



THE שבוע MATTERS

שבת קודש פרשת שופטים | מסכת יבמות דף ס"ה

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

INSIGHTS FROM OUR CHABUROS

Speaking an Untruth for the Sake of Peace

וא"ר אילעא משום רבי אלעזר בר' שמעון מותר לו לאדם לשנות בדבר השלום שנא' אביך צוה וגו' בה תאמר ליוסף אנא שא נא וגו'

Based on the verses from Bereshis 50:15-18, our Gemara (Yevamos 65b) teaches us that a person's words may deviate from the truth for the sake of peace. The brothers were afraid that Yosef would take revenge against them now that Yaakov had died. Therefore, they fabricated a lie and said that Yaakov had told them to command Yosef to forgive them and not punish them.

However, a question arises. How do our sages know that Yaakov never actually gave this command? After all, many times the Gemara records whole conversations that are not written explicitly in the Torah and are instead inferred from the parts of a conversation that are directly recorded. How, then, can the Gemara teach this law about deviating from the truth when it is possible that Yaakov really did make this command and perhaps what the brothers were saying was truthful?

Torah Temima explains that nevertheless, it is clear that the verses themselves hint to the fact that what the brothers were saying was not true. The introduction to this encounter between the brothers and Yosef tells us that they "saw that their father was dead" and they feared that "perhaps Yosef will repay all the evil we did to him". It is only predicated upon this fear that the brothers told Yosef about the command of their father. The Torah implies that it was the fear that the brothers had that led to their telling Yosef about Yaakov's command. Had Yaakov really said this, the brothers would have been obligated to tell Yosef to fulfill the wishes of their father as per the commandment of honoring one's parents and there would be no reason for the Torah to mention the other factor of fear of punishment.

STORIES OFF THE DAF

Misdirecting to Keep the Peace

מותר לו לאדם לשנות בדבר השלום

On this week's daf we find that it is permitted to verbally misdirect another for the greater good of keeping the peace. The case of Yosef HaTzaddik and the Shevatim is used as the proof in the Gemara to show that this principle includes a person who falsifies in order to prevent another from doing him bodily harm.

Once, when the Ponevezher Rav, zt"l, was in New York to raise money for the Yeshiva, there were many who looked askance at him. These people (generally grossly unlearned) felt that Yeshivos were backward at best and that giving them money was a complete waste. There were many incidents in those years of people humiliating fundraisers or even beating them up.

During that trip, when he was on the subway, the Rav noticed a group of youths who seemed to be gesturing at him in a way that made it seem as though they were about to single him out for some "fun" at his expense. Since not long before a fundraiser had actually been manhandled by a group of youths, the Rav realized that these were probably the culprits who were now coming after him. Obviously, it was of utmost importance to avoid being alone with them. But how could he shake them off?

The Rav went up to the young man who appeared to be the leader and pulled out a piece of paper with an address. "Could you please direct me to this address? I am a visitor here and don't know my way."

The youthful leader looked very pleased as he answered, "With pleasure! Just get out with us this stop and we will be more than happy to lead you there!"

At the next stop, the Rav indicated to the ruffians that they should disembark first and made as if he was planning to follow. While the group of young men waited on the platform, the Rav slowly made his way to the exit. Much to their surprise, he "accidentally" missed the closing doors. Imagine their chagrin as the train pulled away with the Rav safely inside while they looked on from the platform, completely baffled!

PARSHA CONNECTION

In this week's daf we learn that oftentimes it is better to be quiet and not claim something which a person may think they deserve, because they can end up in a much bigger mess. Being able to control our senses including speech is subtly referenced in the first few words of this week's Parsha. שפטים שפטים. You shall appoint judges and policemen in all of your gates, The חידא in his sefer נחל קדושים asks why is this command expressed in the singular? לך instead of לכם. He quotes רב חיים ויטל זצ"ל who explains that this refers to the obligation upon each individual to use our own personal gates to protect ourselves, i.e., eyelids to guard what we see, lips to guard what comes in and goes out of our mouths, and earlobes to guard what we hear. By establishing controls for our "gates" this will help us avoid regretful incidents.

MUSSAR FROM THE DAF

Speak When You'll Be Heard

אמר רבי אילעא משום ר' אלעזר בר' שמעון כשם שמצוה על אדם לומר דבר הנשמע כך מצוה על אדם שלא לומר דבר שאינו נשמע

The Gemara tells us that just as it is a mitzvah to say something that one will listen to, so too it is a mitzvah to refrain from saying something to another as to which that person will not listen to.

The commentators, however, ask a question from the Gemara in ערכין טז which states that one should keep giving over rebuke until the recipient begins to hit you!

The Biur Halacha quotes the Sefer Chasidim (Simin 413) who explains that the obligation to give rebuke to others only applies to someone as to whom the person giving the rebuke is very close to and comfortable with (לבו גס בו). As to any other person, one has to be exceedingly careful, because if they are given rebuke they can begin to take revenge on the one who gave the rebuke.

Perhaps the Gemara in ערכין is referring to a person with whom one is close to and there is no real concern that the rebuke will destroy the relationship. As a result, one can keep giving a calm rebuke (obviously out of love). However, our Gemara is referring to people who will react negatively to the rebuke in which case a person should not even start.

This concept is very critical when dealing with the chinuch of children and when working on oneself. Continuing to criticize a child in a situation where he won't listen may not only destroy the relationship with the child, but may also lower the child's self worth. The same is true with one's self. One has to be careful with the messages that he sends himself. Being overly self critical when change is not happening can lead to despair. Learning to be sensitive to the relationship with a child and with one's self is necessary to build healthy children and a healthy self!

POINT TO PONDER

If a lady was married twice and in both cases she did not have children for ten years, she should not marry a third husband unless he already has children. The Gemara asks, if she married a third husband and remains childless, can the first two husbands reclaim the כתובה which they paid her. The Gemara says that she can claim that she was able to conceive when she was married to the first two husbands, and only now became infertile. Since we know that the general rule is הרמיה עליו מחבירו meaning that the one who wants to collect must always prove his case, why doesn't she just say, please prove your claim?

Response to last week's Point to Ponder:

Since the Torah tells us that אברהם urged שרה to הגר, which is why he did so, how do we see that אברהם would not have waited longer if שרה had not said anything?

The ערוך לנר explains that since Sara was a prophet Chazal understood that she did not arbitrarily wait for ten years before urging אברהם to take הגר. We can therefore learn from this that ten years is an appropriate time to wait.

HALACHA HIGHLIGHT

A Woman's Obligation to Marry

האיש מצווה על פריה ורביה אבל לא האשה

A man is commanded to procreate but not a woman

The conclusion of the Gemara is that women are not obligated in the mitzvah of פרו ורבו. Interestingly, the Gemara Kiddushin¹ states that it is better for a woman to accept her kiddushin personally rather than through an agent because of the principle that it is better to perform a mitzvah personally than through an agent. Clarification is required to balance a woman's exemption from the mitzvah of פרו ורבו, on the one hand, and a woman's obligation to marry, on the other.

Rabbeinu Nissim², the Ran, writes that although women are not commanded in the mitzvah of פרו ורבו, nonetheless, they receive credit for assisting their husbands to fulfill the mitzvah. It is this assistance in the mitzvah of פרו ורבו that generates a mitzvah to marry. A difficulty that commentators³ have with this position of Ran is from our Gemara. Our Gemara teaches that a woman without children cannot demand a divorce from her husband since she is not commanded in the mitzvah of פרו ורבו. If she claims that she wants to have children who will take care of her when she is older and will bury her after she passes away her request is granted. According to Ran she should be able to demand a divorce so that she could perform the mitzvah of assisting her husband in fulfilling the mitzvah of פרו ורבו.

Sefer Miknah⁴ suggests two explanations for the exemption from פרו ורבו and the obligation to marry. The first is that although women are not commanded in the mitzvah of פרו ורבו, they are commanded in the obligation to inhabit the world (לשבת יצרה, Yeshayahu 45:18). It is in reference to that mitzvah that marriage is characterized as a mitzvah for women⁵. Secondly, one could suggest that women are exempt from the mitzvah of פרו ורבו altogether but it is prohibited to marry without kiddushin because of the prohibition against being a harlot. In other words, the mitzvah of kiddushin is an optional mitzvah similar to the mitzvah of shechitah. There is no obligation to do shechitah to an animal but if one wants to eat meat the animal must be slaughtered and that slaughtering fulfills a mitzvah. So, too, a woman is not obligated to marry, but in the event that she chooses to get married it is a mitzvah that is even worthy of reciting a beracha.

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