



THE HAKUK EDITION

ENGLISH TOPICS ON THE DAF

Dedicated L'Refuah Shlaima of Moshe Kalman ben Rivka

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Daf Hashovua Yevamos Daf 16

The Gemara tells us that certain nations are barred from becoming geirim (converts) because their lineage is tainted with mamzerim. This has applications in our days concerning certain groups of people.

The **Rema** (E.H. 4:37) writes that a Jew may not marry into families of Karaim (Karaites) because they are all possibly mamzerim. We won't accept them as geirim, either, for the same reason.

A mamzer principally occurs only if a married woman remarries without a get. If the woman was never married properly in the first place, the resulting offspring from the second "marriage" are not mamzerim. The **Taz** explains that the Karaim get married in the proper fashion, but they do not divorce with valid gittin.

This, however, is not as simple as it sounds.

Rabbi Shmuel Vital (in his notes on the Levush) asks that kiddushin must be done before two kosher witnesses to be valid. Presumably, Karaim get married with fellow Karaim as witnesses, so their marriages are not valid, either. So why would their marriages produce mamzerim? The only explanation R' Vital can come up with is that we are concerned they in fact

were married with kosher Jews as witnesses, but their gitten are not done before such witnesses. This sounds a little far-fetched, and would explain the poskim who argue on this ruling and permit Karaim to marry into Klal Yisroel.

Another problem with the assumption that they are mamzerim is that the Rabbis have the authority to forfeit the possessions of transgressors (see article on Yevamos daf 8). In this case, it would mean that the Karaim married their wives with money that was not theirs anymore, once again voiding their marriages and precluding mamzerim.

Indeed, **Rabbi Betzalel Ashkenazi** (referenced by the poskim here) argues that they probably are not mamzerim. However, it is forbidden to marry them since they do aveiros all the time, being that they deny Torah shebaal peh.

In addition to the reason mentioned by the Taz, **Rav Chaim Brisker** is quoted as saying that they may be mamzerim on account of arayos derived by Chazal, which they refuse to acknowledge. As well, they probably accepted converts at one point or another. Since they don't keep the Torah properly, they certainly would not demand any more than that from converts, and geirus without acceptance of all the mitzvos is invalid. So, the Karaim also have non-Jews mixed up in them (Emek Bracha, Yom Tov 10).

The **Noda B'Yehuda** penned a responsum about a man who indeed married a Karaite woman (Siman 5). He considered that a hetter might be based on the Gemara at the end of our daf – we don't worry that a non-Jew might be one of the Lost Tribes, unless he is "kovua" in his own city. Thus, if a woman leaves a Karaite enclave to marry a Jew, we may assume she is from the majority of non-mamzerim. However, he refuted this notion if she grew up there and left afterwards, since she would still be considered kovua. It is like if something was kovua and leaves it in front of us; it remains kovua.

The only situation he permits is if her parents already left the Karaite neighborhood before she was born. Then we would say like our Gemara

that she left the kevius and is assumed to be of the majority. (The Pischei Teshuva adds that if she left when she was a very small child it is the same thing.) Otherwise, the Noda B'Yehuda refuses to pasken, because there are opposing opinions on the subject.

Practically, since the Beis Yosef and Rema both forbid it, we cannot rely on the few lenient poskim, emphasizes the **L'horos Nossan** (Vol. 15 Siman 88). So much so, the Yam Shel Shlomo (Kiddushin 4:10) relates, "I heard that a great scholar in Eretz Yisroel wanted to permit the Karaim, and from Heaven his time came [suddenly] and he went to the next world. Thus, he did not make a false ruling; blessed is Hashem!"

Although they are forbidden to marry Yidden, they still are Jews. **Rabbi Yitzchok Zilberstein** shlit"a was approached by a man trying to be mekarev a family, until he found out they were Karaim. Should he continue learning with them? Rav Zilberstein asked Rav Eliyashiv, who encouraged him to continue. Besides that they are "tenikos shenishbu" and do not intend to rebel against Hashem, if the man teaches them about mitzvos from the Rabbis, they would no longer be Karaim! These include Hilchos Chanuka, Netillas Yadayim and Eruvin (Chashukei Chemed Avoda Zara daf 59). (Even so, they would still be forbidden to marry, because of the mamzer concern.)