

OVERVIEW of the Daf

1) Suspected butcher

An incident involving a ruling from Rava concerning a suspected butcher is presented.

Rava's ruling is unsuccessfully challenged.

2) **MISHNAH:** The Mishnah discusses whether suspicion in one area makes one suspicious in other areas as well and the consequence of being suspected regarding a particular matter.

3) The rationale behind the Mishnah's rulings

The Gemara provides the reason in each of the listed cases why someone who is suspected in one area is not suspected in other areas as well.

A contradiction between our Mishnah and a Beraisa is noted whether one who is suspected regarding taharos is also suspected regarding shemittah and ma'asros.

Two resolutions to the contradiction are presented.

4) The author of the Mishnah

Rabbah bar bar Chana in the name of R' Yochanan asserts that the Mishnah follows R' Akiva but Chachamim contend that one who is suspected regarding shemittah is suspected regarding ma'aser.

The Chachamim are identified as R' Yehudah.

A second version of this discussion is recorded.

Two Amoraim disagree about which version is correct.

5) Becoming a chaver

A Beraisa discusses one who wants to become a chaver.

Additional Beraisos related to becoming a chaver are recorded.

Beraisos that address issues related to being a chaver are presented. ■

*Today's Daf Digest is dedicated
לעילוי נשמת שפרינצא בת יהודה ארי*

by the Kurtz family, Toronto Canada

*Today's Daf Digest is dedicated by Rabbi and Mrs. Sam Biber
In memory of their parents*

ר' יהודה בן ר' שמואל הכהן ז"ל, ומרת שרה פעסל בת הרב אליהו חיים, ע"ה

*Today's Daf Digest is dedicated in memory of
Clara Isaacs – חיה גיטל בת ראובן –
Beloved mother, grandmother and great grandmother*

by her sons, Mel, Les and Harvey Isaacs

Distinctive INSIGHT

Acceptance of mitzvos as a critical factor for conversion

עובד כוכבים שבא לקבל דברי תורה חוץ מדבר אחד אין מקבלין אותו

The poskim discuss whether acceptance of mitzvos is a critical factor of one converting to be a Jew. Although Rambam (Hilchos Isurei Bi'ah 13:4) rules that a potential convert should be told about the yoke of mitzvos, he does not mention acceptance of mitzvos as a critical factor, as he writes that "if a convert's motives were not investigated or if he was not informed of the mitzvos and the consequences of failure to fulfill them, if he had a bris milah and went to the mikveh in front of a beis din, he is a convert." (ibid 13:17) This is also the opinion of Ritva, Nimukei Yosef and Meiri.

Ramban, Tosafos and Rosh hold that acceptance of mitzvos on the part of the new convert is essential, and the conversion would not be valid without it.

Chelkas Yaakov and Chemdas Shlomo write that our informing the convert of the mitzvos and his acceptance of mitzvos are two completely different things. Although our informing him of mitzvos may not be critical, it is essential that the convert himself be fully aware of mitzvah observance before his conversion can be proper. Therefore, even Rambam may hold that acceptance of mitzvos is critical, as he writes (ibid.), "we will suspect that the conversion is valid, and we anticipate that he will be righteous."

Chazon Ish adds that even mitzvah observance in and of itself is not adequate, until a convert understands that the Jews were commanded statutes and laws via Moshe Rabeinu and that the Jews are different and separate from all nations. He must realize that he is entering into the Jewish nation and Torah observance for all generations. Without this realization, the conversion is not valid.

Shulchan Aruch (Y.D. 268:3) rules that acceptance of mitzvos is critical, and without it the conversion is not valid. The Achronim write that not only is the conversion invalid when the conversion candidate says he is not accepting mitzvos, but also even without an explicit denouncement the conversion is unacceptable when there are clear indications that there is no intent to fulfill mitzvos. Beis Yitzchok clarifies that although there is a rule that intentions which a person harbors in his mind are not considered in a Jewish court, we cannot argue that the convert's intent not to accept mitzvos should not be held against him. The reason is that the main point of accepting mitzvos is that it be part of a commitment in one's heart, and here it is essential that his stated position and the intent he has in his heart be consistent.

In our Gemara, when the non-Jew converts while rejecting one mitzvah we reject him not only when he states his position, but also if his rejecting of the mitzvah in his heart is evident to us based upon circumstances. ■

HALACHA Highlight

A butcher found to be selling non-kosher meat

קנסיה רבא לזבוני אפילו אמגוזי

Rava penalized him from even selling nuts

The Gemara relates the incident of a butcher who used to sell prohibited cheilev as permitted fats. When this was discovered Rava penalized the butcher that he could not even sell nuts anymore. The Gemara explains that Rava follows R' Shimon's opinion that one who violates a prohibition is penalized only regarding the item with which he violated the prohibition. He is not penalized broadly regarding all items as R' Yehudah maintains. The reason Rava penalized the butcher that he could not even sell nuts is that the butcher used nuts as an incentive to lure the children of other butchers to bring to him the cheilev from their father. Since nuts were used to violate the prohibition they were also included in the penalty. Rava's ruling is codified in Shulchan Aruch¹ as well.

There was once a butcher who was found to be selling non-kosher meat instead of kosher meat. When his dishonesty was discovered he moved to another town and was again found guilty of the same crime. At this point he was barred from being a butcher and the Beis Din laid out an elaborate teshuvah process. Before the teshuvah process was completed the people of the region realized that no one else had taken over his position as butcher and the people were suffering without a working butcher. It was suggested that the butcher should be permitted to open up a butcher shop again but this time he will have a mashgiach who will oversee everything that goes on and the meat

REVIEW and Remember

1. Why did Rava penalize the dishonest butcher from even selling nuts ?

2. What is the point of dispute between R' Akiva and Chachamim ?

3. Why is washing hands referred to as wings ?

4. Does a woman who marries a chaver automatically attain the status of a chaver ?

will be sold on the reliability of the mashgiach rather than the butcher. Teshuvah Shoel U'meisiv² was amongst those who was initially opposed to this plan since the Gemara implies that once one is removed from his post he cannot be restored until he has completed the teshuvah process. He agreed, however, to allow this arrangement under the following conditions. The mashgiach will be present whenever the butcher shop is open, the key will be in the mashgiach's possession rather than in the butcher's possession and the meat is sold under the hashgacha of the mashgiach rather than the butcher. Once these conditions are met there is no concern for the butcher selling non-kosher meat and the arrangement is permitted since effectively the butcher is sufficiently disgraced in that he does not have any controlling influence over what happens in the butcher shop. ■

¹ שו"ע יו"ד סי' קי"ט סעי' ד'.

² שו"ת שואל ומשיב קמא ח"ב סי' ק"ע. ■

STORIES off the Daf

The Honor of Sages

"אף הוא מבזה תלמידי חכמים..."

On today's daf we find that Rav Yehudah expressed anger at what seemed to him to be a disgracing of talmidei chachomim.

The Malbim, as a young and already renowned genius, visited the yeshiva of the Chasam Sofer in Pressburg just after his work "Artzos HaChayim" on the beginning of Shulchan Aruch had been published. He entered the beis medrash and began to deliver a public shiur with-

out realizing that he was actually sitting in the regular seat of the Chasam Sofer himself. In the middle of his lecture, the Chasam Sofer walked in and the Malbim suddenly realized, to his great consternation, that he had taken the place of not only the rosh yeshiva but one of the gedolei hador! He quickly made as if to clear the way for the Chasam Sofer, but the rosh yeshiva indicated that the Malbim should remain where he was, waving his hand and demurring, "No, no. Sit."

The Malbim followed instructions and continued his lecture, but he sensed that despite the Chasam Sofer's waiving of his place, the gadol did indeed hold the slight against him. In later years, the

Malbim was known to remark that it was no surprise to him that his "Artzos HaChayim" never progressed past the first volume. Even though he had been blessed to enjoy a long and prolific career and produced many wonderful chidushim (such as his commentary on Tanach, among other works), he attributed his failure to complete his work on Shulchan Aruch to the pointed, "Sit!" of the Chasam Sofer. The gadol insisted that he sit, and the Malbim truly never "got up" past the opening section to bring his work to completion!¹ ■

¹ תשובות והנהגות, ח"א, סי' כ"ו. ■