

OVERVIEW of the Daf

1) Nesinim (cont.)

The Gemara continues its presentation of the historical background that led to Dovid Hamelech's decree against marrying Nesinim.

Related to this discussion, the Gemara explains how Dovid Hamelech saved Mephiboshes.

The reason why the bodies of the princes were left unburied until the rainy season is explained.

The assertion that Dovid Hamelech was the one who decreed against the Nesinim is unsuccessfully challenged from a verse that indicates that Moshe Rabbeinu decreed against them.

It is suggested that Yehoshua was the one who decreed against the Nesinim.

The issue of freeing the Nesinim from bondage in the time of Rabbi is presented.

2) MISHNAH: The Mishnah presents numerous opinions of whether a sterile person is obligated in the mitzvah of yibum or chalitza.

3) Clarifying R' Akiva's position

The Gemara clarifies the case where R' Akiva allows one who is sterile to do chalitza and then notes that in that case he would even allow yibum.

This explanation is supported from the Mishnah.

Rabbah successfully challenges this explanation of R' Akiva's position and presents an alternative explanation.

Abaye successfully challenges Rabbah's explanation and R' Yosef offers an alternative explanation.

The Gemara clarifies why, in any case, the mitzvah of yibum applies in cases involving someone who is sterile when there is no possibility to establish the name of the deceased.

4) סריס חמה

The Gemara begins to define the physical condition of סריס חמה. ■

REVIEW and Remember

1. How did Dovid HaMelech save Mephiboshes?

2. Who prohibited marrying Nesinim?

3. What is the difference between a סריס אדם and a סריס חמה?

4. According to R' Akiva, do all חייבי לאוין result in mamzerim?

Distinctive INSIGHT

This nation possesses three characteristics. They are compassionate, bashful and reserved, and kind

שלשה סימנים יש באומה זו הרחמנים והביישן וגומלים חסדים

Every year we recall the heinous acts of hatred perpetrated by Amalek against the helpless, hindmost stragglers of the Exodus. Other nations stood stunned by the way Hashem's miraculous might was marshaled to face the enslaved Israelites from Egyptian bondage. The Amalekites, descendants of Eisav, dared to defy Hashem. Their enmity of Israel exhibited evil as the driving force of their decadent society. Other nations may wage war for territorial expansion or economic enhancement. Attacking Israelites at the Exodus offered neither advantage. Amalek's motivating force was pure hatred and unadulterated evil. The Midrash notes that Amalek castrated the deceased and cast the milah heavenward. Just as Eisav discredited the birthright, Amalek discredited the symbol of Avraham's covenant with Hashem. Consequently, the Midrash concludes that Amalek remains as our people's eternal enemy. The Jewish people are characterized as being compassionate, modest, and exhibiting loving kindness (Yevamos 79a). These values remain our people's principal policy and practice in interpersonal relations. In marked contrast, Amalek represents man's inhumanity to man. These philosophies are diametrically opposed to one another. They cannot co-exist. Consequently, the Torah directs us to combat evil in all times and places. Hashem and Am Yisrael are allied in this continuous combat.

The Gaon of Vilna comments that Amalek appears in various forms and not necessarily as a people in a particular time and place. Amalek is akin to evil inclinations that create "quarrel mongers and gossipmongers" in our very society. These tendencies must be encountered and overcome in every generation - "מדור מדור" (Shemos 17:16).

May Hashem help us vanquish evil that perpetrates terrorism and physical devastation. May He likewise help us overcome evil that generates social divisiveness and communal division. ■

HALACHAH Highlight

Must blood for transfusions come from Jews?

אמר שלשה סימנים יש באומה זו: הרחמנים והביישנים וגומלי חסדים

King David said: "There are three characteristic marks of this nation: they are merciful, bashful, and they perform acts of kindness."

The Poskim consider the permissibility of transfusions from blood donated by non-Jews. Rav Hillel Posek¹ addresses this solely from the perspective of the forbiddance of ingesting human blood. He finds no prohibition in receiving this blood even for an individual suffering from a non life-threatening illness (חולה שאין בו סכנה). He bases this decision on the fact that human blood is only Rabbinically forbidden², and in this case the blood is not eaten or consumed in the conventional manner, but is introduced intravenously by a machine.

Rav Mordechai Yaakov Breish³ and Rav Ovadia Yosef⁴ introduce another consideration: the potential spiritual effect of the incorporation of this blood. Both compare this to the discussion regarding nursing a child from a non-Jewish woman. Rav Yosef cites the Rashba⁵ who writes that a child may nurse from a non-Jewish woman, since for nursing a child there is no legalistic distinction between the milk of Jewish and non-Jewish women. However, the Rashba adds that as an act of piety one should only have a child nurse

from a Jewish woman since Jews are distinguished by three unique qualities as mentioned in our passage, and being nourished from the milk of a Jewish woman will instill the child with the proper traits, while the milk of a non-Jewish woman may have the opposite effect. Therefore, being that blood and milk share a relationship⁶, just as the milk affects the person, so too would transfused blood. Notwithstanding this concern, both concluded that in the face of a life-threatening situation, the medical concerns outweigh this one. They differ, however, in the event that Jewish blood would be available after some delay. Rav Breish opines that even so, one should not delay, and the available blood should be used. However, Rav Yosef determines that if the need is not particularly pressing and there would be no danger in delaying until blood from a righteous Jew would be available, then as an act of piety one should wait⁷. ■

1. שו"ת הלל אומר (חיו"ד סי' ע)
2. עי' יו"ד (סי"ס סו)
3. שו"ת חלקת יעקב ח"ב (סי' פ) [חיו"ד (סי' יג) במהד"ח]
4. שו"ת יביע אומר ח"ח (חחון סי' יא)
5. רשב"א (יבמות קי"ד ע"א) וכן ראה בריטב"א ובמאירי (שם) ועי' ברמ"א (יו"ד סי' פ"א ס"ז)
6. ביב"א שם ציון לבכורת (ו ע"ב)
7. וכמעשה רב ראה בס' ויחי יוסף, תולדות רבי יוסף גרינוואלד מפאפא (ח"ב פט"ז, עמ' לח) ובס' בדמ"ך חיי (עמ' 62) בשם ס' הרב מפוניבו (ח"ב פרק לו, עמ' רצג) שממדת חסידות שני גדולים אלו הקפידו מאוד שלא לקבל דם אלא מיהודי טהור ■

STORIES Off the Daf

"There are three signs that identify the Jewish people..."

אמר שלשה סימנים יש באומה זו הרחמנים והביישנים וגומלי חסדים

Once, on the Tunisian island of Djerba, a terrible plague descended upon the community and drove food prices sky-high. One of the most respected members of the community was Rav Yehudani Kohein, zt"l, a man distinguished by his great wealth no less than his Torah scholarship. Although Rav Yehudani had more than enough means to see his household and many other families through the trying period, he wanted to get the

money where it was needed in a way that would not embarrass the recipients. He especially wanted to help the island's scholars who had no savings.

After a great deal of thought, Rav Yehudani finally hit upon a way. He went to Rav Mautak Chadad, zt"l, with a vessel filled with gold coins and said, "The plague is among us and who can say who will live until tomorrow and who will be weakened with their household? People in such a situation are essentially helpless, so I have decided to deposit bits of money with various trustworthy friends so that I am ensured that at least some of my resources will be safe from marauders. Please do me a kindness and guard some of my fortune...on one condi-

tion. I wouldn't feel comfortable using you to ensure that my money is safe if you yourself needed money. Take whatever you need—you can return it at your leisure, or not at all. Perhaps your use of our money will be the act of chessed that will save my family's life! In any event, I appreciate the feeling of security very much and would be grateful to your for your help."

Once the plague was over, Rav Chadad ran into a number of Djerba's other talmidei chachamim and asked them how they had survived the calamity. To everyone's surprise, they all told the same story! Rav Yehudani's "deposits" literally saved these scholars and their large families from untold tragedy! ■

