



פסחים כ"א ע"א

## אבל בהמה זימנין דמשיירא ולא מסיק אדעתיה

### גמרא Summary of the

The משנה teaches that as long as it is permissible to eat חמץ, one may also feed it to the בהמה חיה (domesticated animals, beasts and birds). The גמרא analyses why it was necessary for the משנה to mention both בהמה and חיה, and explains as follows: Had the משנה stated only that one may feed a בהמה, one might have thought that it is permissible to feed **only** a בהמה, because it does not hide its leftover food, and the owner will certainly see and destroy any remaining חמץ. However, one might have thought it forbidden to feed a חיה, being that it has a tendency to hide its leftovers, in which case the owner will not be aware that any חמץ remains, and he will not destroy it. In order to negate this presumption, it was necessary for the משנה to explicitly state that one may feed a חיה.

The גמרא continues to explain that had the משנה only said that one may feed חמץ to a חיה, one might have thought that it is permissible to feed **only** a חיה, because it has a tendency to hide its leftovers, in which case the owner will not be aware that any חמץ remains. However, one might have thought it forbidden to feed a בהמה, being that it does not hide its leftovers, and one will transgress **ובל ימצא** if he neglects to both destroy and nullify the חמץ that remains out in the open. In order to negate this presumption, it was necessary for the משנה to explicitly state that one may feed a בהמה.

### ביטול The worry that the owner will forget to perform

As stated above, the גמ' suggests the concern that one might neglect to be מבטל his animal's leftover חמץ. This seems difficult to understand; the דין is that one must perform ביטול immediately following בדיקה, as ruled on ב' עמוד ב'. Accordingly, one who feeds חמץ to a בהמה during the fifth hour of ערב פסח has certainly been מבטל the חמץ already! If so, how could the גמרא even suggest that the owner may neglect to perform ביטול? More importantly, why is it necessary for the משנה to negate such an unfounded concern?

The פני יהושע answers<sup>1</sup> that the ביטול which one performs immediately after בדיקה includes only the חמץ that he did not find during בדיקה, and whose existence he is unaware of. Conversely, the חמץ that one intends to use between the זמן הבדיקה and the זמן האיסור is not included in this ביטול, for ביטול means to completely remove one's mind from the חמץ and render it insignificant, which is obviously not the case with חמץ that one intends to use. Accordingly, the חמץ that one feeds a בהמה on ערב פסח is not included in the previous night's ביטול, and one must be מבטל it separately. In light

<sup>1</sup> See also Alter Rebbe's שו"ע, in סי' תל"ד סעיף י'.

of this, we can understand the basis for the concern that the owner may neglect to perform ביטול, being that the animal's leftover חמץ is not included in the ביטול of the previous night.

The question still remains: The standard practice is that ביטול is performed not only immediately after חמץ, but also on the morning of פסח, ערב פסח, shortly before the זמן האיסור. This ביטול includes **all** חמץ, being that one will no longer be using any of his חמץ. Accordingly, one who feeds חמץ to a בהמה during the fifth hour of ערב פסח will most certainly be מבטל the חמץ shortly thereafter! If so, how could the גמרא even suggest that the owner may neglect to perform ביטול? More importantly, why is it necessary for the משנה to negate such an unfounded concern?

Towards the end of תל"ד, the Alter Rebbe explains that the practice of performing ביטול immediately before the זמן האיסור is a מנהג which evolved after the times of the גמרא. As the גמ' on ע"ב explains, the חכמים did not regard the fifth hour of ערב פסח as a suitable time to require all to perform ביטול, being that there is nothing that can serve as a reminder to perform ביטול. [Although ביעור חמץ is performed on the morning of ערב פסח, nevertheless, according to the דין of the גמ', the time of ביעור חמץ is immediately at the beginning of the sixth hour – when it is already too late to perform ביטול.] Rather, the חכמים decided to link ביטול with בדיקה, for it is unlikely that one will forget to perform the involved and laborious task of בדיקה, and in turn, the בדיקה will remind him to perform ביטול. In light of this, we can understand the basis for the concern that the owner may neglect to perform ביטול, since the performance of ביטול during the morning hours of ערב פסח was not standard practice in the times of the גמרא.

**⚡ The worry that one may discover the leftovers on פסח, and eat it**

As stated above, the גמ' suggested that we should be concerned about one neglecting to nullify the חמץ that his בהמה left in the open. תוספות adds that the גמרא could have also suggested that even if one remembered to perform ביטול, there is still the concern that one might encounter and inadvertently eat the leftover חמץ on פסח.

[The advantage of each approach: On the one hand, the concern cited by the גמ' is that the leftover חמץ will **definitely** cause the owner to transgress the איסור of ימצא ובל יראה, whereas the concern cited by תוספות is that the leftover חמץ **might** cause the owner to transgress the איסור of אכילת חמץ. On the other hand, the concern cited by the גמ' is less likely, as it assumes that the owner will neglect to do **two** things – to be מבטל and to destroy the חמץ, whereas the concern cited by תוספות is more likely to occur, as it assumes that the owner will neglect to do only **one** thing – to destroy the חמץ.]

At the beginning of the previous פרק, we learned about a fundamental dispute between רש"י and תוס' regarding the reason that the חכמים required one to perform בדיקה even though he already performed ביטול. According to תוס', the reason for this תקנה was because even after one performs ביטול, there is still the concern that one might encounter the חמץ on פסח and inadvertently eat it. Therefore, the חכמים instituted that one should search for and destroy all חמץ. According to רש"י however, the חכמים instituted בדיקה for a different reason.

On the surface, it would appear that the position of תוספות is supported by various סוגיות, which discuss the concern of encountering and inadvertently eating חמץ on פסח. [For example, see דף ו' א' regarding the requirement to create a partition in front of the חמץ of a גכרי, lest one encounter and inadvertently eat it on פסח. Similarly, see דף י' עמוד ב' regarding the requirement to destroy חמץ perched on top of a high beam, lest one encounter and inadvertently eat it on פסח.] However, תוס' רבינו פרץ (quoted in רבינו יחיאל מפרי"ש) defended רש"י by distinguishing between חמץ that is **known** to exist in a specific location, and חמץ that is **not known** to exist. This concept was

<sup>2</sup> This dispute is discussed at greater length in Perek 1 – Shiur 3.

further elaborated upon by the פני יהושע: When חמץ is **known** to exist in a certain location, and it is **known** that one will encounter it during פסח, the concern that he might inadvertently eat it is not farfetched at all, and is in fact the point of discussion in the above-mentioned סוגיות. With regards to searching for unknown חמץ however, the concern that one might inadvertently eat it is subject to **many** doubts: Who is to say that חמץ even exists in one's property? Even if חמץ is present in one's property, who is to say that he will encounter it during פסח? Even if one encounters it during פסח, who is to say that he will be interested in eating it? Even if one is interested in eating it, who is to say that he will forget that it is אסור for him to do so! Thus, the פני יהושע concludes, רש"י holds that such a farfetched concern could not possibly have been the חכמים's motivation to require one to perform בדיקת חמץ.

It emerges from the above that תוספות is of the opinion that the חכמים were concerned about one encountering and inadvertently eating חמץ on פסח even when such an eventuality is unlikely. Conversely, רש"י holds that the חכמים were concerned about one encountering and inadvertently eating חמץ on פסח only when such an eventuality is quite likely to occur.

Perhaps this מחלוקת comes into play in our סוגיא as well. תוספות clearly finds it appropriate to discuss the concern of encountering and inadvertently eating the animal's leftover חמץ, even though such an eventuality is unlikely: Who is to say that the animal will leave some leftovers? Even if the animal leaves some leftovers, who is to say that one will neglect to destroy it? Even if one neglects to destroy it, who is to say that he will be interested in eating it? [As the פני points out, one typically finds it revolting to consume an animal's leftovers.] Even if one is interested in eating these leftovers, who is to say that he will forget that it is אסור for him to do so! However, רש"י may hold that it is totally inapplicable to discuss – even as a suggestion – such a farfetched concern, which is why the גמרא instead opted to discuss a different concern; that one might neglect to be בטל the חמץ that his בהמה left in the open, in which case he will definitely transgress בל יראה ובל ימצא.