, only to support one.

3. One may use a grill made of parallel metal rods, with large gaps between the rods. He may place the ends of the spit

on the rods of the grill, so that the meat rests in a gap between the rods and does not touch the metal (*Rashi* 75a).

4. *Rambam, Hilchos Korban Pesach* 8:10. [Ovens in Mishnaic times were usually made of earthenware.]

5. He must remove the top layer of the part that actually touched the oven wall (*Rav*). The piece that is removed may not be eaten. [“Peeling” in this context means to slice off the thinnest layer possible from the surface of the meat that touched the wall.]

6. “Removal” in this context means to cut off a piece the thickness of a finger.

- רע"ב -

נטף מִרְטָבוֹ עַל הַסֵּלֶת, יִקְמֹץ אֶת מְקוֹמוֹ.  
 [ג] סָכוּ בְשֶׁמֶן תְּרוּמָה, אִם חֲבוּרַת כֹּהֲנִים,  
 יֵאָכְלוּ. אִם יִשְׂרָאֵל, אִם חֵי  
 הוּא, יְדִיחֵנוּ. וְאִם צָלִי הוּא, יִקְלֹף אֶת  
 הַחֵיצוֹן. סָכוּ בְשֶׁמֶן שֶׁל מַעֲשֵׂר שְׁנִי,  
 הפסוליס: (ג) סכו בשמן תרומה. שמוטר לסוך הפסח צמי פירות: אם חי ידיחנו. ללא זלט: ואם  
 צלי הוא. צטי קליפה משום זלט:

which it was absorbed.<sup>[7]</sup> — If juice from the *pesach* dripped onto hot flour that was in the oven, **יִקְמֹץ אֶת מְקוֹמוֹ** — he must remove a handful of flour from the place that the juice touched. The juice was cooked by the heat of the flour and may not be eaten; consequently, the flour in which the juice is absorbed also becomes forbidden and must be removed.<sup>[8]</sup>

[3] Although no water may be used in the roasting of the *pesach*, a small amount of oil or fruit juice may be smeared on it (Mishnah 2:8). This Mishnah discusses the law if certain types of oils are used:

סָכוּ בְשֶׁמֶן תְּרוּמָה — If a person smears [a *pesach*] with oil that is *terumah*,<sup>[1]</sup> — **אִם חֲבוּרַת כֹּהֲנִים יֵאָכְלוּ** — If it was a group of *Yisraelim* (who may not eat *terumah*), the law is as follows: **אִם חֵי הוּא יְדִיחֵנוּ** — If [the *pesach*] is still raw, he should rinse it off. Raw meat does not absorb oil, and rinsing the meat will remove the oil on its surface. **וְאִם צָלִי הוּא יִקְלֹף אֶת הַחֵיצוֹן** — However, if he smeared the oil on the meat after it was already roasted, he should peel off the outer layer of meat, because roasted meat is absorbent, and the outer layer of the meat absorbed the oil.<sup>[2]</sup> **סָכוּ בְשֶׁמֶן שֶׁל מַעֲשֵׂר שְׁנִי** — If he smeared it with oil that is *maaser sheni*,<sup>[3]</sup>

## NOTES

7. Here, it is not enough to simply peel off a thin layer; the hot juice gets more deeply absorbed into the meat. He must therefore cut out the meat as far down as the hot juice penetrates — a piece the thickness of a finger (*Rav*).

8. Here, we assume that the forbidden juice penetrated a handful of flour, which is a larger amount than the thickness of a finger that is removed in the previous case (*Melech Shlomo*).

The meat and flour that is removed in these cases must be burned, in keeping with the laws that apply to offerings that become invalid.

[3]

1. *Terumah* is the portion separated from

produce grown in Eretz Yisrael and given to a Kohen. It may be eaten only by a Kohen and the members of his household (see Mishnah 2:5 note 5).

2. However, if it was roasted while the oil was on it, the oil would penetrate more deeply into the meat, and the whole piece of meat would become disqualified (*Tosafos* 76a).

3. *Maaser sheni* (second tithe) is one of the portions that must be separated from produce of Eretz Yisrael. It must be eaten in Jerusalem. If the owner lives far from Jerusalem and is unable to bring the produce there, he exchanges it for money, which he takes to Jerusalem and uses to buy food to be eaten there (see Mishnah 2:5 note 6).





- רע"ב -

וּזְבַחֵי שְׁלָמֵי צְבוּר, וְשְׁעִירֵי רֵאשֵׁי חֻדְשִׁים. זְבַחֵי שְׁלָמֵי צְבוּר.  
 הַפֶּסַח שֶׁבָא בְּטֻמְאָה, נֶאֱכָל בְּטֻמְאָה, שְׁלֹא  
 בָּא מִתְחִלָּתוֹ אֶלָּא לְאֲכִילָהּ. כַּזָּבִיחַ שְׁלָמֵי צְבוּר, וְשְׁעִירֵי רֵאשֵׁי חֻדְשִׁים.  
 הַפֶּסַח שֶׁבָא בְּטֻמְאָה, נֶאֱכָל בְּטֻמְאָה, שְׁלֹא  
 בָּא מִתְחִלָּתוֹ אֶלָּא לְאֲכִילָהּ. וְלֹא  
 תִּנִּי שְׁעִירֵי רֵגְלִים, דְּכִיּוֹן  
 דְּחֻדְשֵׁי צְבוּר שְׁלָמֵי צְבוּר שֶׁהֵם מִיּוֹם דְּמִיּוֹם וְחֵין נֶאֱכָלִין בְּטֻמְאָה הוּא הַדִּין לְכָל שָׂרָא מִיּוֹם דְּמִיּוֹם, וְלֹא  
 אִינְטֵרִיד לְמַתְנֵי שְׁעִירֵי רֵאשֵׁי חֻדְשִׁים אֲלֵּא מִשּׁוּם דְּלֹא כְּתִיב זְבוּר מוּעֵד, וְסִלְקָא דְּעַתְדָּא אֲמִינָא לֹא לְדַחוּ  
 אֵת הַטּוּמְאָה דְּהָא כָּל קְרֻבֹת לְצְבוּר מוּמוּעֵד נִפְקָא לָן, דְּכְתִיב זְכוּלְהוּ אֱלֹהֵי תַעֲשׂוּ לָהּ בְּמוּעֵדֵיכֶם:  
 שְׁלֹא בָּא מִתְחִלָּתוֹ אֲלֵּא לְאֲכִילָהּ. שְׁכַשְׁנֵלְטוּהָ עֵיקַר מְלוּת פֶּסַח לְאֲכִילָהּ נִלְטוּהָ. דְּכְתִיב (שְׁמוֹת יב,  
 ד) לְפִי אֲכָלוּ, וְכִי שְׂרִייה רַחֲמֵנָא לְאֲתוּיֵי בְּטֻמְאָה מֵאִישׁ נְדָחָה וְחֵין לְצְבוּר נְדָחִין, אֲדַעְתָּא לְמִיכְלָה שְׂרִייה:

Sanctuary every Shabbos;<sup>[5]</sup> וּזְבַחֵי שְׁלָמֵי צְבוּר — the communal *shelamim* offerings that are brought on Shavuot;<sup>[6]</sup> וְשְׁעִירֵי רֵאשֵׁי חֻדְשִׁים — and the goats that are brought as a *chatas* offering on Rosh Chodesh. Although these offerings may be brought in a state of *tumah*, they may not be eaten.<sup>[7]</sup>

The Mishnah contrasts these offerings with the *pesach*:

הַפֶּסַח שֶׁבָא בְּטֻמְאָה נֶאֱכָל בְּטֻמְאָה — However, a *pesach* that is brought in a state of *tumah* may also be eaten in a state of *tumah*, שְׁלֹא בָּא מִתְחִלָּתוֹ אֶלָּא לְאֲכִילָהּ — because it is brought in the first place only to be eaten. Since the main purpose of the *pesach* is [not to atone but] to be eaten on the first night of Pesach, if it must be brought in *tumah* (when most people are *tamei* from a corpse), it may also be eaten.<sup>[8]</sup>

## NOTES

several other offerings. The loaves are not brought to the Altar, but are waved together with the sheep and are then eaten by the Kohanim (*Leviticus* 23:16-20). When they are brought in *tumah*, the loaves are waved but are not eaten.

5. Every Shabbos, twelve loaves, known as *lechem hapanim* (*panim* breads), are placed on the Table (*Shulchan*) in the Temple Sanctuary, along with two spoonfuls of *levonah* (frankincense). They remain on the Table until the next Shabbos, when twelve fresh loaves and two new spoonfuls of *levonah* are placed on the Table; the old *levonah* is burnt on the Altar and the old loaves (which miraculously remained fresh) are eaten by the Kohanim (*Leviticus* 24:5-9). If they are brought in *tumah*, when fresh loaves and *levonah* are placed on the Table, the old *levonah* is burnt on the Altar, but the old loaves may not be eaten.

6. See note 4. The same applies to the communal *chatas* offerings that are brought on the festivals.

7. Although parts of these offerings are usually eaten, the dispensation to bring

the offering in a state of *tumah* allows us only to fulfill the obligation of bringing the offering [which is accomplished when its blood is thrown on the Altar; eating the meat of the offering, though a mitzvah, is not essential to the validity of the offering and does not override the laws of *tumah*] (*Rav*).

In fact, all communal offerings that must be brought at a designated time (such as the daily *tamid* offerings and the *mussaf* offerings for Shabbos and Yom Tov) may be brought in *tumah* if most of the people or the Kohanim are *tamei*. The Mishnah lists these five because these are the only communal offerings that are eaten [and the Mishnah wishes to contrast them with the *pesach*] (*Rambam Commentary*).

8. When teaching the laws of the *pesach*, the Torah states (*Exodus* 12:4): *Everyone according to what he eats*, which implies that the *pesach* is brought for the purpose of being eaten. Therefore, when the Torah allowed the *pesach* to be brought in a state of *tumah*, its intention was that the *pesach* be eaten in that state (*Rav*).

- רע"ב -

[ה] נִטְמָא בֶּשֶׂר וְהַחֲלֵב קִיָּם, אֵינוּ זוֹרֵק אֶת הַדָּם. נִטְמָא הַחֲלֵב וְהַבֶּשֶׂר קִיָּם, זוֹרֵק אֶת הַדָּם. וּבִמְקַדְשֵׁי אֵינוּ כֵן, אֲלֵא אֶף עַל פִּי שְׁנִטְמָא הַבֶּשֶׂר וְהַחֲלֵב קִיָּם, זוֹרֵק אֶת הַדָּם.

(ה) נטמא בשר וחלב קיים אינו זורק את הדם. דעיקר פסח לאכילת אדם אתי: ובמוקדשים אינו כן. שאפילו נטמא בשר, וחלב קיים זורק את הדם:

[5] The following Mishnah discusses a case in which most of the people are *tahor*, so that it is forbidden to bring the *pesach* in *tumah*. However, one *pesach* became *tamei* before its blood was thrown on the Altar to complete its essential service.<sup>[1]</sup> In such a case, the part of the offering that became *tamei* may not be brought on the Altar or eaten. The Mishnah discusses whether the blood service may be completed. Here too the Mishnah differentiates between a *pesach* and other offerings:

נִטְמָא הַבֶּשֶׂר וְהַחֲלֵב קִיָּם — If, after a *pesach* was slaughtered, its meat became *tamei*, but its fats and other sacrificial parts (which are to be burnt on the Altar)<sup>[2]</sup> remain *tahor*,<sup>[3]</sup> אֵינוּ זוֹרֵק אֶת הַדָּם — one may not throw the blood on the Altar. Since the main purpose of a *pesach* is to be eaten,<sup>[4]</sup> its blood may be thrown on the Altar only when that purpose can be accomplished. Therefore, when the meat is *tamei* and will not be able to be eaten, its blood may not be thrown on the Altar.<sup>[5]</sup> נִטְמָא הַחֲלֵב וְהַבֶּשֶׂר קִיָּם — However, if the fats and other sacrificial parts became *tamei* but the meat remains *tahor*, זוֹרֵק אֶת הַדָּם — one throws the blood on the Altar. Since the meat will be able to be eaten, the service is completed.<sup>[6]</sup>

The Mishnah states the law for other offerings:

וּבִמְקַדְשֵׁי אֵינוּ כֵן — However, for all other sacred offerings, [the law] is not the same; אֲלֵא אֶף עַל פִּי שְׁנִטְמָא הַבֶּשֶׂר וְהַחֲלֵב קִיָּם זוֹרֵק אֶת הַדָּם — rather, even if the meat became *tamei* and the fats and other sacrificial parts remain *tahor*, one throws the blood on the Altar. He then offers the sacrificial parts on the Altar, while the *tamei* meat is burned and not eaten. Since for other offerings,

## NOTES

[5]

1. The most essential part of any animal offering is throwing its blood on the wall of the Altar. Once the blood is thrown, the offering is valid even if the sacrificial parts are not burnt on the Altar. See Mishnah 5:2 note 2.

2. See Mishnah 5:10 note 1.

3. Literally, *the fats exist*.

The sacrificial parts were removed from the animal before the blood had been thrown. The meat then became *tamei*, which did not affect the sacrificial parts, since they were no longer

attached to the animal (*Tiferes Yisrael*).

4. As we learned in the previous Mishnah (see note 8 there).

5. Since the blood is not thrown, the offering is never completed, and this animal becomes a disqualified offering. It must therefore be burned in the place where disqualified offerings are destroyed.

6. The sacrificial parts that became *tamei* may not be offered on the Altar, and are burned instead in the place where disqualified offerings are destroyed. However, the offering has been validated and the meat may therefore be eaten.

- רע"ב -

[ו] נְטֵמָא הַקֶּהֱל או רבו, או שְׁהִיו הַכֹּהֲנִים  
 טְמֵאִים וְהַקֶּהֱל טְהוֹרִים, יַעֲשֶׂה  
 בְּטֵמְאָה. נְטֵמָא מְעוֹט הַקֶּהֱל, הַטְּהוֹרִין  
 עוֹשִׂין אֶת הָרֵאשׁוֹן, וְהַטְּמֵאִין עוֹשִׂין אֶת  
 הַשֵּׁנִי.  
 קרבן לזכר הזבח בטומאה חלוקה, מאחר שקרבן רוצם זבח בטומאה אף היחידים עושים בטומאה:

eating the meat is not the offering's main purpose, the service may be done even if the meat will not be able to be eaten.<sup>[7]</sup>

[6] The Mishnah now returns to the subject of a *pesach* brought in *tumah*. The Mishnah explains when it may be brought in that state and when it may not:

נְטֵמָא הַקֶּהֱל או רבו — If the whole community of Jews,<sup>[1]</sup> or most of [the community], became *tamei* with corpse *tumah*, and were not able to become *tahor* before Erev Pesach,<sup>[2]</sup> או שְׁהִיו הַכֹּהֲנִים טְמֵאִים וְהַקֶּהֱל טְהוֹרִים — or if the Kohanim were *tamei*, even though the members of the community were *tahor*, יַעֲשֶׂה בְּטֵמְאָה — [the *pesach*] is brought in a state of *tumah*.<sup>[3]</sup>  
 נְטֵמָא מְעוֹט הַקֶּהֱל — However, if only a minority of the community became *tamei*, הַטְּהוֹרִין עוֹשִׂין אֶת הָרֵאשׁוֹן — the people who are *tahor* make the first Pesach, i.e., they bring their *pesach* offerings on the fourteenth of Nissan (Erev Pesach), וְהַטְּמֵאִין עוֹשִׂין אֶת הַשֵּׁנִי — and the people who are *tamei* make the second Pesach, i.e., they bring their offerings on the fourteenth of Iyar (Pesach Sheni), when the Torah provided a second opportunity to bring the *pesach* for people who are unable to bring it on Erev Pesach.<sup>[4]</sup>

[7] The Mishnah now discusses a case where most of the people are *tahor* and therefore no *pesach* may be brought in a state of *tumah*. Nevertheless, even in this case *pesachim* brought in a state of *tumah* may sometimes

## NOTES

7. Thus, with other offerings, whether the meat became *tamei* and the fats did not, or the fats became *tamei* but the meat did not, the blood may be thrown to validate the offering. However, if both the meat and the fats became *tamei*, the blood may not be thrown even in the case of other offerings (*Tos. R' Akiva*).

## [6]

1. "Community" in this context refers to the Jews gathered at the Temple to bring the *pesach* (Gemara 94b).

2. The Mishnah refers only to *tumah* from a corpse, for that is the only form of *tumah* that can be overridden to bring the *pesach*. The *pesach* does not override

any other type of *tumah*, even if the whole community is *tamei* from it (*Rav*).

3. In such a case, even those who are *tahor* need not be careful about avoiding *tumah* (*Rav*).

When the Torah states that a person who is *tamei* on Erev Pesach may not bring the *pesach*, it uses a singular expression, which implies that this law applies only to individuals. If, however, the community as a whole is *tamei*, they may bring the *pesach* in *tumah* (*Rav* to Mishnah 4).

4. Either because they were *tamei* or because they were too far from the Temple; see *Numbers* 9:9-11. The laws of Pesach Sheni will be discussed in Mishnah 9:1-3.

- רע"ב -

**[ז] הַפֶּסַח שֶׁנִזְרַק דָּמוֹ, וְאַחַר כֵּן נֹדַע שֶׁהוּא טָמֵא, הֲצִיץ מִרְצָה. נְטֵמָא הַגּוֹף, אֵין הֲצִיץ מִרְצָה, מִפְּנֵי שֶׁאָמְרוּ, הַנְּזִיר וְעוֹשֶׂה פֶסַח, הֲצִיץ מִרְצָה עַל טְמֵאת הַדָּם,** (ז) ואח"כ נודע שהוא טמא. הפסח או הדם: הציץ מרצה. ופטור מפסח שני: נטמא. בעליו טומאת הגוף צמת: אין הציץ מרצה. וחייב צפסח שני, דהא צשעת זריקה לאו בר מעבד פסח הוא דרחמנא דחייה: הנזיר. דכתיב (צמדזכר ו, ט) וכי ימות מת עליו [וגו'] והימים הראשונים יפלו, דאס נטמא צמת קודם הצאת קרבנותיו סותר: הציץ מרצה על טומאת הדם. ותגלחתו כשרה ומותר לשפות יין וליטמא למתים: ואין הציץ מרצה על טומאת הגוף. ואס [טמא] צשעת הצאת קרבנותיו סותר הכל: נטמא. גופו בטומאת התהום. כל טומאת מת שלא ידע זה אדם קודם לכן נקראת טומאת התהום: הציץ מרצה. דהלכה למשה מסיני שהותר טומאת התהום להס, כיון שלא הכיר זה אדם בטומאה זו מעולם. ואס נודע לו בטומאה זו אחר

be valid. This is on account of the *tzitz* (a gold plate worn by the Kohen Gadol), which has the power to make some disqualified offerings acceptable (after the fact).

The *tzitz* was a gold plate engraved with the words *קֹדֶשׁ לַיהוָה* (*Holy to Hashem*) that the Kohen Gadol wore on his forehead. The Torah states that the *tzitz* causes certain kinds of improperly brought offerings to find favor before God. This means in effect that, in certain cases, the influence of the *tzitz* causes offerings that were brought in a state of *tumah* to be valid.<sup>[1]</sup> The Mishnah will explain when the *tzitz* causes a *pesach* that was brought in a state of *tumah* to be valid:

**הַפֶּסַח שֶׁנִזְרַק דָּמוֹ וְאַחַר כֵּן נֹדַע שֶׁהוּא טָמֵא הֲצִיץ — If a *pesach*'s blood was thrown on the Altar, and it then became known that [the offering] was *tamei*, הֲצִיץ נְטֵמָא הַגּוֹף אֵין — the *tzitz* causes it to be accepted and be valid.<sup>[2]</sup> מִרְצָה — However, if after the blood was thrown it became known that the owner's body had been *tamei*,<sup>[3]</sup> הֲצִיץ מִרְצָה — the *tzitz* does not cause [the offering] to be accepted and it is invalid. The *tzitz* can validate offerings that are themselves *tamei*, but it cannot validate an owner who is unfit to bring the offering. מִפְּנֵי שֶׁאָמְרוּ — This is because [the Sages] said: הַנְּזִיר וְעוֹשֶׂה פֶסַח — Regarding the offerings of a *nazir*<sup>[4]</sup> and [a person] who is making a *pesach*, הֲצִיץ מִרְצָה עַל טְמֵאת הַדָּם — the *tzitz* causes them to be accepted in a case when**

## NOTES

[7]

1. The Torah states (*Exodus 28:38*): [*The tzitz*] shall be on Aaron's forehead so that Aaron shall bring forgiveness for a sin regarding the sacred offerings ... to bring them favor before Hashem. The Gemara (*Zevachim 23a*) interprets a sin regarding the sacred offerings to refer to the sin of bringing an offering in a state of *tumah*. Although it is forbidden to bring such an offering, in certain cases, the *tzitz* brings forgiveness for the sin and causes the offering to be accepted after the fact.

2. Thus, the owner has fulfilled his obligation to bring a *pesach* (*Rav*). If the meat is

*tamei*, though, it may not be eaten (*Tos. Yom Tov*).

3. He was therefore not eligible to bring the *pesach* offering; rather, he was supposed to wait and bring the "second *pesach*" a month later [see Mishnah 6] (*Rav*).

4. A *nazir* is a person who has taken a vow of *nezirus*, which prohibits him for a certain period of time from drinking wine, eating grapes, cutting his hair, and becoming *tamei* from a corpse. When this period is over, he goes through a completion process in which he shaves his hair and brings certain offerings (*Numbers 6:1-21*). The Mishnah refers to those offerings.

- רע"ב -

וְאִין הִצִּיץ מִרְצָה עַל טְמֵאת הַגּוֹף. נְטֵמָא  
טְמֵאת הַתְּהוּם, הִצִּיץ מִרְצָה.

שֶׁהַקְּרִיב פִּסְחוּ אִין לְרִיךְ  
לַעֲשׂוֹת פִּסַּח שְׂנִי. וְכֵן  
נִזְר שְׁנוּדַע לוֹ צְטוּמְאָת  
הַתְּהוּם לְאַחַר שֶׁהִבִּיא  
קִרְבָּנֹתָיו אִין לְרִיךְ  
לְהִבִּיא קִרְבֵּן טוּמְאָה. וְלֹא  
אָמְרוּ טוּמְאָת הַתְּהוּם

אֵלֶּא צְטוּמְאָת מֵת בְּלִבָּד: (ח) לְפָנֵי הַבִּירָה. כֹּל הַמִּקְדָּשׁ כּוֹלוֹ קְרוִי צִירָה. וְשׁוֹרְפִים אוֹתוֹ שֶׁסְ כָּדִי  
לְצִיטָן, שִׁזְהָרוּ שֶׁלֹּא יִבְאוּ עוֹד לְיַדִּי טוּמְאָה: מַעֲצֵי הַמַּעֲרָכָה. שֶׁלֹּא לְצִיטָן אֶת מִי שֶׁאִין לוֹ עֵינַיִם:

there is *tumah* of the offering's blood, — but the *tzitz* does not cause them to be accepted in a case when there is *tumah* of the owner's body.<sup>[5]</sup>

The Mishnah states an exception to the above rule:

וְאִין הִצִּיץ מִרְצָה עַל טְמֵאת הַתְּהוּם הִצִּיץ מִרְצָה — However, if after the blood was thrown it became known that [the owner] had become *tamei* with a *tumah* of the depths (*tumah* that results from a source that no one had known about),<sup>[6]</sup> the *tzitz* does cause the offering to be accepted. In this case, *Halachah LeMoshe MiSinai*<sup>[7]</sup> teaches that the offering is valid.<sup>[8]</sup>

[8] Any offering or part of an offering that becomes *tamei* must be burned off the Altar. This Mishnah discusses where a *pesach* that became *tamei* is burned:

וְאִין הִצִּיץ מִרְצָה עַל טְמֵאת הַתְּהוּם הִצִּיץ מִרְצָה — If a whole [*pesach*] or most of [*a pesach*] became *tamei*, שׁוֹרְפִין אוֹתוֹ לְפָנֵי הַבִּירָה מַעֲצֵי הַמַּעֲרָכָה — they burn it before the Birah<sup>[1]</sup> with

## NOTES

5. If a *nazir* is *tamei*, he cannot bring the offerings to end his *nezirus*; rather, he must perform a purification process and observe the whole period of *nezirus* from the beginning. Therefore, if he is *tamei*, his offerings are not valid (*Rav, Tos. Yom Tov*).

The Mishnah mentions only these two cases — *nazir* and *pesach* — because these are the only offerings that are invalid if their owner is *tamei* (*Rashi, Zevachim* 23a).

6. *Tumah* of the depths refers to any source of corpse-*tumah* that no person had previously known about and was thus as concealed and unknown as if it were in the depths of the earth [for example, a corpse was discovered under one's house] (*Rambam Commentary*).

7. An Oral Law that was taught to Moses at Mount Sinai but not alluded to in Scripture, and then passed down through the generations.

8. That is, if a *pesach* offering or *nazir's*

offering was brought by a person who later found out that he had become *tamei* from a source that no one had known about, the offering is valid even though it is now known that he had been *tamei* when it was brought.

## [8]

1. The term *בִּירָה*, literally, *palace*, refers to the Temple and the Temple Mount (*Rav*; see also above, *Mishnah* 3:8 note 3).

As a rule, an offering that becomes *tamei* must be burned in the place where it was to have been eaten or offered. Accordingly, an offering that was to have been eaten only in the Temple (for example, a *chata*) must be burned in the Temple; an offering that was to have been eaten anywhere in Jerusalem (for example, a *shelamim*) may be burned anywhere in Jerusalem. However, although the meat of the *pesach* may be eaten anywhere in Jerusalem, the Sages decreed that when most of the *pesach* became *tamei* it must be burned at the Temple.

- רע"ב -

נְטֵמָא מֵעוּטוֹ, וְהַנּוֹתָר, שׁוֹרְפִין אוֹתוֹ  
בְּחֻצְרוֹתֵיהֶן אוֹ עַל גַּגוֹתֵיהֶן מֵעֲצֵי עֲצָמָן.  
הַצִּיקְנִין שׁוֹרְפִין אוֹתוֹ לְפָנֵי הַבִּירָה בְּשָׁבִיל  
לְהַנּוֹת מֵעֲצֵי הַמַּעֲרָכָה.

נטמא מיעוטו. וכן  
נותר של פסח טהור:  
הציקנין. העלרנין, לרי  
טין, שורפין אותו מיעוט  
שנטמא, והנותר מפסח  
טהור, לפני הצירה:  
(ט) הפסח שיצא. חוץ  
לחומה: ישרף מיד.  
בארבעה עשר ולא לריך  
לאשהויי עד הצוקר של

[ט] הַפֶּסַח שְׂיֻצָא אוֹ שְׁנֵטְמָא, יִשְׂרָף מִיָּד.  
נְטֵמָאוּ הַבְּעָלִים אוֹ שְׂמֵתוֹ,

ט"ו כדי שתעובר לורתו דהיינו שיצא לידי נותר. ומיהו ציוס טוב לא מלי שריף ליה דאין  
שורפין קדשים ציוס טוב: נטמאו בעלים או שמתו. אין פסולו בגופו אלא מחמת דבר אחר:

the wood designated for the Altar's pyre.<sup>[2]</sup> Since it likely became *tamei* due to the owner's negligence, he must burn it at the Temple, which is a public place, so that he will be embarrassed and will be more careful in the future.<sup>[3]</sup> נְטֵמָא מֵעוּטוֹ — If only a smaller part of it became *tamei* (which is not necessarily due to negligence), וְהַנּוֹתָר — and similarly, any leftover meat from a *pesach* that was eaten, which must be burned,<sup>[4]</sup> שׁוֹרְפִין אוֹתוֹ — [the owners] may burn these anywhere in Jerusalem, in their courtyards or on their roofs, with their own wood.<sup>[5]</sup> הַצִּיקְנִין שׁוֹרְפִין אוֹתוֹ לְפָנֵי הַבִּירָה בְּשָׁבִיל לְהַנּוֹת מֵעֲצֵי הַמַּעֲרָכָה — However, the stingy people would burn even these before the Birah in order to benefit from the wood of the Altar's pyre and not have to use their own wood.<sup>[6]</sup>

[9] The Mishnah discusses when to burn a *pesach* offering that became *tamei* or otherwise disqualified:

הַפֶּסַח שְׂיֻצָא אוֹ שְׁנֵטְמָא — A *pesach* offering that was taken out of Jerusalem, and thereby became disqualified,<sup>[1]</sup> or one that became *tamei* after it was slaughtered on Erev Pesach, יִשְׂרָף מִיָּד — should be burned immediately, on Erev Pesach.<sup>[2]</sup> נְטֵמָאוּ הַבְּעָלִים אוֹ שְׂמֵתוֹ — However, if all the owners of

## NOTES

2. Since the Sages required the people to burn the meat at the Temple, they allowed them to use the Temple's wood (*Tosafos* 81b). In fact, the Sages said that everyone *must* use the Temple's wood, so that people who do not have wood will not be embarrassed (*Rav*, from Gemara 82a).

3. *Rav*, *Meiri*, from Gemara 81b.

4. Any uneaten meat from the *pesach* that is left over past the time when it may be eaten must be burned (*Exodus* 12:10; see Mishnah 10).

5. When a person burns the *pesach* at home, he may not use the Temple's wood, out of concern that if there is wood left over, he might use it for his personal

needs, which is forbidden (Gemara 82a).

6. The Sages allowed such people to use the Temple's wood, so that they do not refrain from burning the meat out of their stinginess to save wood (*Tos. Yom Tov*).

## [9]

1. The *pesach* may be eaten only in Jerusalem. If the meat or any part of the animal is taken out of Jerusalem, it is disqualified and must be burned (*Rambam*, *Hilchos Korban Pesach* 4:3).

2. However, if it was taken out of Jerusalem or became *tamei* at night, it may not be burned until the 16th of Nissan, because disqualified offerings may not be burned on Yom Tov (*Rav*; see below).

- רע"ב -

תַּעֲבֵר צוֹרְתוֹ וַיִּשְׂרַף בְּשֵׁשָׁה עָשָׂר. רַבִּי יוֹחָנָן  
 בֶּן בְּרוּקָה אֹמֵר, אֵף זֶה יִשְׂרַף מִיָּד, לְפִי שְׂאִין  
 לוֹ אוֹבְלִין.

קמא אלא כשנטמאו הצטלים או מתו קודם זריקת הדם דלא איחזי בשר באכילה והוא ליה כפסולו בגופו. ואין הלכה כרבי יוחנן בן ברוקא:

a *pesach* became *tamei* or died on Erev Pesach, and the *pesach* is therefore disqualified because there is no one to eat it,<sup>[3]</sup> **תַּעֲבֵר צוֹרְתוֹ — its appearance must be left to change** before it is burned. That is, it is not burned right away; rather, it must be left overnight until it becomes disqualified as *nossar* (leftover sacrificial meat).<sup>[4]</sup> This is because a disqualified offering may be burned only when there is a disqualification in the actual offering. Although a *pesach* that has no one to eat it is disqualified, it was disqualified because of something outside the actual offering (its owners). Therefore, although it cannot be eaten, it cannot be burned either. There is no option but to leave the meat until it develops its own disqualification, which is done by leaving it to become *nossar*. **וַיִּשְׂרַף בְּשֵׁשָׁה עָשָׂר — It is then burned on the sixteenth** of Nissan. Since the fifteenth of Nissan, when it becomes *nossar*, is Yom Tov, on which it is forbidden to burn disqualified offerings, it is burned on the sixteenth of Nissan.

A different opinion:

**אֵף זֶה יִשְׂרַף — R' Yochanan ben Berokah says:** **רַבִּי יוֹחָנָן בֶּן בְּרוּקָה אֹמֵר**  
**מִיָּד — This [a *pesach* whose owners died or became *tamei*] is also burned**  
**immediately, on Erev Pesach, לְפִי שְׂאִין לוֹ אוֹבְלִין — because it has no**  
**one to eat it.** According to R' Yochanan ben Berokah, this *is* considered a disqualification in the actual offering;<sup>[5]</sup> therefore, it is burned right away.<sup>[6]</sup>

## NOTES

3. As we learned in Mishnah 6:6, a *pesach* is valid only if it has at least one owner (i.e., a person registered to it) who is able to eat it.

4. A *pesach* may be eaten only until midnight of the first night of Pesach, after which the meat becomes disqualified as *nossar* (see Mishnah 10:9).

Since the appearance of meat changes when it is left overnight, the requirement to leave it overnight is referred to as *its appearance is changed* (*Hon Ashir*).

5. R' Yochanan ben Berokah refers to a case in which the owners became disqualified before the blood of the offering was thrown on the Altar. Since the meat of the offering becomes fit to

be eaten only after its blood is thrown on the Altar, and in this case, the meat had no owners by that time, there was never a time when this meat was fit to be eaten. R' Yochanan ben Berokah considers this to be a disqualification in the actual meat. However, if the owners were fit to eat the meat when its blood was thrown on the Altar, and they died or became *tamei* only later, R' Yochanan ben Berokah agrees that this is not a disqualification in the actual offering, and it must become *nossar* before it can be burned (*Rav*).

6. However, if it is not burned on Erev Pesach, it may not be burned until after Yom Tov, that is, until the 16th of Nissan.

- רע"ב -

**[י] הַעֲצָמוֹת, וְהַגִּידִין, וְהַנּוֹתָר, יִשְׂרְפוּ בַשֶּׁשֶׁה עָשָׂר. חֵל שֶׁשֶׁה עָשָׂר לְהִיּוֹת בַּשַּׁבָּת, יִשְׂרְפוּ בַשֶּׁבַע עָשָׂר, לְפִי שְׂאִינָן דּוּחִין לֹא אֶת הַשַּׁבָּת וְלֹא אֶת יוֹם טוֹב.**

(י) העצמות. שאינו יכול לשזרן מפני שנאסרה שזירת עלם, ונותר בהן מוח וטעון שריפה: והגידין. שהן אסורין באכילה ואין חייבין עליהן מן התורה, כגון שומנו של גיד הנשה שהוא מותר

אלא שישראל קדושים נהגו בו איסור. אי נמי, הגיד החילון הסמוך לזכר שהוא אסור ואין חייבין עליו, ומן התורה הוא נותר, ולאכלו אי אפשר דרבנן אסרוהו: והנותר. זכר פסח שנתעללו באכילתו ונתותר: בששה עשר. שהוא חולו של מועד. אף על פי שנפסל בצוקר ראשון אין ראוי לשורפו צום טוב, דשריפת קדשים עשה, ויום טוב עשה ולא תעשה, ואין עשה דוחה את ל"ת ועשה:

[10] The meat of the *pesach* must be eaten on the first night of Pesach and may not be left over past that time. If anything is left over, it must be burned.<sup>[1]</sup> However, parts of the animal that cannot be eaten, either because they are not edible or because it is forbidden to eat them, do not have to be burned and may be simply thrown away. This Mishnah states which leftovers are burned and when they are burned:

**וְהַעֲצָמוֹת וְהַגִּידִין — The bones of the *pesach* that contain edible marrow,<sup>[2]</sup> and the sinews that are customarily not eaten,<sup>[3]</sup> וְהַנּוֹתָר — and the leftover uneaten meat, יִשְׂרְפוּ בַשֶּׁשֶׁה עָשָׂר — are burned on the sixteenth of Nissan, which is the first day of Chol HaMoed, and not on the fifteenth, which is Yom Tov. חֵל שֶׁשֶׁה עָשָׂר לְהִיּוֹת בַּשַּׁבָּת יִשְׂרְפוּ בַשֶּׁבַע עָשָׂר — If the sixteenth falls on Shabbos, they are burned on the seventeenth of Nissan, לְפִי שְׂאִינָן דּוּחִין — because the mitzvah to burn leftovers does not override either Shabbos or Yom Tov.**

[11] Every person is required to eat a *kezayis* of meat from the *pesach*. We will learn in Mishnah 8:3 that when people register for a *pesach* offering, they must calculate the size of the animal to ensure that there will be a *kezayis*

## NOTES

## [10]

1. As the Torah states: *You shall not leave any of [the pesach] until morning; any of it that is left until morning you shall burn in the fire (Exodus 12:10).*

2. Although the bones are not edible, the marrow inside them is edible. Since it is forbidden to break a bone in the *pesach* (as we will learn in the next Mishnah), the marrow cannot be taken out and eaten; it therefore becomes uneaten leftovers (נוֹתָר) and must be burned. Even after they become leftovers, the bones still may not be broken; therefore, the marrow cannot be removed to be burned and the bones themselves must be burned (*Rav*; Gemara 83a).

3. In the Mishnah, "sinews" are the parts of the animal that are long and string-like, such as the nerves, ligaments, and tendons. The sinews that are edible must in fact be eaten and are burned only if they are left uneaten. Those that are not edible may be thrown away. The Mishnah, which implies that sinews are *always* burned, refers to the fat on the *gid hanasheh* (sciatic nerve). The *gid hanasheh* is forbidden to be eaten (*Genesis 32:33*), and therefore can be simply thrown away. The fat on the *gid hanasheh*, though, is permitted Biblically; however, it is customarily not eaten and is therefore always left over. Since it is permitted Biblically, it must be burned as uneaten leftovers (*Rav*).



- רע"ב -

[יא] כָּל הַנֶּאֱכָל בְּשׁוֹר הַגָּדוֹל, יֵאָכֵל בְּגֵדֵי הָרֶךְ, וְרֵאשֵׁי כְּנָפִים וְהַסְּחוּסִים. הַשׁוֹבֵר אֶת הָעֶצֶם בְּפֶסַח הַטְּהוֹר, הֵרִי זֶה לֹקֵה אַרְבָּעִים. אֲבָל הַמּוֹתִיר בְּטְהוֹר

(יא) כל הנאכל בשור הגדול. שכבר הוקשה כל העתיד להקשות זו: יאכל בגדי הרך. ראוי לאכילה בפסח בן שמונה ימים. אצל מה שאין נאכל בשור הגדול אין נמנין עליו

בפסח אף על פי שעכשיו הוא רך, הואיל וסופו להקשות: וראשי בנפים והסחוסים. הכי קאמר, ומה הנאכל בשור הגדול, ראשי כנפים, הסחוס שקורין טנרוס בלע"ז שצראש כף הכתף ושאר סחוסים כגון תנוך האזן וסחוסי החזה והללעות הקטנות שבסוף השדרה, הואיל ובשור הגדול נאכלים על ידי שליטה, יאכלו בגדי הרך ללי: אבל המותיר בטהור בו. דכתיב (שמות יב) לא תותירו ממנו עד בוקר והותר ממנו עד בוקר צאש תשרופו, צא הכתוב ליתן עשה אחר לא תעשה, לומר אם עצרת על לאו, קיים עשה שבו ואינך לוקה. אי נמי, דהוי לאו שאין בו מעשה, וכל לאו שאין בו מעשה. אין לוקין עליו:

of meat for every person in the group. This Mishnah defines which parts of the animal are considered meat:

**כָּל הַנֶּאֱכָל בְּשׁוֹר הַגָּדוֹל** — Anything that can be eaten in a fully grown ox, whose limbs have fully matured and hardened, **יֵאָכֵל בְּגֵדֵי הָרֶךְ** — is eaten (i.e., it is considered edible meat) in a *pesach*, which is a tender lamb or kid.<sup>[1]</sup> Many parts of a young animal that are soft and edible will harden and become inedible as the animal grows. Only parts that are edible in an adult ox are considered edible meat in the *pesach*.<sup>[2]</sup> Parts that are too hard to be eaten in an ox are not considered edible meat in the *pesach* even if they are in fact presently soft and edible. Therefore, one cannot fulfill the mitzvah of eating the meat of the *pesach* by eating them. **וְרֵאשֵׁי כְּנָפִים וְהַסְּחוּסִים** — And the cartilage on the ends of the shoulders and the other cartilages<sup>[3]</sup> are considered edible meat in the *pesach*, since those of an ox can be eaten if they are cooked for a long time.<sup>[4]</sup>

The Torah forbids a person to break a bone in the *pesach* offering (*Exodus* 12:46). The Mishnah states when this prohibition applies:

**הַשׁוֹבֵר אֶת הָעֶצֶם בְּפֶסַח הַטְּהוֹר** — One who breaks a bone in a *pesach* that is *tahor* (i.e., valid) **הֵרִי זֶה לֹקֵה אַרְבָּעִים** — receives forty lashes,<sup>[5]</sup> for he has transgressed the prohibition of *You shall not break a bone in [the pesach]*.<sup>[6]</sup> **אֲבָל הַמּוֹתִיר בְּטְהוֹר** — However, one who leaves over meat even from a *pesach*

## NOTES

## [11]

1. The *pesach* can be as young as eight days old (*Leviticus* 22:27). Much of the skeleton of such a young animal consists of soft cartilage, which hardens into inedible bone as the animal matures.
2. Even though a *pesach* must be a lamb or kid, the determination of what is considered "meat" is based on an ox.
3. For example, the hard tissue on the ribs and the chest, as well as the middle part of the ear (*Rav*).
4. Although the cartilage in an ox cannot

be eaten easily, it is edible if it is cooked for a long time. This is enough to consider these parts edible meat in a *pesach*, even though a *pesach* may not be cooked [but must be roasted] (*Rav*).

5. This is the standard punishment for violating a Torah prohibition.

6. This applies only to a bone on which there is a *kezayis* of meat or a bone that contains edible marrow. If a person breaks a bone without meat or marrow, he does not receive lashes (*Rambam, Hilchos Korban Pesach* 10:3).

- רע"ב -

והשובר בטמא כו'. דכתיב (סס) ועלם לא תשזרו זו, ככשר מוזהר על שזירת עלם ואינו מוזהר על שזירת עלם כפסול: (יב) אבר. מן הפסח: שילא מקלחו. חוץ למחילתו, ולריך לחתוך את היולג דכתיב (שמות כז) וכשר בשדה טריפה לא תאכלו, ודרשינן זיה כל כשר שילא בשדה כלומר שילא חוץ למחילתו, כגון קדשי קדשים שילאו חוץ לעזרה וקדשים קלים שילאו חוץ לירושלים, אותו כשר היולג טריפה הוא ולא תאכלו: חותך. את הכשר היולג סביב עד שמגיע לעלם: וקולף. את הכשר שלא ילא לחוץ עד

that is *tahor*, **וְהַשׁוֹבֵר בְּטָמֵא** — or one who breaks a bone in a *pesach* that is *tamei*, **אֵינוֹ לֹקֵחַ אֶת הָאֲרָבָעִים** — does not receive forty lashes.<sup>[7]</sup> Although it is forbidden to leave over meat from the *pesach*, one who does so is simply required to burn the meat and does not receive lashes.<sup>[8]</sup> The prohibition to break a bone in the *pesach* applies only to a *pesach* that is *tahor*; therefore, a person who breaks a bone in a *pesach* that is *tamei* does not receive lashes.<sup>[9]</sup>

[12] As we learned in Mishnah 9, if part of a *pesach* is taken out of Jerusalem on Erev Pesach after it is slaughtered, it becomes disqualified and must be burned. If only part of a limb was taken out, the part that was taken out is disqualified and must be burned, but the rest of the meat on that limb is still valid. However, the disqualified part cannot simply be chopped off and removed, because it is forbidden to break the bone of a *pesach*, as we learned in the previous Mishnah. The Mishnah describes what to do in such a case:

**אֲבָר שֶׁיֵּצֵא מִקְצָתוֹ** — If part of a limb from a *pesach* offering was taken out of Jerusalem,<sup>[1]</sup> **חֹתֵךְ עַד שְׁמִינֵיעַ לְעֶצֶם** — he should cut into the meat all around the limb at the place where the disqualified meat begins until he reaches the

## NOTES

7. That is, he does not receive lashes at all.

8. Wherever the Torah gives a specific commandment for a person to follow when he transgresses a prohibition, he does not receive lashes for the transgression. [This is known as a *prohibition that is corrected by a commandment* (לְאִי הַנְּתַק לְעִשָּׂה).] Therefore, in our case, where the Torah states (*Exodus 12:10*): *You shall not leave any of [the pesach] until morning, and follows that by saying: any of it that is left until morning you shall burn in the fire*, a person who transgresses this prohibition must follow the commandment of burning it but he does not receive lashes (*Rav*).

This applies whether a person leaves over meat from a *pesach* that is *tamei* or *tahor*; in either case, he is required to burn the meat and does not receive lashes (*Tos. Yom Tov*).

9. The Torah states: *You shall not break a bone in it*. The Sages teach that the term *in it* implies that the prohibition applies only to the *pesach* that the verse is discussing, that is, a valid *pesach* and not one that is *tamei* (*Rav*).

This applies even in a case where the *pesach* is permitted to be brought in a state of *tumah* (when most of the community is *tamei*, as we learned in Mishnah 6). A person who breaks a bone in such a *pesach* does not receive lashes (*Tos. Yom Tov*).

## [12]

1. Since the *pesach* may be eaten only in Jerusalem, it may not be taken out of Jerusalem. By the same token, since the *pesach* must be eaten in a group, any part that is taken out of the area where that group is sitting during the night on which it is eaten also becomes disqualified (*Tos. Yom Tov*).

- רע"ב -

שמגיע לפרק שמתחברים שם  
שני עצמות, ואוכל את הבשר  
שקלף שהרי לא ילא, וחותר  
את הפרק ומשליך כל העלם  
שילא מקלחו: ובמוקדשים.  
בשאר קדשים חוץ מהפסח:  
קוצץ בקופיץ. אותו מקלת  
האזר שילא. ובפסח אינו יכול

לְעֵצָם, וְקוֹלֵף עַד שְׁמַגִּיעַ לַפֶּרֶק, וְחוֹתֵךְ.  
וּבַמְקַדְשֵׁיין קוֹצֵץ בְּקוֹפִיץ, שְׂאִין בוּ מִשּׁוּם  
שְׁבִירַת הָעֵצָם. מִן הָאֲגָף וְלִפְנֵים בְּלִפְנֵים,  
מִן הָאֲגָף וְלַחוּץ בְּלַחוּץ. הַחֲלוֹנוֹת, וְעִבֵי  
הַחוּמָה, בְּלִפְנֵים.

לעשות כן מפני שהוא מוזהר על שבירת עלם: מן האגף ולפנים בלפנים. אגף קרי כל מקום הגפת הדלתות שהוא חופף ונוקש שם כשסוגרו דהיינו [משפת הפנימי של עוצי הפתח עד מקום הנקשה. מן האגף ולפנים, דהיינו] תוך העיר ממש: בלפנים. ואוכלים שם קדשים קלים: מן האגף ולחוץ. דהיינו ממקום הנקשה ולחוץ, כלחוץ: החלונות. שבחומת ירושלים. ועוצי ראש החומה בגגה, כלפנים:

bone, — and he should then peel the meat that is still valid off the bone until he reaches the joint where that bone connects to the next bone, and then cut through the joint to separate the bones.<sup>[2]</sup> The meat that was not taken outside, which he has peeled off the bone, is eaten. The meat that was taken outside is burned.<sup>[3]</sup>

The Mishnah contrasts this with other offerings in which the meat was taken out of the area in which they may be eaten:

— With regard to other sacred offerings, if part of a limb was taken outside the permitted area,<sup>[4]</sup> he cuts through the bone with a cleaver to remove the disqualified part, — because there is no prohibition against breaking a bone in any offering besides the *pesach*.

The Mishnah states how the boundary of the city is defined at the city gates: — Inward of the doorway of the city gates is considered inside Jerusalem, — and outward of the doorway is considered outside Jerusalem.<sup>[5]</sup> — The

## NOTES

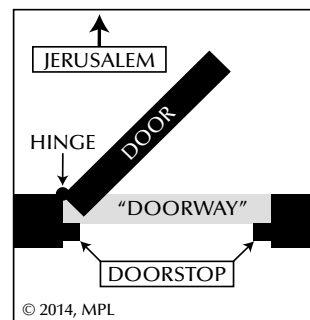
2. Although the bones may not be broken, the tendons that connect two bones may be cut to separate them (*Meiri*).

3. In addition, if the bone contains marrow, the bone must be burned as well (*Tos. Yom Tov*; see Mishnah 10).

4. For example, if the meat was from a *shelamim*, which may be eaten anywhere in Jerusalem, it becomes disqualified when taken out of Jerusalem. If the meat was from a *chatas*, which may be eaten only in the Temple Courtyard, it becomes disqualified when taken out of the Temple Courtyard.

5. The gates of Jerusalem had thick doors that opened inward; the doors, when closed, filled only part of the gateway and rested at a doorstep. "Doorway" here refers to the space the door occupies

when it closes, which is the space from the inner edge of the gate until the doorstep (see diagram). Inward of the "doorway" is considered inside the city and outward of the "doorway" is considered outside the city. As for the space of the "doorway" itself, in Jerusalem that space was considered to be outside the city. However, with regard to most of the gates of the Temple Courtyard (which is relevant for other offerings), the space of the "doorway" itself is considered to be inside the Courtyard (*Gemara 85b*).



- רע"ב -

**יג] שְׁתֵּי חֲבוּרוֹת שֶׁהָיוּ אוֹכְלוֹת בְּבֵית אֶחָד, אֵלּוּ הוֹפְכִין אֶת פְּנֵיהֶם הַיְלָךְ וְאוֹכְלִין, וְאֵלּוּ הוֹפְכִין אֶת פְּנֵיהֶם הַיְלָךְ וְאוֹכְלִין, וְהִמָּחֵם בְּאֲמִצָּע. וּבְשֶׁהִשְׁמַשׁ עוֹמֵד לְמוֹזַג, קוֹפֵץ אֶת פִּיו וּמְחַזֵּר אֶת פָּנָיו**

(יג) שתי חבורות שהיו אוכלות. פסח אחד: אלו הופכים פניהם הילך ואלו הופכים פניהם הילך. ואפילו נראים כשתי חבורות על פסח אחד לא חכפת לן, דרחמנא אמר (סס יב, ז)

על הצתים אשר יאכלו אותו, דמשמע שני בני אדם אוכלין פסח אחד בשני צתים, דכתיב יאכלו, [שנים], אותו, חד פסח, [צתים], שנים. אבל אדם אחד אינו אוכל בשני מקומות, ולהכי מוקי צצית אחד יאכל (סס פסוק מו), שאין אחד אוכל בשני צתים. ושתי חבורות ההופכות פניהם כשני צתים דמי: והמיחס. שמחממין זו את החמין שמוזגים זו היין, רשאי ליתן בחמלע כדי שיהא נוח לשתיהן למוזג לכאן ולכאן. ואף על פי שמפסיק בין החבורות, לא חכפת לן: ובשהשמש. המשמש לשתיהן, עומד מחבורה אחת שהתחיל לאכול הפסח עמה ומוזג לחבורה האחרת: קופץ את פיו. סוגר וזולס את פיו ומחזיר את פניו

windows in the walls and the thickness of the actual walls are considered inside Jerusalem, and the *pesach* may therefore be eaten in a window or on top of the city wall.

[13] The people who registered for a *pesach* offering may divide themselves into more than one group to eat it. However, one person may not eat the *pesach* with more than one group.<sup>[1]</sup> The Mishnah states some laws that relate to this:

**שְׁתֵּי חֲבוּרוֹת שֶׁהָיוּ אוֹכְלוֹת בְּבֵית אֶחָד** — If two groups are eating a single *pesach* in one house, **אֵלּוּ הוֹפְכִין אֶת פְּנֵיהֶם הַיְלָךְ וְאוֹכְלִין** — these people [one group] may turn their faces in one direction and eat, **וְאֵלּוּ הוֹפְכִין אֶת פְּנֵיהֶם הַיְלָךְ וְאוֹכְלִין** — and these people [the other group] may turn their faces in another direction and eat. Although this makes it clear that they are two separate groups, it is of no concern, because a *pesach* may be eaten in more than one group. **וְהִמָּחֵם בְּאֲמִצָּע** — And for the same reason, the kettle of water that is used to dilute the wine may be placed even in the middle, between the two groups, even though it separates them.<sup>[2]</sup>

**וּבְשֶׁהִשְׁמַשׁ עוֹמֵד לְמוֹזַג** — However, when the waiter, who is sitting and eating with one of the groups, **קוֹפֵץ אֶת פִּיו וּמְחַזֵּר אֶת פָּנָיו** — he must close his mouth and turn his face

## NOTES

[13]

1. Two verses discuss where the *pesach* offering is to be eaten. One verse states: *The houses in which they will eat it (Exodus 12:7)*, which implies that a *pesach* may be eaten in more than one house. This refers to the offering itself, namely, that a single *pesach* offering may be eaten by more than one group in more than one place — even in different houses. Another verse states: *In one house shall it be eaten (v. 46 there)*, which implies that

it must be eaten in *one* house. This verse refers to the people eating the *pesach*, and teaches that one person may not eat the *pesach* in more than one house, or even in more than one place in the same house (*Rav*, from Gemara 86a).

2. Wine in those times was too strong to drink on its own and was usually mixed with warm water. Therefore, at the Pesach Seder, when people were drinking wine, they kept a large kettle of warm water in the room (*Meiri*).

- רע"ב -

עד שְׂמִייעַ אֶצֶל חֲבוּרָתוֹ וְאוֹכֵל. וְהִפְלָה, ללד חבורתו, שלא יתשדוהו  
 הוֹפְכֶת אֶת פְּנֵיהָ וְאוֹכֵל. שהוא אוכל עם החבורה  
 האחרת, דאין אדם אחד  
 אוכל בשתי חבורות,  
 כדאמרן: והבלה. שהיא בושא, רשאה להפוך פניה ללד אחר ולאכול, דפסח נאכל בשתי חבורות:

toward his own group — until he reaches his own group, and then he may eat. Since a single person may not eat the *pesach* with more than one group, the waiter, who eats with one of the groups but serves both of them, must be careful to keep his mouth closed and to face his own group when he is serving the group that he is not eating with, so that he is not suspected of eating with that group as well.

A related law:

וְהִפְלָה הוֹפְכֶת אֶת פְּנֵיהָ וְאוֹכֵל — A bride, who is embarrassed to eat in front of people, may turn her face away from her group and eat,<sup>[3]</sup> even though by doing so, it is as though she is eating apart from the group with which she is sitting. This too is permitted because a *pesach* may be eaten by more than one group, as we have said.<sup>[4]</sup>

## NOTES

3. Since a bride is the center of attention and people are looking at her, she may be embarrassed to eat while facing them (*Rashi* 86b).  
 4. *Rav*.

# Chapter Eight

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- רע"ב -

[א] **הָאִשָּׁה בְּזִמְנָן שְׁהִיא בְּבֵית בַּעְלָהּ, שְׁחַט עֲלֶיהָ בַּעְלָהּ וְשָׁחַט עֲלֶיהָ אָבִיהָ, תֹּאכֵל מִשָּׁל בַּעְלָהּ. הִלְכָה רְגֵל רֵאשׁוֹן לַעֲשׂוֹת בְּבֵית אָבִיהָ, שְׁחַט עֲלֶיהָ אָבִיהָ וְשָׁחַט עֲלֶיהָ בַּעְלָהּ, תֹּאכֵל בְּמָקוֹם שְׁהִיא רוֹצָה.**  
 לזית אציה; תאכל במקום שהיא רוצה. וכגון שאינה רדופה עד הגה לילך לזית אציה תדיה, הילכך מספקא לן בהי ניחא לה:

[1] As we have learned above (5:3, 6:6), one must be registered on a *pesach* offering before it is slaughtered to fulfill his obligation and eat from it. The first four Mishnayos of this chapter discuss the laws of this registration.

A person cannot be registered on more than one *pesach* offering.<sup>[1]</sup> The following Mishnah discusses various cases in which two people each registered a third person on their *pesach* offering. The Mishnah will teach which, if any, of the registrations is valid.

The first case is where a woman's father and husband both register her on their offerings and she did not state in advance which one she wanted to join:<sup>[2]</sup>

**הָאִשָּׁה בְּזִמְנָן שְׁהִיא בְּבֵית בַּעְלָהּ** — When a woman is in her husband's house, i.e., she is married, **שְׁחַט עֲלֶיהָ בַּעְלָהּ** — and her husband registered and slaughtered his *pesach* offering on her behalf, **וְשָׁחַט עֲלֶיהָ אָבִיהָ** — and her father also registered her and slaughtered his offering on her behalf, **תֹּאכֵל מִשָּׁל בַּעְלָהּ** — she eats from her husband's offering because we may assume that a married woman prefers to be registered on her husband's offering over her father's. **הִלְכָה רְגֵל רֵאשׁוֹן לַעֲשׂוֹת בְּבֵית אָבִיהָ** — If, however, she went to spend the first festival after she got married in her father's house,<sup>[3]</sup> **שְׁחַט עֲלֶיהָ אָבִיהָ וְשָׁחַט עֲלֶיהָ בַּעְלָהּ** — and her father and her husband both registered and slaughtered their *pesach* offerings on her behalf, **תֹּאכֵל בְּמָקוֹם שְׁהִיא רוֹצָה** — she may eat in whichever place, i.e., from whichever offering she said that she wanted to be registered on before it was slaughtered.<sup>[4]</sup> However, if she does not say anything at that time she may not eat from either offering, because in this case it cannot be assumed which offering she preferred.<sup>[5]</sup> Thus, neither registration is valid since they both lack her consent.

## NOTES

[1]

1. See Mishnah 9:9.

2. A person cannot be registered on a *pesach* offering without his explicit consent (see *Nedarim* 36a) unless we have good reason to assume that he agrees to the registration, as the Mishnah will explain.

3. It was common practice for a newly married couple to spend the first festival

after their marriage in the home of the wife's father (*Rav*). The Mishnah refers to a case in which the first festival after the woman got married was Pesach, and therefore she went to spend Pesach with her father.

4. *Tos. Yom Tov*, from Gemara 87a.

5. Since she is spending the first festival with her father as most married couples do, it is possible that she prefers to eat from her father's offering (see *Rav*).

- רע"ב -

יתום ששחטו עליו אפטרופסין, יאכל במקום  
 שהוא רוצה. עבד של שני שתפין לא יאכל  
 משל שניהן. מי שחציו עבד וחציו בן חורין,  
 של זה, דמי נתן רשות לחלק האחד להמנות עם זה. ואין לו תקנה חלל חס כן רלו שניהם שימנה עם האחד:

The next case of the Mishnah involves guardians of an orphan. These are people appointed by the father (before he died) or the Court to manage the affairs of the orphan:

יתום ששחטו עליו אפטרופסין — In the case of an orphan who has two guardians, and each of the guardians registered the orphan on his *pesach* and slaughtered it on his behalf, יאכל במקום שהוא רוצה — the orphan may eat in whichever place, i.e., from whichever offering, he wants, even if he did not say anything before the *pesach* was slaughtered. This is because the Torah authorizes a guardian to register orphans under his care even without their consent.<sup>[6]</sup> Thus, either of the guardians' registrations can be valid for the orphan, depending on which one the orphan chooses.<sup>[7]</sup>

The owner of a Canaanite slave has the right to decide which *pesach* offering the slave will be registered on even against the slave's will.<sup>[8]</sup> The Mishnah discusses the case of a slave jointly owned by two partners, who was registered by his owners on their offerings:

עבד של שני שתפין — In the case of a Canaanite slave who is owned by two partners and each of the partners registered the slave on his *pesach* offering, לא יאכל משל שניהן — [the slave] may not eat from the offering of either of them because neither registration is valid. Since each owner has rights to only half of the slave, each partner cannot register the half he does not own without the consent of the other partner.<sup>[9]</sup>

Another law regarding a Canaanite slave who has been registered on the *pesach* offering of his owner:

מי שחציו עבד וחציו בן חורין — A person who is half Canaanite slave and half

## NOTES

6. We learn this from the verse (*Exodus* 12:3): *And they should take for themselves, each man ... a lamb for his household* [for the *pesach* offering]. This implies that the head of the household (i.e., the father, or a guardian who is appointed to take the place of the father) has the right to register the members of his household even without their consent (*Tos. Yom Tou*, from Gemara).

[The Mishnah refers here to an orphan who is a minor, but a guardian cannot register an adult orphan without his consent, and the same for a father registering his children (see Gemara 88a).]

7. However, he cannot choose to be

registered on both offerings since one person cannot be registered on two *pesach* offerings.

8. A Canaanite slave is a non-Jewish slave who undergoes a partial conversion and is obligated in the same mitzvos as women. Such a slave is considered a member of the master's household whom the master can register without consent, as taught in note 6 (Gemara 88a and *Rashi* there).

9. Thus, the only way this slave can be registered on a *pesach* offering is if both owners agree to the slave being registered with one of the owners (*Rav*).



- רע"ב -

לֹא יֹאכֵל מִשָּׁל רַבּוֹ.

לֹא יֹאכֵל מִשָּׁל רַבּוֹ.  
אֲבָל מִשָּׁל עַלְמוֹ אֹכֵל,  
דְּכִיּוֹן דְּדִינָא הוּי דְּכּוּפִין  
אֵת רַבּוֹ וְכוּתֵב לוֹ גַּט  
שְׁמֵרָה, אֵף עַל פִּי שְׁעֵדִין  
לֹא נִשְׁתַּחֲרַר הָרִי הוּא כְּבֵן  
חֹרִין, הֵילַךְ אֹכֵל מִשָּׁל

[ב] הָאוֹמֵר לְעַבְדּוֹ, צֵא וּשְׁחַט עָלַי אֶת  
הַפֶּסַח, שְׁחַט גְּדִי, יֹאכֵל. שְׁחַט  
טֶלֶה, יֹאכֵל. שְׁחַט גְּדִי וְטֶלֶה, יֹאכֵל מִן הָרִאשׁוֹן.

עלמו: (ב) שחט גדי יאכל. רבו ממנו. ואף על גב דככל שאר פסחים רגיל תדיר בטלה, כיון דלא פירש לו עליה סמיך: יאכל מן הראשון. והשני ישרף. ובגמרא מוקי לה דוקא במלך ומלכה, אית דאמרי משום שלום מלכות, ואית דאמרי מפני שסומכין על עבדיהם ואין מקפידים על סעודתן אם גדיים אם טלחים, הילכך יאכל מן הראשון כיון דליכא קפידא, דבראשון ילאו ידי חובתן. אצל אינשי דעלמא דקפדי, לא יאכל לא מן הראשון ולא מן השני, דקיימא לן אין נמנין על שני פסחים כאחד לאכול איזה מהם שיראה, דאין צרירה, וכי צעי למיכל מהאי, דלמא בשעת שחיטה לא הוה דעתיה עליה:

לֹא יֹאכֵל מִשָּׁל free,<sup>[10]</sup> whose owner registered him on his *pesach* offering, — may not eat from his owner's offering because we assume the owner intended to register only the half that is his slave, not the half that is free.<sup>[11]</sup> Thus, the slave is not fully registered on the offering and therefore may not eat from it.

[2] This Mishnah discusses cases in which one person authorized another person to buy an animal for a *pesach* offering and register him on it, but it was unclear what kind of animal he wanted. This raises the question as to which animal may be used for his offering, since the registration requires his consent:

הָאוֹמֵר לְעַבְדּוֹ צֵא וּשְׁחַט עָלַי אֶת הַפֶּסַח — If one said to his servant, “Go out and slaughter the *pesach* offering for me,” but he did not specify if he wanted a kid or a lamb,<sup>[1]</sup> the law is that שְׁחַט גְּדִי יֹאכֵל — if [the servant] slaughtered a kid [the master] may eat from it, שְׁחַט טֶלֶה יֹאכֵל — and if [the servant] slaughtered a lamb [the master] may eat from it, because we assume that the master left it up to the servant to decide what type of animal to use.<sup>[2]</sup> שְׁחַט גְּדִי וְטֶלֶה — If [the servant] slaughtered both a kid and a lamb, יֹאכֵל מִן הָרִאשׁוֹן — [the master] eats from the one that was slaughtered first because we assume that the master does not care if his offering is a kid or a lamb. Thus the first one slaughtered was valid and second one is invalid, since the master already fulfilled his obligation with the first one.<sup>[3]</sup>

## NOTES

10. For example, a slave who was owned by two people and one of them freed him.

11. *Rashi, Tiferes Yisrael*. Even if the slave expressed his consent the registration is not valid since the owner did not intend to register him (see *Tzlach*).

## [2]

1. A *pesach* offering may be either a kid [a young goat] or a lamb [a young sheep] that is less than a year old (see *Exodus* 12:5).

2. Even if the master always chose a lamb in previous years and the servant chose a kid (or vice versa), since the master did not specify this time, we assume that he agrees to let the servant choose for him (*Rav*, from Gemara).

3. The Gemara explains that the Mishnah refers to a case of a king and queen who sent their servant to bring a *pesach* on their behalf. Since fine foods are always available to them, they are not particular

- רע"ב -

שָׁבַח מָה אָמַר לוֹ רַבּוֹ, בְּיַצֵּד יַעֲשֶׂה, יִשְׁחַט  
טֶלֶה וְגֵדִי וַיֹּאמֶר, אִם גְּדִי אָמַר לִי רַבִּי, גְּדִי  
שְׁלוֹ וְטֶלֶה שְׁלִי. וְאִם טֶלֶה אָמַר לִי רַבִּי הִטֶּלֶה  
שְׁלוֹ וְגֵדִי שְׁלִי. שָׁבַח רַבּוֹ מָה אָמַר לוֹ, שְׁנֵיהֶם  
יֵצְאוּ לְבֵית הַשְּׂרָפָה, וּפְטוּרִין מִלַּעֲשׂוֹת פֶּסַח  
שְׁנֵי.

שבח מה שאמר. שפירש  
לו גדי או טלה, וזה שכתב:  
וטלה שלי. בגמרא מוקי  
לה כגון שהלך העבד אלל  
רועה הרגיל אלל רבו  
ורולה בתקנתו, ואמר לו,  
אם גדי אמר לך רבך גדי  
שלו וטלה שלך על מנת  
שאין לרבך רשות בו,  
דכהאי גוונא קנה העבד,

דאי לאו הכי מה שקנה עבד קנה רבו וגמלאו שניהם של רבו: ופטורים מלעשות פסח שני. דאף  
על גב דשניהם יולאים לבית השריפה ואינן נאכלין מפני שאין המנויין ניכרים, מיהו שחיטה וזריקה  
מעלייתא היא, חדא אהאי וחדא אהאי, דקמי שמיא גליא:

The Mishnah now discusses a case in which the master did make clear whether he wanted a kid or a lamb but the servant forgot:

שָׁבַח מָה אָמַר לוֹ רַבּוֹ — If the master *did* specify which animal he wanted but [the servant] forgot what his master told him, בְּיַצֵּד יַעֲשֶׂה — what should [the servant] do? יִשְׁחַט טֶלֶה וְגֵדִי וַיֹּאמֶר — He should acquire and slaughter both a lamb and a kid and say the following before they are slaughtered: אִם גְּדִי אָמַר לִי רַבִּי גְדִי שְׁלוֹ וְטֶלֶה שְׁלִי — “If my master told me to bring a kid, let the kid be a *pesach* offering for him and the lamb a *pesach* offering for me; וְאִם טֶלֶה אָמַר לִי רַבִּי הִטֶּלֶה שְׁלוֹ וְגֵדִי שְׁלִי — and if my master told me to bring a lamb, let the lamb be a *pesach* offering for him and the kid a *pesach* offering for me.” The servant then goes back to the master and finds out which one he specified. The master eats from that animal and the servant eats from the other one. שָׁבַח רַבּוֹ מָה אָמַר לוֹ — However, if his master also forgot what he told [the servant] and both animals have already been slaughtered, שְׁנֵיהֶם יֵצְאוּ — both animals must go out to the place of burning, i.e., the place outside the Temple Courtyard where disqualified offerings are burned.<sup>[4]</sup> This is because we do not know which of the animals is the master’s offering and which is the servant’s, and a person may not eat from an offering on which he is not registered.<sup>[5]</sup> וּפְטוּרִין מִלַּעֲשׂוֹת פֶּסַח שְׁנֵי — But they are exempt from making the second *pesach* offering because they have fulfilled their *pesach* obligation with these offerings even though they did not eat from them.<sup>[6]</sup>

## NOTES

if the offering is a kid or a lamb and they therefore accept whichever offering was slaughtered first. However, in the case of a regular person whose servant slaughtered both animals, both offerings are invalid, because such a person may specifically want a kid or a lamb. Since the master relied on the servant to choose for him, but the servant did not choose, rather he slaughtered one of each kind, it turns out that the master was not registered on either one (*Rav*, second

explanation; see *Chazon Ish* 124).

4. See *Rashi* 24a פסולי ד”ה.

5. And a *pesach* offering that cannot be eaten is burned (see Mishnah 7:9).

6. A person who was unable to fulfill his *pesach* obligation on the 14th of Nissan brings a *pesach* offering a month later, on the 14th of Iyar. This make-up offering is called the “second *pesach* offering” (see below, Mishnah 9:1). In this case, however, both the master and the servant

- רע"ב -

[ג] **הָאוֹמֵר לְבָנָיו, הֲרִינִי שׁוֹחֵט אֶת הַפֶּסַח עַל מִי שְׂיַעֲלָה מִכֶּם רֵאשׁוֹן לִירוּשָׁלַיִם, בֵּינָן שְׁהַכְנִיס הָרֵאשׁוֹן רֵאשׁוֹ וְרַבּוֹ, זָכָה בְּחֻלְקוֹ וּמִזְכָּה אֶת אָחִיו עִמּוֹ. לְעוֹלָם נִמְנֵן עָלָיו עַד שְׂיֵהָא בּוֹ כְּזֵית לְכָל אֶחָד וְאֶחָד.**

(ג) על מי שיעלה ראשון לירושלים. כדי לזרזן קאמר, שיזדרזו כל אחד להיות ראשון. ומיהו כל בניו המנה על הפסח, אלא שאותו שיעלה ראשון יזכה ראשון וכל אחיו יזכו אחריו על ידו:

[3] The Mishnah continues to discuss the laws of registering on a *pesach* offering:

**הָאוֹמֵר לְבָנָיו** — If one who is going to Jerusalem to bring his *pesach* offering says to his sons who will be arriving in Jerusalem after the offering is slaughtered but in time to eat from the offering: **הֲרִינִי שׁוֹחֵט אֶת הַפֶּסַח עַל מִי שְׂיַעֲלָה מִכֶּם רֵאשׁוֹן לִירוּשָׁלַיִם** — “I will slaughter the *pesach* offering for the first one of you to go up to Jerusalem,” the law is as follows: **בֵּינָן שְׁהַכְנִיס הָרֵאשׁוֹן רֵאשׁוֹ וְרַבּוֹ** — As soon as the first [son] put his head and most of his [body] into the city,<sup>[1]</sup> **זָכָה בְּחֻלְקוֹ וּמִזְכָּה אֶת אָחִיו עִמּוֹ** — he acquires his portion in the *pesach* offering and acquires portions for his brothers along with him, because when the father said he will slaughter for the son who comes first he did not mean to register only him; rather, he meant that that son would be the head of the group.<sup>[2]</sup>

The Mishnah discusses how many people may register on one *pesach* offering:

**לְעוֹלָם נִמְנֵן עָלָיו** — Any amount of people can register on [a *pesach* offering], **עַד שְׂיֵהָא בּוֹ כְּזֵית לְכָל אֶחָד וְאֶחָד** — as long as there is at least an olive’s volume of meat in [the animal] for each and every one of them; this is the minimum amount of meat one must eat to fulfill the mitzvah of eating the *pesach* offering.<sup>[3]</sup>

The Mishnah discusses the latest time one can register on a *pesach* offering or withdraw from one offering in order to register on a different one:

## NOTES

fulfilled their *pesach* obligations since the owner specified which one he wanted and is therefore registered on that animal (and the servant on the other). Thus, although we do not know who was registered on which animal, each one definitely had a *pesach* offering, on which he was registered, offered on his behalf (see *Rav*; *Tiferes Yisrael*). As long as a person’s *pesach* was offered, he has fulfilled his obligation, even if he did not eat from it (see Gemara 78b).

2. *Rav*, from Gemara; *Rashi*, cited by *Tos. Yom Tov*. The father wanted his sons to come to Jerusalem quickly because he wanted them to be zealous in their performance of mitzvos (*Rav*, from Gemara). He therefore appointed the son who arrives first as the “leader” who picks a portion for himself first and gives out other portions to his brothers (*Chidushei HaRan to Gittin 25a*). However, he indeed slaughtered it with *all* his children in mind.

[3]

1. This is considered “entering” the city.

3. See *Rambam, Hilchos Korban Pesach 8:3*.

- רע"ב -

נִמְנֵין וּמוֹשְׁכִין אֶת יְדִיהֶן מִמְנוּ עַד שִׁישְׁחֵט.  
 רַבִּי שִׁמְעוֹן אוֹמֵר, עַד שִׁיזְרַק עָלָיו אֶת הַדָּם.  
 [ד] הַמְּמַנֶּה עִמּוֹ אַחֲרִים בְּחֶלְקוֹ, רִשָּׁאִין בְּנֵי  
 חֲבוּרָה לִתֵּן לוֹ אֶת שְׁלוֹ, וְהוּא  
 אוֹכֵל מִשְׁלוֹ, וְהֵן אוֹכְלִין מִשְׁלָהֶן.

עד שיזרק הדם. לעולם  
 יכול לימשך, אפילו אחר  
 שחיטה עד שיזרק הדם.  
 ומודה רבי שמעון דאין  
 נמנין אלא עד שישחט.  
 ואין הלכה כרבי שמעון:  
 (ד) הממנה אחרים על  
 חלקו. אחד מבני חבורה

שהמנה אחרים על חלקו, בלא דעת חבורה לומר לו. טול את שלך ולא ואכול אתה  
 וחבריך, שאין בני חבורה מתרזים להיות כל אלו הדעות בחבורתן. ואית ליה להאי תנא פסח נאכל בשתי חבורות:

**[People] can register on a *pesach* offering and withdraw from it until it is slaughtered.**<sup>[4]</sup>

The next Tanna disagrees:

— **עד שיזרק עליו את הדם** — But R' Shimon says: One may withdraw from a *pesach* offering even after it is slaughtered, until [the Kohen] throws the blood onto the Altar on his behalf.<sup>[5]</sup>

[4] Normally, when a group of people register on a *pesach* offering there is an understanding that they will all eat the offering together as one group. Thus, if one part of the group decides that they want to eat alone, they may not force the others to leave and eat somewhere else as a different group.<sup>[1]</sup> However, in the following case some of the group *can* be forced to eat elsewhere:

— **הממנה עמו אחרים בחלקו** — If a person, who is a member of a group registered on a *pesach* offering, registers other people with him to share in his portion, without asking the permission of the other members,<sup>[2]</sup> **רשאין בני חבורה** — the other members of the group may insist on the following arrangement: They give him his portion, **והוא אוכל משלו והן אוכלין משלהן** — and he eats from his portion together with his guests in one place, and they eat from their portions in a different place.<sup>[3]</sup> The original members have the right to say that they do not want to eat their *pesach* offering together with strangers who were not part of the original group.

## NOTES

4. We learn this from the verse (*Exodus* 12:4): According to the number of people ... shall you be counted [תִּבְסוּ] on the lamb. The word תִּבְסוּ can also be interpreted to mean *you shall slaughter*. Thus, the Torah is teaching that the registration process must take place before the slaughtering. The law about withdrawing is learned from the earlier part of this verse, as explained by the Gemara (*Tos. Yom Tov* שמעון ר' ד"ה).

5. According to R' Shimon, the verse teaches that one may withdraw as long as the sacrificial service is still being performed. Thus, one may withdraw until the blood is thrown on the Altar, since that is the last

step of the sacrificial service. However, R' Shimon agrees that one must register before the offering is slaughtered (*ibid.*).

## [4]

1. See Gemara 89b.

2. Since he did not receive permission to add more members, they cannot be considered full members of the group; rather, they have a right only to a share of his portion. For example, if the original group consisted of ten people, his guests get a share of his tenth of the offering (*Meiri*).

3. One *pesach* offering may be eaten by two groups eating in separate places (*Rav*; see above, Mishnah 7:13).