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Chagigah Daf 3

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Daf Notes is currently being dedicated to the neshamah of

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May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

The Gemora above inferred from a Mishna taught elsewhere that one who has the capacity to speak but cannot hear, or one who hears but cannot speak, would be obligated in the mitzvah of appearing in the Beis HaMikdash (and offering the olas re’iyah) during the festivals.

The Gemora notes a contradiction from the following braisa: One who has the capacity to speak but cannot hear, or one who hears but cannot speak, is exempt from the mitzvah of appearing in the Beis HaMikdash during the festivals.

Ravina answers, and others say that it was Rava who answered: It is as if there were missing words and this is what the Mishna was teaching us: All are obligated in ascending to the Bais HaMikdash on the three festivals, and all are obligated in simchah (*the mitzvah of rejoicing in the Beis HaMikdash; this is accomplished by slaughtering shelamim offerings and eating their meat*) except for one who has the capacity to speak but cannot hear, or one who hears but cannot speak, for they are exempt from the mitzvah of appearing in the Beis HaMikdash. And even though they are exempt from the mitzvah of appearing in the Beis HaMikdash, they are obligated in simchah. However, someone who cannot hear nor speak, and a deranged person and a minor as well are exempt from simchah, for they (all types of

mentally incompetent people) are exempt from all mitzvos stated in the Torah.

The Gemora cites a braisa which supports this explanation: All are obligated in ascending to the Bais HaMikdash on the three festivals, except for one who can speak but is deaf, and one who can hear but is mute, as these two individuals are exempt from appearing in the Bais HaMikdash. Nonetheless, these individuals are obligated in simchah. A deaf-mute, a deranged person and a minor are exempt from appearing in the Bais HaMikdash and from the mitzvah of simchah, since they are exempt from performing all mitzvos of the Torah. (2b-3a)

The Gemora asks: Why is there such a distinction? Why, with regard to the mitzvah of appearing, are they (one who is either deaf or mute) exempt, and with regard to simchah, they are obligated?

The Gemora answers: They are exempt from the mitzvah of appearing, because we derive this law (using a gezeirah shavah) from Hakhel (the gathering that occurred every seven years at the end of the Shemittah cycle when the king would read Mishneh Torah, the Book of Deuteronomy, in the Courtyard of the Bais HaMikdash). Regarding Hakhel, they were excluded based on a verse which states: Gather together the people, the men, the women and the

small children. And in the preceding verse it is written: When all Israel comes to appear before Hashem. [*Since there is a common word 'appearing' in both verses, we derive the laws of the mitzvah of re'iyah from the laws that apply to the mitzvah of hakhel, and just as by hakhel, one who cannot speak or is deaf is exempt from the mitzvah, similarly, they are exempt from the mitzvah of re'iyah.*]

The Gemora asks: And how is it known that this is the law regarding hakhel?

The Gemora answers: It is written: [Gather together the people] *so that they will hear and so that they will learn*, and it was taught in a braisa: *so that they will hear* excludes one who speaks but cannot hear; *and so that they will learn* excludes one who hears but cannot speak.

The Gemora asks: Does that mean to say that one who cannot speak is incapable of learning? But there were two mute people living in Rebbe's neighborhood, who were the sons of the daughter of Rabbi Yochanan Gudgeda, and others say that they were the sons of the sister of Rabbi Yochanan, and they would attend Rebbe's lectures. When Rebbe entered the study hall, they sat down before him and they would nod their heads and move their lips. Rebbe prayed for them and they were healed. It was subsequently discovered that they knew Mishnayos, Sifra, Sifri, and all of Shas (the six orders of the Mishna). [Evidently, one who cannot speak is still capable of learning!]

Mar Zutra answers: The verse should be read as if it says: *so that they will teach* (and one who cannot

speak, although he can learn himself, cannot teach others).

Rav Ashi proves that it definitely means 'so they will teach,' for if you would understand the verse to simply mean 'so they will learn,' and since they cannot talk that cannot learn; and since one who cannot hear cannot learn (and that is why he is exempt from the mitzvah), why then would another verse (so they will learn) be necessary to exclude (one who cannot speak)? It is already derived from the verse: *so that they will hear!*? Rather, the correct understanding of the verse is 'so that they will teach.' (3a)

Rabbi Tanchum said: One who is deaf in one ear is exempt from the mitzvah of appearing, because it is said regarding Hakhel that the Torah should be read before all Israel in their ears, which implies that one must have two ears that he can hear with.

The Gemora asks: But 'in their ears' is used to teach us that the king must recite it in the ears of all Israel (that the entire Jewish nation must be there)?

The Gemora answers: That is derived from the verse: *before all Israel*.

The Gemora asks: If the Torah would have merely said, 'before all Israel,' I might have thought that it is sufficient even if they do not hear (as long as they are present), that is why the Torah also wrote 'in their ears' – to teach us that they must hear as well?

The Gemora answers: That is derived from the verse which states: *so that they will hear*. (3a)

Rabbi Tanchum said: One who is lame in one leg is exempt from the mitzvah of appearing, because regarding the ascent of the pilgrims to Jerusalem, it is said *regalim*, which literally means feet.

The Gemora asks: But ‘*regalim*’ is used to teach us that people with wooden feet are exempt from the mitzvah?

The Gemora answers: That ruling is derived from the usage of the word ‘*pe’amim*,’ which (although means ‘times’ – as in three times during the year) also means feet, as it was taught in a braisa: *Pe’amim*. This means only ‘a man who has feet.’ And so it is written: *The foot will trample it – the feet of a pauper, the soles (pa’a’mei) of the needy*. And it is also written (in Shir HaShirim): *but your footsteps were so lovely when shod in pilgrim’s sandals, O daughter of nobles*. (3a)

It is said: *but your footsteps were so lovely when shod in pilgrim’s sandals, O daughter of nobles*. The Gemora interprets this verse to refer to the lovely footsteps of the Jewish People as they ascend to Jerusalem for the pilgrimage on the three festivals. The words, *O daughter of nobles*, alludes to our Patriarch Avraham who was called a noble, as it is said (in Tehillim): *the nobles of the people gathered, the people of the God of Avraham*. The Gemora asks: Is Hashem the God of Avraham, and not Yitzchak and Yaakov? The Gemora answers: The verse references Avraham because he was the first of converts. (3a)

Rav Kahana said: Rav Nassan bar Manyumi expounded: The Torah states that the pit that the

brothers cast Yosef into was empty without water. If the Torah states that the pit was empty, it is implicit that there was no water in it. The Torah must be teaching us that even though there was no water in the pit, there were snakes and scorpions in the pit. [The brothers did not know this.] (3a)

The Gemora cites a braisa: Rabbi Yochanan Ben Berokah and Rabbi Elazar Ben Chasma visited Rabbi Yehoshua in Pekiin on the festival, as there is a requirement that one visits his teacher on the festival. Rabi Yehoshua requested of his disciples that they relate a novel teaching that they heard in the study hall. They asked him: We are your students and we drink your water (referring to the Torah; it is you who teaches us the Torah)? He responded: Nevertheless, there is always something novel taught in the study hall. Whose week was it? It was the week of Rabbi Elozar ben Azaryah. [After an incident between the Nasi Rabban Gamliel and Rabbi Yehoshua, it was decided that Rabban Gamliel lecture three weeks and Rabbi Elozar ben Azaryah one week.] The two rabbis related that Rabbi Elozar Ben Azaryah had taught that regarding the mitzvah of Hakhel, it is said that men, women and children should assemble. The men come to learn, the women come to listen and the children come so that those who brought the children can earn reward. Rabbi Yehoshua said to them: You had a precious stone in your hand, and you wished to withhold it from me!?! (3a)

Rabbi Elazar Ben Azaryah expounded further: It is written: *You have praised Hashem today ... and Hashem has praised you today*. The Holy One, Blessed be He, said to Israel: You have made Me (*the*

*focus of*) a unique praise in the world, and I shall make you (*the focus of*) a unique praise in the world. 'You have made me a unique praise in the world,' as it is written: *Hear, O Israel, Hashem is our God, Hashem is one*, and I shall make you a unique praise in the world, as it is written: *And who is like Your people Israel, one nation on the earth*. And he also began to expound: It is said (in Koheles): *the words of the wise are like goads, and the nails well driven are the sayings of the masters of collections, coming from one Shepherd*. This can be interpreted to mean that the Torah is likened to goads because just like goads align the cow to the rows of the furrows and this brings life to the world, so too the words of Torah align those who study the Torah and lead them from the pathways of death to the pathways of life. A goad, however, is movable, so perhaps the words of Torah are movable as well (and the Rabbinic decrees which protect the Torah will not last forever)!? It is for that reason that the Torah is compared to nails as well. And perhaps, just as nails cause a loss (when nailed into an item) and do not increase, so too the words of Torah diminish but do not increase (those who observe the Torah)? It is for that reason the Torah is compared to planting. Just as a plant is fruitful and multiplies, so too the words of Torah cause one to be fruitful and multiply.

He continued: The words "masters of collections" refers to Torah scholars who assemble together to study Torah. Despite the fact that the scholars all have different opinions, one can learn from all of them because the Torah was given by one G-d and disseminated by one leader, Moshe, whose words are indisputable. One must make his ears like a mill-hopper where the grain is funneled through.

Similarly, one must be able to discern which halachic opinion is correct and decide accordingly. (3a - 3b)

The Gemora cites a braisa: Rabbi Yosi Ben Durmaskis went to visit Rabbi Eliezer in Lod, and Rabbi Eliezer asked Rabbi Yosi regarding what was taught in the study hall that day. Rabbi Yosi responded that they concluded that day that in the lands of Ammon and Moav, it was permitted to plant during the shemittah year and they could tithe the Maaser Ani during the shemittah year. Rabbi Eliezer then told Rabbi Yosi to open his hands and accept his eyes, which Rabbi Yosi did. This act implied that Rabbi Eliezer was disturbed by the need to render this ruling which had already been decided in the time of the members of the Great Assembly. Rabbi Eliezer told Rabbi Yosi that the ruling that Rabbi Yosi had quoted was unnecessary and he should inform those in the study hall of this, because Rabbi Eliezer had received the tradition from his teacher, Rabbi Yochanan Ben Zakkai, who had received this tradition all the way back to Moshe at Sinai, that tithes could be taken from grain in the lands of Ammon and Moav during the shemittah year. The reason for this ruling was because the Jewish People who left Egypt captured many cities but these same cities were not captured by those who left Babylonia. The reason they did not capture these cities is because the first sanctification of the land was only done for that time period and not for the future. Yet, the second sanctification of the land was sanctified forever. Thus, regarding the rest of Eretz Yisroel, one was forbidden to plant during the shemittah year. The lands of Ammon and Moav, however, were not sanctified, so that the poor could rely on receiving their gifts during the shemittah year. For this reason the Chachamim

instituted that in the lands of Ammon and Moav, people should tithe Maaser Ani during the shemittah year. The Gemora relates that once Rabbi Eliezer was calm, he prayed that Rabbi Yosi should regain his eyesight. (3b)

## INSIGHTS TO THE DAF

### PILGRIMAGE WITH SHOES ONLY

The Gemora cites a verse in Shir HaShirim that states *mah yafu peomayich baneolim bas nadiv*, how lovely are your steps in sandals, O daughter of the noble? The Gemora explains that this verse refers to the lovely steps of the Jewish People when they ascended to Jerusalem for the festival. The words *bas nadiv* refer to Avrohom Avinu who is referred to as the *nadiv*, the noble one.

What is the connection between the pilgrimage to Jerusalem and Avrohom Avinu? The Mahretz Chayus in his responsa (7) quotes Rabbeinu Bachye in Parshas Mishpatim who cites a Medrash that states that from the verse in Shir HaShirim we derive a law that one is only allowed to ascend to Jerusalem for the three times a year pilgrimage by foot and one is forbidden to ascend in any other manner. This law is derived from the fact that Scripture uses the words *peomayich* and *neolim*, which allude to one walking as opposed to traveling on an animal or in a wagon.

The Mahretz Chayus writes that he was not able to locate the source of this Medrash. The Mahretz Chayus also cites the Yerushalmi in Pesachim (4:7) that would indicate that the law is the opposite of

the Medrash that is quoted by Rabbeinu Bachye. There is a dispute between Rabbi Yosi and the Tanna Kamma if a leather craftsman is permitted to work on Erev Pesach. Rabbi Yosi permits them to work because the people who were making the pilgrimage to Jerusalem needed to have their shoes and sandals fixed in honor of the festival. The Tanna Kamma disagrees and maintains that it was not necessary to have leather craftsmen as the Jewish People were wealthy and they all ascended to Jerusalem by riding on animals. This discussion indicates that it was permitted to ascend to Jerusalem by riding on an animal and walking was not the only permitted means of transportation.

### DAILY MASHAL

Rav Elyashiv heard from a Torah scholar who said that whether the halachah is in accordance with Rabbeinu Bachye that one could only ascend to Jerusalem by foot or whether it was merely the poor people who ascended by foot, it is evident from the Yerushalmi that there was a concern that people required shoes in order to fulfill the mitzvah. In all likelihood, this concern would have resulted in a collection for the poor prior to the festival, similar to a collection of food that was orchestrated on behalf of the poor. Perhaps it is for this reason that the Gemora mentions Avrohom Avinu regarding the pilgrimage. The character of kindness displayed by the Jewish People is an inheritance from Avrohom Avinu and in a sense, it was Avraham Avinu who catalyzed the outpouring of kindness that the Jewish People demonstrated when the Jewish People ascended to Jerusalem for the festivals.