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Yevamos Daf 4

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The Gemora required a source to teach us that one cannot perform *yibum* on his wife’s sister.

The Gemora infers from here that otherwise, one would have been permitted to perform *yibum* on his wife’s sister.

The Gemora asks: Why would this have been allowed?

The Gemora answers: This would have been based on the principle that a positive commandment can override a prohibition. The positive commandment of *yibum* would have overridden the prohibition against living with ones wife’s sister.

The Gemora objects to this explanation: A positive commandment can override a prohibition that carries with it a standard punishment, whereas a positive commandment cannot override a prohibition that is punishable by *kares*.

Furthermore, the Gemora inquires as to where the source is that a positive commandment can override even an ordinary prohibition.

It is written [Devarim 22: 11 - 12]: *You shall not wear shatnez (wool and linen together). You shall make for yourself tzitzis (twined fringes).* The fact that the Torah juxtaposes these two verses, teach us that one can make *tzitzis* even in a case of *shatnez*. This indicates that a positive commandment can override a prohibition.

Rabbi Elozar cites a Scriptural source demonstrating that we can expound Scriptural verses through juxtaposition. (3b – 4a)

Rav Yosef says: Even if generally, one does not expound Scriptural verses in the Torah through juxtapositions, in Sefer Devarim, he would. He proves this from Rabbi Yehudah, who maintains that we do not expound juxtapositions, but in Devarim, he does.

The Gemora proceeds to prove that Rabbi Yehudah does not expound juxtapositions



anywhere in the Torah except in the Book of Devarim. (4a)

The Gemora asks: Why are the verses in Devarim different than the rest of the Torah?

The Gemora answers: Either it is because it is obvious that the two verses were juxtaposed for the sake of expounding them or alternatively, it is because one of the verses is extra and thus available for exposition. (4a – 4b)

The Gemora proceeds to explain why we would be justified to expound the juxtaposition regarding *tzitzis* and *shatnez* even according to Rabbi Yehudah.

It is obvious that these two verses were juxtaposed for the sake of expounding them, for otherwise, the passage regarding *tzitzis* should have been written in Parashas Shelach, which is the primary source for the obligation to wear a four-cornered garment of *tzitzis*.

Alternatively, it is because the verse here is certainly extra and thus available for exposition. It is written [Vayikra 19:19]: *and a garment that is a mixture of shatnez shall not come upon you*. It is not necessary to write the verse in Devarim: *You shall not wear shatnez*. It is apparently extra to teach us that the positive

commandment of *tzitzis* overrides the prohibition against wearing *shatnez*.

The Gemora asks: These two verses are both necessary. If the Torah would have only written the passuk in Vayikra: *and a garment that is a mixture of shatnez shall not come upon you*, we would have thought that placing *shatnez* upon oneself in any manner would be forbidden, and even garment sellers would be prohibited from wearing *shatnez* (*they merely drape themselves with the garments in order to exhibit them without a specific intent for the warmth which these garments offer*). This is why the Torah wrote in Devarim: *You shall not wear shatnez*, teaching us that it is forbidden to wear *shatnez* only by a wearing that offers physical pleasure (*and since a garment seller does not wear the garment for that intent, it will be permitted for him*).

If the Torah would have only written the passuk in Devarim: *You shall not wear shatnez*, we might have thought that there is a prohibition to wear *shatnez*, which provides a good deal of physical pleasure, but one would be permitted to place a garment on himself without wearing it. This is why the Torah wrote in Vayikra: *and a garment that is a mixture of shatnez shall not come upon you*, teaching us that even that is forbidden.

It emerges that both verses are necessary and not extra to expound the juxtaposition to *tzitzis*.

The Gemora answers: While it's true that both verses are necessary, there are still superfluous words in the verse. The verse stated: *You shall not wear shatnez wool and linen together*. It is unnecessary to say that *shatnez* consists of wool and linen. The verse in Vayikra stated: *and a garment that is a mixture of shatnez shall not come upon you*, and it was taught in the school of Rabbi Yishmael that whenever the Torah refers to a garment and the Torah does not specify what type of garment we are discussing, it is referring to a garment of wool and linen. Why does the Torah find it necessary to write that *shatnez* is wool and linen? It is extra to indicate that we can expound the juxtaposition of *tzitzis* to *shatnez* to teach us that the positive commandment of *tzitzis* overrides the prohibition against wearing *shatnez*. (4b)

The Gemora asks: Why is it necessary to expound the juxtaposition that *tzitzis* overrides the prohibition against wearing *shatnez* according to the school of Rabbi Yishmael; they have a much better source than that? It is written regarding the obligation of *tzitzis* [Bamidbar 15:38]: *and they shall make themselves tzitzis on the corners of their*

*garments*. The school of Rabbi Yishmael maintains that whenever the Torah says garment, it is referring to wool and linen, and we know that the Torah requires one thread of *techeiles* wool (*blue dye from the blood of the chilazon*). It emerges that the Torah is obligating us to place a woolen thread on a linen garment, which would constitute *shatnez*.

The Gemora answers: We might have thought that one should use a thread of *techeiles* wool only on a garment of wool, and one should use linen strings when he is wearing a linen garment; the juxtaposition teaches us that one can place woolen strings on a linen garment and linen strings on a woolen garment. (4b)

## INSIGHTS TO THE DAF

### SHATNEZ BY TZITZIS

It is written [Devarim 22: 11 - 12]: *You shall not wear shatnez (wool and linen together). You shall make for yourself tzitzis (twined fringes)*. The fact that the Torah juxtaposes these two verses, teach us that one can make *tzitzis* even in a case of *shatnez*. This indicates that a positive commandment can override a prohibition.

The commentators ask from the Gemora below (4b): The Gemora states: If the Torah would have only written the passuk in Vayikra: *and a garment that is a mixture of shatnez shall not come upon you*, we would have thought that placing *shatnez* upon oneself in any manner would be forbidden, and even garment sellers would be prohibited from wearing *shatnez* (*they merely drape themselves with the garments in order to exhibit them without a specific intent for the warmth which these garments offer*). This is why the Torah wrote in Devarim: *You shall not wear shatnez*, teaching us that it is forbidden to wear *shatnez* only by a wearing that offers physical pleasure (*and since a garment seller does not wear the garment for that intent, it will be permitted for him*).

Accordingly, what is the proof from the fact that one can wear a garment of *tzitzis* which contains *shatnez* that a positive commandment can override a prohibition; perhaps one can don a garment of *tzitzis* that contains *shatnez* because the prohibition is only when wearing a garment that provides physical pleasure and his intention is for that purpose? One who is wearing *tzitzis* should not be regarded as deriving pleasure because of the dictum of "*mitzvot lav le'henos nitnu*" – mitzvos were not given for the purpose of pleasure.

According to the Ran, this is not a question, for he says that the principle of "*mitzvot lav le'henos nitnu*" is not applicable when there is a physical pleasure; here, the garment is providing physical warmth and therefore, it should be prohibited if not for the fact that the positive commandment can override the prohibition.

However, the Rashba disagrees and maintains that we don't consider any benefit that one receives during the fulfillment of a *mitzvah*; if so, let us say that one is permitted to wear *tzitzis* containing *shatnez* because he is not deriving any pleasure?

Reb Shmuel Rozovsky answers: The prohibition of *shatnez* is merely not to wear a garment containing *shatnez*; there is a condition that it is only regarded as wearing if he is deriving pleasure.

One who is wearing a garment of *tzitzis* is wearing the garment and deriving pleasure. While it's true that the performance of the *mitzvah* negates the benefit he is receiving, he is still wearing the garment and it should be prohibited, if not for the fact that the positive commandment overrides this prohibition.

## DAILY MASHAL

### WHICH IS GREATER; A POSITIVE COMMANDMENT OR A NEGATIVE ONE?

The Gemora states that a positive commandment can override a prohibition that carries with it a standard punishment.

The question is asked: Why is it that a positive commandment overrides a prohibition and yet the punishment for transgressing a prohibition is much more severe than the punishment for not fulfilling a positive commandment?

Reb Yossie Schonkopf said over a parable from his Rebbe: A trucker is hired to transport a load across the country and the owner warns him not to go beyond the speed limit, not to crash the vehicle and to follow all the road instructions. If the trucker does everything perfectly but doesn't unload the goods at his destination; rather, he arrives at the destined location and immediately turns around carrying the same load, what is accomplished by the fact that the trucker obeyed the speed limit and followed all the rules?

The meaning is as follows: Our mission in life is to accomplish in this world and 'build the love towards *HaShem*,' therefore, this building overrides the transgressions. The prohibitions are only there to protect what has been built and not to suffocate the building.

This concept is elucidated by the Ramban in Parshas Yisro. He states that the fulfillment of a positive commandment is based on *ahavas HaShem*, loving *HaShem* and refraining from committing a transgression is based on *yiras HaShem* fearing *HaShem*. It is a higher level to serve *HaShem* through love, but it is worse to violate a prohibition, which is based upon fearing *HaShem*.

My brother, Reb Ben asked a similar question: The Gemora states that a positive commandment will override a negative commandment when both commandments are performed simultaneously. It is noteworthy that the Gemora in Sotah states that a *mitzvah* cannot extinguish an *aveira*, a sin, yet an *aveira* can extinguish a *mitzvah*. Apparently, the principle that a positive commandment can override a negative commandment is not a contradiction to this Gemora. Perhaps the idea is that when one performs an *aveira* intentionally, he has rebelled against *HaShem*, and it is not possible for one to appease *HaShem* with a *mitzvah* when he has just committed an act of rebellion. When one is simultaneously overriding the negative commandment by performing a positive commandment, however, he is demonstrating that he is fully aware that he is performing a negative commandment, yet he is permitted by the Torah to override the negative commandment. This principle allows him to perform the positive commandment and be rewarded for its performance.