

OVERVIEW of the Daf

1) Trapping rodents

A Baraisa gives examples of the normal way to trap rodents and the unusual way to trap rodents.

Another Baraisa limits the requirement to trap rodents in an unusual fashion to a grain field near a city, rather than one near a tree field.

2) Repairing a fence

R' Yosef and a Baraisa suggest different methods of closing a break in a fence.

R' Chisda asserts that it is only the wall of a garden that has the restriction against rebuilding the breach, but the wall of a courtyard may be repaired in the normal manner.

The Gemara suggests a proof to this assertion but it is rejected.

A second version of this discussion is presented wherein the Baraisa is cited, unsuccessfully, as a challenge to R' Chisda's assertion.

R' Ashi cites our Mishnah as support for R' Chisda.

3) MISHNAH: A dispute is presented regarding the parameters of a kohen examining tzara'as blemishes on Chol Hamoed.

4) Clarifying the Mishnah

A Baraisa presents a more detailed account of the dispute in the Mishnah.

Rava limits the dispute to examining one who is at the end of his second confinement, and he identifies the point of dispute.

A contradiction is noted regarding which opinion Rabbi follows.

The Gemara answers that there are contradictory versions of Rabbi's position.

The Gemara infers from the previous discussion that a confirmed metzora is permitted to engage in marital relations.

A Baraisa is cited that supports this conclusion.

The dispute presented in the previously cited Baraisa is explained.

The Gemara questions whether one can infer from the previous discussion that the potential metzora's status depends upon the declaration of the kohen.

This inference is confirmed by a Baraisa.

Abaye and Rava disagree whether there is a practical difference between the Tannaim cited in the previous Baraisa.

The Gemara begins to explain why the different Tanaim follow different positions. ■

Distinctive INSIGHT

Demolishing & rebuilding a dangerous wall on Chol Hamoed
לימא מסייע ליה כותל הגוחה לרשות הרבים סותר ובונה כדרכו מפני הסכנה

The Mishnah had taught that a fence in a garden may be patched on Chol Hamoed, but only in a makeshift manner. In the Gemara, Rav Yosef explains that this means that it may be covered with a crude covering of branches. A Baraisa even allows placement of stones, but without any cement to secure it. Rav Chisda explains that this halacha and its limitations only apply to a fence in a garden, where no significant loss is imminent. However, a fence of a courtyard which is breached may be fixed in a normal manner. Because intruders into a yard can cause significant financial loss, repair of the wall is essential, and this may be done in its normal manner.

To corroborate the opinion of Rav Chisda, the Gemara offers a Baraisa which allows direct construction of a wall which hangs dangerously over the public domain. We see, claims the Gemara, that direct building of a wall along the public domain is allowed on Chol Hamoed. Nevertheless, the Gemara rejects this proof, as the Baraisa itself states that this is only allowed due to the danger which is present, but it would not necessarily be permitted simply to prevent a financial loss.

This attempt of the Gemara to buttress the opinion of Rav Chisda seems weak, as the Baraisa explicitly states that the only reason rebuilding of the wall is permitted is the danger. This is not a support for Rav Chisda's statement to allow such construction due to financial considerations. What, then, did the Gemara see in the Baraisa to prove the rule of Rav Chisda?

Ritva explains that once the danger is averted by removing the hanging bricks, allowed the further rebuilding seems unnecessary. Yet the Baraisa allows not only demolishing of the weak structure, but full restoration of the wall to its original condition, as well. It must be, therefore, that the reason to allow construction is to prevent thieves from entering, as Rav Chisda asserted.

Nevertheless, the Gemara responds that even the rebuilding of the wall may be due to the danger. If the owner knows that he can only remove the weak bricks, but that he may not rebuild the wall, he might refuse even to take down the wall in the first place. This is why we allow reconstruction to proceed fully. ■

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HALACHAH Highlight

Dancing for Sheva Berachos during the Three Weeks

חתן שנולד בו נגע נותנין לו שבעת ימי המשתה

A chosson who develops a blemish is given the seven days of his wedding celebration [before examining it].

Rav Nosson Gestetner¹, the Lehoros Nosson, was asked whether it is permitted to dance at Sheva Berachos after Shiva Asar B'Tamuz. The question is based on the ruling of Magen Avrohom² who writes that it is prohibited to dance during the Three Weeks. Does this restriction include even dancing for the sake of the mitzvah to bring joy to the chosson and kallah, or not?

Some authorities³ maintain that the obligation to rejoice during the week of Sheva Berachos is Biblical in origin, whereas others⁴ maintain that the obligation is Rabbinic. Rav Yitzchok Elchonon Spektor⁵, the Be'er Yitzchok, suggests that proof can be adduced from our Gemara that rejoicing during Sheva Berachos is Biblical. The Gemara derives from pesukim that the kohen does not examine the blemishes on a chosson to determine whether he has tzara'as. If the obligation to rejoice is only Rabbinic, how could the Gemara derive this exemption from pesukim and how could the rabbinic obligation of joy override the obligation to examine a blemish? It must be, concludes Be'er Yitzchok, that rejoicing during Sheva Berachos is Biblical, and thus overrides the mitzvah of examining blemishes.

Lehoros Nosson⁶ rejects this proof. Even if we accept that rejoicing is Rabbinic, the Rabbis still have the authority to instruct the Kohen against examining the blemish to fulfill the Rabbinic obligation to rejoice during Sheva Berachos.

STORIES Off the Daf

The Chosson's Blemish

"חתן שנולד לו נגע..."

Once, the Imrei Emes, zt"l, attended a sheva brochos and met Rebbe Elazar Dovid, zt"l, the Rebbe of Radshitz.

Apropos of the occasion, the Rebbe decided to ask the Imrei Emes a perplexing question. He said, "We learn that a chosson who has tzara'as is allowed the time of the sheva brochos during which the kohen refrains from inspecting his blemish to see if it is impure. This dispensation is granted for a blemish on the chosson himself, or on his house or one of his belongings." (Mishnah Negaim

3:2, brought in Moed Katan 7b)

The Rebbe of Radshitz continued, "Yet we learn in Arachin 16a that there are seven sins for which blemishes come as recompense. Since all the sins of a chosson are forgiven on the day of his wedding, how can he still be struck with such an affliction?"

The Imrei Emes responded immediately, "Surely the atonement granted for a chosson is not more powerful than that of Yom Kippur. On Yom Kippur we learn that person is not forgiven for sins between himself and his fellow man. All seven sins which bring on blemishes are **בין אדם לחבירו**! We see from here that there is no contradiction."

Actually, it is no wonder that the Imrei Emes answered so quickly; we have a record that he asked the very same

REVIEW and Remember

1. What is the unusual way to trap rodents?

2. According to R' Meir, when is it permitted for a kohen to examine blemishes on Yom Tov?

3. What is the rationale behind the two versions of Rebbi's position?

4. What are the days that the kohen does not examine blemishes?

The final conclusion of Lehoros Nosson is to permit dancing during the Three Weeks. The reason is that the restriction against dancing before Rosh Chodesh Av is only a custom whereas to celebrate a wedding with dancing is obligatory, whether Biblical or Rabbinic. Therefore, priority is given to the activity that is obligatory rather than the restriction that is only customary. Rav Menashe Klein⁷, the Mishnah Halachos, also addressed this issue and cites other more restrictive opinions. ■

1. שו"ת להורות נתן ח"י סי' מ"ט.
2. מג"א סי' תקנ"א סק"י.
3. ע"י קרבן העדה על ירושלמי כתובות פ"א ה"א.
4. רא"ש כתובות פ"א סי' ה'.
5. שו"ת באר יצחק או"ח סי' כ"ג.
6. שו"ת להורות נתן הנ"ל.
7. שו"ת משנה הלכות ח"ו סי' ק"ט. ■

question to his son, the Lev Simcha, zt"l.

The Lev Simcha, zt"l responded, "In Berachos 5b, we find that blemishes can also be a form of **אבה של אהבה**. If this is the type of blemishes we are talking about, than there is no question about the possibility of a chosson being visited with them despite the atonement that he has received."

The Imrei Emes, however, was not satisfied with this reasoning. He said, "Your answer is not worthy of your Itstalya (an important garment worn by Rabanan)! Although it is true that the Gemara does say that there are "sufferings of love" that can affect a person's body, we do not find this is similarly true about the aforementioned (your garment) or one's house!" ■

