

OVERVIEW of the Daf

1) Connecting to righteous people (cont.)

The Gemara concludes that Pinchas was a descendant of Yisro but nevertheless that relationship was distant enough that it did not negatively affect him.

Another proof that Pinchas was a descendant of Yisro and Yosef is presented.

Rava teaches that before marrying one should look at the character of the woman's brothers.

The rationale behind this teaching is explained.

2) Yehonason and Micha

The Gemara elaborates on the topic of Yehonason and Micha's idolatry.

Another story about Yehonason is recorded.

3) A son inheriting ahead of a daughter

The source that a son inherits ahead of a daughter is presented.

R' Pappa and Abaye debate the correct interpretation of this verse.

R' Acha bar Yaakov suggests an alternative source that a son inherits ahead of a daughter.

This source is successfully challenged.

Ravina suggests another source but this is also successfully challenged.

Another source for this concept is suggested.

This source is unsuccessfully challenged.

4) Inheriting from a brother

Rabbah presents the source that brothers who share a father inherit from one another but not brothers from a mother.

This exposition is unsuccessfully challenged. ■

REVIEW and Remember

1. What relatives of a woman should one examine before marrying her ?

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2. How do we know that Yehonason repented ?

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3. What is the source that a son inherits before a daughter ?

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4. What is the source that brothers from a common mother do not inherit from one another ?

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Distinctive INSIGHT

The position of a daughter in the line of inheritance

ודלמא הא קמשמע לן דבת נמי בת ירושה היא

The Mishnah taught that if a person who dies has a son, it is he who inherits, and even if there is a daughter, it is the son who receives the inheritance, and not her. As it identifies the source for this halacha, the Gemara determines that we learn it from the verse which states that "if a man dies and he has no son, his property shall be passed to his daughter." This suggests that if he had a son, the property would go only to the son. Rav Pappa questioned this interpretation. Rashbam, in the name of his teachers, explains that R' Pappa is suggesting that perhaps the Torah considers the son and daughter as equal in terms of their rights to inherit from their father, and the verse is describing that if there is both a son and a daughter, together they would inherit equally. Yet, if there is no son and only a daughter, we might not know that she would receive anything. This is why the verse still has to inform us that when she is the only child, she would receive everything. The right of the daughter to inherit is therefore taught in the verse "והעברתם."

Rashbam, however, questions this interpretation, as there is no reason to think that she should not be able to inherit on her own once we know that she has the right to inherit equally with a brother. Rashbam therefore explains that the question of R' Pappa was that perhaps a daughter would not receive anything, not half together with her brother, and not anything when she is by herself. The verse would then be teaching us that the daughter does receive inheritance, but not necessarily that the son has precedence over her.

Rabeinu Yona explains that Rav Pappa knew that the verse cannot simply be informing us that brothers of the deceased inherit after the son and daughter, because this would be true only if we could assume that a daughter receives inheritance in the first place. But this fact itself is not obvious, as we see in the Torah that the Jewish people were not aware that a daughter inherits at all, and the daughters of Tzafchad approached Moshe to ask about this issue. This is why R' Pappa questioned Abaye's interpretation of the verse that a son receives before a daughter, because the Torah might actually be saying that a daughter receives the same as a son.

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Today's Daf Digest is dedicated by Heshy Kofman
 in loving memory of the yahrzeit of his grandfather,
 Yitzchak Pinchas Kofman.
 He loved learning Daf Yomi

HALACHAH Highlight

Accepting tzedaka to be able to study Torah full time

ולא תימא גברא רבא אנה וזילא בי מילתא

He should not say, "I am a distinguished person and this matter is beneath my dignity."

Rambam¹ writes that one who chooses to collect tzedaka in order to be able to learn desecrates the name of Hashem, disgraces the Torah and brings evil upon himself and the entire world. The reason is that it is prohibited to benefit from Torah and any Torah that is not supported by a livelihood will eventually fail and will ultimately bring a person to sin. Tashbatz² disagrees with this conclusion and writes that there is an obligation on the Jewish People to provide financial support for their Torah teachers and judges who make Torah study their occupation. This obligation stems from the practical consideration that people who want to pursue Torah study at the highest levels must be able to dedicate all of their time towards that pursuit. Beis Yosef³ notes that scholars for generations have not followed Rambam's approach. One reason is that the proofs of Rambam are not so compelling and secondly if Rambam's approach were followed the Torah would ח"ו become extinct since people no longer have the ability to balance these two pursuits.

Beur Halacha⁴ cites Teshuvos Dvar Shmuel who asserts

(Insight...continued from page 1)

Ritva adds (בשם הרב החסיד) that once the Torah needed to mention that the daughter inherits, it did so in the verse by mentioning her by herself, rather than together with the son, and it did so using the word "והעברתם" in order to teach and highlight the halacha of land possibly passing from one tribe to the next. ■

that even Rambam would agree that in our times it is permitted for those who study Torah to be supported by tzedaka funds since nowadays it is impossible for a person to be fully engaged in his Torah study while trying to balance that with a career. Although in earlier generations it was possible for people to balance Torah study with an occupation we see that in our times it cannot be done. We know that even during the time of the Beis Hamikdash there were those who were supported from the Beis Hamikdash treasury. Accordingly, in our times it is clear that out of necessity Rambam would agree that scholars should be supported from tzedaka funds. Bach⁵ adds one qualification to this lenient approach. One is only permitted to take money for his needs but may not take more than is necessary. ■

1. רמב"ם פ"ג מהל' תלמוד תורה ה"י.
2. שו"ת תשב"ץ ח"א סי' קמ"ב-קמ"ח.
3. בית יוסף יו"ד סי' רמ"ו ד"ה ומ"ש כל המש"ם.
4. ביאור הלכה סי' רל"א ד"ה בכל.
5. בי"ח יו"ד סי' רמ"ו סעי' ט"ו ד"ה מיהו. ■

STORIES Off the Daf

Careful investigation

"הנושא אשה צריך שיבדוק באחיה..."

Someone once approached the Satmar Rav, zt"l, and asked him about a certain shidduch. Although the girl had sterling middos, her brothers seemed to be a bit off the beaten path of yiddishkeit. He had met the girl and was very impressed with her sincerity, but Bava Basra 110 famously warns that one should check a prospective shidduch's brothers to ascertain the girl's character. The young man wondered if it would be best if he gave up this shidduch despite the positives he had seen.

"You can definitely finalize the shidduch," the Satmar Rav replied. "It doesn't say not to marry her if the brothers turn out to be in a bad place spiritual-

ly. It just warns us to check them to ascertain what her likely weaknesses are and then to see if she is similar to them. But if he feels she is free of these flaws, you may certainly marry her."

On another occasion he also permitted a marriage even though the brothers hardly observed the Torah. "After all, this gemara is not in the Shulchan Aruch," he quipped.

When someone asked him to explain his statement, since obviously one must check his potential wife out, he replied, "Before the churban in Europe, people had to be very careful in this regard since the woman most closely resembled her siblings and if they fell away, she was likely to follow suit. But after the churban, when many people abandoned all faith, what her brother does shows very little about her, since perhaps he was swept up by the heretical winds of the times but

she was not. It is therefore incumbent on the young man to check her out thoroughly, with the main focus on her personal qualities."

When someone asked the Steipler, zt"l, this same question he ruled similarly. "The Gemara is also talking about a time and place where people are truly God-fearing. Someone who falls away in such a situation likely shows that there is an integral flaw in the entire family's outlook. But with the chaotic street of today, it is quite possible that the parents and the entire family have profound yiras shamayim and nevertheless, the brother fell in with bad friends. He may have simply been drawn to read the poison put out by the media and in this manner have fallen away from Torah.

"In such times as ours, clearly one case is no proof of anything at all!" ■

1. נעימות חיים, ע"י קייב וקייג ■