



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Yevamos Daf Vuv

- It must be that we would learn from the building of the Beis Hamikdash that an assei overrides a lo saasei with kares. A Braisa says, the pasuk says “Es shabsosai tishmoru u’mikdashi tira’u” to teach that building the Beis Hamikdash does not override Shabbos. Now, presumably this refers to actual building (which carries the kares penalty), and if not for the pasuk teaching us, we would say that the assei overrides the lo saasei with kares!
 - **Q:** It may be that the pasuk is referring to leading an animal on Shabbos, which does not carry the kares penalty, and it is only for such a case that the pasuk is needed to teach that in this case the assei will not override the lo saasei!?
 - **Q:** If this assei does not override this lo saasei, we should learn from here to every other place that an assei does not override a lo saasei!? **A:** It must be that the pasuk is discussing even actual building on Shabbos, which carries the kares penalty. Still, we cannot say that we would learn out the case of arayos by yibum from here, because in the case of yibum there is another way to do the mitzvah without having to override the lo saasei – namely, chalitzah. If so, we are left with the question as to why we need “aleha” to teach that the assei will not override the lo saasei with kares.
 - **Q:** Based on this, the pasuk of kibud av v’eim and the pasuk of the building of the Beis Hamikdash are teaching the same thing!? **A:** The pasuk regarding the Beis Hamikdash is teaching something else. It teaches what is taught in a Braisa, that one should not fear the actual Beis Hamikdash, but should rather fear Hashem, Who has commanded regarding the Beis Hamikdash. If so, we are again left with the question as to why we need “aleha” to teach that the assei will not override the lo saasei with kares.
 - The Gemara says, the reason we need the gezeirah shava of “aleha” is because we would think that we should learn from the lo saasei of “havara” (lighting a fire) on Shabbos. The pasuk there says “lo siva’aru aish b’chol moshvoseichem”. The word moshvoseichem generally teaches that a halacha applies even outside of Eretz Yisrael. Now, it seems unnecessary to teach this regarding Shabbos, since it is a mitzvah that is in no way tied to Eretz Yisrael. **R’ Yishmael** explains, the reason the word moshvoseichem is written, is to be used as a gezeirah shava to teach that Beis Din may not put someone to death on Shabbos. The pasuk feels it necessary to teach this even though the assei of putting someone to death is overriding a lo saasei with kares. We see that typically such a lo saasei would be overridden. That is why we need the gezeirah shava of “aleha” to teach that the assei of yibum does not override the lo saasei with kares of marrying one’s wife’s sister.
 - **R’ Simi bar Ashi** says, it may be that the reason we need the gezeirah shava of “moshvoseichem” is not because typically an assei overrides such a lo saasei. The reason is that we would think that Beis Din putting someone to death would override Shabbos based on a kal v’chomer – if putting someone to death overrides the Avodah (based on a pasuk), and the Avodah overrides Shabbos, then putting someone to death should also override Shabbos. It is for this reason that we need the gezeirah shava to teach that it does not. However, we have no source that would teach that an assei overrides a lo saasei with kares.