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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

The Gemara asks: But didn't Rabbi Avin, upon arriving [from Eretz Yisrael], state in the name of Rabbi Yochanan that the owner of a tree which overhangs a neighbor's field as well as the owner of a tree close to the boundary has to bring the bikkurim [to Yerushalayim] and read the prescribed text as it was upon this stipulation [that trees might be planted near the boundary of fields and even overhang a neighbor's field] that Yehoshua transferred the Land to the Israelites for an inheritance. [How then could Rabbi Yochanan describe this as a stipulation of Yehoshua when it was not included in the authoritative text of the Baraisa cited enumerating all the stipulations of Yehoshua?] — It must therefore be that the Tanna of [the text enumerating] the ten stipulations laid down by Joshua was Rabbi Yehoshua ben Levi.

Rav Geviha of Bei Kasil explicitly taught this in the text: Rabbi Tanchum and Rabbi Biryas stated in the name of a certain sage, who was Rabbi Yehoshua ben Levi, that ten stipulations were laid down by Yehoshua. (82a1)

The [following] ten enactments were ordained by Ezra: That the Torah be read [publicly] in the Minchah service on Shabbos; that the Torah be read [publicly] on Mondays and Thursdays; that Courts adjudicate on Mondays and Thursdays; that clothes be washed on Thursdays (to honor the Shabbos with clean clothing); that garlic be eaten on Shabbos eve; that a woman shall rise early to bake bread; that a woman must wear breeches; that a woman must comb her hair before performing immersion; that peddlers [selling perfumes] be allowed to travel about in the towns; and he also decreed immersion

to be required by baalei keri (those who have experienced a seminal emission).

The Gemora expounds upon each one of the enactments:

1. That the Torah be read [publicly] in the Minchah service on Shabbos.

This is because of shopkeepers [who during the weekdays have no time to hear the reading of the Torah].

2. That the Torah be read [publicly] on Mondays and Thursdays.

The Gemora asks: But was this ordained by Ezra? Was this not ordained even earlier? For it was taught in a Baraisa: *And they went three days in the wilderness and found no water*, upon which those who expound verses said: water means nothing but Torah, as it is stated: Ho! *Everyone who is thirsty, come to the water* (the Torah). As they went three days without Torah, they immediately became exhausted. The prophets among them thereupon rose and enacted that they should publicly read the Torah on Shabbos, make a break on Sunday, read again on Monday, make a break again on Tuesday and Wednesday, read again on Thursday and then make a break on Friday so that they should not be kept for three days without Torah.

The Gemora answers: Originally it was ordained that one man should read three verses, or that three men should together read three verses (one verse per person), corresponding to the Kohanim, Leviim and Israelites. Then

Ezra came and ordained that three men should be called up to read, and that ten verses should be read, corresponding to the ten unoccupied men (of the community; they were righteous, and did not work in order to perform community service and they ensured that there would always be a minyan for prayer services).

3. That Courts adjudicate on Mondays and Thursdays.

When people are found (in the cities), as they come to read the Torah.

4. That clothes be washed on Thursdays.

That the Shabbos may be duly honored.

5. That garlic be eaten on Fridays.

This is because of (the mitzvah of) conjugal relations, as it is written: *That brings forth its fruit in its proper time*. And Rav Yehudah, or as others say Rav Nachman, or as still others say Rav Kahana, or again as others say Rabbi Yochanan, stated that this refers to one who performs his marital duty from Shabbos eve to Shabbos eve. And the Gemora cites a Baraisa: Five things were said of garlic: It satiates, it keeps the body warm, it brightens up the face, it increases semen, and it kills parasites in the bowels. Some say that it fosters love and removes jealousy.

6. That a woman shall rise early to bake bread.

This is so that there should be bread for the poor.

7. That a woman must wear breeches.

This is out of modesty.

8. That a woman must comb her hair before performing immersion.

The Gemora asks: But this is a requirement of Biblical origin? For it was taught in a Baraisa: *and he shall bathe his entire body in water*. This teaches us that nothing can interpose between the person's body and the water that he is immersing in. *His (es) flesh*; the word *es* includes something that is secondary to his skin, and that is one's hair. [Why then had this to be ordained by Ezra?]

They said that as far as the Biblical law goes it would only have to be necessary to see that the hair should not be knotted or that nothing dirty should be there which might interpose, whereas Ezra came and ordained actual combing.

9. That peddlers [selling perfumes] be allowed to travel about in the towns.

This is for the purpose of providing adornments for the women so that they should not be repulsive in the eyes of their husbands.

10. He also decreed immersion to be required by baalei keri (those who have experienced a seminal emission).

The Gemora asks: But this is a requirement of Biblical origin? For it is written: *And a man from whom a discharge of semen has issued shall immerse his entire flesh in water?*

The Gemora answers: The Biblical requirement referred to terumah and sacred offerings and he came and decreed that even for [the study of] the words of the Torah [immersion is needed]. (82a1 – 83b1)

Ten special regulations were applied to Jerusalem: That a house sold there should not be permanently sold; that it should never bring a calf to be decapitated (eglah arufah); that it could never be made a condemned city (ir



hanidachas); that its houses would not become defiled through tzaraas; that neither beams nor balconies should be allowed to extend there; that no garbage dumps should be made there; that no kilns should be made there; that neither gardens nor orchards should be created there, with the exception, however, of the Garden of Roses which existed from the days of the first prophets; that no chickens should be raised there, and that no corpses should be kept there overnight.

The Gemora expounds upon each one of the enactments:

1. That a house sold there should not be permanently sold.

For it is written: *Then the house (that is not redeemed) that is in the walled city shall be made sure in perpetuity to the one who bought it, for his generations*, and he (the author of this statement) maintains that Jerusalem was not divided among the tribes.

2. That it should never bring a calf to be decapitated.

As it is written: *If a corpse will be found on the land that Hashem, your God, gives you to possess it*, and Jerusalem [could not be included as it] was not divided among the tribes.

3. That it could never be made a condemned city.

For it is written: *your cities*, and Jerusalem was not divided among the tribes.

4. That its houses could not become defiled through tzaraas.

For it is written: *And I will put a tzaraas affliction upon a house in the land of your possession*, and Jerusalem was not divided among the tribes.

5. That neither beams nor balconies should be allowed to extend.

This is in order not to form a tent of tumah, and not to cause injury to the pilgrims for the festivals.

6. That no garbage dumps be made there - because of the creeping creatures (that contaminate people and utensils through contact).

7. That no kilns be made there - because of the smoke (as it would blacken the city, which would diminish its beauty).

8. That neither gardens nor orchards be created there - because of the bad odor [of the dead plants and weeds].

9. That no chickens be raised there - because of the consecrated meat.

10. That no corpses be kept there overnight – this is known by an oral tradition. (82b1 – 82b2)

The Mishnah had stated: We may not raise pigs in any place.

The Gemora cites a Baraisa: Two Hasmonean kings (*two brothers; Hyrkanos and Aristobolus*) fought each other. Aristobolus was inside Yerushalayim and Hyrkanos laid siege to it. Each day, the besieged would lower *dinars* in a basket over the wall, and the besiegers would send up lambs for the daily offerings. There was, however, an elderly man there, who was well versed with Greek wisdom, who told them (*in a certain type of gesture-code*) that as long as the defenders engage in the sacrificial



service, they will not be conquered. On the following day, they lowered the *dinars* once again to them in a bag, but this time, the besiegers sent up a pig, and when the pig reached halfway up the wall, it stuck its hoofs into the wall, and *Eretz Yisroel* shook over an area of four hundred *parsahs*. At that time they declared: Cursed be the man who rears pigs, and cursed be the man who teaches his son Greek wisdom.

The *Baraisa* concludes: Concerning that year we learned that the *omer* was supplied from Gaggos Tzerifim and the two loaves from the valley of Ein Socher. (82b3)

INSIGHTS TO THE DAF

Importing Pork

Our daf relates that when a pig stuck its claws into the wall of Yerushalayim, and *Eretz Yisrael* quaked four hundred *parsah* by four hundred *parsah*, Chachamim decreed, "Accursed is one who raises pigs." The Shulchan Aruch (C.M. §409:2) rules, "A Jew should not raise pigs anywhere, and not even to oil leather and surely not for commerce."

The difference between pigs and horses: The Tosafos (s.v. lo yegadel) ask why Chazal needed to make such a decree since the Torah already forbids doing business or benefiting from tamei animals, such as neveilos and treifos. The Tosafos answer that the prohibition against doing business with tamei animals is only when they are edible. However, raising animals for other needs, such as using their fats to oil leather or buying and selling riding horses, is permitted. However, Chazal's enactment forbids raising pigs for any purpose whatsoever. (See Responsa HaRashba III §223, which prohibits raising other animals even for monetary gain because someone might come to eat their meat unintentionally. Only animals that are no longer edible may be bought and sold. See also Beis Yosef, Y.D. §117.)

DAILY MASHAL

During the Austerity Period in the early years of the State of Israel, the government wanted to import large quantities of pork to meet the needs of the non-Jewish population and for use as fodder for chickens. The Kol Mevasser (I §33) discusses this question and points out that indeed some poskim permit purchasing treifos and even pork for a non-Jew when the primary aim is not for profit, such as when a Jew employs non-Jewish workers whose livelihood is dependent upon him (see Shach, Y.D. ibid. S.K. 3 and Taz ibid.).

However, this is not a simple matter: although it is permitted to buy treifos when not for financial gain, some poskim (Pri To'ar, ibid.) maintain that if the reason for preferring the treif meat over the kosher meat is based on monetary considerations, this would be considered doing business with tamei animals.

The Bach's testimony about buying pork: Even in cases where the person buying the treif meat does not stand to gain monetarily, the Bach (Y.D. ibid.) writes that those who gave their workers pork "never saw any blessing from this since it is called 'accursed,' and he who heeds the warning of the Chachamim, will be blessed." The Terumas HaDeshen (§200) even writes that pawning pork from a non-Jew to guarantee repayment of a loan is an unseemly act.

Using pig products in manufacturing: However, in certain cases the poskim do not object to buying and selling pig products. The Sho'el U'Meishiv (Mahadura I, II, §159) permitted owners of a soap factory to use raw material containing pig fat that had already been delivered. Such composites are permitted since the pig fat is inedible and is not a separate entity.