

The Weekly Daf



by Rav Mendel Weinbach - Dean, Ohr Somayach Institutions

Yevamot 41 - 47

Week of 3 9 Shevat 5760 / 10 16 January 2000

Rav Weinbach's insights, explanations and comments for the 7 pages of Talmud studied in the course of the worldwide **Daf Yomi** cycle

PROPHETIC PARAMETER

When can a prophet influence a ruling on a halachic prohibition and when not? The line of demarcation is clearly drawn in our *gemara* *yibum*. One is the situation of a man who married one of two sisters but a doubt arises as to which one is his wife. Should he subsequently die childless, his brother cannot perform *yibum* with either of them, for he may unknowingly be marrying the sister of the woman he is indeed supposed to marry (whom the Sages prohibit *yibum* is not possible unless witnesses appear to clarify which is the real widow, he is required to perform *chalitzah* with both women in order to make it possible for both of them to marry outside the family.

The other case is that of a man who came before Rabbi Yossi and asked to perform *chalitzah* before three months had passed since the death of his brother. He was told that he could not do so because the *mishna* tells us that neither *yibum* nor *chalitzah* can be performed before three months have elapsed. *Yibum* cannot be performed because it is not evident that the widow is pregnant until three months pass. Should she indeed be pregnant and bear a live *yibum* was permitted only if there is no surviving child. But why, asks the *gemara*, should *chalitzah* not be performed before three months, since there is no violation involved even if the widow is found to have been pregnant? The answer given is that the Torah linked *yibum* to *chalitzah*, and whenever *yibum* cannot be performed neither can *chalitzah*.

If this is the rule, asks Rabbi Chanina, why do we permit *chalitzah* to be performed in the case of the two sisters where *yibum* cannot be performed?

The solution to this problem is thus expressed: Should the Prophet Eliyahu come and reveal to us which sister is the widow, there would be no obstacle to *yibum*. We therefore consider her *eligible* for *yibum*; and even if *actual yibum* cannot be performed, she is still eligible for *chalitzah*. Should Eliyahu come, however, and reveal to us that the widow is not pregnant, we still would not permit *yibum* before three months because the Sages established an inflexible waiting period of three months in every case, even if the widow was a minor incapable of conceiving.

This *gemara* is cited by the commentaries as one of the sources for distinguishing between the power of the prophet to intervene in halachic matters and his power to clarify the facts of a case, such as in the situation of the two sisters. Where the facts are not the issue, such as in the case of the waiting period which applies even when we are

through Moshe, no prophet was empowered with prophecy to affect the halachic process.

Yevamot 41b

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22 Shimon Hatzadik Street, POB 18103, Jerusalem Israel

☎ 972-2-581-0315

fax: 972-2-581-2890

✉ info@ohr.org.il

38 East 29th Street 8th floor, New York, NY 10016, USA

☎ 1-212-213-3100

fax: 1-212-213-8717

✉ RZCorlin@aol.com or estern@Aol.com

613 Clark Avenue West, Thornhill, Ontario L4J 5V3, Canada

☎ 1-905-886-5730

fax: 1-905-886-6065

✉ Somayach@MSN.com

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YOUR PEOPLE ARE MY PEOPLE

In addition to circumcision and immersion in a *mikveh*, a non-Jew who wishes to convert to Judaism must commit himself to fulfilling all the *mitzvot* incumbent on Jews. As a source for the sort of basic instruction given to the conversion candidate, the *gemara* cites the dialogue between Naomi and Ruth, which is only hinted at in the words of Megillat Ruth (1:16-18).

Amech ami

-in-law who is pointing out the difficulties of

mitzvot.

Where, ask the commentaries, is it hinted in these words of Ruth that she was expressing a commitment to this large body of commandments?

amech

and the other on the connotation of the words as a distinctive hallmark of the Jewish people.

Amech

Ayin

Mem

Chaf

Taf

which equals 400 come the five letters which have a different form when they appear at the end of a word, and their numerical equivalents range from 500-900). Combine these three numerical equivalents and add three, representing

Amech

The second approach refers us to a derisive comment about Jews made by heathen critics (*Mesechta Shabbat 88a and Mesechta Ketuvot 112a*) to the effect that we are

Shabbat ibid.) explains as the result of our having confidence that the Creator would not obligate us in anything beyond our ability, is what made us a people unique in the range of its obligation

for all that you took upon yourselves at Sinai.

Yevamot 47b

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