

And his mind is upon it

ודעתיה עילויה –

OVERVIEW

רבא explains that the reason one is מבטל חמץ after the בדיקה is out of concern that he may find a גלוסקא יפה and דעתיה עילויה. The גמרא continues to ask that even if he finds the גלוסקא יפה, he could be מבטל it when he finds it (why is it necessary that (הבודק צריך שיבטל). There is a dispute between רש"י and תוספות as to the meaning of 'ודעתיה עילויה'.



פירוש¹ ולא בטל מאיליו כמו פירורין –

The interpretation of the phrase 'ודעתיה עילויה' is that the גלוסקא יפה is not automatically nullified as crumbs are².

interpretation: רש"י's negates תוספות

ועל פירוש הקונטרס קשה מאי פריך כי משכחת ליה ניבטלה –

And there is a difficulty with רש"י's interpretation; how can the גמרא ask³; 'let him nullify it when he finds it?' -

הא פירש⁴ ודעתיה עילויה שחס עליה לבטלה⁵:

For רש"י explained 'ודעתיה עילויה' to mean that he is reluctant to nullify it. Since he is חס עליה, then he will not be מבטל it.⁶ How can the גמרא ask, 'וכי משכחת ליה לבטליה'?

SUMMARY

According to רש"י the meaning of ודעתיה עילויה is that he is חס עליה; according to גמרא it means that it is not מבטל מאיליו. The difficulty with פירש"י, is how the גמרא can ask לבטליה, if he is חס עליה.

¹ The term פירש is used to indicate that the interpretation which follows is not the obvious one. The phrase 'ודעתיה עילויה' would (seemingly) tend to indicate that there is a specific interest in the גלוסקא (which is רש"י's interpretation), but not that it is not מבטל מאיליו (as תוספות interprets it). Nevertheless because of the difficulty inherent in פירש"י (as will be shortly explained), תוספות feels compelled to interpret it differently.

² Therefore if he is not מבטל, he will be עובר on וב"י. See 'Thinking it over' # 1.

³ After the גמרא explains that the reason for ביטול after בדיקה is because ודעתו עילויה יפה ומצא גלוסקא יפה; the גמרא challenges this that there is no need for ביטול after בדיקה, he can be מבטל the גלוסקא when he finds it.

⁴ בד"ה ודעתו.

⁵ רש"י actually writes וחס עליה לשורפה. What תוספות (seemingly) means to say that since he is reluctant to burn it (for it is a גלוסקא יפה), he will be equally reluctant to be מבטל it. See מהרש"א (הארוך).

⁶ According to תוספות that ודעתיה עילויה merely means that it is not מבטל מאיליו (but not that he has a specific interest in this גלוסקא), the question 'וכי משכחת ליה לבטליה' is understood (see 'Thinking it over' # 2). However according to רש"י, that we initially assume that he has an interest in the גלוסקא (and will not burn it), he will therefore also not be מבטל it.

THINKING IT OVER

1. When the גמרא states שמה ימצא גלוסקא יפה, does that mean he will be עובר on ב"י from when he finds it or from the beginning of פסח?
2. According to תוספות that he is not חס עליה, why is it necessary to have ביטול; let him burn the חמץ, whenever he finds it?!⁷

⁷ See צ"ח.