



The trait of worry

STORIES OFF THE DAF

One time Rav Yisroel Salanter, zt"l, was traveling to Vilna and had brought a sum of money for one of the Rabbonim of the town. Much to this Rav's surprise, Rav Yisroel brought the money to him personally. After the local Rav received Rav Yisroel, he said in the respectful third person, "I don't understand. Why didn't the Rebbi send for me to come and get the money as is customary? Why did the Rebbi trouble himself to come to me?" Rav Yisroel's answer surprised the local Rav even more than his actions had. He said, "You are correct. Under ordinary circumstances, I would have sent for you, but since I must rebuke you about something that you've done, I must first honor you. This way, you will be able to accept my rebuke." Befuddled, the local Rav asked, "What does one thing have to do with the other?" Rav Yisroel answered, "This is a straightforward Gemara!" In those days, every Rav in Lithuania had a broad and clear understanding of Shas. Even in the late 1920's, any Rav in Lithuania who was caught lacking a clear and immediate understanding of any Tosafos in Shas was summarily dismissed. The local Rav therefore said confidently, "Where is there such a Gemara? I don't remember any such Gemara!" Rav Yisroel explained, "The Gemara is in Yevamos 78b. We find there that the three-year famine that took place during the time of Dovid HaMelech was due to Shaul's not being properly eulogized and because Shaul deprived the Givonim of their great merit in assisting the Kohanim of Nov. When he killed the Kohanim, he also destroyed the Givonim in a sense. We find a question there: why did Hashem punish the Jewish people for not eulogizing Shaul properly if He also brought retribution for his sin? Reish Lakish answers that when Hashem judges a person, He also recounts his achievements. Rashi explains the famine was punishment for Shaul's sin and also for the sin of not mentioning his merits, since these two are generally recalled together. Rav Yisroel concluded, "And now you know why I came to you—because I must recount your worthiness before I chastise you!"

In this week's daf we learn about זדורות בנינים which represents children and generations. The Parsha begins with יעקב אבינו going to חרן and on his way stopping to sleep at הר המוריה. He was concerned about his children וַיִּהְיֶה זָרְעוֹךָ כְּעֵפֶר הָאֲרֶץ וּפְרִצְתָּ יָמָה וְקִדְמָה: he told him as follows: יְהוָה וַיִּפְנֶה וַיִּגְבֶּה וַיְבָרְכֵךְ בְּרַךְ-כָּל-מִשְׁפְּחוֹת הָאֲדָמָה וַיִּזְרַעְךָ. Yaakov's future generations are compared to עפר as opposed to חול which is the word used earlier when blessed Avraham (יז, בכ). Why is עפר used here? The Alshich Hakadosh offers a beautiful insight to explain why in יעקב's case עפר is used. עפר ארץ ישראל they may not turn out as well because they will lack the קדושה of ארץ ישראל. To ease his concern, אדם הראשון used עפר which is the same term used for אדם created from the earth. This is an allusion to the source for the עפר which was used to create אדם which was from מקום המזבח. Just like אדם was created from עפר taken from the place of the מזבח so too יעקב assured that his children will possess the קדושה of מקום המזבח.

HALACHA HIGHLIGHT

Aborting a mamzer

וכן אמר ר' הונא ממזר לא חי

R' Huna also said that a mamzer does not live.

There was once a married woman who had an adulterous affair which she bitterly regretted. She cried for days after, told her husband about what she did and asked her Rov about the procedures for doing teshuva. One of the questions she raised was the concern that she possibly became pregnant from the affair and inquired whether it is permissible to drink something that would flush her system of any sperm. Rav Yair Chaim Bachrach¹, the Chavos Yair, wrote that Biblically a mamzer has all the rights and privileges of a Jew except for marriage and sitting on Sanhedrin. Rabbinically, we do not pray at the mamzer's bris that Hashem should grant existence to the mamzer² but there is no source that would indicate that it should be permitted to abort a mamzer. Furthermore, the Gemara Horayos³ states that a mamzer who is a Torah scholar is redeemed before a Kohen Gadol who is ignorant of Torah. In accordance with this approach he prohibited aborting the fetus. Rav Yaakov Emden⁴, on the other hand, writes that it is permitted to abort the fetus of a mamzer from the adulterous affair of a married woman. The reason is that the mother is guilty of a capital crime and if convicted she would be executed even if she was pregnant. This indicates that the baby deserves to be killed but due to various technicalities the execution cannot be carried out. The adulterous woman, however, knows with certainty that she is guilty and deserves the death penalty; thus if she were to abort the fetus it cannot be said that she violated a prohibition. Rav Moshe Feinstein⁵ strongly disagreed with this ruling and refused to recognize its validity. Rav Shmuel Halevi Wosner⁶, the Shevet Halevi, notes that the ruling of Rav Emden would not apply to a woman who became pregnant from a non-Jew. The ruling of Rav Emden hinges on the fact that the adulterous woman deserves to be killed, and having relations with a non-Jew does not carry the death penalty. Rav Yosef Chaim of Baghdad⁷, the Ben Ish Chai, was asked about aborting the fetus of a woman who had an adulterous affair. After citing the opinions of Chavos Yair and Rav Emden, he declared that he did not wish to issue a response about the matter, neither positive nor negative, and that the guidance of a local scholar should be sought.

1- שו"ת חות יאיר סי' לא

2- ע' שו"ע יו"ד סי' רס"ה סע' ד'

3- גמ' הוריות יג

4- שו"ת שאלת יעב"ץ ח"א סי' מ"ג

5- שו"ת אג"מ ח"מ ח"ב סי' ס"ט

6- שו"ת שבט הלוי ח"ה סי' קצ"ה

7- שו"ת רב פעלים ח"א אה"ע סי' ד'

MUSSAR FROM THE DAF

Giving is Living

רב הונא ממזר לא חי

The Gemorah quotes Rav Huna who states that a mamzer doesn't live. How are we to understand that? We know that everything in the physical world represents something in the spiritual world.

Let's look at another Chazal: The Gemara in Nedarim 64b explains that four people are considered dead: a poor person, a blind person, a metzora and one who cannot have kids.

וְתִנִּיץ אֶרְבֵּעַ תְּשׁוּבִין מֵת עֲנִי וּפְצוּרָע וְסוֹמָא וְמִי שֶׁאֵין לוֹ בָּנִים
Rav Chaim Shmuelevitz explains that these four people are limited in their ability to be givers so in that respect, they don't have life because life is defined as our ability to be a giver.

This could be the underlying meaning in our Gemara as well. A mamzer cannot marry into Klal Yisroel and he is therefore missing a fundamental aspect of giving. This is implied by the word mamzer; because of his כּוּם (blemish) he now becomes separate from Klal Yisroel and enters into a world of זָרוּת (disconnection). True life is when we can find ways to give to others. Remembering this principle can help one to keep looking for opportunities to give and be alive!

POINT TO PONDER

The Gemara tells us that a נמזר who is not known to be a נמזר will not survive to have children. If there are rumors about a נמזר he or she may survive up to three generations but not more than that (this is ה"ה קבה way of insuring our sanctity). Can we use this for verification purposes? For example, if there were rumors about someone's great great grandparent, can we assume that those were false given the fact that they survived more than 3 generations?

Response to last week's Point to Ponder:

How could דוד hold שלמה's son רחבעם on his lap when שלמה himself was not more than 12 years old when דוד died? Tosofos (דף סד ע"א ד"ה ויליף מציחק) tells us that earlier generations gave birth at a younger age, and brings a גמרא in Tosofos (דף סד ע"א ד"ה ויליף מציחק) as proof of this fact. The Gemara in Nedarim discusses giving birth to שלמה when she was 8 years old. So we see that during the time of שלמה the people were giving birth at a much younger age.

ר' יוסף שמואל שמעלקא ב"ר יצחק מערמלשטיין ז"ל, Shelly Mermelstien, לע"נ

For more points to ponder by Rabbi Yechiel Grunhaus, or insights by Rabbi Guterman, please visit our website, dafaweek.org, or download the app

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