



OVERVIEW of the Daf

1) A convert marrying a mamzeres (cont.)

The Gemara finishes explaining R' Yosi's opinion.

Three alternative explanations of R' Yehudah's position are given.

Tangentially, the Gemara notes that the end of the previously-cited Baraisa supports Rav's assertion that a kohenes is permitted to marry men who are genealogically unfit.

An incident related to the dispute whether a convert is permitted to marry a mamzeres is cited.

The Gemara rules that a convert is permitted to marry a kohenes or a mamzeres.

2) Shetuki

Rava explains why Biblically, a shetuki is considered genealogically fit and why Chazal decided to consider them genealogically unfit.

Rava's explanation is successfully challenged, thus forcing the Gemara to find another explanation why Chazal considered the shetuki genealogically unfit.

Rava explains why Biblically, an asufi is considered genealogically fit and why Chazal decided to consider them genealogically unfit.

Rava's explanation is successfully challenged, thus forcing the Gemara to find another explanation why Chazal considered the asufi genealogically unfit.

3) Determining the status of an abandoned baby

Rava bar Huna and Ameimar present a series of guidelines for determining the genealogical status of an abandoned baby.

Rava states that a baby found during years of famine is not considered an asufi.

The Gemara analyzes the context of Rava's comment

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Distinctive INSIGHT

Pelting R' Zeira with esrogim

רגמוהו כולי עלמא באתרוגיהו

The Baraisa (72b) cited the law whether converts may marry mamzerim. R' Yehuda ruled that they may not marry mamzerim, as they are considered part of the "congregation". R' Yosi disagrees, and he rules that a convert may marry a mamzer. When R' Zeira taught this halacha in one of his lectures in the city of Mechuza, a city which contained many converts, he publicly ruled according to R' Yosi, permitting converts to marry mamzerim, and thus declaring that they were not full members of the "congregation". The people of Mechuza were incensed to hear his ruling, and they reacted by pelting him with esrogim.

ספר המקנה explains that converts come from the "sparks" which were shed at the time of the sin of Adam and Chava partaking of the Tree of Knowledge (עץ הדעת), which was a blend of "good and bad". If we take the gematria of דעת (474), and we subtract the bad (רע=270), we are left with 204, which is the number of גר (204, 203 plus 1, when combining the word itself). The people of Mechuza, who were converts, were proud of their representing this absence of evil, and it appeared inappropriate for them to be able to marry with a mamzer. They felt that they were incompatible with ממזר, which is equal to 287, which is the number of the combination of good and bad—

טוב [ו]רע.

The reason the people of Mechuza pelted R' Zeira with esrogim was that an esrog is the פרי עץ הדר after the sin. After we subtract רע (270) from עץ הדעת (649), we remain with 379, which is עץ הדר, a beautiful tree, referring to esrog. The symbolic gesture was that the esrog and the convert are both representative of what is left after evil is filtered out.

Another level of symbolism in this episode is that the three species which are bound together with the lulav represent Kohanim, Leviim and Yisraelim. They also correspond to the three patriarchs, whose names (אברהם יצחק יעקב) add up to 639 (638, plus 1, when combining their entirety). This (639) is the same as עץ הדעת. The esrog which is held across from these species, but is not entwined with them, represents the community of converts. ■

REVIEW and Remember

1. Why was R' Zeira pelted with esrogim?
2. Why is an asufi unfit to marry into the congregation?
3. What characteristics indicate that a baby is not an asufi?
4. Who are the three people who can testify about the

HALACHAH Highlight

Determining that a baby is Jewish

מצאו מהול אין בו משום אסופי

If a baby is found circumcised we are not concerned that he is an אסופי

The Gemara relates that a child who is circumcised is not categorized as an אסופי. Meiri¹ writes that if a child is found circumcised and it is evident that the child was not born circumcised but rather the circumcision was done by man, the child is assumed to be Jewish. This assumption applies even in a city where the majority of residents are gentiles.

Teshuvah Yeshuos Malko² discusses a case of a gentile couple who presented a circumcised baby that was presumed to be their own to the Jewish community. They now claim that this baby was given to them so the gentile woman could serve as a wet nurse by an unwed Jewish woman but they do not know her identity or her whereabouts to be able to return the baby to her. Since two years have passed since they received the baby they now want to return the baby to the Jewish community. Teshuvah Yeshuos Malko cited the opinions of Rashba and Ran who write that since only a minority of children are born circumcised one can assume that this circumcised baby is Jewish. Furthermore, since it is easy to tell the difference between a baby that was born circumcised and a child that was circumcised after he was born

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and concludes that it was made in reference to a statement cited in the name of Rav.

R' Chisda asserts that there are three people who can testify immediately about the status of an asufi.

The Gemara explains the circumstances of each of the cases.

A Baraisa teaches that a midwife is believed to testify about the genealogical status of a child but states that she is not believed if her testimony is challenged.

Two explanations regarding the nature of the challenge to her testimony are presented.

The Gemara resumes citing the Baraisa. ■

one should assume that this child is Jewish and one does not have to be concerned with the possibility that perhaps this couple just recently circumcised the baby in order to pass him on to the Jewish community. In this case one does not even have to be concerned that the child is Moslem since it is unlikely that a Christian couple would have a Moslem child. Consequently, since רוב indicates that the child is Jewish we apply the principle that רוב can supplant a חזקה and the child is assumed to be Jewish. Nevertheless, to account for stringent opinions he recommends doing הטפת דם ברית and immersing the child in a mikveh in the presence of Beis Din. ■

1. מאירי בסוגיא.

2. שו"ת ישועות מלכו אה"ע סי' י"ז. ■

STORIES Off the Daf

The greatness of converts

דרש ר' זירא במחזא...רגמוהו כל העם באתרוגיהו

On today's daf we find a discussion about halachos that apply to converts. When Rav Zeira issued his opinion on one of these halachos in a community full of converts, they pelted him with esrogim in protest. In contrast to these individuals whose actions and comportment was not befitting their lofty status as members of the holy nation of Hashem, we also find converts who felt an intrinsic connection to Jewishness that outstrips all but the greatest tzaddikim.

Rav Moshe Feinstein, zt"l, said that the famous ger tzedek, Rav Avraham ben Avraham, originally known as Count Pototzki, was filled with incredible longing for Hashem even before he formally became a Jew. "On the Shabbos before the ger tzedek converted, he couldn't rest at all. Instead he spoke incessantly of the sanctity of Shabbos, because he had a very great neshamah so he felt supernal holiness although he really didn't have any conception what he was feeling..."

It is well known that when the ger tzedek was caught living as a Jew, he was given a choice by the church and his family. Either renounce Judaism or die for continuing to perpetrate what was, according to them, the ultimate crime: conversion to Judaism. When he chose to die, the Vilna Gaon, zt"l, sent a messenger to his cell to inform him that he could free him (by performing a mofes), and if he would only say the word, he would do so.

The ger tzedek answered, "Since the time I recognized the true God I have prayed every day for the privilege to die al kiddush Hashem. Now that I have the opportunity, how can I trade it for a mere physical existence?"¹ ■

1. עלינו לשבח, במדבר, עמוד קס"ה-קס"ו

1. עלינו לשבח, במדבר, עמוד קס"ה-קס"ו