

OVERVIEW of the Daf

1) Idolaterish graves

R' Shimon ben Yochai rules that idolaterish graves do not transmit tumah.

A number of unsuccessful challenges to this exposition are presented.

The position of Rabanan who disagree with R' Shimon ben Yochai is explained.

2) MISHNAH: The Mishnah discusses the permissibility of a kohen completing his marriage with a widow or yevama if he became Kohen Gadol.

3) Clarifying the Mishnah

A Baraisa is cited that clarifies the two rulings of the Mishnah.

The Gemara notes that the language of the Mishnah indicates that R' Yehoshua ben Gamla was not worthy of the position of Kohen Gadol.

4) MISHNAH: The Mishnah rules that a Kohen Gadol does chalitzah rather than yibum.

5) Clarifying the Mishnah

The Gemara explains why the Kohen Gadol is not permitted to do yibum even if the yevama was only engaged and the positive command should override the prohibition for the mitzvah.

6) MISHNAH: A dispute regarding the permissibility of a Kohen marrying an איילונית is presented.

7) Clarifying the opinions in the Mishnah

R' Huna explains the rationale behind Tanna Kamma and R' Yehudah's opinion.

8) A kohen marrying a minor

R' Eliezer is cited in a Baraisa ruling that a kohen may not marry a minor.

Rabbah suggested an explanation for this ruling.

This suggestion is refuted.

R' Ada bar Ahavah suggests an alternative explanation that is rejected.

Rava, R' Pappa and R' Nachman bar Yitzchok suggest different explanations for R' Eliezer's ruling.

R' Amram states that the halacha is not in accordance with R' Eliezer who ruled in a previous Baraisa that a single man and woman who have relations without intent for marriage make her into a zonah.

9) MISHNAH: The Mishnah teaches that one may not refrain from procreating unless he has children. The dispute between Beis Shammai and Beis Hillel concerning the sex of the children necessary to fulfill the mitzvah is presented.

10) Remaining married

The Gemara infers from the Mishnah support for Shmuel who rules that it is prohibited to remain without a wife.

A second opposite version of this discussion is presented.

11) Clarifying the dispute

The rationale behind Beis Shammai and Beis Hillel's respective opinions is presented. ■

Distinctive INSIGHT

How old was Rivka when she married Yitzchok Avinu?

אין בתולה אלא נערה וכן הוא אומר "והנערה טובת מראה מאד"

The Gemara clearly understands that Rivka was a נערה, twelve years old, when Eliezer came to take her for a wife for Yitzchok. Tosafos (ד"ה וכן) points out that this is contrary to the description of the story as related in Midrash of Seder Olam (Ch. 1), where we are told that Rivka was three years old at that time. Tosafos reinforces the question by demonstrating that the version of the Midrash is not an error, because the birth of Rivka is listed to be at the same time Akeidas Yitzchok took place (see Rashi to Bereshis 22:20). Yitzchok at that time was 37 years old, and he married Rivka three years later, when he was forty, and she was three.

On the other hand, Tosafos cites the opinion of R' Shmuel Chassid of Shapira, who explains a midrash from Yalkut Shimoni (Zos Haberacha 965), where we find that there are six pairs who lived to the same age. One of the pairs is Kehas and Rivka, both of whom lived until age 133. The age of Kehas is explicit in the verse (Shemos 6:18). We also know that Rivka died when Yaakov was 99 years old. The basis for this calculation is found in Tosafos here, and can be found in Rashi to Bereshis 28:9. This means that she was 34 when her twin sons were born, which we know was twenty years after she was married to Yitzchok. Accordingly, she was 14 when she married Yitzchok. The Rishonim all say that she was still only a נערה at this age, and not yet a בוגרת, because she did not show signs of being a נערה until she was fourteen.

Tosafos concludes that we must say that there are variances in the Midrashim, and each has its opinion how old she was when she married Yitzchok.

Ramban, however, brings opinions which say that the verse cited in our Gemara is coming to praise Rivka for being advanced in her manner of conduct. While she was actually

(Continued on page 2)

REVIEW and Remember

1. Do the graves of idolaters transmit tumah?

2. Does a Kohen Gadol do yibum?

3. What are the different opinions concerning the definition of a zonah?

4. When is the mitzvah of פרו ורבו fulfilled?

HALACHAH Highlight

Do the graves of idolaters transmit tumas ohel?

קברי עכו"ם אינן מטמאין באהל

The graves of idolaters do not transmit tumah by means of an ohel.

Rambam¹ rules in accordance with the statement of R' Shimon ben Yochai that the graves of idolaters do not transmit tumas ohel; therefore it is permitted for a kohen to enter a cemetery of idolaters and walk on their graves. However, it is prohibited for a kohen to touch or carry the corpse of an idolater as appears to be the conclusion of the Gemara. The Sefer Yeraim² also rules that the graves of idolaters do not transmit tumas ohel, but disagrees with Rambam concerning the permissibility for a kohen to touch or carry the corpse of an idolater and maintains that it is permitted.

The Mishnah LaMelech³ writes that it is impossible to assume that Sefer Yeraim ignored or forgot our Gemara that clearly indicates that the corpse of an idolater does transmit tumah by means of touch or transporting and therefore proposes an interesting resolution. When the Gemara states that the corpse of an idolater transmits tumah it means that it transmits tumah similar to the tumah imparted by a sheretz. A person who is tamei from a sheretz is restricted from entering the Beis Hamikdash but it is not a tumah that is prohibited to a kohen. Therefore, when the Gemara states that the corpse of

(Insight. Continued from page 1)

three years old, the verse refers to her as a נערה, not due her actually being 12 years old, but only in terms of her precocious behavior.

Ramban himself rejects this attempt to reconcile the midrashim, and he concludes, as does Tosafos, that the Midrashim cannot be resolved with each other. ■

an idolater transmits tumah by touch or through carrying it was referring to sheretz level tumah rather than corpse level tumah. Accordingly, the ruling of Sefer Yeraim is not contradicted by our Gemara.

Sefer Yeraim challenges his own position from the Gemara Nazir⁴ that proves that a nazir shimshon is permitted to become tamei from a corpse from the fact that Shimshon became tamei from the dead Phillistines. According to the position of Sefer Yeraim, however, there is no proof since the corpses of idolaters do not transmit tumah by means of touch. Sefer Yeraim answers that the Gemara there follows the opinion of Rabanan who maintain that the corpses of idolaters transmit even tumas ohel and according to their position the corpse of an idolater will certainly transmit tumah to one who touches or transports a corpse. ■

1. רמב"ם פ"ג מהל' אבל ה"ג
2. ספר יראים סי' שכ"ב
3. משנה למלך לרמב"ם הנ"ל
4. גמ' נזיר ד ■

STORIES Off the Daf

"You Are Called 'Adam,' but the Nochrims Are Not..."

אתם קרוים אדם

Officially, the trial of Mendel Beilis was to be a judgment pertaining to a single individual former Russian soldier turned brick-worker accused by the Tzar's government of murder. In reality, the trial was to be an indictment against the entire Jewish nation on a blood libel charge: an insane accusation of long provenance that Jews would ritually murder idolaterish children to procure blood for the preparation of matzos. The blood libel was centuries old, and political unrest in Czarist Russia made the creation of a Jewish scapegoat very appealing. The year was 1913, only four years away from the Russian Revolution; if Russians could be

convinced that their true enemy was the Jews and not the Czar, perhaps the masses could be quieted.

Jews all over the world contributed to Mendel Beilis' defense fund; he was represented by a number of advocates, but the testimony of Rav Mazeh, zt"l, chief Rabbi of Moscow, was given especial consideration by the court. Entrusted with the defense of Judaism, Rav Mazeh appealed to Gedolim throughout the Jewish world for help in assembling his arguments. A vicious Moldovan friar had leveled a number of very serious allegations against the Jews based on misinterpretations of Talmudic sources. In his defense, Rav Mazeh relied on a number of responses provided to him by other scholars.

One of the strongest allegations was based on the Gemara in Yevamos 60b which states that the Jewish people alone are called "Adam." This statement was

taken out of context and misapplied a number of times. The prosecution would say, "This proves that Jews consider idolaters subhuman. This means that restrictions against abuse and murder would not apply to us!" Understandably, this statement was very damaging and incited a lot of wrath until the Rav remembered that among the hundreds of letters which he had received had been a letter touching upon this point from Rav Meir Shapira, the illustrious Rav of Lublin, zt"l.

"The words of the Gemara mean that, unlike the Jewish people, the idolaters are not considered an Adam, a single man. This trial proves the point. If a single Russian was to be accused of murder, surely this would not concern the entire nation? Yet everyone sees and knows that while one Jew stands on trial here, the outcome affects every Jew, everywhere!" ■