

This week's Daf Digest is dedicated
In memory of Israel Isser Ben Tzion ben Yaakov

OVERVIEW of the Daf

1) כרות שפכה (cont.)

R' Yehudah in the name of Shmuel issues a ruling concerning one whose genitals was punctured and sealed.

Rava clarifies this ruling.

Rava's clarification is corroborated.

A discussion is presented concerning the method of testing whether a sealed puncture will reopen.

A Baraisa discusses another case of one who becomes disqualified to marry and then becomes reinstated.

A method of sealing a puncture is presented.

Rabbah bar R' Huna issues two rulings, one of which relates to our discussion.

2) **MISHNAH:** The Mishnah presents the parameters of the prohibition for a פצוע דכא and a כרות שפכה to marry.

3) A kohen who is a פצוע דכא

R' Sheishes was asked whether a kohen who is a פצוע דכא is permitted to marry a convert or freed slave-woman, meaning, does a kohen who is a פצוע דכא retain the sanctity of being a kohen.

R' Sheishes demonstrated that he does not retain his sanctity. Rava unsuccessfully challenges this ruling.

4) Marrying an idolater

Rabbah asserted that it is not possible for a Jew to marry an idolater.

R' Yosef unsuccessfully challenges this assertion.

R' Pappa mentions that Shlomo Hamelech did not marry the daughter of Pharaoh, rather he loved her as if he married her.

5) A פצוע דכא marrying a Nesinah

Ravina notes that our Mishnah, which implies that a פצוע דכא may not marry a Nesinah, is at odds with the Baraisa that permits this marriage.

R' Ashi resolves the contradiction.

6) **MISHNAH:** The issue of marrying someone from Amon, Moav, Mitzrayim and Edom is presented.

7) A female from Amon and Moav

R' Yochanan suggests a source for the Mishnah's ruling that a female from Amon and Moav is permitted to marry into the congregation. ■

Distinctive INSIGHT

The tragic flaw of the men of Amon and Moav

על אשר לא קדמו אתכם בלחם ובמים—דרכו של איש לקדם

Our Gemara condemns the men of Amon and Moav. Their cruel nature is identified as an inherent flaw in their national character. For this reason the men from the nations of Amon and Moav are not permitted to join the ranks of the Jewish people as converts. "Because of the fact that they did not greet you with bread and water on the road when you were leaving Egypt..." (Devarim 23:5) The nations of Amon and Moav refused to volunteer provisions for the Jewish nation as it traversed the desert. This lack of even a basic level of compassion to offer humanitarian aid is symptomatic of a society which is totally devoid of decency and morals.

This may seem quite surprising, for these nations descended from Lot, who was outstanding and legendary in his hospitality extended to the angels who visited him in Sodom. At the risk of great personal harm, both he and his daughter offered bread and shelter to the poor travelers, and they both suffered due to their benevolence. These people had the trait of kindness ingrained into their very beings. How, then, could the nations which came from them lost this sensitivity to such an extreme degree that they acted in a cruel and ruthless manner in regards to the sojourning Bnei Yisrael?

We see that the benefit of a good deed is not the act in and of itself, but what is critical is the character quality which underlies the exemplary behavior. A meritorious act must flow from a sincere and deep realization of the goodness and value of the deed, and from an inner desire to help others. It is possible for a person to involve himself in many beneficial endeavors, but if they simply are a result of habit or of following the lead of others who are good-hearted, the person himself may fail to internalize the significance of these actions. This was the flaw of Lot. He lived in the household of Avraham Avinu long enough to acquire excellent habits regarding hospitality and kindness. He trained himself to act accordingly, but it was without recognition of the inherent nature of these actions. Consequently, these attributes of kindness and compassion were not ingrained into his soul, and they were not present in the spiritual heritage which was transmitted to his progeny. Over the years, the superficial habits of sharing and caring were lost, and the nations which issued from him did not retain these qualities.

On the other hand, the children of Avraham Avinu are endowed with the innate tendencies of possessing shame, mercy and of providing kindness (see Yevamos 79a). Avraham toiled to perfect these traits, and because of this, his descendants have these spiritual genetic codes as part of their heritage forever. ■

HALACHAH Highlight

Signs of a פצוע דכא

פצוע דכא וכו' מותרין בגיורת ומשחררת ואינן אסורין אלא מלבא בקהל

A פצוע דכא is permitted to marry a convert or freed slave-woman and is only prohibited from marrying into the congregation.

The Noda B'Yehudah¹ was asked the following question. A young scholar related that as a child he was grabbed in the genital area and experienced excruciating pain, but did not have the damage examined. He married, and after two years without children his wife passed away. Since he occasionally felt pain while urinating, he decided to examine his genitals for damage and discovered that there was permanent damage in the genital area. He inquired whether this damage renders him a פצוע דכא. The Rov of Brod² asserted that since the person in question had a beard and pubic hair he cannot be a פצוע דכא because Rambam³ ruled that a person who became sterile by the hands of man will not develop pubic hair. This ruling of Rambam is cited without mention of dissenting opinions by Shulchan Aruch⁴. Therefore, it is authoritative and one could declare that this person is not a פצוע דכא.

Noda B'Yehudah responded that he searched all the relevant sources (Bavli, Yerushalmi, Tosefta, etc.!!) and did not find the source for Rambam's ruling on this matter. Although our inability to pinpoint the source of this ruling would not prevent us from ruling in accordance with this explicit ruling of Rambam and Shulchan Aruch, nonetheless, there is another

REVIEW and Remember

1. Whom is a פצוע דכא permitted to marry?

2. Did Shlomo HaMelech marry a non-Jewish woman?

3. Is it permitted to marry a female Mitzri convert?

4. What is the reason for the prohibition against marrying an Amoni or Moavi?

reason to be hesitant to rule leniently in this case. Who says that this person's pubic hair is the pubic hair that indicates physical maturity? Perhaps the hair is from a mole. The reason under normal conditions we do not suspect that the hair comes from a mole is that we apply the "chazakah of Rava" that a male who reaches thirteen has already gone through physical maturation. In our case, however, the chazakah does not apply since this person was physically damaged in a way that should prevent him from physically maturing. Furthermore, the ruling of Rambam creates a chazakah that he did not undergo physical maturation. As a result, it could not be said definitively that this person is not a פצוע דכא simply by the appearance of pubic hair. ■

1. שו"ת נודע ביהודה מהד"ק אה"ע סי' ו'
2. מובא דבריו בשו"ת נוב"י הנ"ל
3. רמב"ם פ"ב מהל' אישות הי"ד
4. שו"ע אה"ע סי' קע"ב סי' ז' ■

STORIES Off the Daf

The consequence of ingratitude

על אשר לא קדמו אתכם בלחם ובמים דרכו של איש לקדם ולא דרכה של אשה לקדם

The Cohen family of Yerushalayim have been standby hosts for guests from the Kotel for well over ten years. Living not far from the Old City and being more than happy to have an open home, they never know who might show up at their door on a Friday night. Usually, they would receive Jewish students or tourists from abroad, many of whom had never had a Shabbos meal. Occasionally, they might even receive a group of bochurim who want a change from their yeshiva's dining room. One Friday night, Parshas Ki

Seitzei, a group of bochurim joined the Cohen family for the meal. During the seudah, out of habit, Rabbi Cohen asked if anyone had any questions, instead of asking if anyone had a vort to share. To his surprise, one of the yeshiva boys piped up.

"In the parsha we find that Amonim and Moavim cannot marry into the Jewish people because they refused to supply us with bread and water when we left Egypt and were in need. Chazal explain that this is their just desserts for having failed to show gratitude to the descendants of Avraham Avinu, in whose merit their ancestor Lot survived the destruction of Sodom. Chazal explain that it is only the men of these two nations who are forbidden entry into the Jewish people, not the women. They said that since it is not the way for women to go out, the women are not held

accountable for not offering bread and water."

The boy continued, "My question is about the rest of the verse in Devarim 23:5. They didn't only fail to show gratitude, but they actually hired Bilaam to curse the Jewish people! Why, then, don't we find that the Moavite women are not held accountable for enticing the Jews to sin at the behest of Bilaam and Balak?"

Rabbi Cohen explained, "Meshech Chochma cites the the words of the Zohar, which tells us that the Moavite women did not want to go and the men had to use brute force to mobilize them. Any woman who refused was actually killed! It is because of this initial unwillingness to participate in this tragedy that the women are permitted to marry into the Jewish people!" ■