



# THE שבוע MATTERS

לע"נ ברוך בענדיט וברכה גרוס ע"ה  
by Mr. & Mrs. Duvy Gross

## שבת קודש פרשת בהעלתך

מסכת יבמות דף ד

לרפ"ש אחינו בני ישראל

## Insights from our Chaburos

### מדת היראה vs מדת האהבה

From Rabbi Gutterman's insights. For more, visit [dafaweek.org](http://dafaweek.org) or our app at Daf a Week under resources

Our Gemara says that we learn from the סמיכות of ציצית that one can wear ציצית even if they contain כלאים and from there we learn to עשה דוחה לא תעשה. The רמב"ם in ע"ה דוחה לא תעשה famously explains that even though עשה are more חמור than עשה, עשה are still דוחה since עשה come from מדת האהבה whereas תעשה come from מדת היראה. What is striking is that if you look in the ראשונים it is not clear that ציצית is a case of עשה דוחה לא תעשה at all! For example, ר"ת quotes in ט"ז דף ק"י who say that ציצית is allowed in ציצית by day and night, by men and women, owned and borrowed. We know there is ציצית at night, nor by women nor with borrowed garments. So if the היתר of ציצית was because of דחייה, then it should be an איסור to wear those ציצית at night. It would seem ר"ת holds that ציצית is דוחה. This is also the opinion of the רמב"ם who says explicitly that ציצית is not דחייה but rather because of אהבה and it is דוחה. The רמב"ם here (who seems to be himself from what he wrote in שבת) asks that our סוגיא seems clear that ציצית works דחייה since the whole point of the סוגיא is to learn from this halacha that עשה דוחה לא תעשה. If so, how could anyone suggest it is דוחה? The קובץ הערות in סימן ט"ז explains that even though ציצית is דוחה, we can still learn from it the concept of דחייה since the יסוד of the היתר is the מצוה that exists in the בגד. For example, if the בגד had one of the corners chopped off then even ר"ת would say there is no longer a היתר. Therefore, we can still learn from there that עשה דוחה לא תעשה. However, there is another kind of דוחה like the היתר of ליבוש or אשת אח ליבוש where the מצוה can only occur when there is an איסור. In those cases the איסור simply never existed there and one could therefore not learn from that type of case that עשה דוחה לא תעשה.

## Stories of the Daf

### "Do not wear Shaatnez..."

”לא תלבש שעטני”

Our Gemara cites one of the verses that prohibits wearing shaatnez. When the Mirrer Yeshiva was temporarily sheltered in Shanghai during World War II, the entire yeshiva felt a powerful stirring to learn Torah and Mussar and pray with special intensity. Although they had been fortunate enough to escape the Germans, they knew that living under the Japanese was no guarantee of safety since the Japanese were allied with Nazi Germany and could turn against the Jews any day. Furthermore, there was no protection against the Allied air raids of Shanghai. The only protection was clearly to be secured from their Father in heaven, through heartfelt prayer, introspection, and diligent learning. On Yom Kippur, the intensity of the tefillos was hard to imagine. Oddly enough, in the middle of the davening, a certain very prominent student left the beis medrash for a short time and then returned in his weekday outfit. He resumed his tefillah and remained in his place until the end of the long day. After Yom Kippur, another bochur asked the one who had left why he had done such a strange thing. The first bochur explained, “When I was davening, I felt that my tefillos were just not flowing with even the kind of intensity that I have gotten used to during an ordinary weekday. I couldn’t understand what I was doing wrong, and so I tried to learn a little mussar. Although this usually is very helpful, this time it did nothing for me. I suddenly realized that my new Shabbos suit might be the culprit. I saw in the Tzieniei on Chumash that wearing shaatnez prevents one’s prayers from ascending. I quickly went to change into my weekday clothes, and as soon as I returned I knew that my suspicions were right. All the barriers just melted away!” “But didn’t you check your new clothes for shaatnez?” the other bochur asked. “I did, but my feeling on Yom Kippur made me certain that the one who had checked had missed something.” The following day, the suit was thoroughly re-examined, and sure enough there were parts that had been processed with linen in a way that was very difficult to detect. The suit was simply riddled with shaatnez!

## Parsha Connection

In this week’s daf we find a discussion concerning the concept of סמוכים (deriving a law based on the juxtaposition of two segments of the Torah). Rashi brings the Chazal that the juxtaposition of this week’s parsha concerning the menorah and the end of last week’s parsha discussing the sacrifices and gifts brought by the tribal leaders has significance. Aharon felt bad when he saw that all of the tribal leaders brought sacrifices while his tribe (Shevet Levi) brought none. Hashem instructed Moshe to tell Aharon not to feel bad because his job is bigger than theirs, since he lights the Menorah. The obvious question is why and how is lighting the Menorah a consolation for not bringing sacrifices? The Ramban famously writes that it’s a reference to Ner Chanukah which continued even after the destruction of the mikdash. Additionally, the Alshich Hakadosh asks why in our Parsha it says when you “elevate” the lights instead of when you “light” them? He offers a very unique insight explaining that there is a Mishkan above which parallels the Mishkan here below on earth. When Aharon lit the Menorah in the Mishkan with the proper thoughts, he “elevated” the lights to mirror the Menorah in Shamayim. This is the bigger everlasting “lighting” which survived the Mishkan here on earth!

CONTINUED ➡

## Halacha Highlight

### Wearing Shaatnez Garments

היה אמינא כל דרך העלאה אסר רחמנא ואפילו מוכרי כסות כתב רחמנא לא תלבש שעטנז דומיא דלבישה דאית ביה הנאה

*I might have thought that any placing of the shaatnez is prohibited by the Torah, even garment sellers, therefore the Torah states, "Do not wear shaatnez," to indicate that only an act similar to wearing is prohibited in that it provide benefit to the wearer.*

Rambam<sup>1</sup>, based on our Gemara, rules that garment sellers may carry shaatnez garments on their shoulders since there is no intention to derive benefit from the garment. This ruling, however, is contradicted by a second ruling of Rambam<sup>2</sup> where he states that it is prohibited for a person to wear shaatnez even on top of ten other garments. When a shaatnez garment is worn on top of ten garments he is not deriving benefit from the shaatnez and it is nonetheless prohibited. Rav Yosef Karo<sup>3</sup>, the Beis Yosef, suggests a resolution to this matter. Rambam maintains that the threshold to violate wearing (לבישה) shaatnez and the threshold to violate placing shaatnez are different. A person wearing a shaatnez (העלאה) garment violates the prohibition regardless of whether he derives any benefit from the garment. On the other hand, a person who merely places the garment onto his body does not violate the prohibition unless he derives some physical benefit. Thus, when the Gemara concludes that the violation is intact only when there is some benefit to the wearer, it was stating a prerequisite concerning the prohibition against placing shaatnez onto one's body rather than to the prohibition against wearing the garment<sup>4</sup>. According to this explanation the case of the garment sellers refers, as mentioned above, to placing the garments on their shoulders rather than wearing them. Other Poskim<sup>5</sup>, however, follow a more lenient approach and maintain that even if the garment seller is wearing the garment he does not violate the prohibition unless he intends to benefit from wearing the shaatnez. Accordingly, the Gemara's reference to garment sellers refers to actually wearing the garment rather than merely placing it onto their shoulders. Rav Chaim Kanievski<sup>6</sup> cites the opinion of the Vilna Gaon who ruled in accordance with the strict opinion; consequently it is prohibited to try on a garment that is known to have shaatnez to decide if one wishes to purchase that garment and have the shaatnez removed.

1. רמבם פי מהלי כלאים טז
2. רמבם פי מהלי כלאים יח
3. בי יוד סי' שא דה ומש וכן מוכרי בגדים
4. ע' דרך אמונה להגרח קניבסקי על רמבם הנל סק ע'ד
5. ע' דרך אמונה שם סק ע'ד שמביא דעות בזה ובתוכם הרמא יוד סי' שא סי' ו'
6. דרך אמונה שם סק ע'ו

## Mussar from the Daf

### Your Will Versus Hashem's Will

The Gemora inquires as to the source for the principle of עשה דוחה לא (that a positive commandment can override an ordinary prohibition). The Gemara answers that from the fact that the Torah permits one to wear Tzitzis even if they are shatnez (i.e., a linen garment with wool strings) indicates that a positive commandment can override a prohibition. Many Achronim understand that עשה דוחה לא תעשה does not apply if the prohibition is בין אדם לחברו (involving interpersonal relationships). However, it seems that it will apply even if the positive command is a בין אדם לחברו (Bava Metzrah 30a). What is the difference? Perhaps we can suggest an approach al pi Mussar. One of the foundations of R' Yisroel Salanter's mussar movement was the principle that if I am hurting another in order for me to fulfill my personal Avodas Hashem then my Avodah is misdirected. R' Yisroel coined this "frumah negiah." In fact many of the stories that we have with R' Yisroel reflected this concept. Perhaps this is the lesson we can learn here as well. The Torah does not permit us to hurt another by overriding a prohibition בין אדם לחברו in order for us to fulfill a positive Mitzvah; the Torah does not want us to hurt others to fulfill Hashem's ratzon. It is only when the prohibition is Bain Adam l'Makom that the Torah has a chiddush that the positive mitzvah can override the prohibition. Practically, one has to think about how their tzidkus can be hurting others, and ask themselves is that really what Hashem wants? Some practical examples might be speeding in the car to be at shul on time, being overly lenient with Shimras Lashon because of an ostensibly noble cause. It may be what I want, but not what Hashem wants.

### Point to Ponder

The Gemara discusses wearing Tzitzit containing wool and linen (כלאים). Tosafot suggests that women may be obligated in the mitzvah to wear Tzitzit since they are forbidden from wearing Kilayim. In support of this, Tosafot brings another Gemara about Rav Yehודה tying blue strings to his daughter's clothing. This shows that Rav Yehודה held that his daughters were obligated to wear Tzitzit. Why can't we say that there is no proof from that incident and that they performed the mitzvah even though they are not obligated to do so? Just like many women sit in a Sukkah and perform other mitzvos even though not obligated to do so?

### Response to last week's Point to Ponder

The Gemara states that if we did not have a drasha from the word "עליה" telling us that in case the yevama is an ervah there is no mitzvah of Yibum we would we say that the mitzva of Yibum supersedes the prohibition of the Ervah. Why would assume that without עליה the person would be permitted to do Yibum, why wouldn't we say that even though he cannot perform Yibum without violating a prohibition he should nevertheless be required to do Chalitzah? The Gemara assumed that if there is no Yibum there would be no Chalitzah. The concept is discussed at length on Daf 20a. When the Gemara mentions this possibility on Daf 3a in reference to the Mishna, it is more of a suggestion of a possible mistake whereby some may "think" that Yibum is prohibited but Chalitzah is permissible. (See ברכת שמואל סימן ג).

ר' יוסף שמואל שמעלקא בר יצחק מערמעלשטיין זל Shelly Mermelstien לענו Yevamos has been dedicated in

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The shavua matters is published by the Daf a week program under the rabbinical guidance of Harav Meir Stern shlita and Harav Shmuel Kamenetsky shlita

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