



OVERVIEW of the Daf

1) Performing yibum or chalitzah (cont.)

R' Yitzchok bar Avdimi's explanation of the Baraisa is successfully challenged from the wording of the earlier part of the Baraisa.

R' Yitzchok bar Avdimi is forced to offer an alternative explanation to the Baraisa.

A last detail of the Baraisa is clarified.

2) MISHNAH: The Mishnah presents a discussion concerning who inherits the estate of the deceased.

3) Clarifying the Mishnah

The reason the Mishnah emphasized that one who does chalitzah is like the other brothers is explained.

A Baraisa supports the Mishnah's ruling that when the deceased's father is alive he inherits before the rest of his descendants.

The source that the one who does yibum inherits the estate of the deceased is identified.

4) R' Yehudah's position

Ulla and R' Yitzchok Nafcha rule in accordance with R' Yehudah, namely that the father inherits the estate of the deceased even if one of the brothers performed yibum.

The source for R' Yehudah's ruling is presented.

The source is unsuccessfully challenged.

Two incidents are cited that indicate that the halacha follows Rabanan rather than R' Yehudah.

5) MISHNAH: The Mishnah enumerates the relatives of the widow that become prohibited to the one who does chalitzah and the relatives of the one who does chalitzah that become prohibited to the widow.

6) Secondary עריות of a chalutzah

The Gemara inquires whether secondary עריות were prohibited in the case of a chalutzah.

After numerous failed attempts to resolve this inquiry the Gemara is able to demonstrate that according to Ameimar secondary עריות were prohibited in the case of a chalutzah.

Another proof is presented that demonstrates that all opinions agree that secondary עריות were prohibited in the case of a chalutzah.

7) The co-wife of the chalutzah

Shmuel rules that the child of one who had relations with the co-wife of his chalutzah is a mamzer. The reason, the Gemara explains, is that she reverts back to the original prohibition of his brother's wife.

R' Yosef suggests a support for this assertion that the widow who receives chalitzah is not the agent of the other wives.

The Gemara explains how R' Yochanan, who disagrees with this assertion, explains the Mishnah differently.

The Gemara explains the rationale why it is permitted to marry the relative of the chalutzah's co-wife but not the co-wife of a relative of his chalutzah. ■

Distinctive INSIGHT

Kohanim eat and the owner obtains atonement

מלמד שהכהנים אוכלים ובעלים מתכפרין

Anyone who studies the laws of a chattas is credited as if he brought the chattas offering itself (Menachos 110a).

The Gemara (Shabbos 12b) tells the story of Rabbi Yishmael ben Elisha who was reading alone by the light of a lantern on Shabbos. This is rabbinically prohibited lest the lantern begin to flicker, and the person inadvertently reach and adjust the flame. Rabbi Yishmael felt that his awareness of the prohibition of interacting with a flame would protect him from violating it. However he did accidentally adjust it. He immediately made a written record of the event, stating, "I, Yismael ben Elisha, accidentally read and adjusted a flame. When the Beis Hamikdash is rebuilt, I will bring a fat chattas offering."

Chida notes that based upon the Gemara in Menachos, Rabbi Yishmael did not have to make a written promise while awaiting the future. He could have fulfilled his obligation to bring a chattas immediately by delving into its laws, and for that he would have been credited as if he brought the chattas which he felt obliged to bring. Chida answers, based upon our Gemara in Yevamos, that the credit which a person can earn by studying the laws of a chattas only refers to the part of the chattas which is given upon the altar. However, this does not fulfill the aspect of the offering eaten by the kohanim which procures atonement for the owner. It is this aspect of the offering which prompted Rabbi Yishmael to write in his personal notebook that he ultimately planned to one day bring an animal as a chattas to fulfill his obligation completely.

According to this insight, Chida points out the uniqueness of an olah, which is only offered on the altar, as opposed to the chattas and the other offerings listed in the Torah. Regarding

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REVIEW and Remember

1. How do we know that gluttonous eating is not considered eating?

2. Is the mitzvah of yibum connected to inheriting the property of the deceased?

3. What is the rationale to assume that secondary arayos are not prohibited for a chalutzah?

4. How does the Gemara prove that secondary arayos are prohibited in the case of a chalutzah?

HALACHAH Highlight

Gluttonous eating

והאמר ריש לקיש האוכל אכילה גסה ביום הכפורים פטור מלא תענה
 Wasn't it taught by Reish Lakish that one who eats gluttonously on Yom Kippur is exempt from liability for violating the prohibition of "... that shall not afflict..."

The Gemara's conclusion is clear; namely, one who eats gluttonously on Yom Kippur does not violate the prohibition against eating on Yom Kippur, because gluttonous eating is not defined as eating. Tosafos¹ notes, however, that the Gemara² elsewhere indicates that although it is improper to eat gluttonously, it is still defined as eating and one does fulfill mitzvos by eating gluttonously. Tosafos answers³ that there are two types of gluttonous eating; the more severe type of gluttonous eating is when one is full to the point that the thought of additional eating is reviled. Eating under this condition is not defined as eating, as implied by our Gemara. The less severe form of eating, which is defined halachically as eating, is when a person is not interested in eating because he is full, but has not yet reached the point that the thought of eating makes him ill. These guidelines are cited by Mishnah Berurah⁴ when he rules that if a person eats when feeling full he is still obligated to make a beracha before and after he partakes. If, however, he is full to the point that food appears disgusting he does not make a beracha before or after eating, since that act of gluttonous eating is not defined as eating.

Rav Dovid Harpenes⁵, the Teshuvos Vayevarech Dovid, questioned whether a person is obligated to make a beracha if

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olah, the Torah elaborates and says, "This is the Torah of the olah, it is the olah (היא העולה)..." However, in reference to all other offerings the verse simply states, "This is the Torah of the chattas..." Why doesn't the Torah describe all of the offerings by emphasizing "it is the such-and-such offering," as it does by the olah? The reason is because it is only the olah that is wholly fulfilled with its Torah, being that it is completely burned on the altar and not eaten by the kohanim. We can accurately say that its Torah is the olah. The other offerings, though, are not fully replaced by their Torah. One who studies the laws is credited only with the part of the offering that is placed upon the altar. The eating by the kohanim effects the atonement for the rest. ■

he drinks liquor but does not enjoy it. On the one hand, it is a drink that some people enjoy and should thus warrant a beracha. On the other hand, one could argue that those people who do not like drinking liquor find it painful and it should be categorized similar to gluttonous eating that does not require a beracha. The Ben Ish Chai⁶ also expresses uncertainty regarding the requirement to make a beracha before drinking liquor. His conclusion is that those who do not enjoy drinking liquor should make sure to eat a food that requires a shehakol, like a piece of candy, before drinking the liquor. ■

1. תוס' ד"ה אכילה גסה
2. גמ' נזיר כג
3. תוס' הכא ובנזיר שם ד"ה פסח
4. מ"ב סי' קצ"ז ס"ק כ"ח
5. שו"ת ויברך דוד סי' ל"ב
6. בן איש חי שנה ראשונה פרשת נשא סע' ו' ■

STORIES Off the Daf

Holy eating

מלמד שכהנים אוכלים והבעלים מכפרים

Our Gemara teaches that when the kohanim eat, the bringer of the offering attains atonement for his sins. Such is the power of holy eating!

Once Rav Marei Ratzon ben Amram, zt"l, the Chief Rabbi of Shrav, noticed that one of the regular mispallelim had been absent for three days in a row. He figured that the man must be ill, and so he went to visit him. The Rav knocked on the door and was shown in by the man's wife. The absentee was obviously not sick, and was eating his lunch with gusto.

The congregant saw the Rav and stood

in his honor, and even after they sat down the baal habayis did not resume his meal out of respect for his distinguished visitor.

"Why don't you continue eating?" asked the Rav. "How can you disregard the Shechinah for a mere mortal?"

"What does the Rav mean?" wondered the baal habayis.

"We learn this from a clear verse in the Torah: 'And they saw God, and they ate and drank.' (Shemos 24:11) This verse indicates that a person is able to recognize and contemplate the greatness of the Creator when he eats. As he contemplates that it is Hashem who sustains all living things, he can also use the opportunity to mediate on how needy and frail human beings are. He can feel both the kindness of the Creator and how small a person is. He can also consider the functions of digestion and

elimination of waste, and he will find that it helps him appreciate his own human limitations. This will affect him positively, because it will inspire him to cleave to Hashem and use every bit of strength to pray and learn as much as possible.

The Rav then remarked pointedly, "While we are on the topic of praying, where have you been? Chazal say that Hashem asks after a regular mispallel who misses even one day!"

The man was abashed. "My tallis tore and I was too ashamed to come to shul."

"That is a reason to make Hashem ask after you? I will arrange to have a new one sent to you. But don't forget: if you think about the greatness of Hashem and the smallness of mankind while you eat, you will draw very close to Hashem!" ■

