

OVERVIEW of the Daf

1) Cutting nails (cont.)

Shmuel rules according to R' Yosi who permits cutting nails on Chol Hamoed and when in mourning.

A related incident involving Shmuel's ruling is recorded.

The Gemara clarifies that the lenient ruling applies to one's hand and feet, and Rav adds that the use of a scissors is prohibited.

An incident involving R' Yochanan removing his nails during Chol Hamoed is presented.

Three lessons are inferred from the incident.

The lesson that it is permitted to throw away one's nails is challenged, and the Gemara explains why R' Yochanan was permitted to throw his nails into a public area.

A related incident is recorded that teaches that it is permitted for a mourner to cut his nails and trim his moustache.

Two additional statements from Avitul the scribe are recorded.

2) Laundering on Chol Hamoed

R' Assi in the name of R' Yochanan rules that one who has one garment may launder it on Chol Hamoed.

This ruling is unsuccessfully challenged.

R' Yochanan is cited as ruling that it is permitted to launder linen garments on Chol Hamoed.

Attempts to challenge and then prove this ruling prove unsubstantial.

3) **MISHNAH:** The Mishnah enumerates texts that may be written on Chol Hamoed.

4) אירוסין on Chol Hamoed

Shmuel rules that it is permitted to perform אירוסין on Chol Hamoed.

Two proofs are suggested that are unsuccessful, but on the

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Distinctive INSIGHT

Wearing tefillin on Chol Hamoed

רבי יהודה אומר כותב אדם תפילין ומוזות לעצמו

Rabbi Yehuda allows a person to write tefillin for himself, but not for others. The Rishonim discuss whether we can infer from this statement that it is appropriate to wear tefillin on Chol Hamoed. The fact that one may only write tefillin for his own self indicates that the purpose is to take care of his immediate Chol Hamoed needs, when he expects to wear the tefillin. If, however, the purpose of writing the tefillin is only for use after the Yom Tov, it seems that there would be no difference between one's own needs and the needs of others. Nevertheless, Tosafos (19a, ד"ה רבי יוסי) notes that we cannot bring any halachic proof from the opinion of Rabbi Yehuda in this case. It is Rabbi Yehuda who holds (Eiruvin 96a) that tefillin should be worn even on Shabbos. Obviously, then, he would say that tefillin should be worn on Chol Hamoed, as well. We, however, do not rule according to Rabbi Yehuda regarding tefillin on Shabbos, so we might hold that tefillin should not be worn on Chol Hamoed either. Ritva explains that we could, nevertheless, hold that tefillin may be written on Chol Hamoed, in order that they be ready immediately for use the day after the festival.

Tosafos concludes by citing a Yerushalmi which indicates that tefillin should be worn on Chol Hamoed. Ritva writes that this is the opinion of Rabeinu Shimshon and Rabeinu Yehuda, who hold that the "אות-sign" of Shabbos and the festival obviate the need to wear tefillin, which represent a form of an אות on a daily basis. This exchange is only true, however, on Shabbos and Yom Tov itself, and not on Chol Hamoed.

The Ba'al Halachos Gedolos rules that it is prohibited to wear tefillin on Chol Hamoed. Tosafos explains that the varying opinions hinge on the reason why tefillin are not to be worn on Yom Tov. If it is due to the verse "מימים ימימה," this would exclude Shabbos, Yom Tov, and Chol Hamoed as well. If tefillin are excluded due to their being an אות, then they would only be excluded from being worn on Shabbos and Yom Tov, but not Chol Hamoed.

Ritva concludes that the halacha follows the opinion of Rabeinu Shimshon, and that tefillin should be worn on Chol Hamoed. Some show consideration for the other opinion, and tefillin should therefore be put on without a beracha.

Beis Yosef (O.C. 31) rules that it is prohibited to don tefillin on Chol Hamoed, and that this was the custom throughout Eretz Yisroel. ■

REVIEW and Remember

1. What was the covenant that was made with the lips?

2. How tall was Pharaoh?

3. What is the rationale to permit betrothing on Chol HaMoed?

4. What gives credibility to rumors?

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HALACHAH Highlight

Cutting fingernails

ושמע מינה אין בהן משום מיאוס ושמע מינה מותר לזרוק

Learn from this that they [fingernails] are not considered repulsive and we also learn from this that it is permitted to throw them [away].

The Gemara questions the permissibility of throwing away one's fingernails from a Baraisa that elaborates on the relative righteousness of people as reflected in the way they discard their fingernails. The challenge is resolved by noting that the primary concern is the danger that fingernails pose to pregnant women. Consequently, if the nails are discarded in a place where the concern for pregnant women does not apply it is permitted to discard them onto the floor without destroying them. Furthermore, they only pose a danger to pregnant women if they remain in the place where they fell, but if they were subsequently moved they do not pose a danger. These guidelines are cited by Mishnah Berurah¹.

Rav Yosef Chaim of Baghdad² addressed the question of the effects that fingernails would have if they fell into a pot of cooking food and were subsequently removed. The thrust of the question was whether the food is now considered repulsive and therefore prohibited from consumption (בל תשקצו). He responded that it could be demonstrated from our Gemara that the food is permitted. Our Gemara derives from R' Yochanan's practice that nails are not considered repulsive, and only things that are repulsive are forbidden under the prohibition of בל תשקצו. Items that are not repulsive are not included in this prohibition. Nevertheless, he writes that those who are spiritually sensitive (בעל נפש) should avoid eating this food since an evil spirit (רוח רעה) was imparted to the food from the fingernails.

This last point, however, seems to be a matter of dispute. The Kaf HaChaim³ rules that one who cuts the nails of another is not

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third attempt the Gemara succeeds at supporting Shmuel's ruling.

A contradiction is noted between the previously-quoted statement of Shmuel and another of his statement's.

The contradiction is resolved and an incident is cited that proves that through prayer one may receive what he should not have.

Rav in the name of R' Reuven the son of Itztroblu cites sources from Torah, Nevi'im and Kesuvim that Hashem chooses a mate for a person.

Another teaching from R' Reuven the son of Itztroblu is cited that teaches that one who is suspected of wrongdoing is in someway associated with that act.

Numerous unsuccessful challenges are presented against this teaching.

In response to one of the challenges, numerous qualifications are attached to the teaching of R' Reuven the son of Itztroblu.

5) MISHNAH: The Mishnah enumerates texts that may not be written on Chol Hamoed. ■

required to wash his hands. Only the person whose nails were cut is obligated to wash his hands because there is an evil spirit that resides on the hands after the nails are cut. Although one may argue that touching cut fingernails should also trigger an obligation to wash one's hands, this is not true, since our Gemara states that fingernails are not considered repulsive. Seemingly, Kaf Ha-chaim would maintain that since the Gemara declares that fingernails are not repulsive they do not impart an evil spirit into food either, in contrast with the opinion of Rav Yosef Chaim who stated that they do impart an evil spirit into the food. ■

1. משנה ברורה סי' ר"ס סק"ו.
2. שו"ת תורה לשמה סי' ר"יג.
3. כף החיים סי' ד' אות צ"ב. ■

STORIES Off the Daf

Writing a Prozbul

"ואלו כותבין במועד..."

The Chazon Ish, zt"l, was very hidden from the public eye and was a complete unknown in the Torah world until Rav Chaim Ozer Grodzensky, zt"l, publicized his greatness.

Rav Shlomo Shimshon Karelitz, zt"l, related, "I heard that the Chazon Ish once attended a sheva berachos in Vilna and, as usual, he did his utmost to conceal his greatness by sitting with the simple people on the far side of the head table. Rav Itzele Ponevezher, zt"l, the author of Zachor

Yitzchak, sat in the place of honor and delivered a very intricate discourse on the subject of prozbul. He developed and presented a very novel idea: that a prozbul can only be written at the end of Shemittah.

The Chazon Ish immediately spoke up, "But that contradicts a straightforward Mishnah!"

Rav Itzele assumed that the simply dressed man sitting with the baalei batim hadn't even grasped what he was trying to say, so he dismissed the man's argument. He declared, "We are not Mishnah Jews!"

After the drasha, Rav Itzele decided that even though it seemed unlikely, perhaps the young man was aware of what he was saying and had a well-founded objection to his thesis based on an actual Mish-

nah. He went over to the Chazon Ish and asked what he had meant.

The Chazon Ish responded, "I meant the Mishnah in Moed Katan 18b which lists the things we may write on Chol Hamoed. One of the things listed is a pruzbul. Obviously we can write a pruzbul before the end of the year!"

When Rav Itzele heard this he was so impressed that he removed his chair from the head table and placed it next to the unknown young man!

When Rav Karelitz, asked the Chazon Ish if this was a true story, he said nothing, as was his wont.

Rav Karelitz concluded, "It was clear that this was true. If not, the Gadol would surely have denied it!" ■