

OVERVIEW of the Daf

1) Teachings of R' Yitzchok in the name of R' Yochanan in the name of R' Elazar ben Yaakov (cont.)

R' Yitzchok in the name of R' Yochanan in the name of R' Elazar ben Yaakov rules that a corpse occupies four amos with regards to tumah.

This ruling is supported by a Mishnah.

While citing the Mishnah the Gemara quotes and explains a related Baraisa.

2) The exemption of the engaged man

A Baraisa is cited which elaborates on the exemption from military service of one who is engaged.

It is suggested that the Baraisa that obligates men involved in prohibited marriages is inconsistent with R' Yosi HaGalili who maintains that sinners did not go out to war.

The Gemara explains how the Baraisa could be explained as consistent with R' Yosi HaGalilil.

A Baraisa notes a lesson in דרך ארץ from the exemptions of a house, a vineyard and a wife.

A pasuk in Mishlei is cited that supports this lesson.

Additional expositions from that pasuk are recorded.

3) Clarifying the Mishnah

A Baraisa teaches that if one adds a new row of bricks when he rebuilds his house he will return from battle.

The reason R' Eliezer rules that one who builds a house in Sharon does not return home is explained.

A Baraisa elaborates on the teaching that exempts a man recently married from going out to war.

Another Baraisa elaborates on the halacha that a man who was recently married does not even travel with the army in a supportive role.

4) MISHNAH: The Mishnah concludes its discussion of the speech that was delivered before going out to war. There is a dispute how to explain the phrase הירא ורך לבב. The Mishnah concludes with a discussion when the previously-mentioned exemptions apply.

5) The dispute regarding the ירא ורך הלבב

The Gemara identifies the point of dispute between R' Yosi and R' Yosi HaGalili concerning the phrase הירא ורך הלבב.

In light of this explanation the Gemara identifies the author of two Baraisos.

6) Clarifying the Mishnah

The phrase of the Mishnah concerning one who flees is adjusted. R' Yochanan clarifies the terms used by R' Yehudah and Rabanan.

Rava identifies the case in which they disagree.

הדרן עלך משוח מלחמה

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Gemara GEM

The groom may not go out to battle

תנו רבנן לא יצא בצבא—יכול בצבא הוא דלא יצא אבל יספיק מים ומזון ויתקן הדרכים, ת"ל ולא יעבור וכו'... לעבור עליו בשני לאוין

In his Sefer Hamitzvos (לא תעשה שי"א) Rambam writes that a newlywed groom may not go out to war during the first year of marriage. He is also prohibited from preparing weapons and arranging supplies of water and food for the soldiers. One who conducts himself in opposition to this ruling is in violation of two negative commandments (לא לא) Although there are two separate verses associated with this ruling, Rambam only counts them as one negative commandment toward the 613 mitzvos.

This is consistent with his guidelines that not every time that we find two commandments in reference to a particular act are we to count them as two mitzvos.

In his comments to Rambam, Ramban writes that in this case, we should count this as two mitzvos, because drafting the groom to serve in the supply corps is in and of itself a violation of לא יעבור and only if he goes to fight is there a violation of לא יצא. We see, therefore, that these are distinct transgressions.

The מגילת אסתר explains that perhaps Rambam understands that supplying food and water for the soldiers is included in לא יצא as he is aiding in the fighting effort

The לב שמח says that Rambam would agree with Ramban that the sin of לא יצא is only a problem if the groom actually goes to fight. Notwithstanding, Rambam still holds that these two aspects of a groom's participation in war are only one transgression. ■

REVIEW and Remember

1. What is the meaning of the phrase הירא ורך הלבב?
2. When is a person completely exempt from army service?
3. Does the violation of a Rabbinic transgression constitute grounds for a person to return home from war?
4. What is the dispute between R' Yehudah and R' Shimon regarding the number of judges needed for the עגלה ערופה ceremony?

HALACHAH Highlight

Women going out to war

אבל במלחמת מצוה הכל יוצאין אפילו חתן מחדרו וכלה מחופתה

But for wars of a mitzvah everyone goes out even a chosson from his room and a bride from her chupah

It would seem from our Mishnah that women are also obligated to fight in a war that is a mitzvah. The basis for this conclusion is the Mishnah's comment that for a mitzvah war even a chosson from his room and a kallah from her chupah are not exempt. This position is codified in Rambam¹ where he rules that everyone is obligated to go out to a mitzvah war, even a chosson from his room and a kallah from her chuppah. Accordingly, Minchas Chinuch² challenges Sefer Hachinuch³ who writes concerning the mitzvah of remembering to blot out the memory of Amalek that the mitzvah only applies to men who wage war and not to women. This seems at odds with Rambam who ruled that women are obligated to participate in mitzvah wars.

Radvaz⁴ challenges the ruling of Rambam that women are obligated to go out to battle from the pasuk in Tehillim (45:14) "Every honorable princess dwells within," which indicates that Jewish women should not go out to battle. Radvaz opines that the Mishnah's comment that the kallah goes from her chupah should not be understood as a requirement that a bride goes to battle; rather, it is to be understood in the context of the bridegroom leaving his room to go out to war. In other words, since the bridegroom is going out to war the bride will not have the opportunity to enjoy her chuppah. It is also possible, adds Radvaz, that brides

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7) **MISHNAH:** Details related to the עגלה ערופה are presented together with circumstances when there is no obligation to bring an עגלה ערופה.

8) עגלה ערופה declarations

R' Avahu clarifies the source that the עגלה ערופה declarations must be made in L'shon Hakodesh.

9) The dispute between R' Yehudah and R' Shimon

A Baraisa elaborates on the dispute between R' Yehudah and R' Shimon whether five or three judges are needed for the עגלה ערופה ceremony.

The Gemara records the exchange between R' Yehudah and R' Shimon. ■

and other women were required to go out to the battle with the men but only to play a supportive role rather than actually fighting. Rashash⁵ also suggests that the intent of the Mishnah was that the women would go to the battle to cook and clean for the soldiers.

Sforno⁶ agrees that women are not obligated to engage in battle but suggests that women are obligated to kill enemies of the Jewish Nation. Thus we find that Yael killed Sisra, and Yehudis killed a Greek officer. ■

1. רמב"ם פ"ז מהל' מלכים ה"ד
2. מנחת חינוך מצוה תר"ד אות ג'
3. ספר חינוך מצוה תר"ד
4. רדב"ז פ"ז מהל' מלכים ה"ד
5. רש"ש לסוגייתנו
6. ספר בהון עשיר לסוגייתנו ■

STORIES Off the Daf

A hierarchy of obligations

מי האיש אשר ארש אשה

On today's daf we find that one who is just married is not obligated to wage certain wars. Marriage sometimes discharges other halachic obligations as well.

Once there was a young man who spent much time and energy every day taking care of his elderly mother. He did not hide this fact from the shadchanim with which he came into contract. On the contrary, he told them up front that he planned to continue taking care of his mother after marriage as well and wished to find a wife willing to assume this burden.

Understandably, this cut into his pro-

spects. Although he was a very eligible young man in other respects with sterling middos, virtually no girl was willing to saddle herself with a young man with such harsh obligations from the outset of marriage. Why should she take on such an unbearable burden?

The shadchanim were afraid that this young man would remain single his entire life. Clearly, the mother should be placed in one of any number of frum old age homes where she would not be a burden to a new couple just starting out on life.

One shadchan broached this issue with the young man and advised him to ask this question of Rav Shlomo Zalman Auerbach, ז"ל. The shadchan, who had hoped that the great posek would tell this young man to drop his foolish insistence and be realistic about shiduchim, found Rav Shlomo Zalman's response to the bo-

chur very surprising.

"You are absolutely correct to search for a ba'alas chesed in precisely this manner. If a young lady is unwilling to take care of your mother, she is clearly not for you."

After a time the young man finally found a ba'alas midos willing to take on this incredible self-sacrifice. She was willing to live in a small apartment with her husband and her new mother-in-law and help care for the elderly woman.

When the young man came to tell Rav Shlomo Zalman the news, he was completely floored by what he heard, "Mazel Tov! Now you know you are getting a true ba'alas chesed. But you must immediately start searching for a good home for your unfortunate mother. Actually placing such a burden on your young bride-to-be is unfair and is simply not an option!" ■

