A RUBEN DAF YOMI CENTER PUBLICATION
DAF YOMI DIGEST
THE DAILY RESOURCE FOR THOUSANDS OF DAF YOMI LEARNERS WORLDWIDE
Sunday, Jun 12 2022 ■ י״ג סיון תשפ״ב
יבמות צ״ז
The Chicago Center

OVERVIEW of the Daf

1) R' Yochanan's anger

The Gemara concludes the incident related to R' Yochanan's anger at someone not reciting a halacha in his name.

2) A twenty year old without pubic hair

A contradiction is noted between our Mishnah and the Mishnah in Niddah whether a twenty year old without pubic hair is treated as an adult.

The contradiction is resolved and Rava notes that a careful reading of the Mishnah in Niddah supports this resolution.

The status of one who does not have pubic hairs nor signs of being a סריס is presented.

Rava offers advice to people how to trigger puberty.

הדרן עלך האשה רבה

3) MISHNAH: The Mishnah discusses different cases of one who violates or seduces a woman and whether he becomes prohibited to her relatives.

4) Marrying the relatives of the woman he violated or seduced

A Baraisa is cited that echoes the first rulings of the Mishnah.

This ruling is unsuccessfully challenged.

A Baraisa identifies the source of the Mishnah's ruling that it is permitted to marry the relatives of the woman he violated or seduced.

R' Pappa unsuccessfully challenges this ruling.

Rava points to a different source for the Mishnah's ruling.

This source is unsuccessfully challenged.

5) R' Yehudah's position

R' Yehudah in the name of Rav identifies the source of R' Yehudah's position in the Mishnah prohibiting the woman seduced by one's father.

The Rabanan's alternative explanation of the verse is presented.

This explanation is unsuccessfully challenged.

6) Riddles

Seven riddles regarding unusual family relationships are presented and explained.

7) MISHNAH: The Mishnah discusses yibum for brothers who converted or were freed from slavery.

8) Marrying a converted brother's widow

A dispute is presented between R' Acha bar Yaakov and R' Sheishes whether one is permitted to marry a converted broth-

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Today's Daf Digest is dedicated
By Rabbi and Mrs. Shiya Wechsler
in memory of his father
ר' יצחק אהרן בן הרב צבי דוב, ע״ה

Distinctive INSIGHT

At what point are the relatives of a woman prohibited to the husband?

בנישואין איכא שאר

Tosafos (ד״ה עריות) explains that it is חופה—when a man takes a woman into his domain—that the relatives of the woman become forbidden to him. This is when she is considered "married." Earlier, on 3a, Tosafos expresses the same opinion. This halacha does not depend upon whether the marriage was consummated, but rather as soon as חופה takes place, this woman is legally considered his wife. Pischei Teshuva (15:#5) explains that that once we say that ביאה is not a factor, even Tosafos agrees that the prohibition actually begins earlier, at kiddushin. However, Shaar Hamelech proves that Tosafos holds as stated here, that this legal status only begins at marriage (נישואין).

Rambam, however, writes (Hilchos Isurei Bi'ah 2:7) that once the man offers kiddushin to the woman, and she accepts, her six close relatives become prohibited to the man forever.

Aruch Laner explains that the difference of opinion we find here between Tosafos and Rambam actually originates with the different opinions we find among the Tannaim. Our Mishnah states that the prohibition begins with marriage. The Baraisa (Derech Eretz 1:1) states that this status begins earlier, at the time of kiddushin. A practical difference between these opinions would be where a man would offer kiddushin to a woman, and then offer kiddushin to the woman's daughter. According to Rambam, the man was immediately prohibited to the woman's relatives, and the kiddushin to the daughter is of no significance at all. According to Tosafos, both offers of kiddushin are valid, and the man must give a גט to each. However, Aruch Laner admits that this point is not brought in halacha, and it appears that, in fact, Tosafos agrees with Rambam, and the relatives become prohibited at the moment of kiddushin. Tosafos only mentions the term חופה as he is explaining the Gemara according to Rava at this point. ■

REVIEW and Remember

1. At what age is a person lacking pubic hair considered an adult?

2. What is כנף אביו?

3. Why does the Gemara present the different riddles?

4. What are twins not considered brothers?

HALACHAH Highlight

Repeating a teaching in the name of its author

דאמר ר' יוחנן משום רשב"י כל תלמיד חכם שאומרים דבר שמועה מפיו בעוה"ז שפתותיו דובבות בקבר

As R' Yochanan said in the name of Rashb"i: Any deceased scholar in whose name a teaching is cited in this world causes his lips to move.

The Maharsha[1] questions the inquiry of the Gemara about R' Yochanan's anger at R' Elazar for not reciting the teaching in his name. Since the Gemara Megilla[2] teaches that one who recites a teaching in the name of its author brings redemption to the world, others should have joined R' Yochanan's protest. Maharsha explains that the teaching must have been one that would provide benefit for R' Yochanan after he died, but he does not elaborate on this answer. The Chelkas Yaakov[3] challenges this resolution from R' Yochanan's statement recorded in the Midrash Tanchuma. R' Yochanan rules that repeating a teaching, without mentioning the author, violates the prohibition of stealing from the poor - אל תגזל דל כי כל הו. Accordingly, the question that others should have protested returns.

The Panim Meiros[4] suggested that R' Yochanan was angered that R' Elazar did not cite the teaching in his name because sometimes when a teaching is cited in the name of a great scholar it is more readily accepted. Thus, R' Yochanan was concerned that if his name was not associated with his teaching it might be rejected and forgotten altogether. This would ultimately deny R' Yochanan of the pleasure of having the teaching recited after he dies.

Chelkas Yaakov suggests that our passage could be understood in light of the Gemara Berachos[5] which states that if one sees a Torah scholar commit a transgression at night, one should not think ill of him in the morning since he most certainly has done teshuvah. This principle, however, does not include cases involving monetary matters because such matters cannot be rectified unless the money is returned to its owner. Accordingly, R' Ami and R' Assi assumed that although R' Elazar had committed a transgression by not citing the teaching in the name of R' Yochanan, nevertheless, he certainly repented for his transgression and there was no reason for R' Yochanan to maintain his anger. Therefore, R' Yochanan explained that citing a teaching without mentioning the author denies the author the benefit of having his lips move as the teaching is cited after his death, thus making it akin to a monetary matter that cannot be rectified unless the transgression is rectified. ■

1. מהרש"א חידושי אגדות ד"ה מ"ט קפיד
2. גמ' מגילה טו
3. שו"ת חלקת יעקב או"ח סי' מ"ו
4. שו"ת פנים מאירות בהקדמותו
5. גמ' ברכות יט ■

(Overview. Continued from page 1)

er's widow.

The parameters of the dispute are explained.

A second version of the dispute is presented.

R' Acha bar Yaakov's lenient position is unsuccessfully challenged.

According to a second version the Gemara unsuccessfully sought to support R' Acha bar Yaakov.

The Gemara begins to cite support for R' Sheishes. ■

STORIES Off the Daf

The Misquoted Maharshah

דובב שפתי ישנים

A bochur once approached R' Meir Shapiro, z"tl, the Rosh Yeshiva of Chachmei Lublin. Although Rav Meir was always happy to speak in learning with anyone, this particular bochur preferred longwinded discussions about real or imagined difficulties in the commentaries rather than actually working to develop a clear his own understanding of the sugyos.

The bochur requested an explanation of a very difficult concept he told over in the name of the Maharshah. This particular Maharsha did not sound familiar to Rav Meir. After searching his memory for a short time, Rav Meir was certain that no such comment of the Maharshah existed.

The Rav said graciously, "Pardon me, my precious friend, but there is really no difficulty at all since the Maharshah you are quoting doesn't exist."

The bochur was adamant that he had quoted the Maharshah correctly. "How can you say that? Of course it exists!"

Rav Meir responded with enthusiasm,"אדרבה! Let's see."

After several moments of futile searching, it was apparent that the bochur had confused a Maharshah with a different commentator that actually said something altogether different.

Afterward, Rav Meir wished to delicately chide the bochur without giving offense. He felt that the misquote showed that this particular student needed to learn with much more deliberation and care.

He said, "You know, our discussion has left the Maharshah with his mouth open, and Mashiach standing on one foot!"

The young man was flummoxed. "What do you mean?"

Rav Meir explained, "In Yevamos 97a, Chazal say that when people in this world recite teachings of a departed Chacham, his lips move in the grave. Furthermore, in Megillah, Chazal say one who says a Torah concept in the name of its originator brings redemption to world.

Rav Meir concluded, "The moment you said, 'The Maharshah says...' the Maharshah opened his mouth and Mashiach picked up his foot to bring the redemption. But when it turned out that you said something that the Maharshah never said, you left them both hanging in such awkward positions!" ■

Daf Digest is published by the Chicago Center, under the leadership of
HaRav Yehoshua Eichenstein, shlit"a
HaRav Pinchas Eichenstein, Nasi; HaRav Zalmen L. Eichenstein, Rosh Kollel; Rabbi Tzvi Bider, Executive Director,
edited by Rabbi Ben-Zion Rand.
Daf Yomi Digest has been made possible through the generosity of Mr. & Mrs. Dennis Ruben.