



OVERVIEW of the Daf

1) A minor who commits a transgression (cont.)

The conclusion of the previously-cited incident involving R' Pedas is that Beis Din is not responsible to prevent minors from committing transgressions.

Numerous unsuccessful attempts are made to support or refute R' Pedas's ruling.

The Gemara digresses to analyze a ruling in the Baraisa related to infants nursing from kosher animals on Yom Tov.

Three rulings related to the obligation of adults to prevent children from sinning are cited to challenge R' Pedas but are refuted.

The necessity for the same principle to be taught three times is explained.

Three additional unsuccessful attempts are made to refute R' Pedas's ruling.

הדרן עלך חרש

2) **MISHNAH:** The Mishnah discusses different circumstances when a woman is or is not believed to testify that her husband died.

3) Clarifying the Mishnah

The language of the Mishnah is explained.

4) A woman's credibility to testify that her husband died

Rava explains why, in times of war, a woman is not believed

(Continued on page 2)

REVIEW and Remember

1. What is the difference between a minor doing melachah for a Jew and an idolater doing melachah for a Jew?
2. Why is it permitted to give a child forbidden milk without an evaluation to determine the necessity?
3. Why is it necessary for the Torah to teach in three contexts that adults are responsible to teach minors?
4. Why is a wife's testimony not accepted regarding her husband's death during a time of war?

Today's Daf Digest is dedicated
The Davis family
לע"נ שמחה אליעזר דוד דייוויס

Today's Daf Digest is dedicated
By Dr. and Mrs. Justin Gordon
In loving memory of their mother
מרת בתני' בת ר' יאור מרדכי, ע"ה

Distinctive INSIGHT

The wife's report of her husband's demise

אמר רבא מאי טעמא דמלחמה משום דאמרה בדדמי דסברה סלקא דעתא בכל הני דאיקטול הוא פליט

The Mishnah rules that if the world is experiencing war and turmoil, a woman is not believed if she comes and tells us that her husband has died. The reason she is not believed is that we presume that she did not actually see her husband die, but she is convinced that if he was alive he would probably have returned. This is compounded further by the fact that so many people did, in fact, die, so the wife is lead to think that her husband is also dead.

This initial explanation of Rava why the woman is not believed does not suspect the woman of intentionally deceiving the Beis din and attempting to lie outright. As Rambam (Hilchos Geirushin 13:2) phrases it “שמא תסמוך דעתה—the woman might come to believe as a fact” that her husband has died, although she did not see it happen in front of her own eyes. The worst thing is that she is extending her assumed conclusion and presenting it as a fact.

Rava then extends his commentary. Even if we would accept that a woman who was at peace with her husband would not make any gross assumptions without having seen any indication to her husband's death, even during wartime, we would still have to deny the woman's word about her husband's death. The Beis Din would assume that the woman actually saw her husband wounded, and when the wife ran away to save her own life, she assumed that the husband could not have recovered from his wounds. Yet the Beis Din has to consider the possibility that some remedy might have become available, and that the husband is still alive. This explanation is based upon the assumption that the woman would not report anything non-factual, and that she would not speak about her husband's death just from conjecture. She would, however, extend the facts of having seen him mortally wounded, and she would say that he definitely died when she did not see him actually expire.

Sefer Bikurei Yehuda notes that according to the first presentation of Rava, we can understand why the case is illustrated in a case of world turmoil. This is the only situation where the woman's word is suspect, and that we question its accuracy. Under normal circumstances, when a woman reports that her husband died we would believe her, due to the severe consequences of her giving a false report. However, in the case of her seeing her husband mortally wounded, she should not be believed even in peaceful times.

Bikurei Yehuda notes that the Rishonim point out that if it was not wartime, the woman would not have left her husband's side without seeing the outcome of his crisis. In wartime, however, she had to escape to save herself. ■

HALACHAH Highlight

Feeding children on Yom Kippur

לא תאכילום להזהיר הגדולים על הקטנים

"Do not feed them" constitutes a warning against adults feeding children etc.

Rabbeinu Moshe of Pontaiza asked Rabbeinu Tam¹ for his opinion regarding the practice of pious people who refrain from feeding their children, even those who have not yet reached the age of chinuch, on Yom Kippur. Furthermore, those who follow this practice criticize those who are not strict by claiming that they are in violation of the prohibition mentioned in our Gemara that one is not permitted to hand a child something that is prohibited. The Ran² asks a similar question against Rambam. Rambam rules that the five restrictions are Biblically prohibited and yet it is evident from the Gemara that it is permitted for an adult to bathe a child on Yom Kippur. Why doesn't that practice violate the prohibition against handing a child something that is prohibited?

Rav Shlomo Kluger³ suggests, as a resolution to Ran's question, that the prohibition against handing something prohibited to a child is limited to those items that are prohibited by a negative command (איסור לאו) but it is not prohibited to hand those items that are prohibited by a positive command (איסור עשה). As a result since the restriction against bathing on Yom Kippur is by force of a positive command it is permitted for an adult to bathe a child.

STORIES Off the Daf

"To exhort the great ones about the small ones..."

ת"ש אמור ואמרת להזהיר גדולים על הקטנים

The Beis Yisroel, zt"l, was well known for doing a tremendous amount of קירוב with the broken and shattered souls who had been through the horrors of the Holocaust. Despite his characteristic sharpness to those who he felt needed to be galvanized to greater heights, he was exceedingly gentle and loving with those who needed encouragement. He brought very many confused survivors back to Torah and mitzvos.

Once, the Beis Yisroel, zt"l, met with another Rebbe. As the two spoke in learning, this other Admor delivered some

mussar to the Beis Yisroel.

"Rashi in Parshas Emor brings the Gemara in Yevamos 114a that says: 'It says Emor...v'amarta before the prohibition against kohanim willfully becoming ritually impure so as to warn adults about minors (forbidding adult kohanim to defile minors).' The verse concludes: **לנפש בעמיו לא יטמא בעמיו** can also mean his burning hot coals (from עוממות). Thus the verse metaphorically teaches that those of greater stature should be careful when working to bring distant people closer to Hashem (קירוב) that they not be burned by the burning coals of these people. These coals are the negative connections to low spiritual places and philosophies such people invariably have. One must work hard to ensure one does not fall spiritually when working with such people!"

(Overview. Continued from page 1)

to testify that her husband died.

Rava's opinion regarding a woman's credibility to testify that her husband died during a time of famine is followed until he concludes that she does not have credibility unless she testifies that she buried him.

A woman's credibility concerning different circumstances is discussed.

The Gemara begins an inquiry about a woman's credibility to testify that her husband died in war when our knowledge of the war comes from her testimony. ■

Rav Ovadiah Yosef⁴ notes that this explanation is not sufficient for Rambam who maintains that the restriction against handing a child a prohibited item includes even those items that are Rabbinically prohibited. Therefore, an additional distinction must be made. Rav Yosef, based on Rabbeinu Tam and Meiri, asserts that the distinction is whether the item is inherently prohibited, like the bugs and sheratzim mentioned in the Gemara and those items that are prohibited only because of a matter related to timing. Consequently, since the restriction against eating on Yom Kippur is related to the day rather than the food, it is not encompassed by the prohibition against handing a child something that is prohibited and it is permitted to feed children on Yom Kippur. ■

1. ספר הישר לר"ת סי' נ"א ונ"ב (מובא בשו"ת יביע אומר דלקמח)
2. ר"ן על מסכת יומא ר"פ יו"ם הכפורים
3. חכמת שלמה אור"ח סי' תרי"א
4. שו"ת יביע אומר ח"ז אור"ח סי' נ"ב ■

"Incorrect! The משמעות is the opposite!" fired back the Beis Yisroel, "Those of greater stature are obligated to help those of smaller stature to sanctify and purify themselves. Hashem promises that those who do so לשם שמים will not be defiled by these people's burning coals, the impurity from which they have yet to be cleansed! The reason why is obvious. In the merit of those of greater stature who descend to help those of smaller stature and bring them closer, Hashem protects them from being negatively influenced by those whom they help. This is the deeper meaning of the Mishnah in Avos that states: 'מתלמידי יותר מכולם—I learned the most from my students.' One who has helped others come close is not dragged down at all. Quite the contrary! They are enabled to ascend even higher than they were before!" ■