

THE FOURTH PEREK OF YEAMOS IS DEDICATED

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THE HAKUK EDITION

ENGLISH TOPICS ON THE DAF

Dedicated L'Refuah Shlaima for Yaakov ben Victoria

RABBI MORDECHAI PAPOFF

Daf Hashovua Yevamos Daf 47

The lengthy Beraisa on our daf details the geirus process. Like in the episode we discussed last week, the Gemara says to circumcise the ger, wait for him to heal and then he goes to the mikvah.

Tosfos infers from here that the bris must precede the tevillah. He asks, however, from a later Gemara which states that if a pregnant woman converts, her future child does not need tevillah. We see here a case of tevillah coming before milah? Tosfos suggests that it's different because at the time of tevillah the child was not yet able to have a milah. It is thus an exception to the rule.

Many other Rishonim debated this point. The **Ramban** (here) asks that it would be more expeditious to do it in the opposite order, so he wouldn't have to wait until his wound heals. If he immerses first and then has a bris, he'd be a Jew right away! "Perhaps," the Ramban continues, the mitzvah should be done in this order. Alternatively, since milah is the more challenging of the two, we start with it as sort of a test to the ger – if he decides it's all too hard for him, he still has a chance to retract. But, asserts the Ramban, even if it's done in the opposite order it still works, like the later Gemara about the pregnant giyoress we quoted.

The **Rashba** and **Nemukei Yosef** argue with the Ramban – the order is me'akev, and the geirus is not valid otherwise. Tevillah cannot work while he is still a gentile, since we consider his orlah as a kind of tumah. First he needs to remove that spiritual

impediment, and only then the tevillah can purify him as a Jew (similar to Rav Yosef Engel in last week's article).

If so, why can a fetus have a tevillah before a bris? Nemukei Yosef says similar to Tosfos, that it is not yet applicable; he compares it to a female convert who needs only tevillah to become Jewish. When he's born, he needs a bris like any other Jew. Rashba offers that that Gemara refers to *female* fetuses; it would indeed not work for boys!

To add additional elucidation, **Moreshes Moshe** (Siman 49) cites the Rashba that the tevillah serves as "the main part of the geirus." Presumably, he derives this from the fact that females may become converts with tevillah alone. The bris milah is deemed of lesser importance, but is necessary whenever relevant. Thus, Tosfos and Nemukei Yosef say that by a fetus the milah doesn't impinge on tevillah. Why couldn't the Rashba himself say this; instead he learns that Gemara as referring only to girls? Perhaps because a male fetus *is* ultimately relevant to milah, and so geirus cannot go on without it.

So, Ramban maintains that technically the tevillah could be done before the milah, but other Rishonim argue. In **Zecher Yitzchak** (Rabbi Y. Y. Rabinowitz, Rav of Ponevitz, Siman 3) he explains that the dispute stems from their divergent understanding of milas geirus. Ramban views both steps as equal tahara activities, so the order doesn't really matter. On the other hand, the others compare it to "hatovel v'sheretz b'yado," one who goes to the mikvah because he touched an impure crawling creature – while still holding it in his hand! So too, tevillah won't help if his orlah of non-Jewishness remains on him.

Rav Chaim Ozer Grodzinsky (Achiezer Vol. 2 Siman 29) comments that according to Ramban, the milah after the child is born is for geirus. His mother's tevillah worked also for him, and the geirus process is completed with his bris. If so, he is a regular ger. The problem is that several sources indicate that he is actually considered a born Jew! The Mishnah in Bechoros (46) states that if a non-Jewish wife converted during pregnancy, her firstborn son requires pidyon haben. But if he is a ger, he would not? And the Rambam rules that if a woman converts while pregnant with twins, her boy's wives will be forbidden to each other as eishes ach. But geirim are not considered relatives?

He answers these questions with a clarification of the Gemara (Sanhedrin 58) that "a ger is like a child born anew" and is not even halachically related to his own parents. This applies to a standard convert. If his mother is already a Jewess by the time he's

born, though, like in our case, he *does* have yichus to her. Therefore, he is obligated in pidyon haben and chayev for eishes ach with his twin brother.

Another way to understand this is advanced by the **Garna”t** (Rabbi Naftali Tropp, Kesubos Siman 28). He explains that any child born to a Jewish mother is automatically a Jew. Still, he needs to undergo a geirus process to attain the sanctity of Klal Yisroel. Like the kedusha of Kohanim derives only from a father who is a Kohen, the full kedusha of a Jew comes from a Jewish father – or conversion. There are Rishonim who hold that a child born to a Jewish mother and a gentile father needs geirus, for this reason. That is why he is chayev in pidyon haben.

The **Rema** (Y.D. 268) cites both opinions without a clear psak. The Shach writes, therefore, that if tevillah was done before milah, he should go