



Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

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Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h
Tzvi Gershon ben Yoel (Harvey Felsen) o”h

May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Blemishes

A *charum* is unfit (*for the Temple service*). What is a *charum*? One who can paint both of his eyes with one movement (*for his nose is sunk into his face*).

[*The following are blemishes pertaining to the eye:*] One whose two eyes are above or whose two eyes are below; a person whose one eye is above and the other below; one who looks at a first-floor room and the attic in one view; one who covers his eyes due to the sun; a *zagdan* and a *tziran*).

One whose eyelashes have fallen off is unfit, for appearance sake. (43b)

The *Gemora* cites a *braisa*: *Charum* is one whose nose is sunk in. From where do we know that one whose nose is shrunken, or one whose nostrils are fused shut, or one whose nose overhangs (*below his lips*)? It is written: or a *charum*. Rabbi Yosi says: *Charum* only refers to one who paints both his eyes with one movement. They said to him: You have exaggerated, for although he cannot paint both his eyes with one movement, he is still a *charum*.

The *Mishna* had stated: One whose two eyes are above or whose two eyes are below.

The *Gemora* asks: What does this mean? It cannot mean that ‘one whose two eyes are above’ means that they continuously see above, and the expression ‘whose two eyes are below’ means that they see below, and ‘a person whose one eye is above and the other below’ means that one eye sees below and the other above, for then, the latter case would be identical with the case of ‘one who looks at a first-floor room and the attic in one view’ (*mentioned later in the Mishna*)!? Rather, this is the explanation: The expression ‘one whose two eyes are above’ means that they are located above (*its normal place – closer to the forehead*); the expression ‘whose two eyes are below’ means that they are located below (*its normal place*); and the expression ‘a person whose one eye is above and the other below’ means that one eye is located above and one eye below. And even where the eyes are in their normal places, there is another case of a blemish where ‘one who looks at a first-floor room and the attic in one view.’

The *Gemora* cites a *braisa* which cites the Scriptural sources for the above blemishes.

The *Gemora* cites a *braisa*: ‘*Blind*’ means blind in both eyes or even in one eye. One who has white spots or his eyes are dripping with water, and they are of a permanent character, is derived (*that he is unfit*) from the term: *A man who is blind*.



Rava said why it was necessary for the Torah to write several expressions (*of blemishes*) in the eye. If the Torah would have only said '*blind*,' I might have thought that the reason (*it's regarded as a blemish*) was because the eyes were not there at all (*they were removed*), but in the cases of white spots or his eyes are dripping with water, and they are of a permanent character, where the eyes are there, I would have thought that this is not so; therefore the Torah says: *a man*. And if the Torah would have just said '*a man*,' I might have thought that the reason was because the eyes cannot see at all, but where, however, there was only defective vision, it is not so; therefore the Torah writes: *dak* (*a cataract*). And if the Torah would have only said *dak*, I might have thought that the reason was because there was defective vision, but where there was intermingling in the eye (*from two different sections*), it is not so; therefore the Torah writes: *tevalul*. And if the Torah would have only written *tevalul*, I might have thought that the reason was because of the intermingling, but where it was a case of an abnormality (*of location, or of focus*), it is not so; therefore the Torah writes: *in his eye*.

Rava said in summary: Every case of blindness, we derive from the text *a man*. Every case of defective vision, we derive from *dak*. Every case of intermingling, we derive from *tevalul*. And every case of an abnormality (*either in location or focus*), we derive from *in his eye*.

The *Mishna* had stated: One who covers his eyes due to the sun.

Rav Yosef taught: These people are called those who hate the sun.

The *Mishna* had stated: *Zagdayan*. Rav Huna showed by gestures - one eye like ours and the other (*pointing to Rav Yehudah, whose eyes were strange*) like theirs. Rav Yehudah was annoyed.

The *Gemora* asks from a *braisa* which states that *zagdum* is one whose eyebrows are of different colors – one black and one white!?

The *Gemora* answers that any pair of eyes which is not properly matched (*either the eyes or the eyebrows*) is called *zagdum*.

The *Mishna* had stated: *Tziran*.

A *braisa* explains it to mean one whose eyes are roundish or round, weeping, dripping and flowing.

It was taught in a *braisa*: *Ziveir*, *lofyan*, and *tamir* are blemishes. *Ziveir* is one whose eyes are unsteady (*always moving around*). *Lofyan* is one having long eyelashes, and *tamir* is one whose eyelashes are gone.

The *Gemora* asks: And is the latter case a disqualifying blemish? Have we not learned in a *Mishna*: One whose eyelashes have fallen out is unfit for appearance sake?

The *Gemora* answers: This offers no difficulty. In the *Mishna*, the roots remain; in the *braisa*, they do not remain. (43b – 44b)

INSIGHTS TO THE DAF

Drinking water in public



The Torah refines its learners, who study diligently day and night, to attain the most exalted levels. We know this, and this week we can also realize it from our Gemara.

Rabbi Aba, the son of Rabbi Chiya bar Aba, pronounces a special statement: "One doesn't drink water in public." Rashi comments (s.v. *V'ein shosin mayim*): "Because the way of a *talmid chacham* is to be *tzanua'* – modest – while eating and drinking." We thus learn that this behavior describes *talmidei chachamim*, whose souls become refined and modesty befits them. However, the *poskim* didn't agree about the drinks involved and in which instances. Their disagreement stems from Tosfos (s.v. *V'ein shosin mayim*), who ask from a Gemara in Pesachim 86b that recounts about an Amora who drank in public. Tosfos offer an answer and we cite them to understand the *poskim's* disagreement: "That is during a meal...and in *hilchos derech eretz* it says that in public he should turn aside and drink water. It seems that they mentioned water because usually only the thirsty drink water but as for other things, people are used to drink together (and a *talmid chacham* may also)."

Magen Avraham reasons (O.C. 170) that a *talmid chacham* must always drink modestly, turning his face aside, except for drinks other than water during a meal. However, according to *Eliyah Rabah* (ibid), Tosfos mean that the special behavior of *talmidei chachamim* is only for drinking water not during a meal. In other words, it is accepted everywhere that people eat and drink wine and beverages together. People are certainly not accustomed to gather to drink water. The disagreement concerns water during a meal, and other drinks outside of a meal. The *Eliyah Rabah* rules leniently, that a *talmid*

chacham only needs to avoid drinking water by itself in the public eye (see *ibid*, that he cites a source from *Piskei Tosfos* and see *Sha'arei Teshuvah*, S.K. 4).

An early *gaon* by the name of Rav Yaakov Yehudah Oysh of Prague wrote remarks on *Eliyah Rabah* (recently printed in the *Zichron Aharon* edition of the *Levush*) and offers a wonderful proof from Rashi to the *Eliyah Rabah*, that only drinking water not during a meal was forbidden.

The Gemara in Shevuos 40a recounts that once Reish Lakish was prevented from reacting to what Rabbi Yochanan said because he was drinking. Rashi adds that he was drinking water in the *beis midrash*. How did Rashi know that Reish Lakish was drinking water? It could only be that Rashi had a difficulty in understanding why the drinking prevented him from hearing Rabbi Yochanan. We must say that because of modesty he turned aside while drinking. Therefore Rashi concluded that he was drinking water, like the opinion of *Eliyah Rabah*, that a *talmid chacham* must turn aside only while drinking water not during a meal.

As for the halachah, *Birkei Yosef* asserts (ibid) that this halachah applies only to a few special individuals in each generation (like the opinion of Rabeinu Tam in Tosfos). However, *Mishnah Berurah* simply writes (ibid, S.K. 13): "It is not polite behavior for a *talmid chacham* to drink..." and he mentions the two aforesaid opinions but doesn't mention that this concerns only special people.