



מועד קטן ה'

OVERVIEW of the Daf

1) Digging new cisterns

The Gemara infers from the Mishnah that clearing cisterns is permitted, but not digging a new cistern.

R' Yaakov in the name of R' Yochanan explains that the restriction against digging a new cistern assumes that it is not a public need, but if it is a public need it is permitted.

This ruling is unsuccessfully challenged.

R' Ashi cites our Mishnah as proof to this ruling.

2) Marking graves

R' Shimon ben Pazi cites a pasuk that could serve as an allusion for the requirement to mark graves.

This suggestion is unsuccessfully challenged.

R' Avahu offers an alternative allusion.

This suggestion is unsuccessfully challenged.

A long list of alternative sources are cited.

3) Evaluating the path of one's life

Related to the last source cited, R' Yehoshua ben Levi teaches about the necessity to evaluate one's ways.

A related incident is cited.

4) Marking graves (cont.)

A Baraisa discusses details related to marking graves.

The statement of the Baraisa that a k'zayis of a corpse does not transmit tumah by way of a roof is unsuccessfully challenged.

Terms used in the Baraisa are explained.

The Gemara challenges the inference of the Baraisa that a Beis Hapras transmits tumah by way of a roof.

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Distinctive INSIGHT

The cries of the Metzora as he exits the camp

וטמא טמא יקרא

The person afflicted with tzara'as must call out "I am impure! I am impure!" as he exits the camp. Our Gemara explains that the purpose of this declaration is for others to be able to avoid contact with the metzora and his state of impurity. Our Gemara also cites another Gemara in Chulin (78a) which gives a different reason for the metzora's proclamation. By announcing to everyone about his condition of suffering as he exits the camp, everyone becomes informed, and the community can now respond by davening on his behalf and ask that he be cured of his malady. In other words, according to our Gemara the purpose of the announcement "I am impure!" is to protect the public from becoming contaminated with impurity, while the Gemara in Chulin sees it as a method to protect the metzora from further harm, as the community will pray on his behalf that he become healed.

The verse itself actually seems to reflect the interpretation that the words of the metzora are meant as a warning for others to stay away from contact with him. Where is there, however, any indication for the insight of the Gemara in Chulin, that the public is being implored to help and to pray?

Targum Onkelos renders the words of the metzora as "ולא תסתאבו—Do not become impure!" This matches the interpretation of Rashi in that the warning is for others not to become defiled. Yet instead of simply translating it as "I am impure," where the afflicted person speaks of himself, Onkelos changes the words to reflect how others should react - "Stay away and do not become impure!"

It seems that this, then, is the key to the full meaning of the verse. If the purpose of the warning was simply to alert others to steer clear, the verse should have said "לא תטמאו—Do not become impure!" Yet the precise wording is "טמא - I am impure!," where the metzora focuses his attention on his own condition, seemingly without direct regard as to how it affects others. This is the hint that he is actually issuing an appeal to others to be aware of his plight, and that they should pray in order to help alleviate his suffering. ■

REVIEW and Remember

1. How does the Mishnah prove that it is permitted to dig new cisterns for public needs?

2. What led R' Yannai to praise a particular student?

3. What volume of a corpse requires a marking?

4. What are the three categories of Beis HaPras?

HALACHAH Highlight

Erecting a matzevah

רמז לציון קברות מן התורה מנין וכו' אלא גמרא גמירי לה ואתא יחזקאל ואסמכה אקרא

From where is there an indication from the Torah to erect a monument? ...Rather, it is a tradition, and Yechezkel wrote it in a verse.

Rashi¹ and Tosafos² write that the requirement to erect a matzeva for the deceased is derived from Halacha L'Moshe M'Sinai and the purpose is to warn kohanim about the presence of tumah. It is cited in the name of the Arizal³ that an additional rationale behind the obligation to erect a matzeva is to provide a seat and resting place for the powers that surround the nefesh. For this reason one of the names for a matzeva is nefesh⁴; to note that the matzeva is the resting place of the nefesh.

Rav Chaim Yosef Dovid Azulai⁵, the Gaon Chida, addressed the question of following the directions of a person who instructed his family that he did not want a matzeva erected on his grave after he passed away. Gaon Chida wrote that the family should not adhere to his wishes. If the deceased would have been aware of the benefit the matzeva provides the soul, he certainly would not have left behind these instructions. Therefore, at least a small matzeva should be erected to provide the soul with that satisfaction. Gaon Chida warns, however, that the matzeva should not be too small so as to be rendered ineffective. Rather, it should be

(Overview. Continued from page 1)

R' Pappa resolves the difficulty and cites a Mishnah that notes three categories of a Beis Hapras.

R' Pappa's assertion that it is not necessary to mark a field in which a grave was plowed over is unsuccessfully challenged. ■

large enough to be recognized as a matzeva. Rav Yaakov Hillel⁶, Teshuvos Vayashev Hayam, writes that it must be large enough to be called a seat, and he proves that to fulfill this requirement it must be three by three tefachim wide and one tefach tall.

Authorities⁷ write that one must be very careful to provide the deceased with this matzeva because, without it, the nefesh will not be able to rest and will experience pain. Therefore, one should erect a minimum matzeva immediately after shiva to provide rest for the nefesh, and if one wishes, a nicer matzeva can be obtained later. Other authorities⁸, however, do not require that a matzeva be erected immediately after shiva. Obviously, one must consult their Rov for practical guidance. ■

1. רש"י ד"ה גמירי.
2. תוס' ד"ה הא מקמי.
3. ע' בקונטרס היחיאלי ממהר"י אלפייא בספר בית עולמים פט"ו סי' כ"ט.
4. שקלים פ"ב מ"ה.
5. שו"ת חיים שאל סי' ע"א אות ו'.
6. שו"ת וישב הים ח"א סי' י"ז.
7. קונטרס היחיאלי הנ"ל.
8. ע' כל בו על אבילות עמ' 379. ■

STORIES Off the Daf

The Dot on the Shin

"אמר ריב"ל כל השם אורחותיו זוכה ורואה בישועתו של הקב"ה..."

In the big shul in Dvinsk, there was a shiur attended by about thirty baalei habatim. Once, the renowned Rav Leib Charif, zt"l, was in attendance and objected vocally to a certain explanation given by the maggid shiur. Rav Leib's trenchant question impressed all of the other attendants, especially since the maggid shiur seemed to be at a loss to find an answer.

Rav Meir Simcha, zt"l, the Rav of Dvinsk, was also in attendance that day. He got up and approached Rav Leib and

gently said, "Why is someone who doesn't know the difference between right and left ask questions?"

Rav Leib silently left the Beis Ha-Midrash and the magid shiur continued where he had left off.

Everyone was very surprised at this remark, since Rav Leib was known to be a great scholar and he was also very close to Rav Meir Simcha. And even if there had been a fallacy in Rav Leib's question, why didn't Rav Meir Simcha simply point it out instead of so bluntly putting Rav Leib in his place?

Rav Leib himself was even more confused. Surely the tzaddik wouldn't rebuke him unless he deserved it—but what exactly had he done wrong?

When the shiur ended, Rav Leib returned and asked for an explanation.

The Gadol explained, "I was only repeating the Gemara in Moed Katan 5a. There, Rav Yehoshua ben Levi says that all who measure (שם) their ways merit to see the deliverance of Hashem. As it says: **ושם דרך**. Don't read this "**ושם**" (with the shin carrying a dagesh on the left) rather, **ושם** (the dagesh should be on the right). Rav Yannai had a student who would pose challenging questions every day, but on the Shabbos of the regel, when people were visiting, the student would refrain so as not to embarrass his teacher. Rav Yannai said about this student: **ושם דרך**.

Rav Meir Simcha concluded, "I only meant that you don't know the difference between the left and right dot on the shin. If you had, you would not have embarrassed the maggid shiur!" ■

