

Today's Daf Digest is dedicated in memory of my great grandfather

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הרב אברהם צבי בן הרב שבתאי פליישר

By Jonathan Wolf and family

OVERVIEW of the Daf

1) Public needs

A Baraisa is cited that further elaborates on the public needs that are addressed in the month of Adar.

An issue is raised regarding marking graves from a Mishnah in Moed Katan.

A resolution is presented.

A similar question and answer are presented regarding kilayim.

2) Marking graves

Two sources are presented for the obligation to mark the location of graves.

A Baraisa teaches how to interpret the meaning of grave markers.

A Baraisa teaches that the location of buried flesh is not marked.

This ruling is unsuccessfully challenged.

3) **MISHNAH:** The Mishnah elaborates on the procedures followed by the inspectors in the event kilayim was found.

4) Clarifying the Mishnah

A Baraisa further clarifies on the power of the inspectors to enforce the prohibition against kilayim.

5) הפקר בית דין הפקר

The source for the principle הפקר בית דין הפקר is presented.

R' Yonason demonstrates the extent of the application of this principle from a Baraisa.

Details regarding the cited Baraisa are clarified.

R' Yonasan's proof is successfully challenged and an alternative proof is presented for the rule that produce declared ownerless by Beis Din is exempt from maaser.

6) **MISHNAH:** Issues related to the moneychangers are presented. The Mishnah enumerates which people could have a pledge extracted for non-payment of the half-shekel. The last discussion relates to the obligation of kohanim to donate the half-shekel.

7) Clarifying the Mishnah

The laws that relate to children and kohanim are further clarified.

The rationale for R' Yochanan ben Zakai's ruling obligating kohanim to donate the half-shekel is explained.

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Distinctive INSIGHT

All the needs of the city are funded

מתקנין את הדרכים ואת הרחובות

On the first of Adar the Sanhedrin proclaims about the payment of the Shekalim, and they begin to repair the roads and the town squares and the accumulations of water (ritual mikvah) baths. All the needs of the city are funded from the remainder of the treasury chamber. ~ Mishnah Shekalim 1:1, 4:2

All the needs of the city refers to the digging of the wells and ditches, upkeep and repair of streets and marketplaces, and the protection of the city. This proclamation was to remind everyone to have his half-shekel ready to be paid at the proper time. In addition to the proclamation of the Beis Din, there was an additional reminder. The portion of Shekalim (Shemos 30:11-16) would be read in the synagogues on the Shabbos that fell on or before the first of Adar.

Although Shekel contributions for the Beis HaMikdash service are not applicable in the absence of the Beis HaMikdash, the synagogue reading is still observed in commemoration of the Beis HaMikdash period. The Mishnah continues to expound upon and detail the various communal needs that were attended to and maintained at this time of year and with these funds. In the Mishnah later (4:2) we find that "all the needs of the city are funded from the remainder of the treasury chamber."

During the time of the Beis HaMikdash, the city of Yerushalayim provided the environment which surrounded the Beis HaMikdash and it met the communal needs where the peo-

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REVIEW and Remember

1. Why are graves marked in Adar as well as in Nissan?

2. What are the two sources for the principle of הפקר בית דין הפקר?

3. What are the three different stages of taking the half-shekel from a child?

4. Which donations may be accepted from idolaters and with donations may not be accepted?

HALACHAH Highlight

Toward everlasting remembrance

מנין "לציון" (פ' מצבה) ר' ברכיה וכו' בשם ר' ח' דבית חורון וטמא טמא יקרא כדי שתהא טומאה קרוואה לך בפיה ואומרת לך פרוש

From where do we learn that one must erect a "tzion" (tombstone)? R' Brachya said...in the name of R' Chunya of Beis Choron: "He shall call out, 'tamei, tamei.'" This is in order that the tumah (corpse) calls out to you with its mouth telling you to stay away.

The Gemara explains that the purpose of a tombstone is to serve as a warning symbol, indicating the location of the corpse so that kohanim will know not to come near. According to this reasoning, it would seem that if a body is buried in a designated graveyard, which kohanim are not allowed to enter in any case, there should be no need to erect a special tombstone. Similarly, based on this, there is no apparent need to write the name of the deceased over the grave.

Poskim¹, however, mention two reasons for erecting a tombstone, as is our custom. Firstly, it benefits the soul of the deceased by causing the departed to be remembered by the living. [For this reason many refer to it as a "matzeivah"² ~ nefesh (soul)]. Secondly, it benefits the living by indicating where the grave is so that they may go there to pray. [This is why³ it is commonly called a "tzion" i.e. a marked off area.]

The Chofetz Chaim⁴ writes that it is of no benefit to the soul of the deceased to have an ornate tombstone made of expensive marble with gold lettering and decorative flowers. More would be gained by erecting a simple, unadorned tombstone with plain lettering⁵ and using the leftover money to either purchase a shas

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The Gemara records a challenge to R' Yehudah who holds like Ben Buchri exempting kohanim from donating the half-shekel.

It is noted that the disagreement between R' Yehudah and R' Nechemya parallels the disagreement between R' Yochanan ben Zakai and Ben Buchri.

8) MISHNAH: The Mishnah begins with a list of people who are exempt from donating the half-shekel. The laws regarding accepting donations from idolaters and Cutheans are spelled out. ■

to be donated to a beis midrash or establish a g'mach in memory of the departed. Acts such as these will surely bring great merit to the soul of the deceased. When erecting a tombstone, one should also avoid writing exaggerated praises of the departed⁶. ■

1. במעבר יבוק חלק אמר נועם פרק מ' ומ"א. וכן בשו"ת כתב סופר חיו"ד סימן קע"ח. ולאהבת חסד ח"ב פט"ו עצם המצבה הוא נצרך לנפש המת. וכ"ה לאריו"ל. כ"ז בדברי סופרים פס"ח ובהערה ב' וג' שם
2. להלך פ"ב ה"ה
3. כלומר שעל שם זה גם בזמנינו ניקרא ציון
4. באהבת חסד ח"ב פט"ו והובא בד"ס פס"ח סכ"ד. ובפנ"ח אות ו'. (וע"ע בשער ההציון סימן רפ"ד ס"ק ד', מעין זה.)
5. [ובשו"ת מנחת יצחק ח"א סימן ל"א אסר ליתן פרחים מסביב מצבה מדין חוקות הגוים] ושמעתי מהגר"צ אבא שאול זצ"ל (בעהמ"ס אור לציון) שבמקום לעשות שיש עומד בראש המצבה, יתן את הכסף להחזקת תורה וכדו'. עכ"ד. והוא מעין דברי הח"ח זצ"ל שכתבנו בפנים
6. חכמ"א כלל קנ"ה ס"ו בשם התורת חסד ■

STORIES Off the Daf

The voice of my beloved knocks...

כל העובר על הפקודים...כל דעבר בימא

Why should the splitting of the sea determine who gives shekalim for the Mishkan? The Shem Mishmuel zt"l explains that the sea split because of the revelation of Godliness. As the verse says, "The sea saw [the presence of God] and fled." The Maharal, zt"l, clarifies that the sea is material, and by nature it is moved by the spiritual. This was how the entire Jewish people merited to experience ruach hako-desh; as soon as the material was removed, our connection to Hashem shone forth in full splendor. At first, we were told to move forward—this was the arousal from Above. We then had to act on this arousal

by entering the sea. And this is what forced it to split!

Every one of us is always getting called to begin again; "the Voice of my Beloved" calls from the depths of our hearts even if we are spiritually asleep. Hashem calls and wakes us up, and by giving shekalim we act on this call. We then fulfill the mitzvos of Nisan with renewed vitality, for we have made a fresh start in our avodah.

Rav Meir Shapiro, zt"l, once traveled to a distant town to raise money on behalf of Yeshivas Chachmei Lublin. He gave a long and complex drashah in the local beis midrash for which the entire town had turned out. His beautifully elaborate drashah ended with a very moving appeal. During the speech, he noticed a small child wedged into the crowd. Afterward, Rav Meir approached the child and asked him whether he understood the complicat-

ed lesson.

"What did you understand of what I said in the shul?" the gadol asked.

The child answered confidently, and in all innocence, "The Rav said that it's important to give a lot of money."

Rav Meir smiled broadly. "If that's what you understood," he said, "you've grasped my lesson a lot better than most of your elders! ■

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ple lived and thrived. Its needs had to be funded by the consecrated funds of the Shekalim treasury.

Our local Jewish communal needs are also essential for our survival and our future. All who participate in the funding and support of communal needs and institutions are involved in a consecrated mission. ■