

## OVERVIEW of the Daf

### 1) R' Avahu's rulings (cont.)

After R' Avahu finishes presenting his guidelines for determining halacha, R' Nachum unsuccessfully challenges one of these rules.

### 2) Waiting three months before remarrying

R' Chiya bar Avin rules that it is sufficient to wait most of three months between husbands before אירוסין. Ameimar permitted a woman to enter אירוסין before three months pass.

This ruling is unsuccessfully challenged.

The Gemara rules on the waiting period of a nursing mother and widow.

### 3) אירוסין within thirty days of her husband's death

R' Chisda inquires why R' Yosi assumed that a widow may not enter into אירוסין during the thirty days following her husband's death based on the logic of a kal v'chomer from halachos related to the week in which Tisha B'Av falls.

The kal v'chomer is refuted.

Rava presents another unsuccessful challenge to R' Yosi's ruling.

The Gemara's answer to Rava's challenge indicates that R' Yosi does not require a three-month waiting period between husbands.

Two explanations to this observation are presented.

The second explanation is unsuccessfully challenged. The Gemara challenges the assumption of this second explanation that a woman who is widowed during אירוסין is obligated to mourn her deceased husband.

This challenge forces the Gemara to revert back to an earlier understanding of R' Yosi and another resolution is suggested to resolve the challenge from the kal v'chomer concerning the week of Tisha B'Av.

R' Ashi successfully challenges this explanation and offers an alternative explanation.

**4) MISHNAH:** The Mishnah teaches that if many brothers die, one brother may do yibum or chalitza to all of yevamos. If one brother dies who had two wives, the yibum or chalitza of one releases the second wife. ■

## Distinctive INSIGHT

### Twenty four months for nursing a child

והלכתא צריכה להמתין כ"ד חודש

The term for nursing a child is twenty four months. After the birth of Yitzchok, Avraham Avinu made a banquet to publicly thank Hashem for the miracle of his birth. The verse states (Bereshis 21:8): "And the child grew and was weaned (ויגמל), and Avraham made a great feast on the day Yitzchok was weaned." Rashi explains that this took place after Yitzchok was finished nursing, when he was twenty four months old. We might wonder, however, why Avraham waited so long before hosting this event. If the purpose was to publicly thank Hashem for the miracles of the birth of Yitzchok, we would expect him to express this appreciation sooner to when Yitzchok was born.

The Gri"z explains that there is a distinct difference between the miracle of Yitzchok's birth and the miracle of his nursing until being weaned. The birth of Yitzchok was a miracle which was contrary to nature. Sarah was barren, and she was miraculously able to conceive and give birth. This event was a one-time occurrence, and after Yitzchok's birth, it was over. The miracle of Sarah being able to nurse her child, however, was a continuous condition, and every time the child ate, the miracle was reenacted. Therefore, in order to fully celebrate the complete miracle of Yitzchok's birth and his nurturing, it was necessary for Avraham to wait until the total range and impact of the miracle was complete. This is why the banquet was not arranged until the entire twenty four months was complete. ■

## REVIEW and Remember

1. Does the requirement to wait three months require three full months?  
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2. How does the Gemara attempt to refute R' Yosi's opinion in the Mishnah?  
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3. How long does ארוסה have to wait after being widowed before receiving אירוסין?  
\_\_\_\_\_
4. When is it permitted for a yavam to take four yevamos?  
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## HALACHAH Highlight

### Putting aside mourning for פרו ורבו

אלא אמר ר' אשי שאני אבילות חדשה מאבילות ישנה

Rather R' Ashi said that there is a difference between recent mourning and old mourning.

**S**hulchan Aruch<sup>1</sup> rules that if a drought continues after a community has observed thirteen fasts, marriages should not be held. An exception to this rule is for a person who did not yet fulfill the mitzvah of פרו ורבו who is permitted to get married because the restrictions were not intended to override mitzvos. In contrast, when discussing the halachos of the Nine Days, Shulchan Aruch<sup>2</sup> rules that one is not permitted to marry during that period, but it does not mention an exception for those who have not yet fulfilled the mitzvah of פרו ורבו.

The Yeshuos Yaakov<sup>3</sup> suggests an innovative resolution to this discrepancy. He writes that decrees against marriage were not instituted for those who did not fulfill the mitzvah of פרו ורבו. However, women are exempt from the mitzvah of פרו ורבו and the requirement to mourn over the destruction of the Bais Hamikdash applies to women the same way it applies to men. Therefore, a woman is not permitted to put aside her obligation to mourn over the destruction of the Bais Hamikdash so that her future husband

will fulfill his mitzvah. On the other hand, rain is withheld because of the sin of wasting time from Torah study, a mitzvah that does not apply to women, and the only reason women fast during a drought is that Chazal did not wish to distinguish between men and women. If, however, there is a man who did not yet fulfill the mitzvah of פרו ורבו the restriction against marriage could be pushed aside because of his obligation to fulfill the mitzvah, and his wife will not be restricted in this case since she has no inherent obligation to refrain from marriage during this time since it is not her sin that caused the drought.

Rav Ovadiah Yosef<sup>4</sup> disagrees with Yeshuos Yaakov for a number of different reasons. One of the disagreements relates to the assertion her obligation to mourn the destruction of the Bais Hamikdash cannot be pushed aside so that her husband could fulfill the mitzvah of פרו ורבו. Tosafos writes of an incident of a woman whose brother died right before her wedding and she was permitted to marry following shiva so that her husband would be able to fulfill the mitzvah of פרו ורבו even though she was still within shloshim. This indicates that halacha allows a woman to marry, even during times of restriction, in order to allow the fulfillment of the mitzvah of פרו ורבו. ■

1. שו"ע או"ח סי' תקע"ה סי' ז'
2. שו"ע או"ח סי' תקנ"א סע' ב'
3. ישועות יעקב סי' תקנ"א סק"ב
4. שו"ת יביע אומר ח"ו או"ח סי' מ"ג ■

## STORIES Off the Daf

### The ninety-day limit

והא הוה דעבד סעודת אירוסין ביום תשעים ואפסדיה רבא לסעודתיה

**O**n today's daf we find that when a certain man made a feast celebrating his kiddushin to a woman who was exactly ninety days after her previous marriage ended, Rav cancelled it.

A man had searched for a bride for quite a while and finally got engaged to a recent divorcee. Although when one gives a divorce it is customary for the presiding Rav to inform the divorcee that she may not marry for a full ninety days, somehow this woman forgot about the restriction. The happy couple set the date of the wedding for a few days before

the end of the ninety-day period.

Just before the wedding they were made aware of the problem, and they went to Rav Avraham Rosenthal, zt"l, with the question of what they should do. "Our extended families have already arrived in town and if we have to postpone the wedding there will be a tremendous amount of embarrassment for everyone concerned. Perhaps we can go ahead with the wedding somehow because of **כבוד הבריות**?" they asked.

The Rav responded, "There are those who would compare this to the case where the Rema, zt"l, permits a wedding that was prepared for Friday day but got delayed to take place on Shabbos night because of **כבוד הבריות**."

Rav Rosenthal put the situation before the famous Aderes, zt"l, and the great scholar indeed argued with Rav

Rosenthal's original position. "We may not compare one Rabbinic proclamation to another—we see this axiom in the Tosafos on Shabbos 23b and Chulin 104a.

The Aderes went on, "Just to make it more clear: here we appear to be faced with a very serious prohibition even according to those who hold it is Rabbinic, since the reasoning behind this is to prevent the birth of a child of doubtful parentage. A wedding, on the other hand, is prohibited on Shabbos mainly because of the fear that one may come to write. We see this in Beitzah 37a. So you see the **שבות** of a wedding is for the sake of a mitzvah. That is why there is some flexibility in the case you attempt to use as a precedent, which does not exist in the case at hand. According to Rabbeinu Tam, one who has not yet had children may marry on Shabbos l'chatchilah!" ■