

Daf Notes

Insights into the Daily Daf

4 Tammuz 5767

Yevamos Daf 48

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Highlights

The braisa had stated: When he heals, we immerse him immediately, and two Torah scholars stand over him, and notify him regarding a few simple commandments, and a few stringent commandments.

The Gemora asks: Didn't Rabbi Chiya bar Abba say in the name of Rabbi Yochanan that a convert requires three judges?

The Gemora answers: Rabbi Yochanan said to the one who recorded the braisa: It should be emended to say three Torah scholars. (47b)

The braisa had stated: This process applies to a convert and to a freed servant.

The Gemora assumes that this is referring to the obligation of accepting the yoke of mitzvos at the time of his immersion.

The Gemora asks a contradiction from a braisa which states that a freed servant is not required to accept the yoke of mitzvos at that time (*because he has already been observing many mitzvos as a slave, and the obligation for the remainder of the mitzvos happen automatically when he becomes a full-fledged Jew*).

Rav Sheishes answers: The two braisos reflect two different opinions. The second braisa is in

accordance with Rabbi Shimon ben Elozar, and the first braisa follows the viewpoint of the Rabbis.

The Gemora cites the dispute: It was taught in a braisa: (*The braisa is discussing the laws pertaining to a yefas toar, the idolater woman taken during war by a Jewish soldier. The Torah permits him to take her home with him, and marry her. However, there are laws that are applicable prior to the marriage. She must shave her head, grow her nails long, remove her nice clothing, and endure a month-long period of mourning. She then immerses herself for the sake of conversion.*) When must the woman follow the prescribed procedure? Only if she had not accepted to observe the *mitzvos* beforehand; however, if she already accepted to observe the *mitzvos*, he immerses her in the *mikvah*, and then he may marry her. Rabbi Shimon ben Elozar says: Even if she did not accept to observe the *mitzvos*, he can force her and immerse her for the sake of slavery, and then immerse her for the sake of freedom, and then he frees her (*thereby, he marry her as a Jewess without having to go through with the entire procedure of yefas toar*). (*It emerges that the point of contention between the Tannaim is if they are required to accept the yoke of mitzvos when they are being immersed for freedom.*) (47b – 48a)

Rava provides the Scriptural source for Rabbi Shimon ben Elozar's opinion. We derive from the verses cited that a master may circumcise his slave even without his consent, but an idolater who is

converting may not circumcise his adult son against his will.

The Rabbis (*who maintain that a slave cannot be immersed for the sake of freedom without his consent*) use this verse for Shmuel's halacha that a master who declares his slave ownerless, the slave goes out to freedom and it is not necessary to write a document of emancipation. (48a)

Rav Pappa asks: Perhaps the Rabbis disagreed with Rabbi Shimon ben Elozar only in respect to a *yefas toar*; there the Rabbis maintain that she cannot be forced to immerse because she was not previously obligated in any *mitzvos*. However, in regards to a slave, who was obligated in *mitzvos* beforehand, perhaps the Rabbis would concede that he can be converted even without his acceptance of *mitzvos*.

Rav Pappa cites a braisa that would seem to indicate that this distinction is indeed correct. The braisa states: A convert and a slave purchased from an idolater require an acceptance of the *mitzvos* (*by the second immersion*). We can infer from here that if the slave would be purchased from a Jew and then he would free him, the slave would not be required to accept the *mitzvos*.

The braisa cannot be following Rabbi Shimon ben Elozar's opinion since he maintains that all slaves do not require an acceptance of the *mitzvos* during immersion for the sake of becoming free. It is obviously reflecting the opinion of the Rabbis, and thus we can learn from it that a slave purchased from an idolater require an acceptance of the *mitzvos*, but if the slave would be purchased from a Jew and then he would free him, the slave would not be required to accept the *mitzvos*.

The braisa cited above that equated a convert with a freed slave is not discussing the obligation to accept the *mitzvos* (since everyone agrees that a slave purchased from a Jew would not be required to accept the *mitzvos*), but rather, it is teaching us that they are required to immerse in a *mikvah*. (48a)

The Gemora presents a dispute regarding a *yefas toar*. Rabbi Eliezer maintains that the Torah requires

her to cut her nails (*even though, it does not make her unattractive*). Rabbi Akiva holds that she is required to let her nails grow. The Gemora provides Scriptural sources for their respective opinions. (48a)

The Gemora presents another dispute regarding a *yefas toar*. Rabbi Eliezer maintains that she should weep for her actual father and mother (*that she is separated from them*). Rabbi Akiva holds that the Torah is referring to her pagan religion. (48a – 48b)

The Gemora presents another dispute regarding a *yefas toar*. One Tanna maintains that she should mourn for thirty days. Rabbi Shimon ben Elozar holds that she should mourn for ninety days. (48b)

The Gemora presents a dispute regarding a Canaanite slave. Rabbi Yishmael maintains that one is permitted to keep slaves that are uncircumcised (*they have not undergone even the first stage of conversion*). Rabbi Akiva disagrees. The Gemora provides Scriptural sources for their respective opinions. (48b)

Rabbi Yehoshua ben Levi said: If one purchases a slave from an idolater and he does not want to be circumcised (*the initial stage of conversion*), he may keep him for twelve months. Afterwards, he must sell him back to an idolater.

The students reported this ruling to Rav Pappa, and they asked him: According to whom was this braisa stated? It is evidently not following Rabbi Akiva's opinion for he ruled that one is prohibited against keeping slaves that are uncircumcised (*they have not undergone even the first stage of conversion*).

Rav Pappa said to them: Rabbi Yehoshua ben Levi's ruling can indeed follow Rabbi Akiva's opinion for Rabbi Akiva only said that you cannot keep him if he never said that he would convert; however, where the slave initially said that he would convert and then changed his mind, Rabbi Akiva would concede that you may keep him up to twelve months. (48b)

Ravin sent a message that all of his teachers said in the name of Rabbi Ilai: If one purchases a slave from

an idolater with the explicit intention of not circumcising him (*the initial stage of conversion*), he may keep him.

The students reported this ruling to Rav Pappa, and they asked him: According to whom was this braisa stated? It is evidently not following Rabbi Akiva's opinion for he ruled that one is prohibited against keeping slaves that are uncircumcised (*they have not undergone even the first stage of conversion*).

Rav Pappa said to them: Rabbi Ilai's ruling can indeed follow Rabbi Akiva's opinion for Rabbi Akiva only said that you cannot keep him if he did not stipulate that he will not circumcise him, but if he made an explicit condition that he will not circumcise him, he may keep him. (48b)

The Gemora cites a braisa regarding converts: Rabbi Chanania son of Rabban Gamliel said: Why are converts nowadays afflicted, and suffer constant hardships? It is because they did not observe the seven Noahide laws prior to their conversion.

Rabbi Yosi disagrees because a convert is regarded as a newborn baby; he cannot be punished for sins committed before his conversion. The reason they are afflicted is because they do not observe all the details of each *mitzvah* like other Jews do.

Abba Chanan said in the name of Rabbi Elozar: It is because they do not fulfill the *mitzvos* out of love, but rather out of fear.

Others say: It is because they delayed in entering under the wings of the Shechinah. (48b)

INSIGHTS TO THE DAF

CONVERT DELAYING

The Gemora cites a braisa regarding converts: Rabbi Chanania son of Rabban Gamliel said: Why are converts nowadays afflicted, and suffer constant hardships? It is because they did not observe the seven Noahide laws prior to their conversion.

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Abba Chanan said in the name of Rabbi Elozar: It is because they do not fulfill the *mitzvos* out of love, but rather out of fear.

Others say: It is because they delayed in entering under the wings of the Shechinah.

The commentators ask on this last reason: Is there an obligation for an idolater to convert; he is not commanded to observe all the *mitzvos*? Furthermore, we even attempt to dissuade him from converting; how can they be punished for tarrying?

Reb Yaakov Emden answers: The Gemora is referring to the time that they delayed after they reached their conclusion that they plan on converting. Once they have decided to enter under the wings of the Shechinah, and nevertheless, they delay, they are punished for this laziness.

Based on this, he answers a question posed by Tosfos. The Gemora derives that a convert is punished for delaying from the blessing that Boaz bestowed on Rus. Rus converted expeditiously, and was therefore rewarded. Tosfos asks that it emerges from the pesukim and through calculations that Rus was extremely old when she converted; how can the Gemora state that she did not delay? Reb Yaakov Emden explains: Perhaps she was old when she converted, but once she decided to convert, she did not waste any time, and converted immediately.

Reb Avi Lebowitz uses this interpretation to explain why the braisa (47b) had stated: If he accepts, we circumcise him immediately. The Gemora explains: This is because we apply the principle that we do not delay the performance of a *mitzvah*. Perhaps the concern with delaying is not from the perspective of Beis Din, but rather we encourage the convert to act quickly, so that he will not be punished for delaying the process.