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Moed Katan Daf 17

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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

There was one young scholar who had a bad reputation (rumors were circulating that he was an adulterer). Rabbi Yehudah said: What shall we do regarding this case? Shall we excommunicate him? The rabbis need him (he was a teacher). Shall we not? The name of Heaven will be profaned. He asked Rabbah bar bar Chanah: Did you hear anything about such a case? He answered him: Rabbi Yochanan said: "It is written [Malachi 2:7]: *The kohen's lips safeguards knowledge and people seek Torah from his mouth, for he is like an angel of Hashem.* That means: If the teacher resembles an angel, Torah may be sought from his mouth, but not otherwise. Thereupon Rabbi Yehudah excommunicated him. Subsequently, Rabbi Yehudah was taken ill and the rabbis made him a sick-call, among whom was also that young scholar. When Rabbi Yehudah saw him, he laughed. He said to Rabbi Yehudah: Is it not enough that you excommunicated me, you still laugh at me? Rabbi Yehudah answered him: I do not laugh at you, but in the World to Come I will be proud to say that I was not biased even towards so great a man as you.

When Rabbi Yehudah died, the young scholar came to the Beis Medrash and asked to be absolved from the ban, and the rabbis answered him: There is not here a man equal in esteem to Rabbi Yehudah to absolve you. Go to Rabbi Yehudah Nesiah, and he may absolve you. He went to him. Rabbi Yehudah Nesiah said to Rabbi Ami: Go and examine his case, and if found favorable, absolve him. Rabbi Ami did so, and was about to absolve him when Rabbi Shmuel bar Nachmeini arose and said: Even when the maidservant of the house of Rabbi excommunicated someone, the sages respected it for three years, how much more so should we respect Yehudah our colleague. Rabbi Zeira said: How did it happen that this elderly man came today to the Beis Medrash after an absence of several years? It is evident that the young scholar should not to be absolved from the ban.

The scholar left weeping, and on the way he was stung by a bee and he died. His corpse was brought to the burial graves of the pious, and they did not accept it; he was then removed to those of the judges, and was accepted. Why was this? For he acted in accordance with Rabbi Ilai's ruling cited in a braisa: If one cannot withstand

the temptation, he shall go to a place where he is not known, and shall dress in black and wrap himself in black and do as he pleases, but shall not profane the name of Heaven openly.

The Gemora proceeds to relate the occurrence with the maidservant of the house of Rebbi. The maidservant of the house of Rebbi saw once one beating his grown-up son, and she said: Let that man be excommunicated, for he has transgressed the commandment [Vayikra 19:14]: *You shall not put a stumbling block before the blind* (the son might retaliate and transgress the prohibition against striking his father). (17a)

Rish Lakish was watching an orchard, and there came a certain man and ate some of the figs. Rish Lakish shouted to him not to do it, but he paid no attention to him. Rish Lakish then said: Let this man be excommunicated. The man answered him: On the contrary, let *that* man be excommunicated; for if I am responsible to pay the damages, am I then liable to be excommunicated? When Rish Lakish came to the Beis Medrash, he was told: His excommunication towards you is valid, but not yours. Rish Lakish asked: Is there a remedy? They told him: Go and ask his pardon. But I do not know where to find him, Rish Lakish replied. He was told: You have to go to the Nasi in order to be released, as we have learned in a braisa: One who was been excommunicated and he does not know by

whom; he must go to a Nasi in order to be absolved. (17a)

When Mar Zutra the Pious was compelled to excommunicate a young scholar, he first excommunicated himself and then the young scholar. When he entered his residence, he first absolved himself and then the young scholar.

Rav Gidel said in the name of Rav: A Torah scholar may excommunicate himself and afterwards, he may revoke it himself.

Rabbi Papa said: I may be rewarded since I have never excommunicated a young scholar. What would he do if a scholar was deserving of excommunication? He would do as they did in Eretz Yisroel; they administered lashes to him (*they regarded lashes as a less severe form of punishment and were concerned for the honor of the scholar*). (17a)

The Mishna had stated: A nazir and a metzora may take a haircut during Chol Hamoed. The Gemora cites a braisa: One who arrives from overseas, or he was freed from captivity, or he left prison may take a haircut during Chol Hamoed provided that he did not have time prior to the festival; a nazir and a metzora can take a haircut during Chol Hamoed even if he did have time prior to the festival since we do not want their korbanos to be delayed any longer.

The Gemora discusses a case where a mourner's seventh day of mourning falls out on Shabbos, which was the day prior to the festival. One Tanna maintains that part of the day is like the entire day and the seventh day counts for the last day of mourning and the first day of the *sheloshim* (thirty days of mourning); since he cannot cut his hair on Shabbos, he may cut his hair during Chol Hamoed. Another Tanna disagrees because he holds that a part of the day is not like the entire day and therefore the *sheloshim* would not begin until Sunday; it emerges that he could not have cut his hair on the seventh day even if it was a weekday. Shabbos did not prevent him from cutting his hair and therefore he cannot cut his hair during Chol Hamoed. (17b)

## DAILY MASHAL

### PLACING A STUMBLING BLOCK IN FRONT OF A BLIND MAN

The Chazon Ish (Y"D 62:25) wonders if one would transgress the prohibition against placing a stumbling block in front of a blind man if the man subsequently does not fall into the trap. If one would hit his adult son and the son would accept the rebuke lovingly and would not retaliate and hit the father back, is it still regarded that the father placed a stumbling block in front of his son.

He cites our Gemora which relates the occurrence with the maidservant of the house of Rebbi. The maidservant of the house of Rebbi saw once one beating his grown-up son, and she said: Let that man be excommunicated, for he has transgressed the commandment [Vayikra 19:14]: *You shall not put a stumbling block before the blind* (the son might retaliate and transgress the prohibition against striking his father).

It would seem that the maidservant excommunicated the father immediately upon seeing the father hit the son even prior to the son retaliating.

Reb Itzele (Peri Yitzchak 2:49) maintains that one is not transgressing this prohibition unless it results in a transgression, but the maidservant nevertheless had the right to rebuke the father immediately since one cannot place someone else in a position where he might transgress a prohibition and this was cause enough for the excommunication.