

28.12.2

99b (וחכמים עשו חיזוק לדבריהם יותר משל תורה) 101a → (ואינו חולק לאכול)

1. ולאחתו הבתולה הקרובה אליו אשר לא היתה לאיש לה יטמא: ויקרא כא, ג  
 2. לאביו ולאמו ולאחיו ולאחתו לא יטמא להם במתם כי גזר אלהיו על ראשו: במדבר ז, ז  
 3. כל מי הזירו לה על נפש מת לא יבא: במדבר ז, ו  
 4. והפקתי חגיגכם לאבל וכל שיריכם לקינה והעליתי על כל מתנים שק ועל כל ראש קרחה ושמתיה כאבל: ויחיד ואחריתה קיום מר: עמוס ח, י  
 5. וידבר אהרן אל משה הן היום הקריבו את חטאתם ואת עלתם לפני ה' ותקראנה אתי כאלה ואכלתי חטאת היום הייטב בעיני ה': ויקרא י, ט

## I Continued discussion of status of אונן vis-à-vis קדשים

- a *Implication (of ruling that he may not take part in division):* he may eat קדשים that night if offered
- b *Challenge:* ruling that an אונן may go to the מקוה (as above) and eat his פסח (only!) that night, not other קדשים
- i *Answer1 (ר' ירמיה מדיפתי):* in our case, it refers to פסח night; since he may eat פסח, he's allowed to eat all קדשים
- 1 *Read:* כל הקדשים refers to other nights
- ii *Answer 2 (ר' אסי):* in our case, the death and burial weren't on the same day
- 1 *Therefore:* of that day is אניונות, מדרבנן, it doesn't extend to night; if on same day, מה"ס is אניונות, extends (מד"ס)
- 2 *observation:* authority who holds that אניונות לילה is מד"ס is ר"ש, per explicit statement in ברייתא (*contra* יהודה)
- (a) *proof:* an אונן can eat פסח that night
- (b) *challenge:* ר"ש states that an אונן cannot send a קרבן to be offered
- (i) *assumption:* this includes פסח
- (ii) *rejection:* besides פסח
- (c) *challenge:* ר"ש interprets "שלמים" to mean that the donor must be שלם – not an אונן
- (i) *then:* he extends it to בכור ומעשר ופסח, עולה, תודה, ואשם, חטאת ואשם, then all gifts – by analogy/language
- (ii) *point:* he includes פסח in his (exhaustive) list of excluded קרבנות
1. *defense1:* פסח was added "by habit" with בכור ומעשר and doesn't really belong there
2. *defense2:* פסח means שלמי פסח (חגיגה) that accompanies פסח (קרבן פסח)
- a. *challenge:* already listed שלמים
- b. *justification:* כמ"ל פסח and be brought פסח since it accompanies פסח it would be like פסח and be brought
3. *defense3 (ר' מרי):* פסח isn't brought if the relative died on י"ד, if it was only יום קבורה – brought קשיא – יום קבורה from אניונות לילה מד"ס
4. *challenge (ר' אשי):* ר"ש's proof of ר"ש fails if he only "proves" מד"ס
- iii *answer3 (אביי):* prohibited if relative died before midday; permitted if s/he died after חצות
- 1 *reason:* before חצות, he is defined as an אונן before פסח קרבן חייב sets in; afterwards ק"פ "defines" him
- (a) *support (for distinction between before/after חצות):* resolution of contradiction ruling that one must engage in burial, even if it means becoming טמא and being unfit for פסח קרבן (v. 1 and story w/הכהן/יוסף) against interpretation of v. 2 – that only for מת מצוה do we "endanger" ק"פ by engaging in burial
- (i) *proposed resolution:* if he died before/after חצות
- (ii) *challenge:* perhaps both are after חצות and it is ישמעאל ר"ע/ר' ישמעאל
1. לה יטמא ד"ע is an obligation
2. לה יטמא ד"י is a permission/רשות
- (iii) *block:* ר"ע of ברייתא is authorized by ר"ע (signaled at beginning – he interprets נפש and מת and then proceeds to justify mention of each relative in spite of ק"ו from father)
- iv *answer4 (רבא):* both are after חצות, but if the relative died before זרה"ד, שחיטה זרה"ד, he doesn't eat; if after – he eats
- 1 *question (ר' אדא בר מתנה):* once there's been זרה"ד, who cares what happens – he's already fulfilled ק"פ
- (a) *interjection (ר' אדא בר מתנה):* we know from בר ר' הונא and teacher of רבא (*ר' אדא בר מתנה*) that eating the פסח (comment of רבא – listen to רבא!) is מעכב ק"פ → he isn't "done" and without eating afterwards isn't יוצא
- (b) *background (ר' הונא):*
- (i) *יום קבורה* (i.e. hearing about a death in family within 30 days of the event) is akin to יום קבורה for 7/30 – must keep שבעה/שלשים from that day;
1. *but:* for eating פסח, we treat it like יום ליקוט עצמות (re-interment – only practiced that day);
- (ii) *and:* for both of them, he goes to the מקוה and then eats פסח that night
1. *observation:* there is a tacit contradiction here;
- a. *דישא:* implies that for יום קבורה, one may not eat פסח that night (else why classify יום שמועה differently to allow him to eat פסח?)
- b. *סיפא:* "for both of them" – we assume means both יום שמועה and יום קבורה – he may eat

## 2. solution1 (ר' חסדא): it is a dispute between תנאים

- a. *ברייתא* *ברייתא* lasts the entire day; רבי – until he is buried
- b. *analysis*: cannot be the day of death – all agree that that day extends, מד"ס into night; in addition, רבי couldn't permit it immediately after burial per v. 4
- c. *יום קבורה* ג' ששת must be *יום קבורה*
  - i. *challenge* (ר' יוסף): by implication of *יום שמועה* being allowed to eat that night, *יום קבורה* isn't permitted – but which authority is this?
- d. *rather*: means – *יום המיתה* חכמים prohibit entire day and night of *יום המיתה*, רבי allows that night if he was buried that day
  - i. *ירמיה* ג' ירמיה astonished at ר' יוסף's answer – all know that רבי is more stringent in this regard, as we see from his ruling that *אנינות* could last days, חכמים only allow for one day
- e. *rather*: חכמים enforce *אנינות* the whole day, רבי extends until he is buried – and then that day and night
  - i. *students to לבא*: implies that רבי holds that *לילה* is included (if *יום מיתה*)
  - ii. *challenge*: רבי explicitly (in disagreeing with ר' יהודה) from v. 5 – night is מד"ס
  - iii. *answer* (ר' בא): רבי holds that *אנינות לילה* is מד"ס – but חכמים made this ruling stronger than a דאורייתא ruling
- f. : *solution2* (ר' הונא בר ר' הונא): if he heard – or buried – before sunset – eats פסח that night
  - i. *but*: if he heard – or buried – after sunset, doesn't eat (same day → *מה"ת*)
  - ii. *challenge*: after sunset – he's already brought פסח, no need for anything else
  - iii. *rather*: this proves that eating פסח is indispensable (מעכב)
- g. *solution3* (ר' אשי): "both of them" refers to *יום שמועה* and *יום עצמות*
  - i. *rejection*: if so, no need to state זה ואחד זה ואחד, could've stated זה וזה → errant report