



OVERVIEW of the Daf

1) A woman the Kohen Gadol violated or seduced (cont.)
R' Ashi successfully challenges the ruling R' Huna cited in the name of Rav.

R' Huna and R' Gidal in the name of Rav rule in accordance with R' Eliezer ben Yaakov that the child born to a Kohen Gadol who married the woman another man violated or seduced is a chalal.

According to a second version R' Huna in the name of Rav asserts that R' Eliezer ben Yaakov follows R' Elazar who maintains that if a single girl has relations she is categorized as a zonah.

This assertion is successfully challenged.

R' Ashi suggests that the dispute between R' Eliezer ben Yaakov and Chachamim revolves around the issue of whether violating a positive command results in a chalal.

The Gemara explains the source of each opinion.

A Baraisa is identified as consistent with R' Eliezer ben Yaakov.

2) A kohen becoming tamei for his sister

A Baraisa addresses the question of a kohen becoming tamei for his sister in different circumstances.

The Gemara elaborates on the dispute between R' Meir and R' Yehudah who permit a kohen to become tamei to his sister who was engaged and R' Yosi and R' Shimon who do not permit a kohen to become tamei for his sister who was engaged. This discussion includes an elaboration on the different expositions that constitute the source for the disagreements in the Baraisa.

The Gemara explains why R' Yosi does not remain aligned with R' Shimon concerning the case of a מוכת עץ and ruled that a kohen is permitted to become tamei for his sister who is a מוכת עץ.

3) A kohen marrying a convert

R' Shimon ben Yochai rules that a kohen is permitted to marry a girl who converted while less than three years old.

The reason Rabanan disagree is explained.

R' Shimon ben Yochai's exposition is clarified.

Another Baraisa is cited that supports the conclusion of the previous Baraisa.

An incident from Sefer Shoftim is cited that supports the idea of examining girls to determine who is a virgin.

R' Yaakov bar Idi in the name of R' Yehoshua ben Levi rules like R' Shimon ben Yochai that a kohen is permitted to marry a girl who converted while less than three years old.

R' Zeira questioned R' Yaakov bar Idi whether he heard the ruling explicitly.

R' Yaakov bar Idi responded that he did hear it directly, and the Gemara explains what inference could have been utilized and why that inference would not be conclusive.

A second version of this ruling is cited.

R' Nachman bar Yitzchok disagrees with R' Yaakov bar Idi and maintains that a kohen is not permitted to marry a convert even if she converted while less than three years old. ■

Distinctive INSIGHT

Why does Rabbi Shimon bar Yochai permit a girl who converted before age three to marry a kohen?

תניא ר' שמעון בן יוחאי אומר גיורת פחותה מבת שלש שנים ויום אחד כשירה לכהונה וכו'.

Rashi writes that the reason Rebbe Shimon permits a girl who converted before age three to marry a kohen is that we do not assume she is a זונה. Rashba and Ritva understand Rashi to mean that the dispute between Rebbe Shimon and Rabbanan is whether we suspect this girl had relations before age three. Rebbe Shimon does not suspect this to be the case, and the girl may even later marry a kohen gadol. Rabbanan, however, assume that this girl did have relations, and she is therefore rabbinically prohibited as a זונה, due to this suspicion, and she may not marry any kohen, not even a כהן הדיוט.

Rashba explains that the underlying reason that Rashi attributes the restriction of this woman to her being a זונה (according to Rabbanan) is based upon the clarification of the Gemara regarding the opinions of Rav and Rabbi Yochanan. They say that a kohen gadol should not marry a בוגרת or מוכת עץ, but if he did, he may remain married to them. This is because סופה להיות בעולה וכו' - eventually the woman is destined to be in this condition after being married to him. However, this is not comparable to allowing a girl who converted before age three to marry a kohen, where the problem is one of זנות, and this is not permitted בדיעבד. We see, notes Rashba, that the Gemara explains the problem of this convert to being one of זנות.

Rashba himself questions this proof. Although the Gemara associates the condition of זנות to this case, perhaps, he says, this is only according to the premise the Gemara assumed at that point, and that is that Rebbe only permitted this woman to remain married to a kohen בדיעבד, as we find in the cases of

(Continued on page 2)

REVIEW and Remember

1. Which Tanna's opinions are generally followed?

2. When is it permitted for a kohen to become tamei for his deceased sister?

3. How did R' Shimon ben Yochai demonstrate that a kohen is permitted to marry a girl who converts before the age of three?

4. What is a sign of transgression?

HALACHAH Highlight

Is it possible for a kohen to marry a girl who converted when she was older than three years old?

ר' שמעון בן יוחי אומר גיורת פחותה מבת ג' שנים ויום א' כשרה לכהונה
R' Shimon ben Yochai said a girl who converts younger than three years and one day is fit to marry a kohen.

Rav Moshe Feinstein¹ was once asked whether a girl who converted above the age of three could marry a kohen if it is known that she did not have relations. For example, if a non-Jewish girl was raised by a Jewish family and we are certain she did not have relations before she converted, would she be permitted to marry a kohen since we know that she is not a zonah? The questioner suggested that proof to his position could be gathered from our Gemara. The Gemara indicates that Midianite females who were less than three years old did not need to be examined to determine whether they had relations, since relations at that age are not considered relations and girls above the age of three were tested by the tzitz. Accordingly, the pesukim are teaching that a female less than three years old could be kept alive, an adult was killed and the second pasuk that mentions טפ refers to a female above the age of three.

Rav Moshe Feinstein disagreed with the conclusion since according to this explanation we must say that the Torah initially assumes that a female above the age of three is an אשה and then pasuk proceeds to refer to her as a טפ. It is highly unlikely that the Torah would change its terminology in this fashion. Therefore Rav Feinstein explains that the pesukim do not refer to whether the women had relations, but rather whether they

(Insight. Continued from page 1)

reached the age that they are able to have relations. In other words, a girl who is less than three years old is incapable of having relations; therefore she could be immediately taken as a wife. Those women who were older than three years old and were capable of having relations could not be taken as a wife and the purpose of the tzitz was not to inform the Jews which girl had relations as suggested, but which girl was above the age of three and capable of having relations. Accordingly, even if it is known with certainty that a girl did not have relations she is unfit to marry a kohen if her conversion took place when she was older than three years old. ■

However, it could be that the case of the girl who converted as an infant is not disqualified only מדרבנן, but even דאורייתא. The Rishonim question Rashi's explanation from several vantage points. First of all, it is not reasonable that Rabbanan would disqualify this girl due to the suspicion that she had relations before age three. We commonly consider such an act as physically and halachically insignificant (as placing a finger in the eye), and the בתולים remain intact. Therefore, the woman would not be פסולה to a kohen. Secondly, the Gemara (Kiddushin 78a) seems to indicate that the dispute is not a דרבנן but it is a Torah law, based upon understanding of the standards of the kohen and whom he may marry as taught in a verse in Yechezkel. Finally, Ritva points out that the suspicion that this girl had relations as an infant is unreasonable, as even gentiles do not usually conduct themselves in this manner. ■

reached the age that they are able to have relations. In other words, a girl who is less than three years old is incapable of having relations; therefore she could be immediately taken as a wife. Those women who were older than three years old and were capable of having relations could not be taken as a wife and the purpose of the tzitz was not to inform the Jews which girl had relations as suggested, but which girl was above the age of three and capable of having relations. Accordingly, even if it is known with certainty that a girl did not have relations she is unfit to marry a kohen if her conversion took place when she was older than three years old. ■

1. שו"ת אג"מ אה"ע ח"א סי' כ"ה ■

STORIES Off the Daf

The printing press

סינמן לעבירה הדרוקן

Rav Chaim Meir, the Imrei Chaim of Vizhnitz, ז"ל, was known to be very sharp-witted; a trait common to those who had received semichah from the famous Maharsham, ז"ל. There are countless stories of his penetrating insight and understanding from when he was the young Rav of the town Velchovitz, in the district of Maramures, Hungary.

By that time, the controversy between Misnagdim and Chassidim that had raged since the cherem of the Gra, ז"ל, had already been in abeyance for well over fifty years due to the joint efforts of Rabbi Aki-va Eiger, ז"ל, and the Mittler Rebbe of

Lubavitch. It was thus with considerable consternation that most viewed the reprinting of old inflammatory "seforim" whose whole purpose had been to fan the sparks of the machlokes into a raging fire. At a time when all faithful Jews had to strengthen themselves against many foes from within and without, such books could be a distraction that could cost spiritual lives.

The Imrei Chaim complained about those printers who had decided to print such works. He said, "The printers who publish these kinds of books can even be responsible for causing someone to violate the holy Shabbos! As everyone knows, the custom here is that kosher Jewish women place a holy sefer on the table with the Shabbos candles so that the table will serve as a base for that which is permitted (the book) in addition to serving as a base for

that which is forbidden (the lit candles). Unfortunately, if the women will use one of these books that chiefly discusses various false claims about a defunct controversy as a means of ensuring that the table is not a bosis l'davar assur, her table will be a base to two forbidden objects: one that is forbidden only on Shabbos, and the other forbidden even during the week!"

In his customary sharp way, the Rebbe concluded, "Actually, this is a clear Gemara in Yevamos 60b. There we find that a sign of sin is hadroken, the change in countenance that indicates that a girl is not a besulah. The word hadroken can be read a different way, though. In Yiddish, ha-drukin means the printing press. So we see here that sometimes the printing press is the agent of sin—like when such destructive books are printed!" ■