A RUBEN DAF YOMI CENTER PUBLICATION
Mon, Jun 13 2022 ■ י״ד סיון תשפ״ב
DAF YOMI DIGEST
THE DAILY RESOURCE FOR THOUSANDS OF DAF YOMI LEARNERS WORLDWIDE
יבמות צ״ח
The Chicago Center

OVERVIEW of the Daf

1) Marrying a converted brother's widow (cont.)

After the Gemara concludes its attempt to support R' Sheishes, it refutes the proof.

Rava digresses for a moment to discuss the relationship that exists between a gentile father and his Jewish son.

Two unsuccessful attempts are made to support R' Acha bar Yaakov's position that it is permitted to marry the widow of one's converted brother.

A point in the preceding Baraisa, related to the reliability of a Torah scholar to present an authoritative ruling is unsuccessfully challenged.

Another side note related to the Baraisa is presented.

Another unsuccessful attempt is made to support R' Acha bar Yaakov's ruling.

A point in the preceding Baraisa is clarified.

2) A convert marrying his converted mother-in-law after her converted daughter died

A contradiction is noted whether a convert is permitted to marry his converted mother-in-law after her converted daughter dies.

The Gemara resolves this contradiction by differentiating between R' Yishmael's position and R' Akiva's position.

3) MISHNAH: The Mishnah discusses what is done regarding yibum when five babies become intermingled.

4) Clarifying the Mishnah

The Gemara emphasizes that each widow must receive chalitza before doing yibum.

Another statement in the Mishnah teaches that each man should do yibum to a different widow rather than one doing yibum to all the widows.

A Baraisa begins to present additional variations of the Mishnah's case.

A point in the Baraisa is clarified.

The Gemara concludes citing the Baraisa. ■

Today's Daf Digest is dedicated
In memory of our father
ר' יצחק ארי' בן ר' יעקב אליעזר,ע״ה
By Eliezer and Breena Freid

Distinctive INSIGHT

The prophecy of Yonah regarding the city of Ninveh
אמר רבינא על עיסקי נינוה קאמר

Rabbi Akiva had said that Hashem spoke to Yonah only twice, but no more. The Gemara finds a third time where Yonah was given a prophecy, which seems to contradict the understanding of Rabbi Akiva. Ravina explains that Rabbi Akiva meant that Hashem spoke to Yonah only twice in reference to the city of Ninveh. Therefore there is no contradiction from the fact that Yonah was granted prophecy at another opportunity, because that third time was not in reference to the city of Ninveh.

Tosafos asks that in Sefer Yonah itself we find that Yonah spoke with Hashem a third time, and this dialogue was, in fact, regarding the city of Ninveh (see Sefer Yonah 4:6-11). This was when Yonah was protected by the kikayon plant which later shriveled up and withered away. When Yonah was distressed about it, Hashem used the opportunity to show him that it was appropriate that the people of Ninveh were shown compassion and not killed.

Tosafos answers that Ravina meant that Hashem spoke to Yonah only two times in reference to instructing the people of the city of Ninveh that they should do teshuva. Although we found a third prophetic occurrence regarding Ninveh, this event did not feature a mission to go to Ninveh and to tell them some message.

Maharsha suggests that this third incident was not counted as a third prophecy regarding Ninveh for a different reason. Maharsha explains that this was merely rebuke from Hashem for Yonah for his having shown distress that the people of Ninveh had done teshuva and were saved. Hashem demonstrated to Yonah that it was necessary to be compassionate and helpful to all of Hashem's creatures, just as Yonah himself had expressed concern for the kikayon plant. ■

REVIEW and Remember

1. What is the source that non-Jews do not have paternity?
2. How many times did Hashem speak with Yonah?
3. Is it permitted for one to marry his mother-in-law after his wife dies?
4. Why is it necessary to do all the chalitza before the yibum?

HALACHAH Highlight

Ruling for oneself

והאמר ר' אבא אמר א"ר הונא אמר רב כל תלמיד חכם שמורה הלכה ובא וכו'

Didn't R' Abba in the name of R' Huna in the name of Rav teach that a scholar who comes to issue a halachic ruling...

The Poskim debate whether a scholar is permitted to rule for himself and concerning what matters is his ruling reliable (See Daf Digest Yevamos Daf 77 Edition #870). The Shulchan Aruch HaRav[1] maintains that a scholar is permitted to rule for himself. In contrast, the Taz[2] limits this ruling. Rema[3] notes that there are places where individuals do not slaughter and examine animals for themselves. Rather only those appointed by the community have this authority. The implication is that, barring local custom, it is permitted for a scholar to slaughter and examine animals for himself. Taz disagrees and maintains that the principle that a scholar is allowed to rule for himself is limited to those cases where there was no preexisting chazakah of prohibition. If there was a preexisting chazakah of prohibition the scholar is not believed. Therefore, one is never permitted to slaughter and examine an animal for himself since the animal has a preexisting chazakah of prohibition.

Within the position of Taz, the Poskim limit the application of his restrictive ruling. According to Shulchan Aruch Harav's understanding of Taz,[4] the only restriction is for others to rely on the scholar's ruling but the scholar is allowed to rely on his own ruling. Others[5] maintain that even in cases of a preexisting chazakah of prohibition the only restriction is when the ruling of the scholar involves drawing comparisons from one case to another (מדמה מילתא למילתא). When the ruling is taken directly from a source he is permitted to rule for himself.

Chazon Ish[6] indicates that he subscribes to the position that allows a scholar to rule for himself. He writes that the Torah's restriction against bribes is a statute (חק) that cannot be easily understood since the Torah allows a scholar to examine a teraifah for himself, even if he is impoverished and this is the only possible food for him to eat. Nevertheless, the Torah is not concerned that his personal needs will sway his judgment. ■

1. שו"ע הרב יו"ד קו"א סי' י"ח סק"י
2. ט"ז יו"ד סיי י"ח ס"ק ט"ז
3. רמ"א שם סע' י"ח
4. שו"ע הרב שם
5. ע' פניני הלכה במתיבתא (מהד' עוז והדר) למס' יבמות לדף צ"ח מאמר פסיקת רב לעצמו
6. ספר אמונה ובטחון פ"ג סי' ל' ■

STORIES Off the Daf

The trusted witness

על ספסל זה ישב רבי עקיבא ואמר שני דברים

There was once a woman whose husband and sister-in-law were away together. One day, the wife received a letter from her sister-in-law stating that she must sit shivah over her husband and that their son should say kaddish for his father. The letter detailed the events leading up to her husband's death.

This presented a halachic problem for the widow. We do not permit an agunah to remarry based on the sister-in-law's word. But perhaps in this case she could be permitted since there was a wealth of corroboratory detail. The poskim who were asked couldn't find any precedents relating to such a case. When this question came before the Maharsham, zt"l, he permitted the unfortunate woman to remarry.

The Maharsham said, "First of all, people believe that it is dangerous for a child with two living parents to say kaddish. The sister's writing that her nephew should begin to recite kaddish for his deceased father is already a strong indication that she is telling the truth.

He continued, "Secondly, the Gemara in Yevamos 98a tells that a certain convert married a woman who had been married to his maternal brother while the convert was still a non-Jew. After he converted they didn't have relations. When Ben Yasin asked who had permitted him to do this, the convert responded by saying, "...On this very bench Rabbi Akiva said two things. One was that a ger may marry his maternal brother's wife, and the other was that Hashem spoke to Yonah twice but not three times...." The Gemara asks why we believe the ger, as even a chacham would not be believed if he discovered a leniency regarding a question that is relevant to him personally? One of the answers is just like we believe him about the teaching regarding Yonah, we believehim about the first teaching. Rashi explains that the fact that he speaks words of truth can be seen from his story.

The Maharsham concluded, "Similarly, the sister wrote a second letter to her mother telling her to sit shivah and the details surrounding her son's death. This shows she is not lying since the words of truth are recognizable from the story. In any event, how could she pain her mother by causing her to sit shivah unless she is telling the truth?" ■

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.