



מסכת חגיגה
TRACTATE CHAGIGAH

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חוץ מחרש שוטה וקטן

Except for a deaf mute, a deranged person and a minor.

These persons are exempt from the mitzvah of ‘re’iyah’, appearing in the Temple Courtyard on the festivals.

Everyone agrees that at a certain age a minor is eligible for education in the performance of mitzvahs.

Rashi: Beyond this certain stage, the sages have placed an obligation on his father and mother to train him to do the mitzvah. But is the mother really obligated also?

RAkiva Eiger (BT Succa 2b) - Helena, the Queen, was responsible to ensure that her sons fulfilled the mitzvah of Succah.

Nazir 28b Mishnah states- Only a father can declare his son to be in the state of Nazirus, a mother may not. However, she is required only to teach him the mitzvahs he will be obligated to live by. The father is obligated for all mitzvahs, even theoretical ones written in the Torah. The best way to teach about the laws of Nazir is to practice them.

כּוֹפִין אֶת רַבּוֹ וְעוֹשֶׂה אוֹתוֹ בֶּן חוֹרִין

We force his owner to make him a completely free man.

A landlord wanted to evict a person who did not pay rent. The Rabbi of the town the Chidushei HaRim learned (from Chagigah 2b) that the burden was the landlord's and the man should not be evicted. The renter should give a promissory note to the landlord. The landlord said, if so, the community should all be asked by the Rebbi to contribute and pay the man's rent. The burden should not be on the landlord alone.

(Chagigah 2b) A slave who wished to buy ½ or more of his freedom is allowed to give a promissory note to his master. As a recent slave, the promissory note is most likely worthless, shouldn't the community pay from its funds, so the owner does not lose? The Gemara puts the entire burden on the master. So here the Rebbi ruled that the burden is on the landlord.

דְּכַתִּיב ,הַקֹּהֵל אֶת־הָעַם הָאֲנָשִׁים וְהַנְּשִׁים וְהַטַּף'

Gather the nation men, women and children.

The source for teaching women Torah is this Gemara. It is certainly not prohibited for women to hear Torah. If the men present are learning Torah, certainly the women present are also learning Torah, while they hear it read by the King.

However, the Shulchan Aruch says - A person should not teach his daughter written law (Torah) in depth. However, it is permissible to learn written law at Hakheil, because only the King read it. He did not provide an in depth analysis.

בַּת־נְדִיב' בְּתוֹ שֶׁל אַבְרָהָם אָבִינוּ שְׁנִקְרָא נְדִיב

O daughter of the Noble. The daughter of Abraham, our father, who is called Noble.

When the Beis Hamikdash stood, people excelled in learning, davening and also in charity.

How do we know they excelled in charity?

When they come up to Yerushalayim for the festivals, they brought with them Maaser Sheni, Maaser Ani and Maaser Beheimah, etc. Those who owned a lot of land or animals had to bring a lot. They could not consume it all, so they shared with those who did not have enough. Therefore, their charity was great in those days.

תָּנוּ רַבָּנַן אֵיזְהוּ שׁוֹטֵה

The Rabbis taught in a Baraisa: Who is a deranged person?

Who is a Shoteh? (a fool or a mental incompetent)

He, who goes out alone at night; one who spends the night in the cemetery; one who tears his garments.

R Huna says - All these acts must be done together for him to be considered incompetent.

R Yachonan says - Even if he does only one of them

Rambam: (Hilchos Eduth 9:9-10)- A person who is mentally deranged is not subject to the commandments and cannot serve as a witness. These examples are only illustrations. Any type of manifestly irrational behavior constitutes mental incompetence.

תָּנוּ רַבָּנָן אֵיזְהוּ שׁוֹטֵה

The Rabbis taught us who is a deranged person.

Some say there are 3 criteria:

- goes out at night alone
- spends the night in a cemetery
- tears his garments.

Rambam - A person who walks naked or breaks utensils or throws stones or has mental confusion or does not recognize things that contradict each other. His thought processes show confusion and loss of inhibition.

The definition is important because such an individual is disqualified as a witness on the basis of mental incompetence and is exempt from the obligation of fulfilling the Mitzvahs of the Torah.

Since the definition is given in varied forms, it is deduced that the items enumerated are not exhaustive but are illustrative and designed to teach us that any form of irrational behavior serves to establish that person as acting in a manner that is mentally incompetent. How can he clear that designation later? How do we deal with temporary conditions such as epileptics or hypoglycemics.

אִי זֶהוּ שׁוֹטֵה הַמְּאִיֵּד כָּל מֵה שְׁנוֹתָנִים לוֹ

What is the characteristic of a fool. He is a person who habitually loses that which he has been given.

We have been given a priceless gift, time, and to not act foolishly, we must not lose it. We must use it wisely and productively.

The Chofetz Chaim often took people to task for not studying more. If he saw an expensive and unnecessary ornament or carpet or furniture, he would cry out, "I don't see a carpet or drapes or fancy clothes, I see pages of Gemara that you did not learn while you spent your time earning money to buy these things".

„וְלֹא-יָבִילוּ בִּי גְבוּהָלוֹ מִפְּנֵי”

And they could not respond to him (Gen 45:3).

When Joseph revealed himself, his brothers were astounded.

Why were the brothers speechless even before Joseph rebuked them. When Joseph said, “I am Joseph”, that was the rebuke, in and of itself.

At that moment the brothers were immediately faced with the reality that they had totally misunderstood Joseph and had not appreciated him for who he was. He was beloved of HaShem

Yaakov had correctly favored Joseph and prepared him for leadership. Joseph’s dreams were, in fact, true premonitions of Royalty and prominence.

The brothers were overwhelmed and in awe, as to how wrong they were. It is a powerful lesson for all of us, to be careful as we judge the potential of our friends and even, of ourselves. Do not underestimate and do not let opportunities pass you by. The value of each opportunity is hidden from us., Where will it lead? What other heights we can reach?

לָמָּה הִרְגִּזְתָּנִי לְהַעֲלוֹת אֹתִי

Why did you disturb me, to raise me up?

Saul raised Samuel from the dead to inquire about the outcome of the war. Why was Saul permitted to benefit from a corpse? Obviously to teach us that it is permissible to learn from a corpse, as long as you do not take any parts of the corpse away.

The prohibition is to not disgrace the body of the deceased. An autopsy is permitted only if:

Noda B Yehudah - There is another deathly ill patient who will immediately need the information and not merely to gain theoretical knowledge.

Chasam Sofer - To save a life.

Teshuvos Machaneh Chaim - If no parts are taken, you have not disgraced the body.

שְׁלֹשָׁה הַקְּדוֹשׁ בְּרוּךְ הוּא בּוֹכָה עֲלֵיהֶן בְּכָל יוֹם

There are 3 types of people over whom God cries every day.

These are the three:

1. The person who can learn, but does not.
2. The person who can't learn and does. God suffers with his frustrations.
3. The person who lords his position over others.

כָּל הַיּוֹבָא דְגָדוֹל מִיַּחְיִיב מִדְּאוּרֵייתָא
קָטָן נִמְי מְחַנְכִּינֵן לֵיה מִדְּרַבָּנָן

Wherever an adult would be obligated to perform a Mitzvah under Biblical law, he is obligated to train his child under Rabbinic law.

A child needs to be taught that which he will be obligated to do later in life

If an adult is obligated to perform the mitzvah, it is the adult's obligation to teach that to children.

A child was asked, if, when he went home to eat on Yom Kippur, did he have to make Kiddush?

The child answered, “When I will be an adult, I will certainly fast on Yom Kippur and not make Kiddush. Therefore, it is not education for me to learn that which I will not be doing when I grow up”.

כָּל הַיּוֹכָא דְגָדוֹל מִיַּחְיִיב מְדַאֲוֵרֵי יִתָּא
קָטָן נִמְי מְחַנְכִּינָן לֵיה מְדַרְבָּנָן

It is not proper to teach a minor that which will be forbidden to him when he becomes an adult.

Exempt individuals.

The exception is used to permit sending a person for therapy or training, to an institution that does not provide kosher food. But is this not “training” that violates halachah, i.e., teaching a minor to do something that will be forbidden to him when he becomes an adult?

No, here the treatment or therapy is designed to improve him so he can partake in more mitzvahs. Even though the means used would not be permitted for an adult, they are permitted to him since they are done for mitzvahs in the future.

אלו דברים תנן הֵתָם שֵׁאִין לָהֶם שִׁיעוֹר

These are the items, for which there is no limit.

This is true regarding kindness done by physically assisting others, but regarding financial gifts there is a limit. A person may give no more than 1/6th of his possessions to charity (Kesuvos 50a). The Vilna Gaon says that this limitation, of 1/6th is a Rabbinic guideline, but in reality there is no limit.

In Nedarim 39b, we find that visiting the sick has no limit and this means you could visit a sick person even 100 x / day. Why is this not listed among those items that have no limit? Because it is included in the category of Gemelos Chasadim.

שְׁלֹשׁ רַגְלִים בַּשָּׁנָה נִצְטָווּ יִשְׂרָאֵל לַעֲלוֹת בְּרֶגֶל

Three times a year the Israelites must go up by foot.

Does it mean that if you ride up to Jerusalem, you are not fulfilling this mitzvah? It counts only if you go up by foot?

R Moshe Feinstein says- No, you fulfill the mitzvah even if you ride. The word ‘regel’ tells us – ‘baregel - on the holiday’ - to do so at the onset of the holiday, not on Chol Homoed or on the days after Shavuos. If not on foot, you must ride up before the holiday actually begins.

וְשִׂמְחַתְּ בְּחַגֶּיךָ,

And you shall rejoice on your festivals. (Deut 27:7)

Rashi – (Pesachim 109a) ‘There is no rejoicing without meat’. This means eating the flesh of the offerings of the Bais Hamikdash. Today we fulfill this mitzvah by eating meat of any kind.

Rav Shlomo Auerbach - If you don't eat meat, you have not fulfilled the mitzvah, 'b'hidur', in a befitting manner. Therefore, we eat meat.

Rambam, Bach, Magen Avraham - All say it is an absolute duty to eat meat on Yom Tov.

Shaagas Aryeh says- You fulfill the mitzvah by eating anything you enjoy.

Darchei Teshuva rules- Therefore, one must not eat exclusively dairy products on Shavuos.

Maharshal - We must eat meat also on Shavuos.

וְשִׂמְחַת בְּחַגְגֵיךָ,

And you shall rejoice on your festivals.

The obligation to eat meat on Yom Tov is learned from this.

The ritual slaughterer (the only one) of a town fell ill prior to Pesach. A second person had knowledge, but had not been ordained, i.e., received Kabbalah.

Rule: We waive Kabbalah in order for the community to have meat as required for Simchas Yom Tov,.

Conversion to Judaism of a vegetarian who refuses to eat meat:

The failure of a candidate to accept any provision of Jewish law, invalidates the conversion or at least causes the person, if he becomes Jewish, to sin . However, have we not caused him to sin, since, had he not been converted, his actions would have been permissible? Therefore, those who aid him in converting, have a sin of placing a stumbling block before him.

Meat is a requirement intrinsic to a Seudat Mitzvah.

It is felt to be necessary for a Bris Milah.

Fowl or salted meat does not satisfy the requirement.

וְשִׂמְחָתָּ בְּחַגֵּיךָ

And you shall rejoice on your festivals.

Where do we learn to make a festival meal in conjunction with a Bris Milah?

Gen 21:8, “and Abraham made a great feast on the day that Isaac was weaned (hagamel)”.

“Hagamel” is a combination of Heh = 5 + gimel = 3 total of 8 and the word ‘mal’ means be circumcised.

Therefore, we learn as we read the sentence, “And Abraham made a great feast on the 8th day when Isaac was circumcised.”

Pirkei de Rabbi Eliezar
Tosophot Shabbat 130a
Parshat Lech Lechah

תְּשֻׁלוּמִין לְרֵאשׁוֹן

Compensation for the next day.

Tisha B'Av fell on a Shabbos and was, therefore, pushed off to be observed on Sunday, the 10th of Av.

A boy become Bar Mitzvah on the 10th of Av. Should we rule that on the day the obligation to fast occurred (the 9th), he was still not obligated and therefore, should not fast or since he is of age on the day of the fast, he must do so?

The Bais HaMikdash was still burning, in fact most of it burned on the 10th of Av, therefore, it is appropriate for him to fast on the 10th.

However, if we say that in the original enactment the obligation to fast was placed on the 9th day regularly (but changed to the 10th day if the 9th was Shabbos). The “compensation day” is really the primary day of obligatory observance and he must fast on Tisha B'Av.

וְאִינוּ דוֹמֵה שׁוֹנֶה פֶּרֶקוּ מֵאָה פְּעָמִים
 לְשׁוֹנֶה פֶּרֶקוּ מֵאָה וְאַחַד

He, who repeats his chapter a hundred times, is not to be compared to he, who repeats it a hundred and one times

Rashi: Although they both are righteous, they do not serve God equally. The latter one serves him better.

“The second person includes, the One, the Almighty as his aid”, said Menachem Mendel of Kotzk.

Pa'am - 'Time' is of feminine gender.

Echad - 'One' is of masculine gender.

All of our studies should be with God included. The studies should be ethical for the sake of the principles a God fearing person should have and with a prayer to have God's help in the success of our studies.

וְאִינוּ דוֹמָה שׁוֹנֶה פְּרָקוּ מֵאָה פְּעָמִים

לְשׁוֹנֶה פְּרָקוּ מֵאָה וְאַחַד

He, who repeats his chapter a hundred times, is not to be compared to he, who repeats it a hundred and one times.

Review, until one knows his studies – even 101 times.

Review to the extent that if you are asked a question, you will be able to answer immediately.

Mishle 7:4 “Say to wisdom, you are my sister”. This alludes to the fact that a person should become so familiar with Torah, to the level that he knows halachahs clearly. As clearly as he is certain that he may not marry his own sister.

יָאָה עֲנִיּוֹתָא לִיהוּדָאֵי
כִּי בִרְזָא סוּמָקָא לְסוּסֵיָא חִינּוּרָא

It is fitting that the Jewish people have poverty, just as we adorn a white horse with a red harness.

What does it mean that poverty is good for the Jewish people?

Notice it does not say that poverty is good; the word, ‘Ya’ah’, can mean fit or good. The words can be read that the Jewish people should have a “good poverty”, i.e., they possess the essentials, but do not suffer a demeaning or demoralizing poverty.

Not too much, but also not too little, a good type of poverty

Another interpretation of this passage: Poverty should not be the word here, but humility. It is fitting for the Jewish people to adorn themselves with humility and wear it prominently when we go out. Do not show off your possessions.

יָאֵה עֲנִיּוֹתָא לִיהוּדָאֵי
כִּי בִרְזָא סוּמָקָא לְסוּסֵיָא חִינְרָא

It is fitting that the Jewish people have poverty, just as we adorn a white horse with a red harness.

Poverty fits Israel like a red harness for a white horse. When Jews look poor, it pleases the gentiles and they do not harm us because of envy.

Rabbi Saul Weiss

מִיֵּן שְׁנִשְׁבַּעְתִּין לְקַיִים אֶת הַמִּצְוָה

Where in the Torah, do we derive that we vow to fulfill a Mitzvah?

I do hereby swear that I will follow your righteous ordinances.

Taking an oath to fortify ones' mitzvah observance seems superfluous and might be using the name of God unnecessarily.

David Hamelach said, - "I have taken an oath to do a mitzvah and I will fulfill it".
Once the mitzvah is done, he has fulfilled two laudatory activities the Mitzvah and the oath.

Before Yaakov died, he asked Joseph to bury him in Eretz Yisroel and to take an oath to affirm his commitment.

Therefore, we see taking an oath to observe a mitzvah is allowed and fulfilling your oath and fulfilling the mitzvah, earns you reward for each.

טָבָא חֵדָא פְּלִפְלִתָא מִמְּלִי צִנָּא דְקָרִי

Better one gram of pungent pepper than a basket full of pumpkin (melons).

Comparing a ‘Sinai’ to an uprooter of mountains, which is a preferable type of scholar?
A ‘Sinai’ is a single focused source of knowledge compared to a mountain range, i.e., a library of books, which together contain the knowledge. A sharp mind with a sharp focus is better than a bag of books, i.e., knowledge without focus.

A pepper is small but adds much as a condiment to the pleasure of a meal and brings out the taste of other items. Melons are plentiful but very mild. Better a sharp mind with focused knowledge, than an average mind with broad, but not as deep, information.

For example, I encourage students to choose one great book and devour it, rather than to try to read multiple books.

מֵיִם שֶׁכָּל גּוּפוֹ עוֹלָה בָּהֶן וְכַמָּה הֵן

An amount of water where his entire body can enter.

How much is that?

Shape of a mikvah.

The minimum size of a mikvah is 1 x 1 x 3 amos. It will contain 40 seah. Can it be round?

Rambam says - Shape is not important, as long as it contains the requisite amount of water.

Common custom is to build the mikvah in the shape of an “end mem” (Kabbalistic).

However, if circumstances dictate, a mikvah of any shape, even round is permissible.

The width of an average person is 1 amah and his height 3 amos. Thus, if he would immerse himself in a mikvah 1 x 1 x 3 amos tall, filled with water to the height of 3 amos, he would displace enough water to cover his head.

מִיָּם שֶׁכֶּל גּוֹפּוֹ עוֹלָה בְּהֵן וְכַמָּה הֵן

The secret of Mikvah water.

Just as a flowing brook transforms a person from being impure to becoming pure, so too the Torah has the ability to purify a person (Berachos 16a).

Water's best effect occurs when the person is totally immersed in it - so too, with Torah.

The Mikvah must be 3 amos tall, which corresponds to the 3 elements of a person; soul, spirit and neshamah. Actions, speech and thoughts should all be immersed in Torah.

The volume of 40 seah comprises 960 kav and 960 kav can purify an entire creature (Yerushalmi Terumos 10:8 Mishnah).

Can a community share its mikvah with Conservative or other denominations?

No, it creates a stumbling block. We can't assist a non-halachically converted Jew, since he may mistakenly be accepted in the community as a Jew for Halachic purposes, and this may foster intermarriage.

אֵין דּוֹרְשֵׁין בְּעָרִיּוֹת בְּשִׁלְשָׁה

The laws of forbidden unions may not be studied by three people.

Places a limit on the number of students that may be taught certain topics in the Torah.

Forbidden unions - Not 3

Maaseh Bereshis - creation - Not 2

Maaseh Merkavah - account of the chariot- Not 1

Whoever studies certain things, it is better had he never been born.

What is above, below, before and after.

And whoever has no regard for the honor of his creator, it is better had he not been born.

Above – the heavens above- his ability to comprehend.

Below - the earth.

Before – prior to creation.

After - after the end of the world.

God gave you a limited ability to comprehend. Have respect for God's judgment. Don't force yourself to learn more than you are capable of – you will harm yourself.

עַל עַמּוּד אֶחָד וְצַדִּיק שְׁמוֹ, וְצַדִּיק יְסוּד עוֹלָם׃

The world rests on a single pillar - righteousness.

R Yose - The world stands on three pillars: Torah study, service to God, and kind deeds.
These categories encompass all the Mitzvahs of the Torah.

רִישׁ לְקִישׁ אָמַר שְׁבַעָה וְאֵלּוּ הֵן

Resh Lakish - says there are seven heavens and these are:

Curtain – Encloses morning and night and renews creation daily.

Sky - The heaven where the sun, moon and stars are fixed.

Mills - Grind manna for the righteous.

Residence-Where Jerusalem of Heaven is located, the celestial Beis HaMikdash and alter.

Abode - God cares for the orphans and widows, where groups of ministering angels sing.

Arsenal- Of tribulations, but also of God's goodness. Korbanos are offered here.

Plains - Treasures of life, peace , blessing the soul of the righteous and those yet unborn.

So we see that when one performs Tzedakah to widows and orphans, he is achieving a mitzvah even greater than giving offerings in the Beis HaMikdash. Now we understand why it says so, in Succah 49b.

אין מוסריין דברי תורה לעובד פוכבים

One may not teach Torah to an idol worshipper.

Teaching Torah to a gentile:

We are not to teach Torah to a gentile. It is prohibited for a gentile to study Torah. If he does, he has a moral sin (San 59a). A Jew must not be the vehicle by which the gentile sins.

May we teach the following:

No- intricacies and details of laws

No-in depth and intricate aspects

No-its profundities

Yes- single guidelines of Jewish law

Yes- general halachahs

Yes-how to resolve discrepancies between different topics.

Yes- teaching Torah to people whose Jewish status is not known? Simple Torah, that might apply to them, if they actually are Jewish.

Yes-for the purposes of sincere conversion.

Yes-in response to a request for information.

References to:

-intensity

-regularity

-mixed audiences

-purely intellectual

-under coercion – Rabbi Oshrei in Auschwitz

-Christians vs Muslims

אין מוסרין דברי תורה לעובדי כוכבים

We are not to teach Torah to idol worshippers.

Teaching Torah to non-Jews is forbidden.

Why?

In Isaiah 2:2-3 - “Many nations will come and say – ‘Let us go up to the house of Jacob and be taught God’s ways and we will walk in his path.’”

Was not Abraham known as father to a multitude of Nations?

Why this xenophobic reluctance to teach the truth, the Torah?

Rambam - Total exclusion.

Rav Israel Salanter, founder of the Mussar movement, tried to put Talmud studies in the universities of Europe.

- Deut 33:4 “It is an inheritance for community of Jacob”, not others, who if they study, are appropriating something that does not belong to them.
- The word ‘morashah’, means ‘inheritance’ and could be vowelized as ‘m’orashah’, ‘betrothed’ to the community of Jacob. Therefore, others who use it are to committing adultery.
- Torah Study is for purposes of implementation, not an abstract study. A non-Jew is under no obligation to observe and therefore, subverts the purpose of Torah study if done for mere intellectual curiosity.
- A non-Jew, who knows the Torah, may fool Jews into thinking he is a Jew.
 - May harm the community by misrepresenting Jewish teaching.
 - May find missionary work easier that way.

אֵין מוֹסְרִין דְּבָרֵי תוֹרָה לְעוֹבְדֵי כּוֹכָבִים

We are not to teach Torah to idol worshippers.

Why can we not teach Torah to non Jews?

It is prohibited to sell him books on Torah (Bava Kamma 38b).

It is prohibited to sell him Techeles (Menachos 43a).

Heretics often try to capitalize on whatever little learning they have, to defame the sages and undermine the Jewish community.

If a non-Jew could pass himself off as a knowledgeable Jew, i.e., knows some Torah and/or is wearing Techeles, he could easily fool a Jew on the road, gain his confidence and then harm him.

Actually, this limitation of teaching only pertains “to idol worshippers”.

לְבוּשָׁה כְּתֵלַג חֹרֶר

“His garment was white as snow” (Daniel 7:9).

Rashi (BT Shabbos 143) - The garment that has tzitzis on it, should be white.

HaShem wears a white talis (BT Rosh Hashana 17) – God put on a talis to teach Moshe Rabbeinu the 13 attributes of mercy.

In our efforts to emulate HaShem, we also wear a white talis.

A common custom amongst Ashkenazim, is to have black stripes, to serve as a reminder of the Techeles color.

חַד אָמַר שֵׁשׁ מֵאוֹת סְדְרֵי מִשְׁנָה וְחַד אָמַר
שִׁבְעַת מֵאוֹת סְדְרֵי מִשְׁנָה

One said there are 600 sidre Mishneh and another said 700 sidre Mishneh.

We now have 6 sidre Mishneh. What was the content of those 6-700 and how much more do we have to learn?

Chofetz Chaim said - It is not that there were other subjects of which we have not heard, rather there were enough Mishnayos topics to fill 600 or 700 volumes of books. As we see, more and more books on these topics are added to by each generation.

Another interpretation: Until Hillel and Shammai, a central Rabbinat decided controversial topics. After these, no central court could be convened. Therefore, different Tannaim kept records of their personal decisions and those of previous generations on disputed points called a Mishnah. Each reflected the rulings of only one school. When R Yehudah Hanasi redacted the 6 orders of the Mishnah we have today, he did so based on the 600 -700 collected from the different schools.

וְחִישֵׁינָן שְׁמָא בְּאַמְבְּטֵי עֵיבְרָה

And we think, perhaps she became pregnant from the bath water.

Discussion regarding a Kohen Gadol marrying a pregnant virgin.

If a virgin became pregnant, what is her halachic status in regard to marrying a Kohen Gadol?

1. It is possible to cohabit, yet the hyman is not ruptured. If that occurred, she is not a virgin.
2. A man had ejaculated into the bath before her, semen entered her womb and she became pregnant (there is a report of such an occurrence). She is still a virgin.
Implication regarding:
 - Marrying a Kohen Gadol
 - Staying married to a Kohen Gadol, who learns after marriage that though the hyman is intact, his wife had been pregnant before.
 - Paternity of the child, if the woman is married to another man.

This is relevant today, in regards to artificial insemination.

וְחַיִּישֵׁינָן שְׁמָא בְּאַמְבְּטֵי עֵיבָרָה

And we think, perhaps she became pregnant from the bath water.

However implausible conception by these means may seem to moderns, this Talmudic source clearly contemplates the possibility of conception without sexual intercourse. Its simple meaning is that artificial insemination, neither invokes prohibitions, nor leads to illegitimacy, adultery or incest.

Rabbi Moshe Feinstein bases his permission to use donor insemination on this source, noting that it specifically classifies the child as legitimate.

The problem that the child might unknowingly marry one of his prohibited relatives, is raised wherever artificial insemination occurs from a donor and not the husband. And consequently, the increase the risk of genetic defects. This can, in the case of egg donation (not the wife), is solved (to some extent), if the donor is not Jewish, since the same donor may have donated to many couples. Today intermarriage is rampant. Therefore we should check the DNA of couples before marriage.

תָּזָא מֵיִטְטָרוֹן

Acher – Elisha ben Abuyah

He saw the angel Metatron.

The incident that led Acher to stray from HaShem.

He saw Metatron and since Metatron was sitting, which was forbidden in the orchard, Acher thought that Metatron must be above the law, a quasi or an actual god. It is heretical to believe there are two gods. Acher reached beyond his mental capacity to try to grasp the truth. He jumped to a conclusion that there was dualism, like in Zoroastrian beliefs, one a god of good /light and one a god of bad/darkness, or like Gnosticism, a superior and inferior god.

Gemara (Sanhedrin 38b) states that the gematria of Metatron is the same as Shaddai.

Rambam (Ex 12:21) notes that Metatron is the agent of God, but warns ‘be careful’. Elisha ben Abuyah was not sufficiently careful.

Because of this wayward thought, God said, “Return my wayward sons, except Acher”.

Acher thought that he could not ever repent. So he said, “Since I have no way to achieve the ‘world to come’ I will indulge in the pleasures of this world”. He forgot that the gates of repentance are never closed.

What was the explanation?

What was the explanation that R Akiva used to avoid looking at the Divine presence?

Rabbah bar bar Channahor or Yochanan – A unique symbol “in his myriads”, (Deut 33:2) means God can be known through a myriad of events.

R Abahu - The likeness of man to God. God can be known by examining the body and soul of man.

Reish Lakish. - God would be perceived as the sole master the master of legions, i.e., through their activities.

R Chiya bar Abba in or Yochanan - God is not in wind, earthquake, or fire. Only look for God in the small thin sound.

Benazzai, Benzonia and Acher tried to perceive God directly, which is very dangerous and humanly impossible.

Ex 33:20 - “Man cannot see me and live.”

Therefore, Ben Azzai died.

Ben Zoma became mentally unstable.

Acher became a heretic.

R Akiva entered in peace and exited in peace. He tried to know God indirectly from Gods creations. That is how God wants us to know him and R Akiva was, therefore, successful,.

אֲבֵנֵי בֵּיתוֹ וְקוֹרוֹת בֵּיתוֹ שֶׁל אָדָם הֵם מְעִידִין בּוֹ

The materials of a person's house came to testify regarding his deeds.

This is interpreted to mean that “the walls have ears”. They will speak up on Judgment Day, if the person does not tell the whole truth.

It may also mean that you can tell a lot about a person by what he/she has in their house.

פז"ר קש"ב

The uniqueness of Shemini Atzeres.

How does Shemini Atzares count as a festival by itself, in relation to the mnemonic P, Z, R - K, S, B?

P- Pur- as the Kohanim would draw lots.

Zeman - a new shehechyanu is recited, even though it was said on Succos.

Regel - it is its own holiday.

Korban - bringing a special set of korbonos.

Shirah - the song of the Levites is different from that sung on Succos.

Berachos - they blessed the King.

What is the great simcha of Simchas Torah? It is not for the learning accomplished last year, because we see that everybody rejoices, no matter what he has or has not achieved. It is rather the joy of a new beginning; a fresh start that each person receives.

דְּחֻלּוֹ שֶׁל מוֹעֵד אָסוּר בְּעִשְׂיֵית מְלָאכָה

We are not allowed to work on Chol Hamoed.

Unless:

1. It is something that will cause a loss if not done now.
2. It is work necessary for the festival itself.
3. Work done by a laborer, who has nothing to eat.
4. Serves the needs of the community.
5. Work done in a non-professional manner.

What is the rule regarding the work of recording Torah thoughts on Chol Hamoed?

If performing labor is allowed to avoid a financial loss, it should certainly be permitted and encouraged to record words of Torah, which are even more valuable and precious.

דְּחֻלּוֹ שֶׁל מוֹעֵד אָסוּר בַּעֲשִׂיית מְלָאכָה

We are not allowed to work on Chol Hamoed.

Rashi - Rif - Question: Is the ban on work on Chol Hamoed from the Torah or a Rabbinic prohibition?

Tosofos asks: Where do we see that a proscription against work is waived? “If to not work will result in a financial loss”. Therefore, the prohibition must come from the Rabbis.

Mishnah Berurah compromises and says the ban is from the Torah, but in the ban, the Torah gave authority to the sages to make exceptions and so they did.

דְּחֻלּוֹ שֶׁל מוֹעֵד אָסוּר בַּעֲשִׂיית מְלָאכָה

It is prohibited to perform work on Chol Hamoed.

Wearing Tefillin on Chol Hamoed.

Rasba - Prohibited working and prohibited the wearing of Tefillin.

Ritva - No restriction, may wear Tefillin.

Yerushalmi - Should wear Tefillin.

Yosef Karo - Custom was to wear Tefillin, but not any longer.

Shimon Bav Yochai in the Zohar - Prohibited wearing Tefillin.

Remae - Rav Moshe Isserles - Wear Tefillin and make the bracha quietly.

Mishna Berura - Wear Tefillin without a bracha.

Taz - Wear Tefillin without a bracha.

Our custom is to wear Tefillin without a bracha.

חומר בקדש מבתרומה שמתבילין בלים בתוך בלים

The stringency of Kodesh over Terumah is that we may immerse vessels within other vessels,

for Terumah but not for Kodesh. For Kodesh, we must immerse separately.

If the outer vessel is impure, the immersion is efficacious in making both the outer and inner vessels purified for Terumah and Kodesh. However, if the outer vessel is pure the inner cannot become purified. If the outer vessel is already pure, it cannot conduct the purity of the Mikvah into the inner vessel.

Reb Levi Yitchak of Berditchev said, “This is why great people add additional obligations to their requirements, so they make it harder to be holy. If they are not completely holy, they can, like the impure vessel, convey holiness to their followers. If they were completely holy, they could not convey holiness to others.”

תְּרוּמָה נִמְי הוּא לִיה אִיבָה

Keeping the peace in the community regarding Terumah, also he will hate us.

A Jew, ignorant of the laws of the Torah, an am haaretz, might not be sufficiently careful regarding the rules of ritual purity. Therefore, the vessels he handled were considered impure and we would not accept them. Neither would we accept his Trumah, since he might have immersed the vessel improperly.

However, some exceptions were made

- the wine he contributed to the alter.
- the amount he donated for flour offerings.
- vessels he brought from home to collect ashes or water in the purification process of the red heifer.

Rav Yossi: If we do not, the am haaretz might feel so excluded that he hates the Rabbi's and might be tempted to establish his own alter and burn his own red heifer.

The am haaretz' testimony is accepted. He is part of a Zimon and a minyan.

Even though, (in Berachos 47b) it says that Torah Scholars should not include an am haaretz in their Zimon. Rabbi Yitzchak says, "We should not be so arrogant as to count ourselves Torah scholars who need to exclude the am haaretz. We are just regular people and were not enjoined from sharing with them.

בוֹשָׁנִי מִדְּבָרֵיכֶם בַּיִת שְׁמַאי

I am ashamed of your words, Bais Shammai.

Speaking with disrespect.

Reb Yehoshua said, “I am ashamed of your words Bais Shammai.”

Reb Yehosuh had argued in a very demeaning manner with Bais Shammai.

A Rabbi disagreed with the Chazon Ish and felt that therefore, he might be unwelcome amongst his students. Reb Moshe Feinstein reassured him, “Remember Chagigah 22 .”

Rav Yehoshua fasted until his teeth became blackened for having insulted Bais Shammai. One can always disagree. No one ever expected not to have other scholars disagree with him, but it must be done in a respectful manner, with Derech Eretz. Then, there is nothing to ask forgiveness for or to be ashamed.

(In Bava Basra 130) Rava tells his students they are free to disagree with him in cases that they judge, because a judge must use the understanding that he possesses. However, they should try to consider what Rava’s position might be, because they might gain a special insight by doing so.

חֲבֵרֵי יִיא מִדְּכֹן בְּגָלִילָא מִנִּיחִין וְלִכְשֵׁיבָא אֵלֵיהוּ וַיִּטְהַרְנָה

In Galilee, the people prepare wine and oil in preparation for when the Elijah will come and purify.

Waiting for Moshiach.

The Chafetz Chaim was careful not to accumulate unnecessary worldly goods, but he had a special frock coat that he never put on, explaining he had it ready in order to greet Moshiach properly.

He was asked, “why?” Since the Gemara tells us that Eliyahu Hanavi will come 3 days before Moshiach, the Chafetz Chaim would have time, in those 3 days, to buy the coat. The Chofetz Chaim responded, “We all know that our forefathers were supposed to be in Egypt 400 years and were only there 210. Moshiach could come suddenly (Sanhedrin 97a). I can’t rely on the precision of the prediction. Therefore, I chose to be ready and not take any chances”.

וַיֵּאָסֶף כָּל-אִישׁ יִשְׂרָאֵל אֶל-הָעִיר כַּאִישׁ אֶחָד חֲבֵרִים׃

Any every male gathered into the city like one person, like friends (Judges 20:11).

We see from this verse that when Jews gather in one place, Scripture considers them all to be ‘chaverim’, ‘friends’ even though among them might be some of am haaretz status.

There are several ways to observe the 33 days of mourning of Lag B’omer. Some start at the beginning and end at Lag B’omer. Others start on Rosh Chodesh Iyar and continue until Shavuos.

A community should be cautious that members of the community all follow one custom. Don’t divide the community into different factions - be like one person, like friends.

עֲבָשׂוּ שְׁלֻחָנוֹ שֶׁל אָדָם מִכִּפּוּר עָלָיו

During the time in which the Holy Temple stood, the alter would atone for a person.

However, now a person's table makes atonement for him.

Rashi - By means of hospitality to wayfarers.

Berachos 55a - He who prolongs his stay at his table – prolongs his days and years.

R Yisroel Salanter - “I have seen people stand outside of a Shul calling out to people, ‘Kedushah, kedushah, come in and join us’, but I have never seen a person stand outside of a house calling out, ‘Seudah seudah, come in and join us’ ”.

בְּזִמְנֵי שְׁבִית הַמִּקְדָּשׁ קָיִים מְזַבְּחֵי מִכְפָּר עַל אָדָם

In the time of the Bais Hamikdash, it atoned for a person. Now, a person's table atones for him.

The table in a home hears the brachos, kiddush, hamotzi and benching. The table was witness to the tzedakah given by writing checks to yeshivas, organizations for the poor and where the hungry or visitors were fed.

There was a time when the people requested that the boards of their tables be used to make a box for their burial, so it could testify for them in Heaven. This is further testimony that a person takes nothing with him after he dies, except the charity he performed and the kindness he dispersed.

דְּכַתִּיב הָרְמוֹן רַקְתָּי

As it is written, like a section of pomegranate are your temples.

Don't read 'temples' read 'rakanim', your empty ones.

“HaShem remembered Noah” (Bereshis 8:1) - for taking care of the animals for 12 months. Why was he not remembered for being a completely righteous person, “Who walked in the way of God” (Bereshis 8.9)?

“HaShem remembered Rachel” (Bereshis 30:22)- for being silent as her sister Leah was taken to marry Jacob. Why was she not remembered for being the matriarch who built the Nation of Israel?

This is to show us that people are complex. They are not good or bad for one item alone, but have many aspects of life that can be viewed and judged. As our Gemara says, “Even transgressions among the Jewish people are filled with Mitzvahs, just as the pomegranate is filled with seeds.” Each person has multiple facets.

דְּכַתִּיב הָרַמּוֹן רִקְתֵּךְ

As it is written, like a section of pomegranate are your temples

The Chafetz Chayim would say anyone who does any single mitzvah acquires a heavenly advocate.

Once upon a time, there was a simple person who spent all his days studying only the tractate Chagigah. When he passed away, a woman came to town whom no one knew and cried bitterly at the funeral. When she was asked who she was and why she cried so bitterly, she answered, “My name is Chagigah and this man honored me and saved me from being alone, abandoned, and forgotten.” After the funeral she disappeared and was never seen again. Imagine to what extent she petitions on his behalf up in Heaven.

Hadran Alach Massechet Chagigah V Hadrach Alan