



Daf In Review – Weekly Chazarah

Maseches Yevamos, Daf פ"ד – Daf ט"ז

Daf In Review is being sent I'zecher nishmas R' Avrohom Abba ben R' Dov HaKohen, A"H
vI'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

-----Daf פ"ד---68-----

V'HACHEIREISH

- If a Kohenes marries a Yisrael who is a deaf-mute, she becomes passul to eat terumah because the **Rabanan** instituted that a deaf-mute can acquire, thus making her his wife. If a Yisraelis marries a deaf-mute Kohen, she cannot eat terumah, because D'Oraisa he cannot acquire and therefore is not married.

U'BEN TEISHA SHANIM...

- **Q:** It was initially thought that the Mishna is referring to a woman who is a shomeres yavam to a yavam who is 9 years old. The Gemara asks, what is the novelty of this case? If it is that he can prevent her from eating terumah, there is no chiddush, because even a yavam less than 9 years old would prevent her from eating terumah!? If it is to teach that he cannot entitle her to eat terumah, that is no chiddush, because even an adult yavam does not entitle her to eat terumah!? **A: Abaye** said, the case being discussed is where a yavam of 9 years old had bi'ah with the yevama, in which case he is koneh her D'Oraisa. We would think, since he is koneh her, he should also entitle her to eat terumah. The Mishna teaches that he does not, because we treat the bi'ah of a 9 year old yavam like the maamar of an adult yavam.
 - **Q: Rava** asked, if that is the case, and we are taught that a 9 year old cannot entitle her to eat terumah, then why does the Mishna then say that when it is a safek if he is 9 years old he does not entitle her to eat terumah!? That should be obvious!? **A:** Rather, **Rava** said that the Mishna is referring to a 9 year old boy who has one of the disqualifications listed in a Braisa (he is a ger, Amoni, Moavi, Mitzri, Adomi, Kuti, Nasin, Chalal, or mamzer) and has bi'ah with a woman, and the Mishna teaches that he makes her passul from eating terumah. The Mishna then adds, that this would be so even if he is only a safek of being 9 years old.
 - **Q:** The latter part of the Mishna (i.e. the next Mishna) discusses that one who may not marry into Klal Yisrael would passul a woman from eating terumah. This suggests that our Mishna is not referring to such people!? **A:** The earlier part of the Mishna is discussing a person who is assur to marry into Klal Yisrael, and the latter part of the Mishna is discussing people who are assur for Kehuna.
- The Braisa quoted above said that a 9 year old who has one of the listed disqualifications would make a woman assur for terumah if he has bi'ah with her. The Braisa continues that **R' Yose** says, only people whose children become passul would passul a woman that they have bi'ah with. **R' Shimon ben Gamliel** says, if a Kohen can marry the daughter of someone who is passul, he can marry the widow of someone who was passul as well.
 - **Q:** How do we know that bi'ah by a disqualified person makes a woman assur to eat terumah? **A: R' Yehuda in the name of Rav** said, we learn it from the pasuk of "u'bas Kohen ki sihiyeh l'ish zar" – this teaches that once she has bi'ah with someone who is passul for her to marry, she may no longer eat terumah.
 - **Q:** That pasuk is needed to simply teach that a Kohenes who marries a non-Kohen may no longer eat terumah!? **A:** We can learn that out from the pasuk that says that if her marriage ends without children she may go back to her father's house and eat terumah. This would suggest that during the marriage she may not eat terumah.
 - **Q:** From this pasuk we would think it is only assur as an assei, so we still need the earlier pasuk to teach that it is a lav!? **A:** The lav can be learned from the pasuk of "v'chol zar lo yochal kodesh".
 - **Q:** That pasuk is needed to teach that a non-Kohen may not eat terumah!? **A:** There are two times that "v'chol zar" is written, and we can therefore learn both.

Daf In Review – Weekly Chazarah

- **Q:** The second pasuk of “v’chol zar” is needed for the drasha of **R’ Yose the son of R’ Chanina**, who says it teaches that only a “zar” may not eat terumah, but a Kohen who is an onein may eat terumah!? **A:** That drasha can be learned out from the extra word of “v’chol”.
- **Q:** The pasuk of “u’bas Kohen” is used by **R’ Chisda** to teach that when a Kohenes returns to her father’s house in a situation when she can eat terumah, she may still not eat kodashim!? **A:** The verbiage of “b’trumas hakadashim” can be used to teach that drasha.
- **Q:** We now have a source to teach regarding a Kohenes that she becomes assur to eat terumah if she had bi’ah with a passul. How do we know that the same Halacha applies to a woman who is a non-Kohen? **A:** We learn it as **R’ Abba in the name of Rav** said, we learn it from the conjunctive “u’bas”.
 - **Q:** This seems to only follow **R’ Akiva** who darshens the conjunctive “vuvs” in general!? **A:** Even the **Rabanan** would agree here, because the entire word of “u’bas” is extra and therefore available for a drasha.
- **Q:** We have learned that they are assur to eat terumah. How do we know that they would be assur to Kehuna as well? **A:** When we learned that the non-Kohen women become assur, we are clearly talking about being assur to Kehuna, because they never have an independent right to eat terumah.
 - **Q:** They may have an independent right, when they eat terumah on account of their child, even if she is no longer married to a Kohen. If so, maybe that is the case that the pasuk is needed for, and we don’t have a pasuk to teach that she becomes passul to Kehuna!? **A:** We don’t need a pasuk for the case of when she eats terumah on account of her child, because in that case we would know that she becomes assur based on a kal v’chomer – if a Kohenes, who eats terumah on her own account, becomes passul from a bi’ah with one of the passul men, then surely the woman who is only eating on account of her child will become passul to eat terumah.
 - **Q:** Maybe it is only the Kohenes who becomes passul, since she eats on her own account. However, a non-Kohen woman maybe does not become passul since she is eating on account of her child!? **A:** We learn that a woman who had bi’ah with one of the pesulim becomes assur to Kehuna based on a kal v’chomer – if a divorcee, who is allowed to eat terumah (if her father is a Kohen), is still assur to Kehuna, then surely this woman who had bi’ah with a passul, who becomes assur to eat terumah, will surely become assur to Kehuna.
 - **Q:** This would be creating a lav via a kaal v’chomer, which is something that we don’t do!? **A:** This kal v’chomer is merely clarifying that anyone assur to terumah is also assur to Kehuna. It is not teaching a new prohibition.
- **Q:** Maybe the pasuk only teaches that a woman becomes passul when she has bi’ah with a man who is assur to her with kares? How do we know the same Halacha would apply when he is assur with a simple lav? **A:** The pasuk says “ki sihiyeh”, which teaches that the pasuk is referring to a man with whom kedushin would take effect, which must be talking about a simple lav and not a kares penalty.
 - **Q:** If so, why does she become assur through bi’ah with a goy or a slave, since kiddushin with them does not take effect? **A:** They make her passul based on the drasha of **R’ Yishmael**, which learns from a pasuk that a Kohenes may only go back to her father’s house and eat terumah from a marriage that can bring about a divorce or a widowhood. This excludes the case of a goy or slave, since that cannot happen.
 - **Q:** That teaches regarding a Kohenes. How would we know regarding a non-Kohen woman? **A:** We learn it from the conjunctive “and” of “u’bas”.
 - **Q:** That only follows **R’ Akiva** who darshens the conjunctive “vuvs” in general!? **A:** Even the **Rabanan** would agree here, because the entire word of “u’bas” is extra and therefore available for a drasha.
 - **Q:** Maybe we should say that if the Kohenes is coming from a marriage which can bring about a divorce or widowhood, she may only return to her father’s terumah if she doesn’t have children, but if she is returning from a marriage with a goy she may even return if she has children!? **A:** If that would be accurate, then the extra word “u’bas” would be teaching that a non-Kohen woman also does not become assur with a bi’ah of a goy or slave. Now, since we just said that a

Daf In Review – Weekly Chazarah

Kohenes does not become assur from that, surely a non-Kohen woman would not become assur though that! It must be that the bi'ah of a goy is worse, not more lenient, than the bi'ah of a Jew.

-----Daf 69-----

- **Q:** The Gemara had said that a separate pasuk was needed to teach that a bi'ah with a goy or slave (with whom there can be no legal marriage) disqualifies the woman. The Gemara asks, according to **R' Akiva** who says that the pasuk of "ki sihiyeh l'ish zar" means if she has bi'ah with such a man, even if there can be no marriage between them, why is the separate pasuk of "almanah u'grusha" needed? **A:** The pesukim are needed to teach that a Kohenes widow with children may not eat from her father's terumah, and a Kohenes divorcee without children may eat from her father's terumah. If the pasuk would only mention the widow, we would say it is only she who can eat from her father when she has no children, since she may still marry a Kohen, but a divorcee who may not, may also not eat from her father even if she doesn't have children. If we would just mention a divorcee, we would say it is only shw who can't eat from her father when she has children, because she is assur to marry a Kohen, but a widow can eat terumah from her father even if she has children. That is why the pasuk had to write both of them.
- **Q:** Maybe we should say that a "someone that is assur to her" for these purposes includes the case of where her husband divorced her and remarried her after she had married someone else in between? **A:** The pasuk says "l'ish zar", which means a man that was always an "outsider" to her.
 - **Q:** If so, why does a chalal make her assur to terumah, since he is not an "ish zar" (a Kohenes is allowed to marry a chalal)? **A:** The pasuk says "lo yichalel zaro b'amav", which teaches that just as the Kohen Gadol makes a woman assur, his children who are chalalim make a woman assur as well.
- **Q:** Maybe we should say that a woman become assur if she marries one of these passul men, even before having had bi'ah with him? **A:** We learn from the case of a Kohen Gadol and a widow. Just as there it is from the time of bi'ah, the same is here as well.
 - **Q:** Maybe we should say that a woman only becomes assur if there is a marriage *and* bi'ah? We learn from the case of a Kohen Gadol and a widow. Just as there it is from the time of bi'ah alone, the same is here as well.
- In the Braisa quoted earlier, **R' Yose** said, only a man whose children are passul will himself make a woman passul through bi'ah.
 - **R' Yochanan** explained, the difference between the opinion of **R' Yose** and the **T"K** is a Jewish man who is a second generation Mitzri or Adomi. According to **R' Yose**, since his child may marry into Klal Yisrael, he himself would not make a woman passul.
 - The reason for each shita is based on the case of a widow and a Kohen Gadol. The **T"K** says, just like the bi'ah between them is assur and the woman becomes passul, so too any bi'ah that is assur makes the woman to be passul. **R' Yose** holds that it is only because a Kohen Gadol's children in this case will be passul that he makes a woman passul.
- The Braisa then said, **R' Shimon ben Gamliel** said, any man whose daughter may marry a Kohen, a Kohen may also marry this man's widow.
 - **Ulla** explained, the difference between this shita and **R' Yose** would be a man who is a ger, Amoni, or Moavi. **R' Yose** would say that they make their wives assur, just as their sons are assur, and **R' Shimon ben Gamliel** would say, since their daughters are mutar, their wives are mutar as well.
 - The reason for each shita is based on the case of a widow and a Kohen Gadol. **R' Yose** holds that a Kohen Gadol's children are passul when he marries a widow, and he therefore makes her passul, and the same will be with these people. **R' Shimon ben Gamliel** says, just as *all* the Kohen Gadol's children become passul, so too a man will make a woman assur only when *all* his children become passul, whereas these men mentioned only make their sons assur, and not their daughters.

Daf In Review – Weekly Chazarah

- A rapist, a seducer, and a shoteh do not passul a Kohenes from eating terumah, and do not entitle a non-Kohenes to eat terumah (if the rapist, etc. is a Kohen). If these men are not mutar to marry into Klal Yisrael, they do passul her from eating terumah.
 - How is this so? If a Yisrael rapes a Kohenes, she may still eat terumah. If she becomes pregnant from him, she may no longer eat terumah. If the fetus was “cut up” in her body, even if not yet delivered, she may again eat terumah.
 - If a Kohen rapes a non-Kohen, she is not entitled to eat terumah. If she becomes pregnant from him, she may still not eat terumah. If she gives birth, she may begin to eat terumah. The result is that the child has more power of entitlement than the father.
- A slave makes a Kohenes assur to eat terumah if they have bi'ah. If a Kohenes was married to a Yisrael who has died, and the only surviving issue is a slave, that issue does not prevent her from returning to eat the terumah of her father's house.
 - How is this so? If a Yisraelis marries a Kohen, or if a Kohenes marries a Yisrael and they have a son, and the son is then mezaneh with a maidservant who has a son from that zenus, that child is considered to be a slave. This grandchild is not considered a child who would permit his grandmother, the Yisraelis, to continue eating terumah on account of him, and would not make assur his grandmother, who is a Kohenes, from eating terumah.
- A mamzer does make his grandmother who is a Kohenes assur to eat terumah, and makes his grandmother who is a Yisraelis (who was married to a Kohen) mutar to continue eating terumah.
 - How is this so? If a Yisraelis marries a Kohen, or if a Kohenes marries a Yisrael and they have a daughter, and the daughter is mezaneh with a servant or a goy and a son is born from that zenus, that child is considered to be a mamzer. This grandchild is considered to be a child who would permit his grandmother, the Yisraelis, to continue eating terumah on account of him, and would make assur his grandmother, who is a Kohenes, from eating terumah.
- There are times when a Kohen Gadol will passul his grandmother from eating terumah.
 - How is this so? If a Kohenes marries a Yisrael and they have a daughter who marries a Kohen and the daughter then has a son, that son is fit to be a Kohen Gadol who does the avodah on the Mizbe'ach. This Kohen Gadol would make his mother mutar to eat terumah, but would make his grandmother assur to eat terumah.

GEMARA

- The Mishna suggests that the marriage of a shoteh is not a valid marriage. This is also stated in the Mishna that says, that if a shoteh gets married and dies without children, his wife is not subject to yibum.

KEITZAD HAREI YISRAEL SHEBAH AHL BAS KOHEN...

- **Q:** She should be assur immediately after the rape as a concern that maybe she has become pregnant!? We find that we are concerned for pregnancy in other cases! **A: Rabbah bar R' Huna** said, we only have this concern with regard to matters of yichus (genealogy), but not with regard to matters of terumah.
 - **Q:** We find that even for matters of terumah we are concerned for slight possibilities!? **A: Rabbah bar R' Huna** said, we are only concerned for pregnancy from a bi'ah done in marriage (the woman does not take steps to prevent a pregnancy), not from zenus outside of a marriage.
 - **Q:** A Braisa says that a Kohenes who becomes a widow from her Yisrael husband may eat terumah the evening of the death (after having gone to the mikvah). We see that we are not concerned for a pregnancy even from a bi'ah in marriage!? **A: R' Chisda** said, the Braisa means that she may eat terumah for the first 40 days, because even if she is pregnant, for the first 40 days the fetus is not considered to be a child at all.
 - **Q: Abaye** asked, the Braisa says, if it later turns out that she was pregnant all along, she would have to pay for any terumah eaten, presumably from the time of death. We see that even during the 40 days she was not allowed to eat terumah!? **A:** The Braisa only means that she is liable for the terumah eaten from the 40th day and forward.

Daf In Review – Weekly Chazarah

- A Braisa says, if one has bi'ah with his arusah while she still lives in her father's house, and they have a child from that, **Rav** says the child is a mamzer, and **Shmuel** says the child is a possible mamzer.
 - **Rava** said, **Rav's** view is logical when we have reason to believe (rumors or the like) that this woman was mezaneh with men besides her arus husband. However, if there is no reason for such belief, we would assume that the child is from the husband.
 - **Rava** said, we can see this from our Mishna. The Mishna says that if the Kohen rapes a woman and she has a child, she may eat terumah. Now, the case must be where she is not rumored to have been mezaneh with others, and we see that even though this man and woman were assur to each other we can assume the baby is from this man. Surely, in the case of the Braisa, where zenus with her husband is mutar and zenus with any other man is assur, surely we can assume that if there are no rumors, the child is from the husband. Therefore, it must be that **Rav's** shita is only said when there are rumors that the mother was mezaneh with other men.
 - **Abaye** said, it may be that **Rav** considers the child a mamzer even when there is no rumor of the mother being mezaneh with other men, because we assume that since she is mezaneh with her arus, she is likely to have been mezaneh with other men as well. However, the Mishna is discussing a case where the Kohen and the Yisraelis were locked together in prison, and that is why we can assume that the baby is his and no one else's (since there are no other men there).
 - **Others** say, that if the arus admits that he had bi'ah with the arusah, all would agree that we can assume the child is his (and is not a mamzer). The machlokes is where he does not admit to it, and we therefore do not know who the father is. In that case **Rav** says the child is a mamzer and **Shmuel** says the child is a possible mamzer.
 - **Rava** said, this view of **Rav** is logical where the arusah is suspected of being mezaneh with men other than the arus, and not with the arus at all. However, if the arus admits to being mezaneh with her, even if she is also suspected of zenus with other people, we would assume that the child is his.
 - **Rava** said, we can see this from our Mishna. The Mishna says that if the Kohen rapes a woman and she has a child, she may eat terumah. If the case is where she is only suspected of zenus with the Kohen and no one else, it would be obvious that she can eat terumah. It must be that the case is where she is also suspected of zenus with other men, and although the Kohen and the other men are assur to her, we can assume that the child is from the Kohen. If so, in the Braisa, where the arus is mutar to her, even though she is suspected of zenus with others, we can surely assume that the child is from the arus.
 - **Abaye** said, it may be that **Rav** says the child is a mamzer in any case where there is suspect that she was mezaneh with other people. It may be that the Mishna is discussing a case where she is not suspected of being mezaneh with anyone else at all.

HA'EVED POSEL MISHUM BI'AH...

- **Q:** Why is a slave not considered to be her issue? **A:** The pasuk teaches us that the child of a maidservant is considered to be "her child" (i.e. a slave) and therefore cannot be considered the grandchild of the Kohenes.

MAMZER POSEL U'MACHIL

- A Braisa learns that a mamzer is considered to be a child for these purposes from the pasuk of "v'zera **ein** lah".
- **Q: Reish Lakish** asked, our Mishna, which says that a mamzer is created from the relationship of a Jewess and a slave, only follows **R' Akiva**, who says that a mamzer is created from a relationship assur by a lav!? **A: R' Yochanan** said, the **Rabanan** who argue on **R' Akiva** agree that when a slave is mezaneh with a Jewess, the child is a mamzer.

KOHEN GADOL PE'AMIM SHEPOSEL

- The Gemara quotes a statement a grandmother may make (like one mentioned in the Mishna), that she would prefer having a mamzer as a grandchild in a case when he would allow her to continue eating terumah, rather than having a Kohen Gadol as a grandchild, in a case when he makes her assur to eat terumah.

Daf In Review – Weekly Chazarah

HADRAN ALACH PEREK ALMANAH L'KOHEN GADOL!!!

-----Daf 70-----

PEREK HE'AREL -- PEREK SHMINI

MISHNA

- A Kohen who is an arel (a male who never had a bris) or tamei may not eat terumah, however their wives and slaves may eat terumah. A Kohen who is injured as a pitzu'a daka or krus shafcha may eat terumah and their slaves may eat terumah, however their wives may not eat terumah. If his wife did not have bi'ah with him after the injury, she may still eat terumah.
 - A pitzu'a daka is when a man has even one of his testicles wounded. A krus shufcha is where his eiver is cut. If even a minute amount of the top of the eiver remains, the person is still allowed to marry into Klal Yisrael.

GEMARA

- A Braisa says, **R' Eliezer** says, we learn that an arel is assur to eat terumah from a gezeirah shava from Korbon Pesach (on the words "toshav v'sachir", which refer to an eved ivri). This teaches that just as an arel may not eat a Korbon Pesach, he may also not eat terumah. **R' Akiva** says the double use of the pasuk "ish ish" teaches that an arel is assur to eat terumah.
 - We must say that the words of the gezeirah shava used by **R' Eliezer** are "extra" and open for drasha, because if they are not, we can ask that Pesach may be different, because it also has the issurim and kares liability of pigul, nossar and tamei. The Gemara says, the "toshav and sachir" written regarding Pesach is extra, because we have no reason to think that if a Jew becomes a slave that he would not be chayuv in Pesach. Therefore, the words must be extra to be used for the gezeirah shava.
 - **Q: R' Eliezer** has taught that when a gezeirah shava is only extra on one side, we may still ask questions to refute it!? **A:** There are 2 extra words here (toshav and sachir). We look at them as if one is written by Pesach and one is written by terumah, and we consider it to be a gezeirah shava that is open on both sides.
 - **Q:** Once we have the gezeirah shava, we should say that just as an onein is assur to eat a Pesach, an onein should also be assur to eat terumah!? **A: R' Yose bar Chanina** said, the pasuk of "v'chol zar" teaches that only a non-Kohen may not eat terumah, but a Kohen who is an onein may eat terumah.
 - **Q:** Maybe this pasuk comes to allow an arel to eat, and not an onein!? **A:** We have learned that an arel is assur to eat based on "toshav and sachir".
 - **Q:** Why do we use the drashos to exclude arel and include onein? Maybe it should be the other way around? **A:** It is more logical to exclude an arel, because an arel is lacking an act, the act is to his body, he is chayuv kares, the mitzvah existed before Matan Torah, and one is not allowed to bring a Pesach if any of his sons or slaves are an arel. Although aninus has the characteristics that it exists at all times, applies to men and women, and has no remedy that a person can do to fix it, the arel has more unique stringencies, and is therefore the one that will be excluded. **A2: Rava** said, without the fact that arel has more stringencies, we would still learn out arel from Pesach rather than aninus, because arel is written explicitly in the pasuk of Pesach, whereas the issur of onein by Pesach is itself only learned from maser sheini.
 - **Q:** Maybe we should say that just as by Pesach, if one's sons or male servants have not gotten a bris, then the person himself may not eat a Korbon Pesach, the same should hold true by terumah? **A:** The pasuk by Pesach says "bo" – which teaches that this Halacha only applies by Pesach.
 - **Q:** The pasuk regarding the person's himself being an arel also says the word "bo", and should therefore teach that the issur of areilus also only applies to Pesach and not to terumah!? **A:** We have learned that an arel is assur to eat based on "toshav and sachir".
 - **Q:** Why do we use the drashos to exclude arel and include one whose sons and slaves are areilem? Maybe it should be the other way around? **A:** It is more logical to exclude an arel,

Daf In Review – Weekly Chazarah

because an areil is lacking an act to his own body and is chayuv kares. Although the issur of not having the sons and slaves with a bris has the stringency that it can apply at any time, the areil has more stringencies, and is therefore the one that will be excluded. **A2:** Without the fact that an areil has more stringencies, we would still learn out areil from Pesach rather than learn the areilus of his sons or slaves, because it is more logical to say that one is assur for his own deficiency than for the deficiency of his sons and slaves.

- **Q:** What does the word “bo” in the pasuk that says that a mumar may not eat a Pesach come to exclude? **A:** It teaches that such a person may not eat from the Pesach, but he may eat from maaser.
- **Q:** What does the word “bo” in the pasuk of areil come to exclude? **A:** That he may not eat the Pesach, but he may eat the matzah and marror.
 - The pasuk needed to teach regarding a mumar and regarding an areil. Each one could not be learned from the other, because a mumar is better in that he is not disgusting to Hashem (i.e. he has a bris), and an areil is better in that he follows Hashem’s Will.

-----Daf נ"ז ---71-----

- **R’ Akiva** said in the Braisa that we learn that an areil is assur to eat terumah from the pasuk that uses the double verbiage of “ish ish”.
 - **Q:** Why don’t we say that the pasuk instead teaches that an onein is assur? **A: R’ Yose the son of R’ Chanina** said that an onein is mutar to eat terumah, based on the pasuk of “v’chol zar”.
 - **Q:** Why don’t we say that the v’chol zar comes to allow an areil? **A:** The pasuk of “ish ish” teaches that an areil is assur.
 - **Q:** Why do we use the drashos to exclude areil and include onein? Maybe it should be the other way around? **A:** It is more logical to exclude an areil, because an areil is lacking an act, the act is to his body, he is chayuv kares, the mitzvah existed before Matan Torah, and the areilus of his sons and male slaves prevent him from bringing a Pesach. Although aninus has the stringencies that it exists at all times, applies to men and women, and has no remedy that a person can do to fix it, the areil has more unique stringencies, and is therefore the one that will be excluded. **A2: Rava** said, without the fact that an areil has more stringencies, we would still learn that an areil is assur, because the pasuk of “ish ish” teaches to make assur something that only applies to men – which is areilus.
 - **Q:** What does **R’ Akiva** do with the pasuk of “toshav v’sachir”? **A: R’ Shmaya** said, he uses it to teach that goyim who happen to have a bris are still assur to eat the Korbon Pesach.
 - **Q:** A Mishna teaches that such goyim are not even considered as having a bris. If so, why would they need to be specifically addressed as being assur? **A:** It must be that he uses the pasuk to teach that a ger who had a bris but has not yet been toivel (which he holds prevents him from being a full-fledged Yid), and a child who was born with a bris (he holds that even such a child must have some blood drawn from him), may both not eat from the Korbon Pesach. **R’ Eliezer** does not need the pasuk for this, because he holds that a ger who had a bris can eat the Pesach even if he wasn’t toivel (because he is a full-fledged Yid at that point), and such a child could eat the Pesach as well (because he holds that no blood needs to be drawn).
 - **Q:** What does **R’ Eliezer** learn from the pasuk of “ish ish”? **A:** He says that the pasuk is speaking as people sometimes do (in double verbiage).
- **Q: R’ Chama bar Ukva** asked, may a child who is less than 8 days old, and therefore still an areil, have terumah oil smeared onto him? Is an areil before the time for his bris considered to be an areil who is assur from terumah? **A: R’ Zeira** brings a Braisa which says, although the pasuk says it is assur to bring the Pesach if one’s son is an areil, and that one may not eat the Pesach if his slave is an areil, through a gezeirah shava we learn that the areilus of a son or a slave prevents both the bringing and the eating of the Pesach. Now, we can understand how it is possible to have a slave who is an areil at the time of eating but not at the time of the bringing (he bought the

Daf In Review – Weekly Chazarah

slave after having brought the Pesach, but before eating it). However, how is it possible to have a son who is an arel at the time of eating but not at the time of bringing? The case must be where a son was born after the bringing, but before the eating. We see from here that a son less than 8 days old *is* considered to be an arel who will be assur for Pesach and terumah.

- **Q: Rava** asked, that can't be right, because the pasuk says the father must give a bris to his son and then eat the Pesach. Now in **R' Zeira's** case the son cannot yet have a bris, because he is less than 8 days old!? **A: Rava** said, the pasuk must be discussing a child who didn't get a bris at 8 days old because he was sick, and the sickness broke after the bringing of the Pesach but before the eating.
 - **Q:** If so, we should have to wait a full 7 days from when the sickness breaks before we give him a bris!? **A:** The Braisa is discussing where the sickness broke 7 days before Erev Pesach, so he was now chayuv to give a bris on Erev Pesach.
 - **Q:** Why didn't he give him a bris in the morning? **A:** We need to wait 7 periods of 24 hours after the sickness breaks, and those days ended after the time for bringing the Pesach but before the time for eating it.
 - **R' Pappa** said, the Braisa is discussing where the child's 8th day was Erev Pesach and he had a minor sickness (for which he wouldn't have to wait 7 days after healing), and the sickness went away after the time for bringing the Pesach, but before the time for eating it.
 - **Rava** said, the Braisa is discussing where the parents of the baby were in jail until after the time for bringing the Pesach.
 - **R' Kahana the son of R' Nechemya** said, the Braisa is discussing where the child was a tumtum and was discovered to be a boy after the time for the bringing of the Pesach.
 - **R' Shrivya** said, the Braisa is discussing where a child stuck its head out of its mother on the 7th of Nissan (he is legally considered as born on that day, and his 8th day is therefore on Erev Pesach), but he wasn't fully born until after the time for bringing of the Pesach had passed.
 - **Q:** A Braisa suggests that a child in this situation would not be able to live (he no longer nourishes from his mother, but cannot nurse from his mother in this position either)!? **A:** The mother of the baby had a fever, which was able to sustain him. **A2:** If the baby cries, that also sustains him.
- **R' Yochanan in the name of R' Bina'a** said, if the para aduma is sprinkled on one who is an arel, it is deemed a valid sprinkling. We see this from the people in the times of Yehoshua, who were sprinkled with the para adumah before they had a bris done to them.
- **Rabbah bar Yitzchak in the name of Rav** said, the mitzvah of "priyas milah" was not given to Avrohom, as we see that Hashem commanded Yehoshua to cut the mila of the Yidden at that time, presumably referring to the priyas milah.
 - **Q:** Maybe the commandment to Yehoshua was to give a bris to the people who did not yet have a bris milah, not the people who already had a bris milah, and therefore makes no reference to priyas milah!? **A:** The pasuk says "shuv", which means that they must get milah for a "second time", referring to priyas milah.
 - **Q:** What does the word "sheinis" (a "second time") in the pasuk refer to? **A:** This teaches that if one leaves over strands of the arlah, it precludes a valid milah.
 - **Q:** Why didn't the Yidden get brisim in the Midbar? **A:** It would have been dangerous because of their weakness due to travel. **A2:** Because the northern wind (which is necessary to cause the sun to shine and heal the child) did not blow for all the years they were in the Midbar.
 - **Q:** Why didn't the northern wind blow all those years? **A:** Either as a punishment for having done the Eigel, or so that the wind not push away the Anan Hakavod.
 - Based on this **R' Pappa** says, we should not give a bris or let blood on a cloudy day or on a day where the south wind is blowing.
 - However, in today's times where everyone seems to do so anyway, we apply the pasuk of "Shomer Pesayim Hashem".

Daf In Review – Weekly Chazarah

-----Daf כ"ג ---72-----

- A Braisa says, all 40 years that the Yidden were in the Midbar, the North Wind would blow every midnight. We can see this from the fact that Makas Bechoros happened at midnight, which shows that midnight is a time that Hashem shows favor.
- **R' Huna** said, if a person with a bris pulled his skin so that it looks like he did not have a bris, D'Oraisa he may eat terumah. However, the **Rabanan** were goizer that he may not eat terumah since he looks like he never had a bris.
 - **Q:** A Braisa says that such a person needs a new milah!? **A:** The Braisa is stating the Halacha D'Rabanan.
 - The one who asked from this Braisa thought that since the latter part of the Braisa brings a proof from a pasuk that such a person must undergo another bris, it must be that it is a Halacha D'Oraisa. However, in truth it is a Halacha D'Rabanan, and the pasuk is only an asmachta.
 - **Q:** A Braisa says that such a person may eat terumah (which seems to mean even D'Rabanan)!?
TEYUFTA of R' Huna.
 - **Q:** The above Braisa says that a tumtum may not eat terumah, but his wives and slaves may eat terumah. How can he have a wife that he would allow to eat terumah? It is a safek whether the tumtum is a man or a woman, and any kiddushin the tumtum is involved in is only considered a kiddushin l'chumra!? **A: Abaye** said, the case of the Braisa is where the beitzim of the tumtum are noticeable, and we therefore may treat him as a man. **A2: Rava** said, when the Braisa says his "women" may eat terumah, it means that his mother may eat terumah on account of him.
 - **Q:** It seems obvious that a tumtum's mother may eat on account of him!? **A:** We would think that only a child that himself can have children can cause his mother to eat, and since a tumtum cannot have children, he cannot cause his mother to eat. The Braisa therefore teaches that he can entitle his mother to eat.
 - **Q:** The end of that Braisa says that a tumtum may not eat terumah or kodashim. According to **Abaye**, we can say that the first case of tumtum in the Braisa refers to a tumtum whose beitzim are noticeable on the outside, and therefore is a definite arel, and the end of the Braisa (which doesn't discuss a tumtum's wife) is discussing a fully concealed tumtum, who is therefore only a safek arel (the tumtum may be a woman). However, according to **Rava** who said that even the beginning of the Braisa is discussing a fully concealed tumtum, why do we need a second case of tumtum? **A:** He would say that the tumtum mentioned at the end of the Braisa refers to a regular arel.
 - **Q:** If a safek arel (tumtum) can't eat terumah, why would the Braisa have to teach that a definite arel can't eat terumah? **A:** The Braisa is explaining, that the reason a tumtum can't eat terumah is because a tumtum is a safek arel, and an arel may not eat terumah or kodashim.
 - **Q:** Maybe we can say that the shita of **R' Huna** is actually a machlokes among Tanna'im. A Braisa says, one who pulled the skin of his milah so that it looks like he never got a bris, a ger who converted when he already had a bris, a child over 8 days old, and all other people who need a bris (meant to include one with two arlos), must have their bris done during the day. **R' Elazar bar Shimon** says, a bris on the 8th day needs to be done during the day, but the others do not. Presumably the machlokes is that the **T"K** holds that the case of one who pulled back his skin requires a new bris D'Oraisa (which is why it must be done by day) and **R' Elazar** holds it is only D'Rabanan? **A:** That can't be right, because all agree that a child even after 8 days old needs a bris D'Oraisa. Rather, we can say that all hold that one who pulled his skin only needs a bris D'Rabanan and all hold that a bris after the 8th day is D'Oraisa. The machlokes would be that the **T"K** darshens the conjunctive "vuv" of "u'bayom" to teach that all brisim must be done by day. The **Rabanan** then enacted that their Rabbinic brisim must also be done by day. **R' Elazar** does not darshen the "vuv" and therefore holds that only an 8th day bris needs to be done by day.

Daf In Review – Weekly Chazarah

- **R' Elazar** said, if an arel sprinkles the parah adumah on a tamei person, it is a valid sprinkling. This is just like a "tevil yom" (a tamei person who went to the mikveh and now needs the sun to set to become fully tahor), who is also assur to eat terumah, but is valid to do the sprinkling.
 - **Q:** A tevil yom is different in that he is mutar to eat maaser, but an arel is not and may therefore be treated differently!? **A:** We are making a comparison to the touching of terumah, not the eating. We say that if a tevil yom, who may not touch terumah, may still sprinkle the para adumah, then surely an arel, who may touch terumah, may sprinkle the para adumah. A Braisa validates the sprinkling of an arel as well.
 - **Q:** A Braisa says, if a tumtum mixes the para adumah ash with the water it is passul, because he is a safek arel, and an arel is passul to do this mixing. However, if an androganis does the mixing it is valid. **R' Yehuda** says that an androganis is also passul to do the mixing because he is possibly considered to be a woman, and a woman is not valid to do the mixing. Now, presumably just as the Braisa says that an arel may not do the mixing, he may also not do the sprinkling!? **A:** **R' Yosef** said, the Braisa follows the view of **R' Akiva**, who says that an arel is assur like a person who is tamei (based on the pasuk of "ish ish").
 - **Q: Rava** asked, if it is true that the Tanna equates a tamei person and an arel, the Tanna would have grouped them together and said that these two people are assur. The fact that he doesn't must mean that they are the same only in regard to eating terumah, but not to touching terumah.
 - The machlokes between the **T"K** and **R' Yehuda** is the same machlokes that they have elsewhere. A Mishna says, the ashes and water of the parah adumah may be mixed by any person except for a deaf-mute, insane person, or a minor. **R' Yehuda** says a minor is valid, but not a woman or androgenus.
 - The **T"K's** view is based on the pasuk "v'lakchu latamei mei'afar sreifas hachatas", which teaches that the people invalid to gather the ashes are also passul to do the mixing. **R' Yehuda** says, if this was true, the pasuk should have said "v'lakach", in the singular, as was said regarding the collection of the ashes. The plural form of "v'lakchu" teaches that a minor is valid for mixing as well. He says a woman is invalid because the pasuk says "'v'nassan", in the masculine form. The **T"K** says, the pasuk specifically uses the plural for "taking" and the singular for "placing" to teach that only one person need to take and only one person need to place, and it need not be the same person.
 - The pasuk of "v'hiza hatahor ahl hatamei" teaches that even a tevil yom may do the parah adumah process.

-----Daf ל"ג---73-----

- **Q:** They asked **R' Sheishes**, what is the Halacha with regard to an arel eating maaser sheini? Do we say that just as we learn Pesach from maaser sheini regarding the issur of aninus, we also learn maaser sheini from Pesach regarding the issur of arel, or do we say that we only learn the more stringent one (Pesach) from the more lenient one (maaser), but not the other way around? **A:** **R' Sheishes** said, a Mishna gives a number of chumros that apply to terumah and bikkurim, but which don't apply to maaser sheini. If it is true that an arel may eat maaser, then the issur of areilus should have been added to the list of the Mishna! It must be that an arel may not eat maaser as well.
 - The Gemara says that it may be that an arel may eat maaser. Although it is not listed in the Mishna, we find other things that are omitted from the lists in that Mishna as well (the Mishna fails to mention that a chumra shared by bikkurim and maaser and not by terumah is that if one eats maaser or bikkurim when the food is tamei he is chayuv malkus), so the Mishna is not meant to be an exhaustive list.
 - The Mishna referenced above says that an onein is assur to eat maaser and bikkurim, although **R' Shimon** says that an onein may eat bikkurim.
 - The **T"K** says, the pasuk discusses maaser next to "terumas yadecha", which refers to bikkurim. They are listed together to teach that just like maaser is assur to an onein, the same is true for

Daf In Review – Weekly Chazarah

bikkurim. **R' Shimon** holds that the pasuk refers to bikkurim as terumah to teach that just as terumah is mutar to an onein, the same is true for bikurim.

- This also explains why the **T"K** holds that bikkurim are chayuv in the mitzvah of “bi’ur” like maaser, and **R' Shimon** holds that it is not.
- The Gemara had said that one may not burn tamei maaser or bikkurim for personal benefit, and one who eats maaser or bikkurim that are tamei gets malkus. This is taught in a Braisa, where **R' Shimon** says, the pasuk says “lo vi’arti mimenu b’tamei”, the person says that he did not burn the maaser whether he was tamei and the maaser was tahor, or whether he was tahor and the maaser was tamei, however I am not sure where a person is warned against eating the maaser when tamei. [The Gemara asks, that a pasuk explicitly says that one who is tamei may not eat maaser!? The Gemara explains that **R' Shimon** meant that he was looking for a source for the issur of a tahor person eating maaser that is tamei.] The Braisa explains, the pasuk of maaser says one may not eat maaser in the cities. A pasuk regarding a bechor or kodashim that have a mum says that they may be eaten in the cities, whether the food itself is tamei or tahor. The Torah is teaching that that which may be eaten by the kodashim with a mum (where the food itself is tamei), may not be eaten by maaser (tamei maaser may not be eaten).
- The Gemara said that tamei terumah may be burned for personal benefit. **R' Avahu in the name of R' Yochanan** explained, we learn this from the pasuk regarding maaser that says “I did not burn it while tamei”. This teaches that only it (maaser) may not be burned when tamei, but oil of tamei terumah may be burned.
 - **Q:** Maybe we should instead learn from the pasuk that oil of tamei kodashim may be burned for personal use!? **A:** We would not say that, based on a kal v’chomer: if the lenient maaser may not be burned for personal use when tamei, surely kodashim may not be burned in this way either.
 - **Q:** Why don’t we say this same kal v’chomer for terumah and prohibit it from being burned? **A:** The pasuk said “mimenu” (“it”), which taught that tamei terumah may be burned.
 - **Q:** Why do we decide that terumah is what is meant to be allowed and kodashim is what is meant to remain assur? **A:** It makes more sense to be stringent by kodesh because it has the stringencies of piggul, nossar, korbon, me’ilah, kares, and assur to an onein.
 - **Q:** Terumah also has stringencies of death by Heaven, chomesh, it cannot be redeemed, and is assur to a non-Kohen!? **A:** Kodashim has more stringencies. **A2:** The stringency of kares is stronger than death by Heaven, and therefore makes kodashim to be considered as more stringent.
- The Gemara had said, one who eats maaser or bikkurim when the food is tamei will get malkus, whereas one who eats terumah when the food is tamei will not get malkus. This suggests that there is an issur to eat terumah that is tamei. The Gemara says we learn this from the pasuk referenced earlier regarding the allowance to eat kodashim with a mum that have become tamei. The pasuk says that “it” may be eaten when tamei. We darshen that only “it” may be eaten when tamei, but terumah may not be eaten when tamei. Since this is learned from an assei, it is a “lav habah michlal assei” and therefore does not carry malkus.
- **R' Ashi** said, we can even see from the first Mishna that the Tanna left out some items, thus showing that the list in the Mishna is not an exhaustive list, because the Mishna does not mention that terumah and bikkurim apply during all years of the shmitta cycle (other than shmitta itself), and cannot be redeemed, whereas maaser does not apply during all the years of the shmitta cycle (it is only given in Years 1,2,4 and 5) and may be redeemed.

-----Daf 74-----

- The Gemara tries to answer the question posed – whether an arel may eat maaser sheini. The Gemara brings a Braisa that says, that one who had less than a full milah (there were strands left over) may not eat terumah,

Daf In Review – Weekly Chazarah

Pesach, Kodashim, or maaser. Presumably this refers to maaser sheini, and we see that an arel may not eat maaser sheini.

- The Gemara says, it may be referring to animal maaser.
 - **Q:** Animal maaser would already be included in the term “kodashim”!? Don’t say that Pesach should also be included in the term “kodashim”, because we would think that Pesach should be treated differently because the pasuk specifically says an arel may not eat the Pesach, and therefore if the Braisa would only say kodashim, we would think it refers only to the Pesach. However, maaser can’t refer to animal maser, because that would be included in kodashim!? **A:** Maaser refers to maaser rishon, and the Braisa follows the shita of **R’ Meir** who says that a Yisrael (and similarly an arel) is assur to eat maaser rishon.
- **Q: R’ Chiya bar Rav Midifti** taught a Braisa that says that an arel is assur in 2 types of maaser. Presumably this refers to maaser sheini and animal maaser, and we see that an arel is assur to eat maaser sheini!? **A:** This Braisa also refers to maaser rishon, and follows the view of **R’ Meir**.
- **Q:** A Braisa says, an onein is assur to eat maaser but is mutar for terumah and to do the parah aduma; a tevul yom is assur for terumah but is mutar for the parah adumah and for maaser; and a mechusar kipurim (he needs to bring a korbon to become fully tahor) is assur for the parah adumah but is mutar for terumah and maaser. Now, if an arel is mutar to eat maaser, the Braisa should have added an arel to the list, because an arel would be assur to eat terumah, but mutar for maaser and for the parah adumah! It must be that an arel may not eat maaser!? **A:** The Braisa may follow **R’ Akiva**, who gives an arel the status of a tamei, which is why he would hold that an arel could not do the para adumah process.
 - **Q:** Who is the Tanna who argues on this view of **R’ Akiva**? **A:** It is the Tanna who argues with **R’ Yosef Habavli** in a Braisa, and says that an onein and a mechussar kippurim are both mutar to do the parah aduma process (and **R’ Akiva** said that a mechussar kippurim may not do the parah aduma process).
 - **R’ Yitzchak** also says that an arel is assur to eat maaser. He learns it from a gezeirah shava on the word “mimenu” written by Pesach and by maaser.
 - The Gemara says, these words must be “extra” and therefore available for the gezeirah shava, because if they aren’t, we would be allowed to refute the gezeira shava, and could do so by saying that Pesach is very different in that it has the chumros of piggul, nossar, and tamei. The Gemara goes on to show that they are indeed “extra”. The word “mimenu” is written 3 times regarding Pesach (one to teach that only the Korbon Pesach is subject to the roasting restrictions and not the matza and marror, one is for the gezeira shava, and the last is used to teach regarding the nossar restriction of the Pesach), and it is written 3 times regarding maaser (one to teach that only maaser sheini may not be eaten by an onein, one to teach that oil of tamei maaser sheini may be used to smear on oneself, and one is to teach that tamei maaser may not be burned for personal use).
 - Although it seems that it is only extra on one side of the gezeirah shava, which according to some would allow for the gezeirah shava to be refuted, we can learn the last Halacha (regarding burning tamei maaser) from somewhere else, thereby leaving one use of the word open for the gezeirah shava on both sides.

V’CHOL HATMEI’IM...

- **Q:** How do we know that someone who is tamei may not eat terumah? **A: R’ Yochanan in the name of R’ Yishmael** explains, the pasuk says “ish ish mizerah Aharon” who is tamei may not eat from the kodashim. The kodashim referred to must be something that applies to all children of Aharon (i.e. all Kohanim). This must refer to terumah, because that may be eaten by men and women alike.
 - **Q:** Maybe it refers to the eating of the chazeh and shok? **A:** This can’t be what is being referred to, because a Kohenes who gets divorced from a Yisrael without having had children may again eat terumah, but may not eat the chazeh and shok.
 - **Q:** Terumah is not eaten by Kohanim who are chalalim!? **A:** A Chalal is not considered to be a “child of Aharon”.

Daf In Review – Weekly Chazarah

- **Q:** The pasuk says that a tamei Kohen may not eat from the kodashim (which we explained to be referring to terumah) until he “becomes tahor”. Why do we assume this means that he only needs to wait for sunset after going to the mikveh before eating terumah? Maybe he should need to wait until after he brings his korban for full tahara!? **A:** A Braisa was taught in the yeshiva of **R’ Yishmael** that says that the pasuk is talking about a Kohen who became tamei in a way that he does not need to bring a korban for his tahara.
 - **Q:** Maybe if he did become tamei in a way that he would need a korban, he would have to wait until after bringing that korban before eating terumah? Also, there is a Mishna that says that a tamei person can eat maaser as soon as he goes to the mikveh, he can eat terumah as soon as the sun sets, and can eat kodashim as soon as he brings his korban. How do we know these halachos? **A: Rava in the name of R’ Chisda** said, there are 3 pesukim that discuss becoming tahor to eat “kodashim”. One says only mikveh is needed, one says sunset is needed, and one says that a korban is needed. It must be that the first refers to maaser, the second to terumah, and the third to kodesh.
 - **Q:** Why don’t we say that first pasuk refers to terumah and the second refers to maaser? After all, they each have ways in which they are more stringent than the other!? **A:** The fact that terumah carries the death penalty (by Heaven) makes it more stringent and therefore requires one to wait for sunset before eating. **A2: Rava** says, the first pasuk uses the word “nefesh”, which means it applies to every person, and only maaser sheini applies to every person.
 - **Q:** Maybe waiting for sunset is enough for terumah only when he was not tamei in the way that would require him to bring a korban? **A: Abaye** said, there are 2 pesukim regarding a woman who had given birth. One says that she becomes tahor at sunset after her counting of days, and the other says that she must wait for her korban to be brought. It must be that the first pasuk discusses terumah and the other discusses kodashim (which will be treated more stringently because it has more stringencies than terumah). **A: Rava** said, it can’t be that the first pasuk refers to kodashim, because the person is clearly considered as somewhat tamei until the korban is brought. A person who is tamei would make the kodesh meat tamei by touching it, and would thereby make it assur to eat.
 - **Q: R’ Shisha the son of R’ Idi** asked, a Braisa says that the first pasuk is speaking to all women, including a geiyores and a freed slave. Those women can never eat terumah (because they may not marry a Kohen). It must be that the pasuk is not discussing terumah at all!? **A: Rava** said, we see that the pesukim there clearly do refer to terumah. It must be that not all the halachos in the pasuk apply to all the people in the pasuk (and the pasuk therefore does discuss terumah).