



שבת קודש פרשת חקת | מסכת נדרים דף לו'

INSIGHTS FROM OUR CHABUROS

The race to the Korban Pesach

תניא נמי הכי מעשה היה וקדמו בנות לבנים ונמצאו בנות זריזות ובנים שפלים

The Gemara concludes that there is no obligation from the Torah for minor children to reserve their portion in order to eat from the Korban Pesach. The verse לְבֵית "שה לבית"—a sheep for a household—is not understood to be a Torah directive. The fact that a father may share his קרבן with his minor children therefore cannot be brought as a proof that one adult may bring an offering on the behalf of another adult without his knowledge. Once the Torah allows a child to eat from the Pesach without an advance reservation, we see that there is no need for them to express consent to participate in this offering. The Gemara brings a Baraisa with a story to illustrate this case. A father declared to his children that he would slaughter a Korban Pesach having in mind whoever among them who would arrive in Yerushalayim first. At the end, the daughters arrived first, and they acquired their portion and the portions of their brothers along with it. Now, if the Torah requires that even minor children formally reserve their portion of the Korban Pesach at the moment it is slaughtered, how is it that the father could slaughter the animal earlier in the day without knowing which of his children was going to arrive first? Rather, this proves that there is no necessity to reserve their portions, and the father's declaration was to be understood as a ploy to encourage and motivate his children to hurry to do mitzvos.

According to our Gemara's presentation of the story, it involved minor children, and the father's rationale was to motivate them to do mitzvos. Yet, the Gemara in Pesachim (89a) and Gittin (25a) also cite this incident, and it is dealt with from a different perspective. There, the issue is one of בריירה, whether the father can slaughter the animal earlier in the day and state that he is including those children who will later cross the finish line first. This utilizes the legal concept of "retroactive clarification." Can we say that the ones to be determined later are the ones which the father had in mind already ahead of time, at the moment of the slaughter? The Gemara suggests that this is not necessarily the case, and that the father in fact had all of his children in mind at the moment of slaughter, but he did not reveal that fact to them. He had them believe that they were to earn their portion in the Korban Pesach by winning the race. Tosafos in Gittin notes that our Gemara in Nedarim and the other two references in Pesachim and Gittin are at odds as to how to understand this case. Here we say that a child has no Torah requirement to reserve a portion of the Korban Pesach, while the other Gemaras assume that the need for them to have a reservation is essential from a Torah standpoint.

POINT TO PONDER

The Gemara discusses the Mishna in פסחים regarding a father who said that he will sacrifice the פסח on whoever gets first to ירושלים. The Gemara concludes that he only did it to motivate them to get there quickly. If that is the only intention, what is the Mishna being מחדש? Obviously he can do it.

Response to last week's Point to Ponder:

The Gemara asks if someone says this loaf of bread should be קונם on his colleague and then gives it to him as a present, who is מועל. Since there is no change in the ככר why would there be any מעילה? In the same way that he can hold it on behalf of הקדש so can his colleague.

The קהילות יעקב writes that being able to transfer the loaf from one person to another is in itself considered הנאה.

STORIES OF THE DAF

Faithful emissaries

בשלמא שלוחי דשמיא הוו...

אלא אי אמרת שלוחי דידן הוו

Today's daf continues the machlokes of the previous one. Are kohanim emissaries of Hashem or the Jewish people? Once someone asked Rav Yechezkel Abramsky, zt"l, "How can we say that kohanim are emissaries of Hashem? They can be emissaries if the Jewish people because the people have obligations and the kohanim bring the sacrifices in their place, discharging their obligation. But saying they are messengers of Hashem seems difficult."

Rav Abramsky replied, "This is not difficult at all. The Gemara merely means a different type of שליחות. If we say that kohanim are emissaries of Hashem, this doesn't mean they are discharging Hashem of any sort of obligation, חלילה. It means they are messengers doing the will of Hashem like an ox or beast of burden works for a person, as it were." The Imrei Emes, zt"l, said that a lesson could be gleaned from both opinions. "Both are true in a metaphoric sense. When the kohanim are in a spiritual slump and the Jews they are doing the avodah for are in a more elevated spiritual state, the kohanim are elevated by virtue of their doing the avodah on behalf of the Jews. As their messenger they are lifted up in their merit, since the halachic rule is שלוחו של אדם כמותו. However, when the Jewish people are less spiritually elevated than the kohanim, the avodah lifts them up to higher spiritual levels since in such a situation the kohanim are שלוחים of Hashem. In the merit of the kohanim doing His will, the Jewish people are uplifted!"

HALACHA HIGHLIGHT

Asking a child to carry a key on Shabbos

אמר ר' זירא שה לבית אבות לאו דאורייתא

R' Zaira said that the mitzvah, "a lamb for each father's house," is not a Biblical obligation

A common hilchos Shabbos question is whether it is permitted to allow a child to carry on Shabbos. For example, if one arrives at shul and realizes that there is no key, is it permitted to allow a child to carry the key to shul? Some authorities¹ maintained that it is permitted, and based their position on a ruling of the Taz². Taz ruled that it is permitted to allow a child to carry a key to shul on Shabbos because the act is categorized as a **שבות דשבות במקום חצוה**—two layers of Rabbinic prohibition in the context of mitzvah fulfillment, i.e. carrying in our streets is itself only a Rabbinic prohibition, secondly, it is only Rabbinically prohibited for a child to carry, therefore in the context of a mitzvah, i.e. opening the shul for the community to daven, the act is permitted.

Rav Ovadiah Yosef³ rejects this position for a number of different reasons. One primary reason is that only a minority of opinions maintain that our streets do not have the status of a public domain. Therefore, once we accept the premise that carrying involves a Biblical prohibition, the question becomes more difficult to permit because of the principle that one is not allowed to give a child something that is prohibited **למספי ליה בידים**.

Rav Yosef continues to argue that even if we were to accept the position of those who maintain that carrying in our streets only involves a Rabbinic prohibition it is still difficult to permit allowing a child to carry the key. The reason is that there is a dispute amongst the Rishonim whether it is permitted to instruct a child to violate a Rabbinic prohibition in order to perform a mitzvah. Tosafos⁴ maintains that it is permitted whereas the Ran⁵ refutes Tosafos' proofs. Thus Chasam Sofer⁶, for example, wrote at great length refuting the position of Taz and concluded that his opinion may not be relied upon. Maharam Shik⁷ also wrote against Taz's position on this matter and noted that even the lenient opinions that permit a child to violate a Rabbinic prohibition limit their lenient ruling to where the act serves the child, e.g. if the child carries his siddur or chumash to shul, but not when he does the act for others.

1. שיטת קיצור שלחן ערוך השלם המובא בשו"ת יבי"א ח"ו או"ח סי' מ"ח אות י"ט
2. ט"ז או"ח סי' שמ"ו סק"ו
3. שו"ת יביע אומר הנ"ל
4. תוס' פסחים פד"ה שה לבית
5. ר"ן לסוגייתו ד"ה א"ר זירא
6. שו"ת חת"ס ח"ו סי' י"ג
7. שו"ת מהר"ם ש"ק או"ח סי' ג"ק.

MUSSAR FROM THE DAF

Reflection

כדי לזרזן במצות. תניא נמי הכי: מעשה היה וקדמו בנות לבנים, ונמצאו בנות זרירות ובנים שפלים.

The Gemara brings a case in which a father told his sons and daughters that there would be a competition to see who could reach the Korban Pesach first. The daughters arrived before the sons. The Gemara concludes that the daughters demonstrated **zerizus** (alacrity), while the sons were labeled **shefeilim**, lowly. This description is puzzling. Why does the Gemara refer to the sons as **shefeilim**, rather than simply calling them lazy, the apparent opposite of **zerizus**?

Rav Shlomo Wolbe zt"l, in *Alai Shur* (Chelek II, Vaadim on **Zerizus**), explains that the lack of **zerizus** is rooted in **shiflus**, a sense of lowliness or smallness. A person who does not act with **zerizus** is often someone who doesn't recognize their own worth or the immense value of their avodah. If a person truly understood the power and impact of their mitzvos, how meaningful their actions are in the eyes of Hashem, they would naturally be driven to act with energy and eagerness. Delay would feel unthinkable.

Therefore, the path to developing **zerizus** begins not with willpower or time management, but with reflection: contemplating the greatness of our avodah, and the significance of what we lose when we delay.

PARSHA CONNECTION

In this week's daf the Gemara discusses a **חטאת** on behalf of someone as to whom he vowed will not have any **הנאה** from him. Interestingly in this week's Parsha the **פרה אדומה** is also referred to as a **חטאת** the **Possuk** (במדבר פרק יט פסוק ט) says: **ואסף איש טהור** את אפר הפרה והניח מחוץ למחנה במקום טהור והיתה לעדת בני ישראל

חטאת הוא? Why is the **פרה אדומה** called a **חטאת**? It's not intended to be a **כפרה** for a **חטא**. One answer can be found in **רש"י** who explains that it's the same root as **חיטוי** meaning to cleanse. This explanation fits well with another **רש"י** which says that the **פרה אדומה** is meant as a **כפרה** for the **חטא העגל** and gives a **משל** of a mother cleaning up after her child. In this context the **פרה** is the mother and the **עגל** is the calf. But how is the **פרה אדומה** cleansing the **חטא העגל**? The **יקר** offers a beautiful explanation as follows. When the **בני ישראל** accepted the **תורה** they were at a very high level which was equivalent to **אדם הראשון** before he sinned. If they wouldn't have made the **עגל** they would have stayed at this very high level, which meant that they would not be subjected to dying at the hand of the **חיות המות**, rather they would have died a **חיות נשיקה** which is how **צדיקים** are **נפטרים**. When a **צדיק** is **נפטר** there is no **טומאה**. We see this concept in the **רבי יהודה הנשיא** which writes that when **כהנים** can be involved in the **קבורה** because the body of a **צדיק** is **טהור**. When the **בני ישראל** made the **עגל** they fell from this high level of **קדושה** which is why today a **מת** is **טמא**. We can now understand how the **פרה אדומה** which is **מטהר** someone who became a **מת** is "cleaning up" the mess created by the **עגל**, namely **טומאת מת**. This fits very well with **רש"י** who explains the reason for the **פרה אדומה** being called a **חטאת** is derived from the word **חיטוי** which means to cleanse.

For more points to ponder by Rabbi Yechiel Grunhaus, or insights by Rabbi Yitzchok Gutterman, please visit our website, dafaweek.org, or download the app

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