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Moed Katan Daf 18

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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 cites a braisa: Rabbi Yehudah maintains that just as it is forbidden to take a haircut during Chol Hamoed, it is forbidden to cut one’s nails. Rabbi Yosi says: It is permitted. The same dispute applies by a mourner as well.

Ula states: The halacha is in accordance with Rabbi Yehudah in regards to a mourner, but follows Rabbi Yosi’s opinion regarding Chol Hamoed. Shmuel disagrees and holds that the halacha is in accordance with Rabbi Yosi by Chol Hamoed and in pertaining to a mourner. Shmuel states: Whenever there is a dispute which pertains to the laws of mourning, we always follow the lenient opinion. (17b – 18a)

A word is much more than "just a word", our Sages teach us.

In our Gemora we find that when the Sage Shmuel paid a condolence visit to his brother Pinchas who had lost a child, he asked him why he allowed his fingernails to grow although it was permitted to cut them. The rebuttal of Pinchas that "If such a tragedy as mine had befallen you, would you also show such disregard for mourning?" is described by the Gemora as an example of "an error proceeding forth from the ruler" (*Kohelet* 10:5). The result of this apparent slip of the tongue was that Shmuel himself soon became a mourner because "there is a covenant for the lips" — a spoken word has the power to effect fulfillment.

As proof of this power Rabbi Yochanan cites the statement made by the Patriarch Avraham, on his way to offer his son Yitzchak as a sacrifice, to the two young men accompanying them. "Stay here," he told them "and I and the lad will return to you" (*Bereishet* 22:5), and did indeed result in their both returning. (*Tosefot* raises the question as to why Rabbi Yochanan cited an example of the spoken word achieving a good result as proof that such power existed in regard to achieving a negative result such as in the case of Shmuel. Would it not have been more appropriate to cite the proof brought in another Gemora (*Berachot* 19a) that "one should never open his mouth to Satan" — not say something of a harmful nature to himself such as declaring that whatever he has suffered is still insufficient to atone for his sins?)

Maharsha explains the difference between these two sorts of power of the spoken word. In the case of the Gemora in *Mesechta Berachot*, the person speaking includes himself in the tragedy of which he speaks, thus giving the prosecuting angel — Satan — the opportunity to accuse him of self-incrimination and thus weakening the ability of the Divine Attribute of Mercy to intervene on his behalf. In the case of Shmuel, as in the case of Avraham, the statement is being made about someone else, for good or otherwise, and is considered as being an unconscious prophecy whose utterance effects its

fulfillment. Ohr Samayach by Rabbi Mendel Weinbach) (18a)

Rav Shemen bar Abba said: I was once standing in front of Rabbi Yochanan in the Beis Medrash during Chol Hamoed and he was biting his nails and throwing them away. We can learn three things from here: One is allowed to cut his nails during Chol Hamoed; biting nails is not regarded as disgusting; one can throw fingernails into a public area.

The Gemora asks from the following braisa: One who buries nails is considered righteous; one who burns them is considered pious; one who throws them into a public area is regarded as a wicked person (*since the sight of the nails can cause a pregnant woman to miscarry*).

The Gemora answers: This is not a concern in a Beis Medrash since a woman is generally not found there.

The Gemora states: The nails are only dangerous in their original location, but if they have been moved from there, there is no concern any longer. (18a)

Avital the scribe said in the name of Rav: A mourner is permitted to shave his moustache. Rabbi Ami said: Permission is granted only to the hair that disturbs his eating. Rav Nachman bar Yitzchak said regarding himself that he is extremely finicky and his entire moustache disturbs his eating. (18a)

The Mishna had listed different people that are permitted to wash their clothes during Chol Hamoed.

Rav Assi said in the name of Rabbi Yochanan: One who has only one garment is permitted to wash it during Chol Hamoed.

Rav Yitzchak the son of Yaakov the son of Giyurei said in the name of Rabbi Yochanan: One is permitted to wash linen clothes during Chol Hamoed (*since they do not require much effort*). (18a – 18b)

(Writing is one of the labors that are forbidden to do during Chol Hamoed. The Mishna lists various exceptions to this halacha.) The Mishna states: The following documents are permitted to be written on Chol Hamoed: marriage documents, bills of divorce, receipts, sickbed wills (*one who is gravely ill can transfer property with an oral declaration alone but a document is a necessity to record that this actually transpired*), a gift and *prozbuls* (*This is a document in which the lender transfers to the Beis Din debts that are owed to him, in order that the Shemitah year will not cancel them. He may write this during Chol Hamoed in a case where the lender desires to embark on a journey, and if he does not write the document now, the Shemitah year will pass and he will not be able to collect the debt.*), documents of assessment (*evaluating the worth of a particular field*), documents of sustenance (*detailing the amount a man is obligating himself to support his stepdaughter*), deeds of *chalitzah* (*If a man dies childless and his brother refuses to perform yibum to his brother's wife, he must perform the alternate rite of chalitzah, in which she removes his shoe before the court and spits before him and declares, "so should be done to the man who will not build his brother's house."*), refusals, document of arbitration (*splitting*



an estate among the inheritors), Court decrees, and letters of the government. (18b)

Shmuel states: It is permitted to betroth a woman on Chol Hamoed for otherwise another man might betroth her first. The Gemora cites a braisa which supports Shmuel's opinion: One is permitted to betroth a woman on Chol Hamoed but he cannot marry her. *(There are two stages to establish a marital bond: kiddushin or erusin (betrothal) accomplishes that the man and woman are considered legally married; nisuin, the second stage, allows them to engage in marital relations.)* One cannot make the betrothal party and one cannot perform a yibum *(levirate marriage - the act of the brother-in-law marrying his widowed sister-in-law, when the brother died without children)* because it is an expression of joy. (18b)

The Gemora asks on Shmuel's reasoning for allowing one to betroth a woman on Chol Hamoed for otherwise another man might betroth her first; didn't Shmuel say that every day a Heavenly voice pronounces: "The daughter of this individual is designated for that man," and "The field of this individual is designated for another." If so, how can the man lose this woman to another man? The Gemora answers: He might lose her as a result of someone else's prayer. Another man might desperately want her as a wife and he cannot bear the fact that she will be married to another man; subsequently he will pray that she dies. (18b)

INSIGHTS TO THE DAF

FINGERNAILS CAUSING MISCARRIAGES

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The Nimukei Yosef explains the reason why a woman might miscarry upon the sight of cut fingernails: Seeing the nails might be repulsive to her and can have a physical effect upon her, ultimately resulting in a miscarriage.

The Ran adds that it could also be on the account of supernatural means.

The Elya Rabbah (O"C 260:7) cites from the sefer Tola'as Yaakov an alternative reason: Prior to the sin



of Adam HaRishon, he had a skin of nails which covered his entire body. (We remind ourselves of this at Havdalah on Motzei Shabbos when we use the light of the fire to view our fingernails.) Afterwards, the nails remained only by the fingers and toes. Since it was the woman who caused Adam to sin, we are concerned that the sight of the nails can result in a punishment to the women.

DAILY MASHAL

THE POWER OF A “WORD”

In our Gemora we find that when the Sage Shmuel paid a condolence visit to his brother Pinchas who had lost a child, he asked him why he allowed his fingernails to grow although it was permitted to cut them. The rebuttal of Pinchas that "If such a tragedy as mine had befallen you, would you also show such disregard for mourning?" is described by the Gemora as an example of "an error proceeding forth from the ruler" (*Kohelet* 10:5). The result of this apparent slip of the tongue was that Shmuel himself soon became a mourner because "there is a covenant for the lips" — a spoken word has the power to effect fulfillment. As proof of this power Rabbi Yochanan cites the statement made by the Patriarch Avraham, on his way to offer his son Yitzchak as a sacrifice, to the two young men accompanying them. "Stay here," he told them "and I and the lad will return to you" (*Bereishet* 22:5), and did indeed result in their both returning.

How can we derive from here that a person should be careful with his words; this brought about a positive result that Yitzchak was saved?

The Chasam Sofer answers that to Avraham, it was regarded as undesirable since he was unable to fulfill the will of Hashem.

HEAVENLY VOICE REGARDING MARRIAGE

The Gemora states: Every day, a Heavenly voice pronounces: "The daughter of this individual is designated for that man."

Why when it is referring to the woman does it say, "The daughter of this man," and when it is referring to the man, it says "that man"?

Tal Chaim answers: The Torah gives the right to the father to marry off his daughter and to receive the money; this right does not apply for his son.

Others answer based on Tosfos in Sotah (2a) which states that this Heavenly voice is issued forty days before the formation of the boy. At this point in time, the girl is not in existence yet and therefore it only mentions her father.

Kometz Mincha offers an alternative answer: The Gemora Bava Basra (109b) states that a man should investigate the woman's father and her family. Regarding a woman, on the other hand, the Gemora in Kiddushin (7a) states: A woman would rather grow old together with a husband than alone, no matter whom the man might be and therefore his family is not mentioned.