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Yevamos Daf 78

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Daf Notes is currently being dedicated to the neshamah of

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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 cites a braisa: Rabbi Shimon said to them: I am stating a halachah, and furthermore, a Scriptural verse supports me (in my opinion that female Egyptian and Edomite converts are permitted to enter the congregation immediately), for it is written: *Sons [who are born to them in the third generation may enter the congregation of Hashem]*. We may infer from this that it is only sons (who must wait until the third generation), but not daughters. (77b)

The Gemora cites a braisa: It is written [Devarim 23:9]: *Sons who are born to them in the third generation may enter the Congregation of Hashem*. This implies that only sons must wait for the third generation, but females are permitted immediately; these are the words of Rabbi Shimon. Rabbi Yehudah says: It is written: *Sons who are born to them*. The Torah is stating that it is dependent on birth (*and females must also wait until the third generation*).

Rabbi Yochanan said: If Rabbi Yehudah had not declared that the Torah is stating that it is dependent on birth, he would not have found his hands and feet at the Beis Medrash (*his position would have been untenable regarding a different ruling of his*). Since he stated that the congregation of converts is considered the congregation (*and therefore, a mamzer, an Ammonite and Moabite convert would not be permitted to marry a convert*), how would a second-generation Egyptian convert attain purity (*allowing the next generation to marry into the congregation*)? (*If Egyptian women were not included in the prohibition to enter the congregation, then, they would be included in the Congregation of Hashem, and a second-generation Egyptian convert would be prohibited from marrying Egyptian female*

converts; accordingly, it would be impossible to produce a third-generation Egyptian.)

The Gemora asks: Perhaps the Torah is referring to a case where a second-generation Egyptian convert married illegally (*either an ordinary Jewess or a convert*)?

The Gemora answers: The Torah does not discuss cases that would only occur if someone violated the halachah.

The Gemora asks: Why, the Torah discusses a case of *mamzer*, and that can only occur if the halachah was violated?

The Gemora answers: The Torah would discuss cases that would only occur if someone violated the halachah, if it would lead to a prohibition (such as *mamzer*); however, the Torah does not discuss cases that would only occur if someone violated the halachah, if it leads to permissibility.

The Gemora asks: But the Torah discusses the case of he, who remarries his divorcee, and that is a case which leads to permissibility (that if he transgressed and married her, their children are fit for Kehunah)?

The Gemora answers: There, it was necessary to teach the basic prohibition. (77b – 78a)

The Gemora cites a braisa: It is written regarding an Egyptian convert: *Sons who are born to them in the third generation may enter the Congregation of Hashem*. If it states “sons,” why does it state “generations”? And if it states “generations,” why does it state “sons”?

The braisa answers: If the Torah would state “sons” and not “generations,” I would have thought that the first and the second son of the Egyptian convert are prohibited from marrying into the congregation, but the third son is permitted. It is for this reason that the Torah wrote “generations,” to teach us that all the sons of the Egyptian convert are prohibited (*because they are all second-generation Egyptians*); the grandchildren are permitted. If the Torah would state “generations” and not sons,” I would have thought that the Torah is referring to those that were standing at Har Sinai (*any third-generation Jew would be permitted to marry an Egyptian convert*). It is for this reason that the Torah wrote “sons,” to teach us that third generation descending from an Egyptian convert is permitted to marry into the congregation.

The braisa continues by asking the following: Why does the Torah state “to them”? It is to teach us that we follow their disqualification (*whether the father is an Egyptian convert and the mother is a Jewess, or whether the mother is an Egyptian and the father is a Jew, the children are in either case ineligible until the third generation*).

It was necessary for the Torah to write “to them,” and it was also necessary for it to write “who are born.” For if the Torah would have written only “who are born,” it might have been presumed that the three generations must begin from their children, the Torah therefore wrote “to them,” to indicate that the converts themselves are regarded as the first generation. And if the Torah would have written only “to them,” it might have been presumed that, where a pregnant Egyptian woman converted, she and her child are regarded as one generation (*and the three generations would commence with the child*), the Torah therefore wrote “who are born,” to teach that any child born after conversion is considered a second-generation Egyptian.

The Gemora continues analyzing the verses: It was necessary to write “for them” by the Egyptian converts, and it was necessary to write “for him” by a *mamzer*. For if the Torah would have written only “for them,” I would have thought

that the restriction (*that the ineligibility of any one of the parents causes the ineligibility of the child*) might have been assumed to apply only by the Egyptian converts because the child descended from a tainted origin, but it would not apply to a *mamzer* since he descends from a drop that is genealogically fit. And if the Torah would have written only “for him” by a *mamzer*, I would have thought that the restriction (*that the ineligibility of any one of the parents causes the ineligibility of the child*) might have been assumed to apply only by a *mamzer* because he and all his future descendants are prohibited from entering the congregation, but it would not apply to an Egyptian convert. Both texts were, therefore, required. (78a)

Rabbah bar bar Chanah said in the name of Rabbi Yochanan: If a second-generation male Egyptian convert marries a first-generation female Egyptian convert, her son is regarded as a third-generation Egyptian convert.

The Gemora infers from here that Rabbi Yochanan maintains that we cast the child after the father.

Rav Yosef asked from the following Mishna: Rabbi Tarfon said: There is a manner in which *mamzeirim* can be purified. How is this? If a *mamzer* marries a slavewoman, the child is classified as a slave (*and not a mamzer*). If the child is freed, he is regarded as a free man, and is permitted to marry into the congregation. It emerges that we cast the child after the mother, and not the father.

The Gemora answers: It is different there (regarding a slavewoman), for the Torah states [Shmos 21:4]: *The woman and her children belong to her master*. (78a)

Rava asked on Rabbi Yochanan from the following braisa: Rabbi Yehudah said: Minyamin, an Egyptian convert was one of my colleagues among the disciples of Rabbi Akiva, and he once told me: “I am a first-generation Egyptian convert and I married a first-generation Egyptian convert. I shall arrange for my son to marry a second-generation Egyptian convert in order that my grandson shall be eligible to enter the

congregation.” If Rabbi Yochanan is correct that we cast the child after the father, let him marry even a first-generation Egyptian convert; the grandson will still be classified as a third-generation convert, and he will be eligible to enter the congregation?

The Gemora answers: Rabbi Yochanan emended the braisa to read the following: “I shall arrange for my son to marry a first-generation Egyptian convert in order that my grandson shall be eligible to enter the congregation.” (78a)

The Gemora cites a different version of Rabbi Yochanan’s ruling: When Rav Dimi came to Bavel, he said in the name of Rabbi Yochanan: If a second-generation male Egyptian convert marries a first-generation female Egyptian convert, her son is regarded as a second-generation Egyptian convert.

The Gemora infers from here that Rabbi Yochanan maintains that we cast the child after the mother. (*The Gemora initially thinks that Rabbi Yochanan’s reason is based on the concept that a fetus is like a thigh of the mother.*)

Abaye asked Rav Dimi from a different statement that Rabbi Yochanan said: If one designated a pregnant animal as a *chatas* (sin offering), and she gave birth, his atonement may be made, if he desires, with the animal itself, and, if he prefers, his atonement may be made with her offspring. This halachah would be understandable if you would say that Rabbi Yochanan holds that a fetus is not like the thigh of its mother; and therefore, it is as if he designated two *chataos* as a security for one another (*in case one should be lost, the other would take its place*). And Rabbi Oshaya said: One who designated two *chataos* as a security for one another, he atones for his sin with either of them, while the other goes to the pasture (*until it develops a blemish, when it is redeemed*). But if you would say that a fetus is like a thigh of the mother, then one who designated a pregnant animal as a *chatas*, the offspring should be regarded as an offspring of a *chatas*, and the halachah is that the offspring of a *chatas* is consigned to death. (This proves that Rabbi Yochanan maintains that a fetus is not like the thigh of its mother, and

is in contrast to our initial understanding of Rav Dimi’s ruling in the name of Rabbi Yochanan.

Rav Dimi was silent.

Abaye said to Rav Dimi: Perhaps it is different in the case of the two Egyptian converts, for it is written “sons who are born to them.” The Torah made them dependent on birth (*we cast them after the mother, even though a fetus is not like the thigh of the mother*).

Rav Dimi said to Abaye: Clever man! I saw your head between the pillars of the Beis Medrash when Rabbi Yochanan taught this ruling (*you heard this explanation from Rabbi Yochanan himself*). (78a)

The Gemora states: The only reason Rabbi Yochanan cast the children of the Egyptian converts after the mother is because the Torah wrote “sons who are born to them.” Elsewhere, we would cast the children after the father. Accordingly, how we can explain the following ruling? Rava said: If a pregnant idolater converted, her son would not require immersion. If a fetus is not like the thigh of the mother, but rather, the child would be regarded as a separate entity, shouldn’t the child require immersion?

Perhaps you might answer that the child does not require another immersion on account of Rav Yitzchak’s ruling. Rav Yitzchak said: If there is a barrier that covers most of one’s body and one is particular about it, this would invalidate one’s immersion in a *mikvah*. If, however, the barrier covers most of one’s body, but he is not particular about the barrier, the immersion in the *mikvah* is valid. (*The fetus is covered by his mother’s body, but he is not particular about this; the immersion should be valid.*) This explanation would not be sufficient because Rav Kahana said: The immersion is only valid if the barrier covered most of his body, but if it covered his entire body, the immersion will be invalid.

The Gemora answers: A fetus is different because that is the normal way that it grows (*and is therefore not regarded as barrier*). (78a – 78b)

When Ravina came to Bavel, he said in the name of Rabbi Yochanan: Concerning other nations, we follow the male; and if they convert, we follow the one who is more tainted.

The Gemora explains the first ruling: Concerning other nations, we follow the male. It was taught in a braisa: How do we know that if a male from any nation (*other than the seven nations of Canaan*) cohabited with a Canaanite woman and had a child; one is permitted to purchase that child as a slave (*and he is not obligated to kill him; there is a requirement to kill anyone from the nations of Canaan*)?

The braisa answers: It is written [Vayikra 25:44]: *And also from among the children of the residents who live with you, from among them you may purchase slaves*. One might have thought that even if a Canaanite male cohabited with a woman from any of the other nations and had a child; one would be permitted to purchase that child as a slave. It is therefore written [ibid.]: *...whom they begot in your land*. The Torah teaches us that one may purchase slaves only from those who were born in your land to Canaanite mothers from non-Canaanite fathers, but not from among those children who were born abroad to non-Canaanite mothers from Canaanite fathers, and who later returned to reside in your land with their fathers. (*Women, generally remain in the lands of their birth, and that is why, when the Torah states "born in your land," it is referring to the children of Canaanite mothers. These verses establish that in respect to other nations, we follow the father's status.*)

The Gemora now explains the second ruling: And if they convert, we follow the one who is more tainted. What is this case? If he is referring to a male Egyptian convert who married a female Ammonite convert (*and we cast the child after the one who is more tainted, namely, the Egyptian, and hence, the child will be ineligible to marry into the congregation regardless of its gender*); I will ask the

following: The mother is not regarded as tainted at all, since she is permitted to marry into the congregation.

Rather, he must be referring to a case where a male Ammonite convert married a female Egyptian convert. If the child is a male, we cast him after his Ammonite father (*and he and his sons will be ineligible to marry into the congregation*). If the child is a female, we cast her after her Egyptian mother (*and she would be ineligible to marry into the congregation*). (78b)

The Mishna states: *Mamzeirim* and *Nesinim* are prohibited from marrying into the congregation, and their prohibition is eternal for males and for females. (78b)

Rish Lakish said: A *mamzeres* is permitted to marry into the congregation after ten generations. The Gemora cites the Scriptural source for this.

The Gemora explains his reasoning: This is derived from a *gezeirah shavah* between 'tenth' (*asiri*) and tenth' mentioned in respect of the Ammonite and the Moabite. Just as there (by an Ammonite and Moabite) the females are permitted, so are they permitted here (a female *mamzer*).

The Gemora asks: Perhaps we should say the following: Just as there (by an Ammonite and Moabite) eligibility begins immediately, so too it should by here (a female *mamzer*) as well!?

The Gemora answers: It (the *gezeirah shavah*) can only be effective in respect of the generations after the tenth.

The Gemora asks: Rish Lakish is contradiction our Mishna, which ruled that the prohibition regarding *mamzeirim* is eternal for males and for females.

The Gemora answers: This is actually dependent on a Tannaic dispute regarding laws that are derived through a *gezeirah shavah*. They differ as to whether we say: Derive from it and everything from it; or, derive from it and place

the deduction in its own place. [Rish Lakish holds: As the case of the mamzer is derived from that of the Ammonite in one respect, it must also agree with it in all other respects, including eligibility of the females after the tenth generation. It is only in respect of the first ten generations which are explicitly forbidden in Scripture that the derivation could not be made. The Tanna of our Mishna, however, disagrees, and maintains that just as the Ammonite prohibition is for all generations, so too, by mamzer, it applies to all generations, and then we place the deduction in its own place, i.e., in the context of the general prohibition; Just as the mamzer prohibition – in the first generation applies to both male and female alike, so too it applies after the tenth generation as well.] (78b)

They asked Rabbi Eliezer: What is the halachah regarding a *mamzeres* after ten generations?

He said to them: If you would give me a third-generation *mamzer*, I will render him pure. (*This scenario is not possible, because Heaven does not allow third-generation mamzeirim to be in existence, in order that the ordinary Jews will not unknowingly marry them.*)

Evidently, he holds that a *mamzer* does not survive (and perpetuate generations). Rav Huna said this as well: *Mamzeirim* do not survive.

The Gemora asks: But we learned in our Mishna that the prohibition regarding *mamzeirim* is eternal? It would seem that they do survive, and they have future generations.

Rabbi Zeira answers: Rav Yehudah explained to me the following: A known *mamzer* survives (*since there is no danger of intermarriage with them or their descendants*). An unknown *mamzer* does not survive. A *mamzer* that is known, but unknown (*it is not common knowledge*) will survive until three generations, but not longer (*by that time, everyone will have forgotten*). (78b)

The Gemora records an incident: A certain man (who was an unknown *mamzer*) once lived in the neighborhood of Rabbi Ami. Rabbi Ami made a public announcement that he was a *mamzer*. As the *mamzer* was crying, Rabbi Ami said to him: I have given you life. (78b)

The Mishna had stated: The *Nesinim* are prohibited from marrying into the congregation.

Rav Chana bar Adda said: Dovid decreed that the *Nesinim* may not marry into the congregation (*this Gemora is following Rava's initial understanding on Daf 76a that the Torah prohibits the Nesinim while they are idolaters, but after they convert, they are permitted to marry a Jew; Dovid issued a Rabbinic ordinance against marrying the Nesinim even after they converted*) at it is written [Shmuel II, 21:2]: *And the king called the Gibeonites and said to them - now the Gibeonites were not of the children of Israel.* This alludes to the fact that they were not permitted to marry into the congregation.

The Gemora asks: Why did Dovid issue this decree?

The Gemora answers: For it is written [ibid. v.1]: *And there was a famine in the days of David for three years, year after year.* During the first year, Dovid said to the Jewish people: "Perhaps there are idol worshippers among you? For it is written [Devarim 11: 16-17]: *And worship strange gods and prostrate yourselves before them....and He will close off the heavens, and there will be no rain etc.*" They checked, but they could not find anyone worshipping idols. During the second year, Dovid said to the Jewish people: "Perhaps there are sinners who engage in promiscuous behavior among you? For it is written [Yirmiyahu 3:3]: *And the rains were withheld, and there has been no latter rain, and you had a harlot's forehead; you refused to be ashamed.*" They checked, but they could not find anyone engaging in promiscuous behavior. During the third year, Dovid said to the Jewish people: "Perhaps there are men who announce specified sums for charity in public but do not give them? For it is written [Mishlei 25:14]: *Clouds and wind, but no rain-so*



is a man who boasts with a false gift." They checked, but they could not find any such people. Dovid said: "It must be my fault." Immediately, *And David sought the face of Hashem* [Shmuel II, 21:1]. What is the meaning of this? Rish Lakish said: He asked the *Urim Vetumim*.

Hashem answers Dovid: [ibid.]: And Hashem said: "*It is for Shaul, and also for his bloody house, because he put to death the Gibeonites.*" The Gemora explains: "*It is for Shaul*" is referring to the fact that Shaul was not eulogized in a manner befitting him; and "*for his bloody house*" is referring to Shaul's sin, "*because he put to death the Gibeonites.*"

The Gemora asks: Where do we find that Shaul killed the Gibeonites?

The Gemora answers: Since he killed the residents of Nov the city of *Kohanim* who supplied the Gibeonites with water and food, it was considered as if Shaul killed them.

The Gemora asks: Hashem demanded justice for Shaul because he was not properly mourned for, and simultaneously demanded justice because he put to death the Gibeonites?

The Gemora answers: Yes! For Rish Lakish said: What is the meaning of that which is written [Tzeaphaniah 2:3]: Seek Hashem all you humble of the land, who have fulfilled his law? When there is judgment, there can also be found his righteous deeds. (78b)

INSIGHTS TO THE DAF

A MAMZER WILL NOT SURVIVE

Rish Lakish said: A *mamzeres* is permitted to marry into the congregation after ten generations. The Gemora cites the Scriptural source for this.

They asked Rabbi Eliezer: What is the halachah regarding a *mamzeres* after ten generations?

He said to them: If you would give me a third-generation *mamzer*, I will render him pure. (*This scenario is not possible, because Heaven does not allow third-generation mamzeirim to be in existence, in order that the ordinary Jews will not unknowingly marry them.*)

Rav Huna said: *Mamzeirim* do not survive.

The Gemora asks: But we learned in our Mishna that the prohibition regarding *mamzeirim* is eternal? It would seem that they do survive, and they have future generations.

Rabbi Zeira answers: Rav Yehudah explained to me the following: A known *mamzer* survives (*since there is no danger of intermarriage with them or their descendants*). An unknown *mamzer* does not survive. A *mamzer* that is known, but unknown (*it is not common knowledge*) will survive until three generations, but not longer (*by that time, everyone will have forgotten*).

Reb Yonasan Eibshitz explains: Up until ten generations, the strength of the father still exists in his descendants.

The Vilna Gaon states: A father and mother are equal partners in a child. A grandson would have twenty-five percent from the father. The third generation will have an eighth. The fourth will have a sixteenth. The fifth will have one thirty-second from the original *mamzer*. The sixth will have one sixty-fourth. The seventh generation will only have one out of one hundred and twenty-eight. The eighth will have one out of two hundred and fifty-six. The ninth will have one out of five hundred and twelve. The tenth generation will only have one out of one thousand and twenty-four from the original *mamzer*.

The portion of the *mamzer* that exists in the tenth-generation descendant has now become nullified. The Yerushalmi states that a *berya*, a complete creature can become nullified if it is intermingled among a mixture of more than nine hundred and sixty.

The Yerushalmi states that an unknown *mamzer* will not survive even for thirty days. The Aruch lener explains: This is only true when he is halachically classified as a *mamzer* (there were witnesses), but it is not public knowledge. Since he is forbidden to enter into the congregation, and people do not know this, there is a decree from heaven that he will die. However, in a case where there is a doubt if he is a *mamzer*, he will survive, because the halachah is that an uncertain *mamzer* is permitted to enter into the congregation. (Reb Elchonon disagrees with this.)

The Beis Shmuel (E"H, 2:18) cites a Sefer Chasidim who states that a *mamzer* will not survive twelve months, similar to a *tereifah*.

FOOD FOR THOUGHT

*** Why did Dovid wait another year to investigate other sins; as soon as he saw that it wasn't because of idol worship, he should have checked if it was because of promiscuous behavior?

*** Why did Dovid wait three years until inquiring of the *Urim Vetumim*?

*** According to the opinion that maintains that a eulogy is for the sake of the living, why were the Jewish people punished for not eulogizing Shaul correctly? They obviously were *mochel* it?

DAILY MASHAL

Rav Yisrael Salanter was once carrying a gift. A colleague asked, "Where are you taking the gift?" Rav Yisrael responded, "I am delivering it to a certain individual." His friend asked, "Why don't you send the gift with a messenger?" Rav Yisrael responded, "The Torah obligates me to personally deliver the gift." His friend was puzzled, "I am not familiar with any such law?"

Rav Yisrael explained, "The Gemora tells us that when HaShem judges a person for a misdeed, at that very moment He recalls the good deeds of the person. We understand from here that if we feel someone has done something wrong, it is important to reflect on their good deeds. In this way, we will not lose our perspective. Instead of magnifying their improper conduct, we will see them as a good person who made a mistake.

This is the reason I am delivering the gift. A certain Rabbi acted improperly and it is my duty to speak to him about his behavior. It is a Mitzvah to emulate the attribute of HaShem. Since I must tell him that he acted improperly, I must remember and mention that he is a Torah scholar. Therefore, I am honoring him with a gift, even though at other times I would not necessarily do so. Yet under the circumstances I am obligated because 'at the time of judgment is the time to mention his good deeds.'

How elevated were his paths! How deep were his thoughts - to inspire him to find this precious attribute of HaShem and conduct himself accordingly. Human nature is just the opposite. When someone harbors resentment against someone, he will forget all of the person's good points."

May we realize the vital importance of keeping our perspective in our relationships by always mentioning and remembering the good qualities of others.