

OVERVIEW of the Daf

1) **MISHNAH:** The Mishnah discusses the status of chalalim and converts.

2) Clarifying the term לעולם

The term לעולם used at the beginning of the Mishnah is explained.

3) The daughter of a chalalah

R' Yochanan in the name of R' Yishmael cites a גזירה שוה for the source that the daughter of a chalalah who married a non-kohen is fit to marry a kohen.

This source is unsuccessfully challenged.

4) The daughter of a chalal

The Gemara notes that one of the rulings of the Mishnah is extra and was inserted in the Mishnah to maintain consistency in the Mishnah.

It is noted that the Mishnah does not follow R' Dostai ben Yehudah who maintains that the daughter of a chalal is fit to marry a kohen.

The rationale behind R' Dostai ben Yehudah's position is explained.

A Baraisa discusses the status of a woman who has relations with a kohen even though she is prohibited to him.

One of the steps in the Baraisa is explained.

A related Baraisa is cited.

R' Yehudah offers an explanation of the Baraisa.

This interpretation is successfully challenged and Rabbah offers an alternative explanation.

Rabbah's interpretation is explained.

5) A kohen who engages in prohibited relations

A Baraisa is cited which discusses a kohen's liability for engaging in prohibited relations.

The Gemara explores different explanations until it ar-

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REVIEW and Remember

1. Is the daughter of a חלל permitted to marry a kohen?

2. What is the position of R' Dostai ben Yehudah?

3. Explain איסור מוסיף.

4. Under what conditions do Rabanan allow one prohibition to take effect upon another?

Distinctive INSIGHT

The child of a convert and a Jewish woman

ישראל שנשא גיורת בתו כשירה לכהונה, וגר שנשא בת ישראל בתו כשירה לכהונה

Rambam writes (Isurei Bi'ah 15:9) that if a convert marries a Jewish woman, or if a Jewish man marries a convert, the child is a Jew in all regards, and this child may not marry a mamzer. Regarding the first case, Magid Mishne writes that the status of the offspring of a Jewish woman and a convert is no worse than if she has a child with a gentile, where the child follows the lineage of the mother. The child is kosher, and he/she may not marry a mamzer. The rule is that the child has the status of the father when a Jewish man has a child with a convert, as kid-dushin is possible and there is no sin.

ר"ן cites this opinion of Rambam. He notes that he does not know the source for this ruling, as he presents the following question. When a non-Jewish man has a child with a Jewish woman, the child is kosher, and he/she may not marry a mamzer. Here, we do not say that the child assumes the status of the father, as the rule "למשפחותם לבית אבותם" is written in reference to the Jewish people, and not for non-Jews. However, in the case where the father is Jewish, but he is a convert, and the mother is a Jewess, why should we not say that the child assumes the status of its father (a convert), and the child should be allowed to marry a mamzer?

Tosafos (74b, ד"ה והרי) writes that when a convert marries a Jewish girl, the daughter may marry a kohen (following the lineage of the mother), and she may also marry a mamzer (following the lineage of the father). חלקת מחוקק explains that Tosafos holds like the ר"ן, that the lineage actually follows the father. Being permitted to marry a kohen is not due to having the status of Jew or a convert, but it is due to one's being kosher and having kedusha, which is the case here.

חידושי רבי חיים הלוי (to Hilchos Isurei Bi'ah, 15) explains that this dispute among the Rishonim is based upon a discussion in the Gemara in Yevamos (57a), where R' Yochanan asked R' Oshaya about a case where a kohen, who was disqualified from marrying among the Jewish people (a פצווע דכא), married a daughter of a convert. R' Yochanan asked whether the wife would be allowed to eat teruma. There are two versions in Rashi to explain the issue being analyzed. According to the first approach, the Gemara in Yevamos follows the opinion which ר"ן espouses, that the child is not a full Jew, while the second approach of Rashi there seems to follow the approach of Rambam, that the child assumes the status of the mother, and he/she is a full member of the Jewish nation. ■

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 ר' ראובן בן ר' אברהם הלוי, ע"ה

HALACHAH Highlight

Does a woman become a חללה just from becoming a נשואה?

תנו רבנן לא יחלל זרעו וכי היא עצמה מנין

The Rabbis taught: "He should not defile his children," ... How do we know that she becomes defiled as well?

Shulchan Aruch¹ rules that if a kohen betroths a woman who may not marry kohanim and dies or divorces her while she is still an arusah, she does not become a חללה. If, however, the relationship reached the stage of nissuin, even if she did not have relations with the kohen, she becomes a חללה. The reason, explains Shulchan Aruch, is that a woman who reaches the stage of nissuin is assumed to have had relations with her husband even if it is discovered that she is a בתולה. Be'er Heitev² notes that one can infer from Shulchan Aruch's language that even if witnesses were to testify that the couple never had relations she is still presumed to have had relations and is thus categorized as a חללה. Taz³ disagrees and writes that if there are witnesses who testify that that she never had relations with her husband the children she has with her second husband (who is a kohen) are doubtful חללים and we would apply to them the stringencies of both categories. Thus, these children would not receive the first aliyah or recite Birkas Kohanim, but at the same time they would not be permitted to become tamei.

Pischei Teshuvah⁴ cites authorities that draw the opposite conclusion from the language of Shulchan Aruch. Since Shulchan Aruch wrote that any woman "who reaches the stage of nissuin is assumed to have had relations with her husband" it would seem that nissuin itself does not make a woman into a חללה; rather it is relations with the kohen that renders her a חללה. Therefore, if there was conclusive testimony⁵ that she

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rives at an acceptable explanation.

Rava explains that the Tanna of the Baraisa subscribes to the view that it is possible to add prohibitions only when they are more extensive (איסור מוסיף).

R' Sheishes and an Amora who is an expert in Tannaitic literature discuss the dispute between R' Shimon and Rabanan concerning one prohibition taking effect upon another.

A second version of this conversation is presented.

6) A Yisroel who cohabits with his sister

R' Pappa asked about the status of a woman who cohabited with her brother.

After explaining the two sides of the question Abaye answered that she is a זונה but not a חללה.

Rava cites a Baraisa as the source for this ruling.

This interpretation is successfully challenged and the Gemara is forced to offer an alternative interpretation of the Baraisa.

R' Ashi explains how a kohen who cohabits with his sister twice makes her into a זונה and then into a חללה. ■

never had relations she would not be a חללה. Chelkas M'chokeik⁶ also subscribes to this position and rules that when it is known that the woman did not have relations with her first husband the kohen she is not a חללה. ■

1. שו"ע אה"ע סי' ז' סעי' י"ב.

2. באר היטב שם סי"ק מ"ד.

3. מובא דבריו בבאר היטב שם.

4. פת"ש שם סי"ק כ"ב.

5. ע"ש בפת"ש שכתב, "יומ"ש אע"פ שנמצאת בעולה כלומר דחיישינן

שמא הטה אבל היכא דאיכא עדים שלא זזה ידם אין לחוש.

6. מובא דבריו בבאר היטב שם. ■

STORIES Off the Daf

"He is liable for every cup he drinks..."

"חייב על כל כוס ששתה..."

It is well known that eating the three seudos of Shabbos are a very powerful antidote to the war of Gog and Magog, and protects one from the birth pangs of Moshiach and the judgment of Gehinom.¹

When asked to explain why, a certain Rav said, "When one sins, he usually does so with his entire being. Conversely, most people do not manage to do mitzvos

with absolute connection. The meals of Shabbos are an exception to this rule. The mitzvah is to partake and enjoy a physical meal of delicacies. Eating on Shabbos is therefore an aspect of תשובת המשקל for the sins one did with his entire self for material pleasure, since now the pleasure itself is a mitzvah!"

Once, the Rebbe of Kalshitz, הי"ד, stayed for with Rav Meir Yisrael Friedman, ז"ל, in the town of Kranitz. While he was conducting his tisch on Shabbos night, the Rebbe asked Rav Meir Yisrael: "When I eat the soup with noodles do I receive a mitzvah for every bite, or is each food type a mitzvah?"

"Every bite is clearly a mitzvah," Rav Meir Yisrael immediately replied." We see this from the Mishnah brought in Kiddushin 77 which discusses a nazir who drank wine. Although if he drank wine all day he is only lashed once, if he was warned repeatedly that drinking wine is a violation of a Torah law and liable for lashes he is lashed for each and every cup he drank. We see that it's not a matter of each food type, but each time he drained a cup he is lashed."

The Rebbe was clearly impressed by this incisive interpretation.² ■

1. שבת, קי"ח

2. שי למורא, חלק א', עמוד מ"ד