



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

לע"נ אסתר אביגיל בת חיה רבקה וציפורה רחל בת אסתר מחלה THE DIMONT FAMILY EDITION

THE SHABUOT MATTERS

שבת קודש פרשת שמות | מסכת יבמות דף פ"ד

INSIGHTS FROM OUR CHABUROS

They Only Let Him Teach One Thing

תניא אמר רבי כשבלכתי ללמוד תורה אצל ר' אלעזר בן שמוע חברון עלי תלמידי בתרנגולים של בית בוקיא ולא הניחוני ללמוד אלא דבר אחד

The students of R' Elazar ben Shamo'a only allowed Rebbe to teach one halacha in their Beis midrash. Aruch Laner notes that it is astonishing to find a group of students who would not allow a visiting scholar to teach in their yeshiva! Furthermore, if, for whatever reason they did not wish to allow Rebbe to teach in their yeshiva, why did they acquiesce and allow him to teach this one halacha?

Aruch Laner explains that the students of Rebbe Elazar ben Shamo'a were wary that Rebbe had not come to teach, but rather to stir up trouble. We find a similar situation in Kiddushin (52b) where, after the death of Rabbi Meir, Rabbi Yehuda gave instructions to his students not to allow the students of Rabbi Meir to enter their local Beis midrash. The students of Rabbi Meir had a well-known reputation of using their brilliant analytical study skills not to delve deeper into clarifying the truth, but to mock and debate for the sake of criticizing their study opponents (לקנטר). In order to protect his own students Rabbi Yehuda did not invite Rabbi Meir's group to join his yeshiva.

Similarly here, the students of Rebbe Elazar ben Shamo'a were concerned that Rebbe might have been coming to teach in order to criticize and disparage their rebbe. Why did they suspect him of this? The law of having reverence for Torah scholars is derived (Kiddushin 57a) from the word את in the verse אתה' אלוקיך תירא את. However, not all opinions agree that the word תא can be used to teach this, or any, lesson. The students here wanted to be sure that Rebbe agreed that Torah scholars, such as their teacher, deserved respect. The rule of the Mishnah about אנדרוגינוס is in fact, based upon the word תא (see 83b). If Rebbe would agree to this halacha, and usage of the word את this would demonstrate that he came to honor their teacher and not to disgrace him.

PARSHA CONNECTION

In this week's daf the Gemara discusses a מצרי ראשון and a מצרי שני whose children may be permitted to marry a regular Jew (assuming the child is considered שלישי). The word מצרי is mentioned in פרשת שמות with regards to killing an איש מצרי, and again when the daughters of Yisro are asked by their father why they were back so quickly from drawing water. Yisro's daughter responded "איש מצרי" הציננו. The conventional understanding of this second מצרי, is that it refers to משה who appeared to be an איש מצרי because he came to מדין from מצרים and was wearing Egyptian clothing. In fact, the Midrash criticizes and contrasts משה who appeared to be an איש מצרי with יוסף who all knew was an עברי. However, there is another Midrash which says that the daughters were referring to the מצרי who was killed by משה. Why would Yisro's daughters refer to that person as their savior? The Midrash offers a fascinating insight with the following parable: a man was bitten by an ערוד and ran to a lake in order to get water quickly to save his life. When he gets there he sees a drowning child and rescues the child. When the child thanks him profusely, the man tells the child don't thank me, thank the ערוד for if not for him, I would not have come to the lake. Similarly, Moshe only came to מדין because he had killed the מצרי and had to run away. So it was the מצרי who saved them. This shows us how far a person's appreciation must extend even to those who only indirectly helped him. (see שמות רבה א').

STORIES OFF THE DAF

Reviewing the Main Points

יש מותרות לבעליהן

The first Mishna in פרק יש מותרות is a concise review of the conclusions reached in earlier chapters. Tosafos explains that it is the way of the Tanna to review the essentials so that the earlier teachings will be organized for the student so he can review them until the learning settles on his heart. Many are unaware of this all-important principle. The best way to review is to distill what comes out of the sugya and review it many times. Rambam writes that this is the correct method to review since it ensures that one will remember his learning. Rav Raphael Yonah Tucaczinsky, zt"l, learned every moment of the day. Even when walking with a friend he would review the main points of a sugya aloud. He had a very interesting way of going home from Yeshivas Ponevezh. He would first summarize the main points of a couple of pages of Gemara. As he walked, he would review by heart the summary that he had just made. When he got to the closest street lamp he would pull out a small Gemara and review another few daf. This seder lasted until he got home. He said, "When I was younger I had the entire length of Rechof Chazon Ish precisely measured by how much of Masseches Kiddushin I could review walking the street from end to end."

One time Rav Raphael needed to travel from Bnei Brak to Yerushalayim, a journey of approximately an hour. He asked a friend to join him, and the other man readily acquiesced. "So what do you want to learn during the ride?" was Rav Raphael's immediate query. Wasting time was totally out of the question! As he later testified, "On the trip into Yerushalayim alone we reviewed the first perek of Kiddushin...all 40 daf!"

While Rav Raphael was living in Netivot, a kollel opened up nearby. The ride to and from the kollel took a total of twenty-two minutes, and Rav Raphael didn't waste an instant. From the moment he got in the car until he arrived he had a Gemara out and was reviewing the main points. Every day, in a mere twenty-two minutes, he reviewed seven daf! This is what a person can accomplish when he learns how to review properly!

HALACHA HIGHLIGHT

Are Women Included in all the Prohibited Relationships?

כל היכא דהוא מזהר היא מזהרת

In all instances where a man is warned a woman is also warned

The Gemara in Nedarim¹ teaches that if the wife of a kohen declares that she had an adulterous affair and as a result is prohibited to her husband she is not believed because we are suspicious that she found another person to marry and is looking for a quick way out of marriage. Tosafos² challenges this ruling from the principle that indicates that a person has the ability to declare, for themselves, an item prohibited חתיכה אנפשיה דאיסורא. Applying this principle would mean that although she is not believed, in general terms, regarding the affair, she is believed to declare that she is prohibited to be with her kohen husband anymore. Tosafos cites the opinion of Rav R' Eliezer who maintains that there is no prohibition for a זונה to marry a kohen, the only prohibition is for the kohen to marry her. Accordingly, since she is not believed regarding her affair he is permitted to remain married to her and even if she is believed regarding herself she has not, even through her own admission, created for herself a prohibition. Tosafos challenges this explanation from our Gemara that states clearly that all prohibitions that apply to males apply to females as well.

Rav Yechezkel Landau³, the Noda B'Yehudah, suggests that the principle that all prohibitions apply to males and females equally is limited to prohibitions that apply universally but those prohibitions that have limited application, like those that apply exclusively to kohanim, are not included in this principle and apply only to males but not females.

Another exception to this principle noted by Noda B'Yehudah⁴ is a Jewish man who has relations with a non-Jewish slave-woman. Rambam⁵ rules that the man is subject to lashes but Magid Mishnah⁶ maintains that the slave-woman is not subject to lashes. The reason is that the principle that woman are included in all עריות prohibitions is limited to Jewish women but does not include non-Jewish women. Therefore, even though the Jewish man has violated a prohibition by having relations with the slave-woman she is not subject to lashes.

1. גמ' נדרים צ
2. תוס' שם ד"ה חזרו לומר
3. שו"ת נדע ביהודה מהד"ק אה"ע סי' ע'
4. צ"ח ברכות כב ד"ה רש"י
5. רמב"ם פי"ב מהל' איסורי ביאה הי"א
6. מגיד משנה שם

POINT TO PONDER

The Mishna lists women who are אסורות to their husbands as well as to their יבם as the last category, yet in explaining it later in the משנה it explains this scenario before explaining the 3rd possibility, namely מותרות לאלו ולאילו. Why does it change the order?

Response to last week's Point to Ponder:

The Gemara discusses the opinion of יוסי בר' יהודה who says that a טומטום should not do Chalitza because maybe he will turn out to be a male and a סריס. The Gemara then asks "does every טומטום turn out to be a male?" meaning that maybe he will turn out to be a female. Since יבום is only possible for a male, what is the Gemara asking? Obviously there is no need to consider the possibility of him being a female, since there would be no יבום anyway?

The גמרא is focusing on the words of יוסי בר' יהודה who says that a טומטום should not do Chalitza. These words suggest that there is a possible obligation on the טומטום to do so but we rule that he does not perform chalitza. If however, it is likely that a טומטום does not have an obligation to perform chalitza because there are more possibilities that he is פטור for example by including the possibility that the טומטום is a נקבה than it should say חולץ. The same would also be true when he is the only surviving brother. For this reason it is important to consider the possibility that the טומטום will turn out to be female. (See ישרש יעקב וערוך לנר).

REVIEW AND REMEMBER

1. What was the one halacha that Rabbi learned from R' Elazar ben Shamua?
2. Does a woman married to someone to whom she is prohibited receive a kesubah?
3. What was the case that R' Pappa suggested should have been included in the Mishnah?
4. Is a daughter or a kohen permitted to marry a חלל?

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