

## OVERVIEW of the Daf

### 1) Different medical conditions

The Gemara presents a number of medical conditions and their respective treatments.

### 2) Eating healthy

Behaviors that promote good health are recorded.

### 3) Avoiding different ailments

Some Amoraim as well as some Beraisos offer advice to avoid different ailments.

### 4) Impotence

Abaye presents a cure for impotence and R' Yochanan confirms its effectiveness.

### 5) Detrimental activities

Lists of detrimental activities are recorded

### 6) Someone afflicted with קורדייקוס

Reish Lakish maintains that agents may deliver a גט even if the husband is presently afflicted with קורדייקוס whereas R' Yochanan maintains that the גט may not be delivered until he recovers.

Reish Lakish explains his reasoning and the Gemara records R' Yochanan's response to that reasoning.

The point of the dispute is identified.

Two rulings are cited that contradict R' Yochanan's position.

The Gemara distinguishes between those two rulings and R' Yochanan's position in our case.

A contradiction between two rulings of Shmuel is noted.

A resolution is offered and immediately challenged.

Two resolutions to this challenge are recorded and the Gemara explains the difference between them.

### 7) Testing a mute for mental competence

The Mishnah's test for mental competence is unsuccessfully challenged.

Another test for mental competence is presented. ■

## REVIEW and Remember

1. What advice did Eliyahu Hanavi have for R' Nosson?  
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2. What eight things are beneficial in measure but harmful in excess?  
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3. What is the point of dispute between R' Yochanan and Reish Lakish?  
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4. How did D'vei R' Yishmael suggest one should examine a mute for mental competence?  
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## Gemara GEM

*These three things cause weakness...*

שלושה דברים מכחישים כחו של אדם ואלו הן פחד דרך ועון

**A**mong the items of advice regarding health and welfare issues is a list of three things which weaken a person's strength. They are fear, travel, and sin.

Tosafos explains that the weakness associated with "sin" is due to the fear one has that he sinned. Maharsha explains that Tosafos chooses to offer this explanation of "sin" based upon a review of the entire verse (Tehillim 31:11) which is cited. There, we find, "For my life is spent in sorrow and my years in sighing, because of my iniquity my strength has failed." We see, therefore, that the issue with sin is the anguish and worry it causes. Tosafos also mentions that the worry is specifically due to the worry about the punishment or retribution which is inherent in having sinned.

The Ri"ף in the עין יעקב questions how, according to the explanation of Tosafos, can we understand the difference between פחד, which is fear, and ועון, which again is fear (of the outcome of sin). Why is the category of "fear" listed as two out of the three categories which result in becoming weak?

The Ri"ף explains that ועון therefore refers to the realization that one has already sinned, while פחד is the fear of the future and of what lies ahead.

Maharal explains that there are three aspects of a person's being which are subject to weakness. One is the body, one is the soul (one's spirit and personality), and the third is one's soul, or his spiritual character. Each of these can be weakened by one of the features listed in our Gemara. Sin can affect one's soul, as it is a spiritual force which can have an influence in this realm. Fear can weaken one's personality. Happiness and tranquility can settle one's mind, but fear and insecurity are disturbing to one's spirit, and is evident to all. Finally, travel can weaken one's body. One's body is strongest while at rest, and any movement uses energy, especially when the movement involves extended travel and displacement. ■

# HALACHAH Highlight

## Testing a mute for mental competence

דאמרינן ליה חד לאו ותרין הן ותריין לאו וחד הן

We ask him one “no” and two “yes” [questions] and then two “no” and one “yes” [question.]

**S**hulchan Aruch<sup>1</sup> rules that a person who becomes mute and cannot verbalize his intent to divorce his wife must be examined for mental competence. The examination is as follows: The husband is initially asked whether he wants to divorce his wife. If he nods his head yes we must then test him to be certain that when he nods his head his intention is to answer yes. He is to be asked, intermittently, three “yes” and three “no” questions to be certain that he understands what is being asked of him and that he has the capacity to respond appropriately. Furthermore, to guarantee that he understands the questions we ask him a “yes” question, two “no” questions, another “no” question and finally two “yes” questions. Beis Shmuel<sup>2</sup> writes that when examining the mute the questions should not be asked at one time; rather some time should be allowed to pass in between one question and the next. Rema<sup>3</sup> adds a second method of testing a mute for mental competence. The mute should be asked whether he would like a fruit

that is out of season. He is deemed mentally competent if he shakes his head in a way that indicates that he understands the absurdity of the offer.

Rav Shmuel Halevi Wosner, the Shevet Halevi<sup>4</sup>, was asked whether a neurological examination could be done to determine whether a mute is mentally competent or perhaps he should be tested only using the methods described by Shulchan Aruch and Rema. Shevet Halevi responded that a majority of those people who are born mute are mentally competent but Chazal did not want to rely on the majority when a test could be administered to assure the mute’s mental competence. Therefore, it is certainly permitted to use a neurological exam in addition to the test used by Chazal but it could lead to the following difficulty. What will be the status of a mute who demonstrates mental competence according to Chazal’s test but shows incompetence in the neurological examine? Does the neurological examination prove that the mute is mentally incompetent? Shevet Halevi’s inclination is that as long as Chazal deem him to be competent there is no need for further concern but he is certain that the neurological examination could not be used in place of the test described by Chazal.

1. שו"ע אה"ע סי' קכ"א סעי' ה'.

2. בית שמואל שם סק"ז.

3. רמ"א שם.

4. שו"ת שבט הלוי ח"ח סי' רנ"א.

# STORIES Off the Daf

## “A meal that you have enjoyed...”

סעודתך שהנאתך ממנה משוך ידך  
הימנה...

**O**n today’s daf we find that one should refrain from finishing a meal from which one has taken especial pleasure.

The Chofetz Chaim, zt”l, carefully refrained from overeating in any form. He considered eating an act of devotion to Hashem and would say, “When eating, one should concentrate on the fact that it is only through the health the food will bring him that he can serve Hashem. There is no need to search for other medita-

tions...”<sup>1</sup>

He always ate very simply, partaking of foods such as potatoes and borscht.<sup>2</sup> Once, he noticed that Chayahel, the kitchen help, added butter to his potatoes. He immediately said to her, “I do not want to eat butter.”<sup>3</sup>

One Yom Tov meal the meat was exceptionally succulent. When the Chofetz Chaim tasted it, he blurted out, “This meat is so tasty!” He instantly caught himself, pushed his plate away and muttered, “Then what is the point?” and ate no more.<sup>4</sup>

He always sat with his back ramrod straight during meals. He never bent down to his food. Instead he would lift the food to him.<sup>5</sup> When it was time to stop learning and go to a meal, he would say, “Let’s get the

meal out of the way.”

Although he was very careful to compliment his wife for every meal, his praise was a sure sign that the meal was over for him, regardless of how much remained.

Rav Shlomo Bloch, zt”l, recounted that he once asked him, “Do you do this because of the famous ta’anis ha’Ra’avad?” (The Ra’avad says that discontinuing one’s meal when a food is especially appealing counts like a full day’s fast.)

The Chofetz Chaim replied, “Even if it is, so what?”<sup>6</sup> ■

1. הח"ח חיינו ופעלו, חלק ג', עמוד תתקצ"ב

2. שאר אבן ויגדך, חלק ב', עמוד רכ"א

3. מאור עיני ישראל, חלק ו', עמוד 431

4. הח"ח חיינו ופעליו, שם

5. מאור עיני ישראל, שם

6. הצדיק רבי שלמה, עמוד כ"ה

