

OVERVIEW of the Daf

1) **MISHNAH:** The Mishnah discusses the blemishes that disqualify a kohen from serving in the Beis HaMikdash.

2) Bechor blemishes

The Mishnah's statement that animal blemishes are considered blemishes for people is challenged on two counts.

The Gemara answers that they are connected by virtue of a *gezeirah shavah*.

It is noted that the *gezeirah shavah* is based on extra words.

The Gemara confirms that the *gezeirah shavah* is based on an extra word.

It is suggested that the blemishes should be listed in one context or the other but they should not be divided between the two contexts.

Unable to resolve the matter the Gemara concludes that the Gemara repeated the blemishes without intent to teach anything.

Rava explains why it was necessary for the Torah to teach about blemishes in a man, in a *korban* and in a *bechor*.

3) Alternative blemishes

R' Yochanan suggests a source for the blemishes mentioned in the Mishnah that are not mentioned in the Torah.

The differences between blemishes mentioned in the Torah and the other categories of blemishes are identified.

The blemishes called **כילון** and **לפתא** are defined.

A Baraisa adds another blemish that relates to the head.

Additional blemishes enumerated in the Mishnah are defined.

Another Baraisa adds and defines two more blemishes.

4) Hunchbacks

The Gemara clarifies the dispute concerning hunchbacks.

5) Bald men

Rava discusses the place of the ring that defines one as bald.

According to a second version Rava was commenting on the latter part of the Mishnah.

R' Yochanan issues two rulings.

The Gemara explains that R' Yochanan's ruling related to baldness is unnecessary and the purpose of his statement was in regards to one whose eyes run.

The Gemara explores the need for the ruling related to one whose eyes run.

6) **MISHNAH:** Three different definitions of the blemish **גבן** are presented.

7) גבן

The Gemara unsuccessfully challenges Tanna Kamma's definition of **גבן**.

R' Chanina ben Antigonus's implication that one with two backs and two spines can survive is unsuccessfully challenged.

8) **MISHNAH:** The Mishnah discusses blemishes that relate to the nose and the eyes.

9) Charum

A Baraisa elaborates on the blemish called *charum*. ■

Distinctive INSIGHT

When a kohen balds his head or cuts himself for the dead
 שאינו שוה בזרעו של אהרן לא מחיל עבודה

The Torah tells us (Devarim 14:1): "You are children of God, your Lord. Do not cut yourselves, and do not make a bald spot on your head (between your eyes) for the dead." Ramban notes that the Torah already commanded the kohanim (Vayikra 21:5) not to make a bald spot on their heads. Nevertheless, the posuk in Vayikra teaches us that if a kohen has a spot where he caused balding, or if he has cut himself, he has disqualified himself and he may not perform the service in the Mikdash. The subsequent verse (v. 6) reports that the consequence of a kohen who mutilates his body in these ways is that he has defiled the name of God, and that he may therefore not serve. The posuk in Devarim adds that this prohibition applies to non-kohanim as well.

Minchas Chinuch (Mitzvah 467:1) points out that we do not find anywhere in the Gemara or in Rambam that a kohen who balded his head or cut himself for the dead is disqualified from the service in the Mikdash. The amount of hair to be removed to be in violation of this prohibition is an area of the head the size of a bean (Rambam, Hilchos Avoda Zara 12:15), or if one cuts two hairs (Rosh, Makkos Ch. 3, #2). These amounts are certainly much less than the lack of hair described in the Mishnah and they would not be enough for the kohen to be deemed blemished. His having sinned in this regard is also not grounds to disqualify him from serving in the Mikdash. Minchas Chinuch leaves this point unresolved.

Meshech Chochmah (to Vayikra 21:5) answers that we find (later 45b) that if a kohen marries a woman who is prohibited for him, that kohen is considered disqualified until he distances that wife. Also, if a kohen defiles himself for the dead, his service is not accepted until he promises to refrain from defiling himself in the future. Therefore, we can also say that this is why Ramban says that the service of a kohen is not acceptable if he balds his head or cuts himself, which is conduct which is in violation of kohen standards.

Olas Shmuel explains that causing a bald spot or cut for the dead does not result in the kohen's being blemished. The hair will grow back and the cut will heal. If the law of balding oneself for the dead was only presented in the Torah in regard to kohanim, we would say that this is not a universal prohibition, but one that is relevant only to kohanim. However, now that we find that this law is addressed to all members of klal Yisrael we must say that not only is there an issue for anyone to mutilate himself for the dead, but there is also an additional aspect of this law which applies exclusively to kohanim, and that is that this action disqualifies them from serving in the Mikdash, even though it is not one of the blemishes listed in our Mishnah. ■

HALACHAH Highlight

Identifying a corpse from a bald spot

הקרח פסול

A bald man is unfit

Shulchan Aruch¹ rules that if a man was discovered dead with his forehead, nose and face intact and as a result the man can be identified, his wife is permitted to remarry based on this positive identification. Similarly, if there are other distinct characteristics by which one could identify a corpse his wife is permitted to remarry. However, if the characteristics are not distinct his wife may not remarry. Teshuvos Mas'as Binyomin² writes that missing or extra limbs are considered distinct characteristics and a woman is permitted to remarry if someone recognizes her husband's corpse by his missing or extra limbs. Teshuvos Bris Avrohom³ asserts that any blemish that disqualifies a kohen from serving in the Beis HaMikdash is considered a distinct characteristic by which one can positively identify a corpse.

It happened once that a man was looking for a local mill and he was pointed in the correct direction. The next morning they found clothing and papers near the river behind that mill and a corpse not far from there. There was a young woman who saw him walking towards the mill and when she was shown a drawing of the corpse she confirmed that he was the man she saw yesterday walking towards the mill. The primary reason she recognized him was that he had a bald spot. Sefer Migdal Oz⁴ addressed many different issues related to this incident and one of them was whether one could positively identify

REVIEW and Remember

1. Why is it necessary for the gezeirah shavah that was presented to be free?

2. Why is it necessary for the Torah to discuss blemishes in three different contexts?

3. What is the concern regarding hunchbacks?

4. What is the definition of גבן?

fy a corpse based on a uniquely-shaped bald spot. He cites our Mishnah that teaches that a bald spot disqualifies a kohen from serving in the Beis HaMikdash so by extension it should be considered a blemish by which one could positively identify a corpse. Besides the fact that the Gemara is pretty specific regarding the type of bald spot that is considered a blemish there is another more fundamental reason why our Gemara may have no bearing on this case. The reason a kohen with a bald spot may not serve in the Beis HaMikdash is not that a bald spot is a blemish; rather it is that he is not similar to the other kohanim – אינו שוה בזרעו של אהרן. Therefore, it is not clear that one could positively identify a corpse based solely on a bald spot. ■

1. שו"ע אה"ע סי' י"ז סעי' כ"ד.

2. שו"ת משאת בנימין סי' ס"ג.

3. ברית אברהם אה"ע סי' כ"ד.

4. ספר מגדל עז (הגרמ"צ חן) עמ' ס"ז. ■

STORIES Off the Daf

A Shield from the Sun

סכי שמש

Chol Hamo'ed is a time that has boundaries and also a degree of liberty. Mastering the halachos of Chol Hamo'ed can be daunting since it is often hard to determine just what is permitted.

A certain man broke his sunglasses on Chol Hamo'ed. He did not own a spare pair and was very upset about it. Although he could see fine without his glasses he had a hard time without his sunglasses to shield him from glare that

hurt his eyes. While he figured that fixing them constituted doing halachic labor for enjoyment on Yom Tov, he knew the halachos are complex so he asked a rav.

"Well, if you had asked about regular glasses I would have permitted since it seems obvious that these are a need for Yom Tov, as you pointed out. But I honestly do not know about sunglasses. I will ask and get back to you."

When this question reached Rav Moshe Feinstein, zt"l, he ruled that while at times sunglasses may be repaired on Chol Hamo'ed, other times they may not. "You are definitely correct that it is permitted to repair regular glasses on Chol Hamo'ed. As far as repairing sun-

glasses on Chol Hamo'ed, it depends. If they are only for pleasure, it is forbidden to fix them. But if his eyes are not healthy and he requires sunglasses to protect them from the sun, it is permitted to fix them on Chol Hamo'ed. This can be extracted from Bechoros 43. There we find that the inability of one's eyes to bear exposure to the sun is a blemish. It seems clear from the sugyah there that this is not an illness; it is the nature of some people's eyes that direct sunlight harms them. It follows that a person who cannot bear the sun due to weak eyes can fix his sunglasses on Chol Hamo'ed."¹ ■

1. אג"מ, אר"ח ג', ס' ע"ח. ■

