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Yevamos Daf 16

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Daf Notes is currently being dedicated to the neshamah of

Tzvi Gershon Ben Yoel (Harvey Felsen) o”h

May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

The Gemora states that in the times of Rabbi Dosa ben Hurkenas, the co-wife of a daughter was permitted to the *yavam*. This is a clear proof that Beis Shammai practiced according to their own opinion. (16a1)

The Gemora cites the entire incident: In the times of Rabbi Dosa ben Hurkenas, the co-wife of a daughter was permitted to the *yavam*. This ruling was extremely troubling to the Sages, because Rabbi Dosa was a great Torah scholar and his eyes had stopped seeing, so that he was unable to come to the Beis Medrash to study. A discussion took place as to who should go and notify him that they disagree with him. Rabbi Yehoshua said to them, “I will go.” They asked, “And who will go after him?” Rabbi Elozar ben Azaryah agreed to go. They asked, “And who will go after him?” Rabbi Akiva agreed to go. They went and stood at the entrance of his house. His maid entered and told him, “Master, the Sages of Israel have come to visit you.” He said to her, “Let them enter,” and they entered. He took hold of Rabbi Yehoshua and sat him upon a golden couch. Rabbi Yehoshua said to him, “Master, tell your other disciple to sit down.” Rabbi Dosa asked Rabbi Yehoshua, “Who is he?” Rabbi Yehoshua answered, “He is Rabbi Elozar ben Azaryah.” Rabbi Dosa exclaimed, “Does our friend Azaryah have a son?” He applied to him the following Scriptural text [Tehillim 37:25]: *I have been young and now I am old; yet I have not seen the righteous forsaken, nor his children begging for bread.* He took hold of him also and sat him upon a golden couch. Rabbi Yehoshua said to him, “Master, tell your other disciple to sit down.” Rabbi Dosa asked Rabbi Yehoshua, “Who is he?” Rabbi Yehoshua answered, “He

is Akiva ben Yosef.” Rabbi Dosa exclaimed, “Are you the Akiva ben Yosef whose name is known from one end of the world to the other! Sit down, my son, sit down. May there be many men like you in Israel.”

Thereupon, they began to pester him with all sorts of halachic questions on until they reached that of the co-wife of a daughter. They asked him, “What is the halachah regarding the co-wife of a daughter?” He answered them, “This is a dispute between Beis Shammai and Beis Hillel.” They asked him, “In accordance with whose ruling is the *halachah*?” He replied, “The *halachah* is in accordance with the ruling of Beis Hillel.” They said to him, “But, it was reported in your name that the *halachah* is in accordance with the ruling of Beis Shammai?” He asked them: “Did you hear it in the name of Dosa or the son of Hurkenas?” They replied, “By the life of our Master, we only heard the son of Hurkenas.” He said to them, “I have a younger brother who is very stubborn and his name is Yonasan and he is a disciple of Shammai. Be careful that he does not crush you regarding halachic matters, because he has three hundred answers to prove that the co-wife of a daughter is permitted. But I call the heavens and the earth to witness that upon this mortar sat the prophet Chaggai and issued three rulings: A co-wife of a daughter is forbidden; tithes could be taken from grain in the lands of Ammon and Moav during the shemitah year; and that converts may be accepted from the Karduyites and the Tarmodites (*they were not suspected of being mamzeirim*).

The Baraisa continues: When they came, they entered through one doorway; but when they left, they left through three different doorways. Yonasan met Rabbi Akiva. He questioned him and silenced him. He asked him, "Are you the Akiva whose name is known from one end of the world to the other? You are fortunate indeed to have merited such a name, but you have not yet reached the level of an oxherd." Rabbi Akiva replied (*with humility*), "I have not even reached the level of shepherds." (16a1 – 16a2)

The Gemora quotes the second ruling of the prophet Chaggai: Tithes could be taken from grain in the lands of Ammon and Moav during the shemita year; The Gemora explains: The reason for this ruling was as master stated: The Jewish People who left Egypt captured many cities but these same cities were not captured by those who left Babylonia. The first sanctification of the land was only done for that time period and not for the future. Yet, the second sanctification of the land was sanctified forever. Thus, regarding the rest of Eretz Yisroel, one was forbidden to plant during the shemita year. The lands of Ammon and Moav, however, were not sanctified, so that the poor could rely on receiving their gifts during the shemita year. For this reason the Chachamim instituted that in the lands of Ammon and Moav, people should tithe Maaser Ani during the shemita year. (16a2 – 16a3)

The Gemora quotes the third ruling of the prophet Chaggai: Converts may be accepted from the Karduyites and the Tarmodites (*they were not suspected of being mamzeirim*).

The Gemora asks: Is this so? Didn't Rami bar Yechezkel teach the following Baraisa: Converts may not be accepted from the Karduyites?

Rav Ashi replied: The statement was Kartuyites (*they were suspected of being mamzeirim on account of being*

descendants from Jewish women who had married gentile men), as people, in fact, speak of 'disqualified Kartuyites.'

Others say: Rami bar Yechezkel taught in a Baraisa: Converts may not be accepted from the Kartuyites. Aren't Kartuyites the same as Karduyites? Rav Ashi replied: No; Kartuyites are a class by themselves, and Karduyites are a class by themselves, as people, in fact, speak of 'disqualified Kartuyites.' (16a3)

The Gemora focuses its attention on the Tarmodites that Rabbi Dosa said in the name of Chaggai that converts may be accepted from them.

Rabbi Yochanan and Sabya maintain that converts may not be accepted from the Tarmodites. – Did Rabbi Yochanan. however, say such a thing? Surely we learned: All [menstrual] blood stains [on women's garments] that come from Rekem are tahor, and Rabbi Yehudah declares them tamei because [the people there] were converts though misguided; [those that come] from the idolaters are tahor. And the difficult point was raised that having stated categorically, '[those that came] from the idolaters' [he must also imply,] 'even those from Tarmod'! And Rabbi Yochanan replied: This proves that converts may be accepted from Tarmod. And if it be replied [that Rabbi Yochanan only said], 'This', but he himself does not hold this view, surely Rabbi Yochanan said, 'The halachah is in accordance with an anonymous Mishnah'! — It is a question in dispute between Amoraim as to what was actually the view of Rabbi Yochanan. (16a3 – 16b1)

The Gemora asks: What is the reason that converts may not be accepted from the Tarmodites?

Rabbi Yochanan and Sabya offer different reasons: One said: It is on account of King Shlomo's Canaanite slaves (*due to their wealth, Jewish women were attracted to marry them, thus rendering their offspring Jewish*

mamzeirim). The other answers: It is on account of the daughters of Yerushalayim.

According to the one who says: On account of the slaves of Shlomo, the reason is quite understandable, because he may hold the opinion that the child of an idolater or a slave who cohabited with a Jewess is a mamzer. According to the one, however, who said: On account of the daughters of Jerusalem', what is the reason? — Rav Yosef and the Sages, both in the name of Rabbah bar Bar Chanah offer different opinions: One said: it was because of twelve thousand footmen and six thousand archers and the other said it was because of twelve thousand men total, six thousand of them were archers. At the time of the destruction of the first Beis Hamikdosh, the idolaters entered the Sanctuary and paid attention to the gold and silver; these people focused on the daughters of Yerushalayim and violated them, as it is said: They have ravished the women in Zion, the maidens in the cities of Judah. (16b1)

The Gemora cites a verse mentioned before and expounds it: *I have been young and now I am old; yet I have not seen the righteous forsaken, nor his children begging for bread*. Rabbi Shmuel bar Nachmeini said in the name of Rabbi Yonasan: This verse was uttered by the Angel, who ministers over the entire world, for who else could have said it? If you would say that the Holy One, Blessed be He, uttered it, can that be; is there old age before Him? If you would say that King David uttered it, can that be; was he so old? It is evident that it was the Angel, who ministers over the entire world. (16b1 – 16b2)

Rabbi Shmuel bar Nachmeini said in the name of Rabbi Yonasan: What is [the meaning of] the Scriptural text: The adversary has spread out his hand upon all her treasures? At the time of the destruction of the first Beis

Hamikdosh, the idolaters entered the Sanctuary and paid attention to the gold and silver; Ammon and Moav focused on the Torah scroll (*which was kept in the Courtyard*). They said: This scroll which states that Ammon and Moav cannot enter into the congregation of Hashem shall be burned in fire. (16b2)

God has commanded concerning Jacob that they that are around about him should be his adversaries. Rav said: As, for instance, Homania towards Pum Nahara.¹ (16b2)

DAILY MASHAL

Rabbi Dosa and the Sages

*** Why were the Sages troubled because Rabbi Dosa was a great Torah scholar; since the correct ruling was that the co-wife of the daughter is forbidden, he would certainly admit? (Arvei Nachal)

*** Why did Rabbi Dosa take hold of Rabbi Yehoshua and Rabbi Elozar ben Azaryah and seat them on the golden couch, but he did not do that to Rabbi Akiva; he merely instructed him to sit down? (Ben Yehoyadah)

*** Why is an oxherd regarded as a higher level than a shepherd? (Igrah D'Kallah)

*** How can a shepherd be considered degrading; weren't all our Patriarchs, Moshe and King David all shepherds? (Chasam Sofer)

(Kaftor Vaferech)

¹ Both were localities in Babylon. The former, inhabited by Greeks, was a constant source of annoyance to the latter the

inhabitants of which were poor Jews. Homania was below the city of Ctesifon and near it was Pum Nahara.