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Moed Katan Daf 15

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Daf Notes is currently being dedicated to the neshamah of

Tzvi Gershon Ben Yoel (Harvey Felsen) o”h

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 states: A mourner is obligated to cover his head as a sign of mourning.

The Gemora inquires: Is one who is excommunicated required to cover his head as well?

Rav Yosef answers by citing a braisa: The Torah scholars (*after fasting for thirteen days for rain*) would cover their heads like one who has been excommunicated and mourners until Hashem shows them mercy. It is evident that he does cover his head.

Abaye objects: Perhaps who has been excommunicated from Heaven is different than a regular ban.

The Gemora states: A metzora is required to cover his head. (15a)

The Gemora states: A mourner is forbidden to don tefillin.

The Gemora inquires: Is one who is excommunicated forbidden to don tefillin as well?

The Gemora leaves this question unresolved.

The Gemora inquires: Is a metzora forbidden to don tefillin as well?

The Gemora cites a braisa and infers from the opinion of Rabbi Akiva that a metzora should not don tefillin. The Gemora deflects this proof and states that Rabbi Akiva is referring to a hat and that is what the metzora should not wear. (15a)

The Gemora states: A mourner is not permitted to greet others as a sign of mourning.

The Gemora inquires: What is the halachah in regards to one who has been excommunicated?

Rav Yosef answers by citing a braisa: They should lessen their involvement in their greetings to each other (*after fasting for thirteen days for rain*), rather they conduct themselves as if they had been excommunicated. It is evident that he should not greet his friend.

Abaye objects: Perhaps who has been excommunicated from Heaven is different than a regular ban.

The Gemora states: A metzora is not permitted to greet others. (15a)

The Gemora states: A mourner is forbidden to study Torah.



The Gemora inquires: What is the halachah in regards to one who has been excommunicated?

Rav Yosef cites a braisa: One who has been excommunicated can teach others and they can teach him; he can be hired by others and others can work for him. However, one who has been placed in *cherem* (one who has been excommunicated twice for thirty days) cannot teach others and they cannot teach him; he cannot be hired by others and others cannot work for him, but he should study by himself in order not to interrupt his studies; he may also make a small store for a source of revenue.

The Gemora inquires: What is the halachah regarding a metzora?

The Gemora cites a braisa: It is written [Devarim 4:9]: *Make them known to your children and your children's children* and the next verse states: *The day that you stood before Hashem, your G-d in Choreb.* We derive from the juxtaposition of the two verses that just as when the Jews stood at Mount Sinai and received the Torah, they did so in dread and awe, with trembling and fear, so too, when Torah is being studied in all future generations, it must be learned with dread and awe, with trembling and fear. They said: One who is a zav, metzora or one who had relations with a niddah is permitted to read the Torah, Prophets and Writings, and he can study the Medrash, Talmud, Halachah and any Aggadic teachings. It is learned from here that a *baal keri*, one who experienced a seminal emission, is prohibited from reading the Torah, Prophets and Writings, nor can he study the Medrash, Talmud, Halachah and

any Aggadic teachings. This is because the *baal keri* developed a tumah which occurred through levity and this is in contrast to the feelings of awe which are required when studying Torah. (15a)

The Gemora states: A mourner is forbidden to work as a sign of mourning.

The Gemora inquires: What is the halachah in regards to one who has been excommunicated?

Rav Yosef cites a braisa: One who has been excommunicated can teach others and they can teach him; he can be hired by others and others can work for him.

The Gemora inquires: Is a metzora permitted to work?

The Gemora leaves this question unresolved. (15b)

The Gemora states: A mourner is forbidden to wash himself.

The Gemora inquires: What is the halachah in regards to one who has been excommunicated and regarding a metzora?

The Gemora leaves both these questions unresolved. (15b)

The Gemora states: A mourner is prohibited from wearing shoes.



The Gemora inquires: What is the halachah in regards to one who has been excommunicated and regarding a metzora?

The Gemora leaves both these questions unresolved. (15b)

The Gemora states: A mourner is not permitted to send his sacrifices to the Beis Hamikdosh through an agent. The Gemora cites a braisa: Rabbi Shimon said: It is written [Vayikra 3:1]: *And if a sacrifice of a shelamim is his offering*; the word *shelamim* meaning whole indicates that a person can only offer a korban if he is whole and not when he is an *onein* (*one whose close relative passed away and has not been buried yet – the halachah of bringing a korban applies to a regular mourner as well*).

The Gemora inquires: What is the halachah in regards to one who has been excommunicated?

Rav Yosef cites a braisa: All forty years that the Jewish people were in the Wilderness, they were considered excommunicated (because of their complaints regarding Eretz Yisroel after the return of the spies and their report) and they did send their sacrifices.

Abaye objects: Perhaps who has been excommunicated from Heaven is different than a regular ban.

The Gemora asks: Abaye had previously said that the excommunication from heaven is stricter than a regular ban?

The Gemora answers: Abaye was uncertain if the excommunication from heaven is stricter or more lenient.

The Gemora inquires: What is the halachah regarding a metzora?

The Gemora cites a braisa which states that a metzora who cannot enter the Beis Hamikdosh is not allowed to send his sacrifices. (15b – 16a)

INSIGHTS TO THE DAF

AN EXCOMMUNICATE STUDYING TORAH

Rav Yosef cites a braisa: One who has been excommunicated can teach others and they can teach him; he can be hired by others and others can work for him. However, one who has been placed in *cherem* (*one who has been excommunicated twice for thirty days*) cannot teach others and they cannot teach him; he cannot be hired by others and others cannot work for him, but he should study by himself in order not to interrupt his studies; he may also make a small store for a source of revenue.

The version of the Rosh states: he should study by himself in order not to lose his learning. The Reshash cites a braisa in Meseches Semochos which states that the reason he should learn is in order not to forget his learning. The Rambam states this reason as well.

A question is asked: Doesn't every Jew have an obligation to study Torah? What is different about a

person that has been placed in *cherem*, that he should study Torah only because of the concern that otherwise he might forget his learning?

A similar question is asked (Igros Moshe Y"D 2:110; B'Toroso Yehegeh p. 185) on the Rambam in Hilchos Talmud Torah (1:10) who states: Until when is a person obligated to study Torah? Until the day he dies. The Rambam cites a verse in the Torah and concludes: And if there is a time that he will not be engrossed in studying Torah, he will forget his learning. Why is that necessary? Would a person be exempt from studying Torah if he is confident that his learning will not be forgotten?

IMMERSION OF A BAAL KERI

The Gemora cites a braisa: It is written [Devarim 4:9]: *Make them known to your children and your children's children* and the next verse states: *The day that you stood before Hashem, your G-d in Choreb.* We derive from the juxtaposition of the two verses that just as when the Jews stood at Mount Sinai and received the Torah, they did so in dread and awe, with trembling and fear, so too, when Torah is being studied in all future generations, it must be learned with dread and awe, with trembling and fear. They said: One who is a zav, metzora or one who had relations with a niddah is permitted to read the Torah, Prophets and Writings, and he can study the Medrash, Talmud, Halachah and any Aggadic teachings. It is learned from here that a *baal keri*, one who experienced a seminal emission, is prohibited from reading the Torah, Prophets and Writings, nor can he study the Medrash, Talmud, Halachah and

any Aggadic teachings. This is because the *baal keri* developed a tumah which occurred through levity and this is in contrast to the feelings of awe which are required when studying Torah.

The Gemora in Brochos (22a) states that one who is a *baal keri* should immerse himself in a ritual bath before studying Torah or praying. This is known as *Tevilas Ezra*.

The Gemora (*ibid*) states that nowadays *Tevilas Ezra* has been nullified. The Rif explains: Some say that it was nullified completely and a *baal keri* is not required to immerse himself in a mikvah prior to studying Torah or praying and others say that it was limited to studying Torah, but one would still be required to immerse himself in a mikvah prior to praying. He concludes: It is not required to immerse in a mikvah; nine kavim of water poured on his body will be sufficient.

Rabbeinu Hai Gaon states: Since it is not explicit in the Gemora, a *baal keri* must follow the custom of all the Jewish people and he should not commence to pray until he washes himself.

DAILY MASHAL

A MOURNER IS INCOMPLETE

The Gemora states: A mourner is not permitted to send his sacrifices to the Beis Hamikdash through an agent. The Gemora cites a braisa: Rabbi Shimon said: It is written [Vayikra 3:1]: *And if a sacrifice of a shelamim is his offering*; the word *shelamim* meaning

whole indicates that a person can only offer a korban if he is whole and not when he is an *onein* (*one whose close relative passed away and has not been buried yet – the halachah of bringing a korban applies to a regular mourner as well*).

The Sheim Mishmuel comments: It is evident from this Gemora that a mourner is considered “incomplete” in his ability to serve Hashem properly; he lacks perfection of the soul.

The Torah did not command a mourner to conduct the halachos of mourning as a punishment, but rather as a remedy; not only for the deceased but also for himself. When a person is incomplete, he is in grave danger of becoming complete through the powers of the Evil Inclination. When sanctity departs from a person, the Evil Inclination (Sitra Acher) desperately strives to replenish that void and reside in that area. The Torah decrees that a mourner will remain in a state of incompleteness in order to ensure that the Evil Inclination does not take up residence in the location of the mourner’s incompleteness.

With this understanding, he explains why it is found that Shulchan Aruch is lenient in many areas of the halachos of a mourner. The Poskim from the later generations have even been more lenient than their predecessors. Why is this? It is because the reason that the mourner should conduct himself with all the halachos of mourning is to ensure that he remains incomplete in a manner that the Evil Inclination will not replace that emptiness. The Chachamim of every generation have weakened the strength of the Evil

Inclination and therefore they felt that they can be more lenient regarding the halachos of a mourner.

An important lesson can be learned from here: A person should be extremely careful not to become depressed or sad because that creates a vacuum in which the Evil Inclination can enter, and he can become entrapped in a way that it will be extremely difficult to escape from. This is why the Torah commands that one should attempt to always serve Hashem through happiness and content.

The Raavad in Sefer Haeshkol asked Rabbeinu Hai Gaon as to what should be done if one becomes a *baal ker* on Shabbos or on a festival when he cannot immerse himself in a mikvah. He responded that he remembers many Shabbosos being by Rav Aharon Gaon when they prayed in his house and Rav Aharon Gaon would not pray at all.

The Rambam (Hilchos Krias Shema) writes that Ezra’s enactment did not spread throughout Klal Yisroel and a majority of the community was not able to maintain it, therefore it became nullified. It has become the custom throughout Klal Yisroel to study Torah and recite Kerias Shema even while they are a *baal ker* since Torah is not susceptible to becoming tamei.

The Rambam in Hilchos Tefillah (4:4) writes that Ezra instituted that a *baal ker* should not study Torah until he immerses himself in a mikvah and a later Beis Din extended this decree to include tefillah. This was not on the account of tumah, but rather because they did not want the Talmudic scholars to be constantly with their wives like roosters. The decree

regarding tefillah became nullified because the original enactment did not catch on throughout Klal Yisroel and a majority of the community was not able to maintain it. It has become the custom in certain areas for a *baal keri* not to pray until he washes his entire body with water based on the verse: One should prepare himself before greeting Hashem, the G-d of Israel.

The sefer Brocha Mishuleshes writes that it only became nullified in instances where one cannot locate a water source, however where water is accessible, a *baal keri* should not study Torah or pray until he washes himself. He concludes that one Beis Din does not have the power to nullify the decrees of a previous Beis Din.

It is written in Shailos V'teshuvos min Hashamayim (5): It is this fact (the people who are a *baal keri* and pray without immersing themselves) that has caused the exile to be so long. If Klal Yisroel's tefillah would be in the proper way, our prayers would have been accepted years before.

He concludes: Perhaps we cannot accomplish that every *baal keri* should immerse himself in a mikvah prior to his tefillah, but at least the chazzan (leader of the services) should immerse himself and it will be in this merit that will hasten the Redemption.

Shulchan Aruch (O"C 88) rules that Ezra's decree has been nullified and a *baal keri* can pray and study Torah without immersing himself. The Magen Avraham writes: Even though that one Beis Din does not have the power to nullify the decrees of a previous Beis Din unless they are greater in wisdom

or numbers, since this enactment never caught on throughout Klal Yisroel, it can become nullified.

The Mishna Berura writes that one who has the custom to purify himself through immersion should only do so if he will not neglect the correct time to recite kerias shema and tefillah. He adds that possibly, if immersing in the mikvah will result that he will not be able to pray along with a minyan, it is preferable not to go to the mikvah.

It is written in the sefer Meor V'shemesh: It is impossible to comprehend the true meaning of fearing Hashem if one is not careful in regards to this immersion. If one studies Kabbalah without purifying himself, the learning will result in heresy. He cites from the Baal Shem Tov and the Rebbe Reb Elimelech that one who wishes to comprehend Torah and mitzvos must be careful in this immersion, otherwise they will not be capable of reaching the heights they wish to attain.