



Daf In Review – Weekly Chazarah

Maseches Yevamos, Daf טע – Daf טפ

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

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- **Q:** Why do we need 3 pesukim to teach us that a tamei person may not eat terumah until he has gone to the mikveh and had the sun set? **A:** The first pasuk only says that the Kohen must become tahor, but doesn't state specifically that sunset is needed. If we only had the second pasuk we would think that sunset is only enough when he is not tamei with the type of tumah that requires him to bring a korbon, we therefore need the third pasuk which discusses tumah that does require a korbon, and still says that only sunset is required. If we would only have the 3rd pasuk, we would think that sunset alone is sufficient. The first pasuk therefore teaches that mikveh is necessary as well.
 - **Q:** According to the shita who says that the first pasuk discusses a Kohen who is tamei (as a zav) and must bring a korbon to become tahor, and the pasuk refers to kodashim (not terumah), why do we need 2 pesukim (the second one discusses a woman who had given birth) that tell us that a mechusar kippurim may not eat kodashim? **A:** If we would only discuss a woman who had given birth, we would say it is only her who needs to wait until her korbon is brought, because she has a prolonged period of tumah, but a zav would not have to wait for his korbon to be brought. If we would only have the pasuk of zav, we would say that it is only he who must wait, because there is never an exception to his tumah. However, a woman who has given birth who does have an exception (her flow of blood during the first 40 or 80 days does not make her assur to her husband), maybe does not have to wait for her korbon to be brought. Therefore, both pesukim are needed.
 - **Q:** Why do we need the pasuk that says "bamayim yuva v'tamei ahd ha'erev"? It again teaches that we need sunset to become tahor for terumah!? **A:** **R' Zeira** said, this teaches that a tamei person may not even touch terumah until he has gone to the mikveh and waited for sunset.
 - Another way we learn out that a tamei person may not touch terumah until the sun has set is that we find that the pasuk refers to eating by using the word "touching". Since eating is referred to as touching, we learn that just as eating terumah requires sunset, the same is for touching terumah.

PETZU'A DAKA...

- **Q:** The Mishna says that if a woman is married to a petzu'a daka, but has not had bi'ah with him after the injury, she may continue to eat terumah. Who is this shita who says that one who awaits a prohibited bi'ah may still eat terumah? **A:** **R' Elazar** said, it is **R' Elazar and R' Shimon** (who argue on **R' Meir**). **R' Yochanan** said, our Mishna may even follow **R' Meir**, and the reason he allows this here (although he says elsewhere that such a woman would not be allowed to eat terumah), is because in the case of our Mishna she has already eaten terumah in the past, and she may therefore continue. **R' Elazar** would say that this would not be a reason to permit her to eat, because if it was a good reason, a Yisraelis who marries a Kohen and is then widowed should be allowed to continue eating!? **R' Yochanan** would say that case is different, because she is no longer the "acquisition" of the Kohen, whereas in our Mishna she is.

EIZEHU PETZU'A...

- A Braisa says, a petzu'a daka is one whose beitzim have been injured, even if only one of them are injured, even if they were only punctured, even if they only dissolved, and even if only a small part of them is missing. **R' Yishmael the son of R' Yochanan ben Broka** said, he heard from the **Chachomim** in Yavneh that if a person has only one of the beitzim he is considered to be like a "sris chama" (sterile because of a sickness) and is therefore fit to marry into Klal Yisrael (only a human caused injury, which makes the person unable to have children, is considered as a petzu'a daka).
 - **Q:** Does the Braisa mean to suggest that a hole in the beitzim makes someone unable to have children? We have a story where someone's beitzim became punctured on a thorn and had children!? **A:** **Rav** had

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said about that case that it is clear that his wife was certainly mezaneh and had children from another man.

- **R' Yehuda in the name of Shmuel** said, one who is a petzu'a daka at the hands of Heaven is valid to marry into Klal Yisrael. **Rava** said, that is why the pasuk says "petzu'a" (as opposed to "ha'petza'a"), which suggests that the person became wounded after birth by human intervention.
 - A Braisa says, the pasuk of petzu'a daka and the pasuk of mamzer are next to each other to teach that just as a mamzer comes about through human intervention, the same is with a petzu'a daka.
- **Rava** said, "petzu'a" refers to wounding of any of the reproductive organs; "dach" refers to crushing of any of the reproductive organs; and "karus" refers to severing of any of the reproductive organs. This means, that the person gets this status whether any of these injuries happened to the eiver, to the beitzim, or to the strings attached to the beitzim.
- The **Rabanan** asked **Rava**, how do we know that petzu'a daka refers to an injury of the reproductive organs? Maybe it refers to an injury of one's head? **Rava** said, since the Torah does not give a number of generations for the issur to marry into Klal Yisrael (as by Mitzri, etc,), it must be that the injury is in a place which makes him unable to have children.
 - **Q:** Maybe it doesn't mention generations because it is only he himself who is assur!? **A:** We learn petzu'a daka from krus shafcha. Just like krus shafcha refers to the reproductive organs, so does petzu'a daka.
 - **Q:** How do we know that krus shafcha refers to that area? Maybe it refers to the lips, where a liquid also flows!? **A:** It refers to a place where liquid spills from. Liquid is pushed out forcibly from the lips. It does not simply flow out.
 - **Q:** Maybe it refers to the nose (where liquid does spill out)? **A:** The words krus shafcha suggest that until the injury this area ejects a liquid and after the injury it spills out. That is only true by the reproductive organs. **A2:** A Braisa says, the pasuk is written next to the pasuk of mamzer to teach that just as mamzer is created by those organs, the same is true of these injuries.
- **R' Chiya bar Abba** thought to say that when the puncture was at a diagonal so that it began below the top of the eiver and ended on top, the person would be valid. **R' Assi** told him, that **R' Yehoshua ben Levi** said, any puncture at the top of the eiver makes him passul.

V'IHN NISHTAYER MEI'ATARA...

- **Q:** **Ravina** asked, when the Mishna says that there must be a minute amount remaining on top of the eiver for the person to be allowed to marry into Klal Yisrael, does it mean that there must be this amount around the entire part of the eiver, or is a majority sufficient? **A:** **Rava Tosfa'a** said, majority is sufficient, as long as it is on the upper part.
- **R' Hunu** said, if one's eiver is cut diagonally like a quill, he is still valid, but if it is cut into like a gutter, he is passul. The reason is, that the gutter-like allows air in, and thereby prevents him from having children. **R' Chisda** says the opposite, because a quill-like cut does not allow the zerah to exit properly.
 - **Rava** agreed with the view and logic of **R' Hunu**.
 - **Ravina** said to **Mareimar** that **Mar Zutra in the name of R' Pappa** said that in both these cases the person is valid. He was just unsure whether this is for a cut that is above or below the "atara".
 - The Gemara said, it must be where the cut was above the atara, because if it was below the atara, then even a cut in the eiver itself would be mutar.

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- **R' Yehuda in the name of Shmuel** said, if the eiver gets a hole which then closes itself up, if the plug holds even when the man emits zerah, he is still valid. If not, he is passul.
 - **Rava** said, this must be talking even where the hole is in the atara itself. We find that **Shmuel** says this as well.

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- **Rava the son of Rabbah** asked **R' Yosef**, how do we get this person to emit zeraḥ and check the hole? He answered, we take hot barley bread and put it by his rectum. **Abaye** said, not everyone is as pure as Yaakov Avinu, who never had a seminal discharge until he had bi'ah with Leah from the first time, so we don't have to go to these lengths to cause someone to emit zeraḥ. Rather, we can just pass women's clothing in front of him and cause him to have thoughts which will make him emit zeraḥ. **Rava** said, not everyone is like Barzilai, who lived an immoral life! Rather, we must use the first method.
- A Brasia says, if there is a hole in the eiver he is passul, because the zeraḥ leaves via the hole and cannot produce a child. If the hole is plugged he is valid, because he can still have children. This is the type of pessul that can become valid.
 - **Q:** What is the Braisa suggesting when it says "this" is the pessul that can become valid? **A:** It comes to exclude a layer that has grown over a hole in the lung, and teaches that the hole still makes the animal with the hole to be considered as a treifah.
 - **R' Iди bar Avin** explained, to close a hole we take a piece of barley and cut around the hole (causing it to bleed), we then smear it with fats, we then take a large ant and cause it to bite into the wound and then decapitate the ant, leaving the head to hold the skin together.
 - The Gemara says, only a barley should be used to cut, because metal will make the wound worse. Also, this method only works for a small hole, not a big one.
- **Rabbah bar R' Huna** said, if one urinates through two places (from the place that discharges urine and from the place that discharges zeraḥ), he is passul.
 - **Rava** said, we don't pasken like the son (**Rabbah bar R' Huna** as just stated) or the father (**R' Huna** who said that a woman who engages in a lesbian act is passul to marry a Kohen)

MISHNA

- A petzu'a daka and krus shafcha may marry a giyores or a freed maidservant, and only are assur from marrying into the "kahal".

GEMARA

- **Q:** They asked **R' Sheishes**, may a Kohen who is a petzu'a daka marry a giyores or freed slave? Do we say that the Kohen retains his status of kedusha and may not, or does he not retain the status and therefore may marry the giyores? **A:** **R' Sheishes** said, a Braisa says that a Yisrael who is a petzu'a daka is mutar to marry a nesina. Now if, the Yisrael would retain his status of kedusha, he should not be allowed to marry her, as the pasuk says "lo sischatein bam".
 - **Rava** said this Braisa is no proof, because the allowance has nothing to do with the status of kedusha, it has to do with the fact that we don't want Jews fathering children who will worship Avodah Zara. Therefore, D'Oraisa, if they are geirem, a Jew may marry them, it is only the **Rabanan** who said that even then a Jew should not marry them. However, the **Rabanan** were only goizer for a person who can have children, and not for a petzu'a daka.
 - **Q:** Based on this, the **Rabanan** should be goizer and prohibit a mamzer from marrying a nesinah, and yet we find that they were not so goizer!? **A:** We must say that the **Rabanan** were not goizer for people who are passul.
 - **Rava** then said, the pasuk that says one may not marry them must be talking about after the conversion, because when they are goyim, there is no concept of marriage with them at all! Therefore, the reason why the petzu'a daka may marry her must be because he is no longer in his state of kedusha, like **R' Sheishes** said.
 - **Q:** **R' Yosef** asked, the pasuk says that Shlomo married the daughter of Paroh, so we see that there is the concept of marriage with goyim!? **A:** She had first converted.
 - **Q:** A Braisa says that we did not accept geirem in the times of Dovid and Shlomo!? **A:** The reason we did not accept geirem was because we were concerned that the people were converting to enjoy the success that the Jews had at the time. The daughter of Paroh had her own success and therefore had no reason to convert for that.

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- **Q:** How was Shlomo allowed to marry a first generation Mitzri, when the pasuk says that only a 3rd generation Mitzri may marry into the kahal? **A:** **R' Pappa** said, the pasuk says that Shlomo “clung” to her, and it therefore must be that he never actually married her.
 - **Q:** Another pasuk seems to say that he did marry her!? **A:** Because he loved her so much , the Torah considers it as if he married her.
- **Q:** Ravina asked **R' Ashi**, our Mishna said that a petzu'a daka may marry a giyores, which suggests that he would be assur to marry a nesinah!? **A:** He said, the end of the Mishna says that he is only assur to marry into the kahal. This suggest that marrying a nesinah is mutar. Obviously, we can't bring a proof from the Mishna.

MISHNA

- A male convert from Amon or Moav are assur forever (all generations) from marrying into the kahal, but the females are mutar. A Mitzri and Adomi are only assur until the 3rd generation, both males and females. **R' Shimon** says that the females are mutar immediately, based on a kal v'chomer, that if the females are mutar from Amon and Moav, where the males are assur forever, then surely they are mutar immediately from Mitzri and Adomi, where even the men eventually become mutar. They said to him, if you have a tradition to this effect, we will accept it. If it is based on the kal v'chomer, we can refute it. He said, that he learned this as a tradition.

GEMARA

- **Q:** How do we know that a female convert from Amon or Moav may marry into the kahal? **A:** **R' Yochanan** says, we learn it from the story of Dovid when he went to fight Galias. Shaul asked whether Dovid was fit to be king (because he saw that Shaul's clothing miraculously fit Dovid). Doeg told Shaul, forget about whether he is fit to be king, I don't even know if he is fit to marry into the kahal, because he comes from Rus, who was a convert from Moav! Avner told him, we have learned that females are permitted! Doeg said, if so we should also say that female mamzeirem are permitted!? Avner said, the word mamzer means there is a mum of strangeness, and that applies equally to women. Doeg asked, maybe we should say that a female Mitzri is permitted as well!? Avner said, the pasuk explains why the Amoni and Moavi may not marry into the kahal, because they didn't give bread and water to the Yidden. Since women don't go out to greet guests, they are not faulted for not having done so. Doeg said, they should be faulted for not giving the Jewish women to eat and drink! Avner remained silent. Shaul then referred to Dovid as an “elem” (youth). The choice of words teaches that Shaul told them to go to Beis Medrash and ask about this Halacha that was hidden from them. They asked and were told that female converts of Amon and Moav may marry into the kahal. Doeg asked all his questions and they were therefore ready to pasken that Dovid was assur to marry into the kahal. When this happened, Amasa's father threatened to kill anyone who didn't follow the ruling that allows these female converts of Amon and Moav, because he had learned from the Beis Din of Shmuel that they are mutar.
 - **Q:** Since the women should have greeted the Jewish women, why were they not punished? **A:** It is because a woman is supposed to remain at home, and they therefore do not get punished for not having left the house.

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- **Rava** darshened the pasuk of “pitachta l'moseiro”. Dovid said to Hashem, “You have released the 2 yokes that were on me”, referring to Rus of Moav and to Naama of Amon (the wife of Shlomo and the mother of Rechavam).
 - **Rava** darshened the pasuk where Dovid thanks Hashem “for us”. He explains that Dovid had Rechavam on his lap and thanked Hashem for the 2 pesukim (that allow a female of Moav and of Amon) that effected himself and Rechavam.
 - **Rava** darshened another pasuk as Dovid saying that when the Malachim told Lot to take his daughters “hanimtaos” (from whom were born Amon and Moav), this was a reference to him, as the pasuk says “matzasi Dovid avdi”.

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- **Ulla in the name of R' Yochanan** said, the daughter of a ger from Amon may even marry a Kohen. **Rava bar Ulla** asked, this can't follow **R' Yehuda**, because he says that the daughter of a ger may not marry a Kohen, and to make a statement like this according to **R' Yose** would be obvious, because he says that even the daughter of 2 geirem may marry a Kohen!? You can't say that **R' Yose** only holds that way by geirem who are mutar to marry into the kahal, because there is no source for saying that!? It must be that **R' Yochanan** meant a case where the Amoni ger married a Yisraelis (against Halacha), and although it was done illegally, their daughter may still marry a Kohen. **Ulla** said, that is correct, as we find that **Ravin** even said that the daughter of a ger Amoni or 2nd generation Mitzri who married a Jewess: **R' Yochanan** said she may marry a Kohen (as we find that he allows this based on a drasha of a pasuk) and **Reish Lakish** says she may not (he learns this from the daughter of a Kohen Gadol and a widow).
 - The drasha of **R' Yochanan** came about when **R' Zakai** taught a Braisa that said that from the pasuk of "ki ihm besula mei'amav yikach isha" we learn that the daughter of 2 converts may marry a Kohen. **R' Yochanan** said, a Braisa already says, the pasuk could have said "amav" and instead says "mei'amav". This teaches that a girl from "2 nations" may marry a Kohen. The term "2 nations" must refer to where a ger Amoni marries a Yisraelis. We see that **R' Yochanan** allows such a girl to marry a Kohen. **Others** say that **R' Yochanan** said, the pasuk of "amav, mei'amav" teaches to allow a daughter of a ger and a Yisraelis, and the daughter of a ger Amoni and a Yisraelis.
 - **Q:** According to the "**Others**", how does **R' Yochanan** learn that the daughter of a second generation Mitzri may marry a Kohen? He can't learn it from an Amoni who marries a Yisraelis, because female Amonis are mutar. He can't learn it from a second generation male and female Mitzri, because they are mutar to live together. Rather, it is learned via a tzad hashava of the two.

MITZRI V'ADOMI EINAN ASURIN...

- The refutation of the kal v'chomer would be that arayos are only assur to 3 generations, and yet both male and female are assur. We can't say that arayos are different since they carry the kares penalty, because mamzeirem are assur male and female although there is no kares. We can't say that mamzer is different since they are assur to marry into the kahal forever, because arayos are not assur forever and are assur male and female. Through a tzad hashava we can learn that a male and female are assur by a Mitzri as well.
 - **Q:** Maybe we can say that Mitzri is different than the other two, because the other two have some kares aspect, whereas a Mitzri does not!? **A:** The **Rabanan** would say that we learn it out from a chalal, who is born from a marriage only assur with an assei, according to **R' Eliezer ben Yaakov**.
 - **R' Shimon's** answer to the **Rabanan** in the Mishna was, I don't agree with **R' Eliezer ben Yaakov**. However, even according to you who does, I have learned my Halacha from a tradition.
- A Braisa says, **R' Shimon** said, I have a tradition for my Halacha, and the pesukim support me, because the pasuk regarding the Mitzri says "sons", which suggests that his daughters will be mutar.
- A Braisa says that the pasuk regarding Mitzri says "sons". **R' Shimon** says, this comes to exclude daughters. **R' Yehuda** said, it is dependent on the birth, not the gender.
 - **R' Yochanan** said, **R' Yehuda** must hold this way (that the female is assur as well), because he also holds that geirem are considered to be part of the kahal. If so, and if the female Mitzri was also part of the kahal, the male Mitzri ger could never get to a 3rd generation that would be mutar to marry into the kahal.

-----Daf ני ---78-----

- A Braisa says, the pasuk regarding the Mitzri ger discusses "generations" and "sons". Both are necessary. If the pasuk would only say "sons" we would think that the first 2 sons of the ger are assur, but the 3rd would be mutar. The pasuk therefore says "generations" to teach that we need 3 generations. If the pasuk would only say "generations", we would think the Torah is saying that Yidden after 3 generations from Matan Torah may marry a Mitzri convert immediately. The pasuk therefore says "sons", which teaches that the Mitzri must be a third generation ger. The pasuk uses the word "lahem", which teaches that we begin counting with the ger himself, so

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that his grandchildren may marry into the kahal. The word “lahem” also teaches that if a Mitzri unlawfully marries a regular Yid, the children get the psul of the Mitzri and must wait the required amount before marrying into the kahal.

- The pasuk had to write the “yivaldu” to teach that if a Mitzri woman converts while she is pregnant, the child then born is considered to be a second generation Mitzri.
- The pasuk had to write “lahem” by Mitzri (to teach that we follow the psul) and “lo” by mamzer (to teach the same thing). If we only had lahem, we would say we follow the psul here because one of the parents themselves were passul, but by a mamzer where this is not so, maybe we don’t follow the psul when only one of them are passul. If we would just say it by mamzer, we would say we only follow the psul there because he is never allowed to marry into the kahal, but by a Mitzri who can eventually marry into the kahal maybe the child does not follow the psul.
- **Rabbah bar bar Chana in the name of R' Yochanan** said, if a second generation male Mitzri ger marries a first generation female Mitzri ger, the child they have is considered a third generation Mitzri. We see that **R' Yochanan** says to follow the status of the father.
 - **Q: R' Yosef** asked, in a Mishna **R' Tarfon** says that if a mamzer marries a woman slave, the child will be considered a slave, and not a mamzer. We see that we follow the status of the mother!?
 - A:** The case of a slave woman is different, because the pasuk specifically says “ha’isha viladeha” – the children are hers.
 - **Q: Rava** asked, a Braisa says that **R' Yehuda** said he had a friend who was a Mitzri ger, who made sure to marry off his son (who was a second generation Mitzri ger) to a woman who was a second generation Mitzri ger so that his grandchildren should be allowed to marry into the kahal. According to **R' Yochanan**, the son should even be allowed to marry a first generation woman Mitzri ger!?
 - A:** **R' Yochanan** actually told the Tanna to change the Braisa to read that the woman could be a first generation Mitzri ger.
- **R' Dimi in the name of R' Yochanan** said, if a second generation Mitzri ger marries a first generation Mitzri ger woman, the child is considered a second generation Mitzri ger (i.e. we follow the status of the mother).
 - **Q: Abaye** asked, we find that **R' Yochanan** says, that if one separates a pregnant animal for a chatas, it is as if he separated 2 animals and may therefore choose whichever one he wants to bring for the chatas. According to his earlier statement, the baby should be considered as part of the mother, and should therefore be put to death!?
 - A:** **Abaye** himself answered, it may be that in the case of the Mitzri it is treated differently because the pasuk says “asher yivaldu”. The pasuk is saying that it is dependent on the birth to the mother.
 - **Q:** This would suggest that in any other case, the child is not considered to be as one with the mother. If so, how do we explain the statement of **Rava**, that the tevila of a pregnant woman who converts helps for the fetus as well, which basically says that the child is one with the mother!?
 - A:** The reason the tevila helps is because this is how the fetus develops, and the mother, although a separate entity, is not considered to be a chatzitza for the baby.
- **Ravina in the name of R' Yochanan** said, when deciding the nationality of a person regarding whether he belongs to the 7 nations of Eretz Kinaan and must be killed, we follow the nationality of his father, and when deciding the nationality of a child when a passul marries a regular Yid, we follow the bigger psul of the two parents.
 - The first Halacha is learned by a Braisa from drashos of the pesukim.
 - The second Halacha can't be discussing where a male ger Mitzri marries a female ger Amoni, because in that case the mother has no psul whatsoever. The case must be where a male ger Amoni marries a female ger Mitzri. In that case, if a boy is born he is forever passul like his father, and if a girl is born, she is passul like her mother.

MISHNA

- Mamzeirem and Nisinim are assur to marry into the kahal, and the issur is for all generations, for males and females.

GEMARA

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- **Reish Laskish** said, a mamzeres (female mamzer) becomes mutar to marry into the kahal after 10 generations. We learn this from a gezeirah shava from Amoni and Moavi. Just like females are mutar there, they are mutar here as well.
 - **Q:** If so, they should be mutar immediately, like there!? **A:** The gezeirah shava only “kicks in” beginning at the 10th generation.
 - **Q:** Our Mishna says that a mamzeres is assur forever!? **A:** Our Tanna holds that the gezeirah only teaches that the issur of mamzeirus is an issur forever. **Reish Lakish** says that we continue to use the gezeirah shava to teach that the females become mutar after the 10th generation.
 - They asked **R' Eliezer**, what is the Halacha with the female mamzer after the 10th generation? He responded, that mamzeirem do not live to reach even a 3rd generation. **R' Huna** said this as well.
 - **Q:** Our Mishna says that the issur is forever, which suggests that they do live!? **A:** **R' Zeira** said, mamzeirem who are known to be mamzeirem live. If they are not known, they do not live. If they are somewhat known, they live for 3 generations.
- **R' Chana bar Ada** said, Dovid was goizer that the nesinim may not marry into the Kahal. This was based on the story in Sefer Shmuel. There was a hunger in the land, and Dovid couldn't figure out why. After asking the Urim V'Tumim, he was told that it was because the Yidden had not properly eulogized Shaul, and because Shaul had killed out the city of Nov, who were the sole source of support for the Gevonim. Dovid said it was too late to eulogize Shaul (since 12 months from his death had passed), but the other wrong must be righted. He asked the Gevonim (nesinim) what it would take to appease them. They said that they would only be appeased if they are given 7 descendants of Shaul to kill and hang. Dovid said, Yidden have the inborn character traits of being merciful, bashful, and doing acts of kindness. He said, that a people who don't have all 3 (like the Gevonim who were not merciful) do not deserve to marry into our nation. Ultimately, Dovid handed over 7 men, whom he chose by having them pass by the Aron and whoever the Aron stopped was chosen, and the Gevonim killed and hanged these men.

Daf טו --79--

- The pasuk says that Ritzpah bas Ayah watched over the hanging corpses (of the story just told in the Gemara) until the rainy season came, to make sure that no birds or animals get to them.
 - **Q:** How could they leave them hanging when a pasuk says that we may not leave a corpse hanging overnight? **A:** **R' Yochanan in the name of R' Shimon ben Yehotzadak** said, it was preferable to not follow the pasuk, because it led to a tremendous and public Kiddush Hashem. Passersby would ask why these people were hanged and they were told that these people were princes who were hanged because they started up with converts who were not even fully accepted into Klal Yisrael. The passersby would say, “There is no nation as great as the Jews. If they even punish princes this severely, how much more so they must hold regular people accountable. And, if such a severe punishment is given for starting up with converts who are not even fully accepted, how much more so they punish for starting up with geirem who are accepted”. Immediately following this incident, 150,000 geirem joined Klal Yisrael.
- **Q:** How could the Gemara earlier have said that it was Dovid who was goizer not to allow the nesinim to marry into Klal Yisrael, when we find pesukim that teach that it was Moshe who was goizer!? **A:** Moshe was goizer for the nesinim who lived at that time. Dovid was goizer for all future generations as well.
- **Q:** We find that Yehoshua was the one who was goizer against the nesinim!? **A:** **Yehoshua** was goizer for the time that the Beis Hamikdash stood. Dovid was goizer even for when the Beis Hamikdash no longer stood.
 - In the days of **Rebbi** they wanted to allow nesinim to marry into the Kahal. **Rebbi** told them, we can release our rights to them (the nesinim were given the status of slaves), but we have no right to release the rights of the Mizbe'ach to them.
 - This argues on **R' Chiya bar Abba in the name of R' Yochanan**, who said that when the Beis Hamikdash is no longer standing, the Mizbe'ach no longer has rights to the nesinim.

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- R' Yehoshua said, I have heard that a “sris” (a man who can’t have children) must do chalitza and chalitza must be done for his wife (i.e. he is included in the halachos of yibum), and I have also heard that a sris does not do chalitza and chalitza is not done for his wife (i.e. he is not included in the mitzvah of yibum), but I cannot explain the distinction between the cases. R' Akiva said, I can explain. A man who became a sris after birth must do chalitza and chalitza must be done to his wife, since he had a time when he was able to have children. However, a sris from birth is not involved in yibum at all, because he never had the ability to have children. R' Eliezer said, this is not so. Rather, a sris from birth is the one who is included in the yibum obligations, because it is possible for him to be healed. A man who becomes a sris after birth is not included in the yibum obligations, because there is no chance of him being healed.
 - R' Yehoshua ben Beseirah testified about Ben Megusas, who was a sris after birth who lived in Yerushalyim, and yibum was done to his wife, in accordance with the view of R' Akiva.
- A sris does not do chalitza or yibum. An ailunis does not get chalitza or yibum. If a sris gives chalitza to a yevama, she may still marry a Kohen. However, if he had bi’ah with the yevama, she may not marry a Kohen because she has engaged in an act of zkus. Similarly, if an ailunis got chalitza, she may still marry a Kohen, but if bi’ah was done with her, she may not, because she has engaged in an act of zkus.

GEMARA

- Q: We know that R' Akiva treats chayei lavim like chayei krisus (in that they both produce mamzeirem and in that a marriage is not effective in either case). If so, there should be no chiyuv yibum with a sris (who is assur via the lav of petzu'a daka) just as there is no chiyuv yibum by chayei krisus!? A: R' Ami said, the case of the Mishna is where the woman was a giyores, and R' Akiva holds like R' Yosef who says that a passul (e.g. a petzu'a daka) may marry a convert.
 - Q: If so, he should even be allowed to do yibum!? A: R' Akiva would actually allow yibum to be done. He only talks in terms of chalitza because R' Yehoshua talks in terms of chalitza. We even see this from the statement of R' Yehoshua ben Beseirah at the end of the Mishna.
 - Q: Rabbah asked, a Braisa which follows R' Akiva says that if the brother of a sris dies without children and the sris goes ahead and does bi’ah with the yevama, he is koneh her but must then divorce her because he is assur to her based on the issur of petzu'a daka. We see that R' Akiva says that he is subject to yibum even though she is not a giyores. If so, we are back to the original question, that according to R' Akiva, why is a sris subject to yibum? A: Rabbah said, the case of the Mishna is where the brother died before the yavam was a sris, and he then became a sris. Therefore, the zika took hold before he was a sris.
 - Q: Abaye asked, if so, we should say that the issur of petzu'a daka should come along and annul the assei of yibum!? A: R' Yosef said, the R' Akiva in the Mishna is the Tanna Divei R' Akiva, who holds that the only type of chayei lavim that creates a mamzer is when the lav is based on a relationship of a relative. However, other lavim (such as petzu'a daka) do not create mamzeirem, are therefore not like chayei krisus, and therefore allow the yibum obligation to take effect.
- Q: How does R' Akiva say to allow a sris to do yibum, when it is not possible for him to fulfill the purpose of yibum, which is as the pasuk says “l'hakim l'achiv sheim”? A: Rava said, if there is no chiyuv on a man who once was able to have children, there should never be a case of yibum, because every person is incapable of having children a moment before death, and therefore should not make his wife chayuv in yibum! It must be that as long as he once was capable, there is a yibum obligation.
 - Q: Maybe this answer can refute the view of R' Eliezer? A: He would say that the inability at the moment before death is very different, because that is based on the weakness of the impending death, not a true inability to have children.
- Q: What does the term “sris chama” in the Mishna refer to? A: R' Yitzchak bar Yosef in the name of R' Yochanan said, this is someone who was already a sris before being born.
 - Q: How do we know if someone has this condition? A: Abaye said, this is anyone who does not urinate in an arching way.

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R' ELIEZER OMER LO KI ...

- Q: We find that R' Eliezer paskens like B"H regarding a boy, that if he never had shtei saaros and is now 20 years old, he is considered to be a sris and therefore would not be obligated in chalitza or yibum, and he paskens like B"S regarding a girl, that the age for a girl is 18. We see from here that R' Eliezer says that a sris chama is not obligated in chalitza or yibum, in contradiction to what he said in the Mishna? A: Rami bar Dikulei in the name of Shmuel said, R' Eliezer retracted that view.
 - Q: Which view did he retract? A: A Braisa says that R' Eliezer holds that a sris chama is obligated in yibum and chalitza because we find that such people were healed in Alexandria. Based on this, it must be that R' Eliezer retracted his view of the other Braisa and held like our Mishna.
 - R' Elazar said that R' Eliezer did not retract any ruling, and yet there is no contradiction, because when he paskens like B"S and B"H in the Braisa, he paskened regarding the age at which they are considered adults and subject to punishment. He did not mean to state that they are not obligated in yibum and chalitza.
- If a girl who never brought shtei saaros ate cheilev between the ages of 12 and 18, and it was later determined that she was an ailunis all along, Rav says she is treated as having been an adult ailunis retroactively from the age of 12 (and would therefore be chayuv for having eaten cheilev), and Shmuel says she is considered an adult from the age of 18, and would therefore be patur for having eaten the cheilev (at that time she was a minor).
 - Q: R' Yosef asked, the Torah says that if a man rapes a naarah, he must pay a fine to her father. R' Meir says, that raping an ailunis will never make someone subject to a fine. According to Rav, since she becomes an adult retroactively at 12 years old, we should say that from 12 until 12 ½ she was retroactively a naarah! A: Abaye said, such a girl jumps from the status of a minor to a full-fledged adult, and is never considered as having passed through naarus. R' Yosef agreed and brought a Braisa which says this concept as well.
- R' Avahu said, the signs that a boy is a sris, or that a girl is an ailunis, or that an 8 month baby is fully developed, are not taken as being definite signs until these people have reached the age of 20.
 - Q: We have learned that an 8 month baby cannot live. If so, how could it be possible for him to live to 20? A: Rebbi says in a Braisa, that an 8 month child who has the signs of a viable child (he has developed hair and nails) can live, because we assume that it is a 7 month child (which could live) that stayed in the mother's stomach for a month longer than it needed to. That is the case that R' Avahu was discussing.
- A Braisa says, a sris chama is a man who has reached 20 years old without having shtei saaros. Even if he brings them after he is 20 he would still be considered a sris. The identifying characteristics of a sris are: he has no beard, his hair is soft, his skin is smooth. R' Shimon ben Gamliel in the name of R' Yehuda ben Yair says, it is also one whose urine does not foam. Others say it is one whose urine does not flow in an arch. Others say it is one with watery zerah. Others say it is one whose urine does not ferment. Others say it is one who washes his body in the winter and his body does not produce a vapor. R' Shimon ben Elazar says, it is one with a feminine voice. The Braisa continues, an ailunis is a woman who has reached 20 years old without having shtei saaros. Even if she brings them after she is 20 she would still be considered an ailunis. The identifying characteristics of an ailunis are: a woman who doesn't have dadim, and one who has pain during tashmish. R' Shimon ben Gamliel says, a woman who does not have a wider lower body. R' Shimon ben Elazar says, a woman whose voice is man-like.
 - R' Hunu said the sris must possess all these characteristics to be labeled as a sris. R' Yochanan said even one of them is enough.
 - If he has shtei saaros in his beard, all would agree that he is not a sris unless he has all the other characteristics. The machlokes is only where he does not have shtei saaros in his beard.

HASARIS LO CHOLETZ V'LO MEYABEM V'CHEIN AILUNIS...

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- The Mishna groups the sris with the ailunis and thereby teaches that just as an ailunis happens at the hands of Heaven, so too, the sris that is not obligated in yibum is also a sris that happened at the hands of Heaven. However, a sris that happened later in a person's life would be obligated. This follows the view of **R' Akiva**.

HASARIS SHECHALATZ L'YEVIMTO LO PASLA...

- Q:** The Mishna seems to suggest that she is passul to a Kohen specifically because she had bi'ah with that sris yavam. This suggests that if she had bi'ah with an outside man, she would remain mutar to a Kohen. This seems to refute **R' Hamnuna**, who says that a yevama who is mezaneh with an outside man becomes assur to her yavam (just as would a married woman), and by extension, would become assur to a Kohen!?
- A:** It may be that all zenus would make her passul to a Kohen. The Mishna says the sris yavam, because that is who the Mishna was specifically dealing with in the earlier section.

V'CHEIN AILUNIS SHECHALTZU LAH ACHIN...

- The Mishna says that she becomes assur to a Kohen only if the brother has bi'ah with her, otherwise she would be mutar. The Mishna does not follow **R' Yehuda**, who says that an ailunis is considered to be a zonah, and always assur to a Kohen.

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MISHNA

- A woman who marries a sris chama who is a Kohen, may eat terumah.
- R' Yose and R' Shimon** say, a woman who marries an androgynous who is a Kohen, may eat terumah.
- R' Yehuda** says, if the skin covering the organs of a tumtum is ripped off, and he is discovered to be a male, he should not do chalitza, because he is considered to be a sris.
- An androgynous may marry a woman, but may not marry a man. **R' Eliezer** says, if an androgynous is mezaneh with a man, they would be chayuv skila.

GEMARA

- Q:** It is obvious that the wife of a sris chama who is a Kohen may eat terumah (there is no issur to marry him)!?
- A:** We would think that only a Kohen who can have children can cause his wife to eat terumah. The Mishna teaches that this is not so.

R' YOSE V'R' SHIMON OMRIM ANDROGINAS

- Reish Lakish** said, the androgynous allows his wife to eat terumah, but not chozeh v'shok. **R' Yochanan** said, he even entitles her to eat the chozeh v'shok.
 - Q:** According to **Reish Lakish**, if he doesn't entitle her to eat the chozeh v'shok, why does he entitle her to eat the terumah (which is similarly a D'Oraisa)?
A: **Reish Lakish** is discussing terumah in today's times, which is only D'Rabanan.
 - Q:** If that is so, that would mean that he would hold that an androgynous does not entitle his wife to eat terumah when the Beis Hamikdash stood. If so, when he wanted to give an example to show the dichotomy of when he does entitle her to eat something and when he does not, why didn't he stick to the entitlement to eat terumah (instead of introducing chazeh v'shok) and say that when it is terumah D'Rabanan she may eat and when it is D'Oraisa she may not eat!?
A: This is what he means to say. He is saying that in today's times he entitles her to eat terumah D'Rabanan, but in the times when there are the gifts of chozeh v'shok (i.e. when the Beis Hamikdash stands), he does not even entitle her to eat terumah D'Rabanan (e.g. terumah on vegetables or the like), because we are concerned that she may then mistakenly come to eat terumah D'Oraisa as well, which is something that she may not do.
- R' Yochanan** asked **Reish Lakish**, do you hold that terumah in today's times is only D'Rabanan? **Reish Lakish** said that he does, based on a Braisa that says that a cake of figs of terumah that became mixed in other cakes of figs can become nullified. It must be that terumah is only D'Rabanan, because if not, the terumah would not be nullified. **R' Yochanan** said, I have learned a Braisa that says that even a tamei piece of chatas meat can become nullified in pieces of tahor meat. Now chatas meat is clearly D'Oraisa, and still we see it may be nullified.

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Therefore, the proof from the Braisa with the cakes of figs is not a good proof. Rather, the reason the cakes become nullified is because they are not always sold by individual units, and only things that are always sold by individual units do not become nullified.

- This difference of opinion is based on how they each understand the shita of **R' Meir** in a Mishna, where he says that things that are sold as individual units do not become nullified. **R' Yochanan** says that **R' Meir** refers only to things that are *always* sold as individual units, and **Reish Lakish** says that **R' Meir** even refers to items that are usually sold as individual units.
- The Braisa referenced by **R' Yochanan** regarding the piece of meat, states as follows. If a piece of tamei chatas meat becomes mixed in 100 pieces of tahor chatas meat, it becomes nullified. **R' Yehuda** says that it does not become nullified. However, a piece of tahor chatas meat that became mixed in 100 pieces of tahor chullin meat, all agree that it would not become nullified. This Braisa is a proof to **R' Yochanan**, because it says that pieces of meat (which are often sold by the piece) become nullified.
 - **R' Chiya the son of R' Huna** said, **Reish Lakish** would say that the Braisa is discussing meat that dissolved, which is never sold by the piece, and that is why it is nullified.
 - **Q:** If so, why does **R' Yehuda** say that it is not nullified? **A:** He is of the opinion that when something becomes mixed in its own kind, it does not become nullified.
 - **Q:** If the Braisa is discussing meat that dissolved, meaning that meat that was not dissolved would not be nullified, why does the Tanna have to bring a contrasting case with a tahor piece of meat that gets mixed into chullin? Why can't he just say, that if it is dissolved it is nullified, and if it is not dissolved it is not nullified, which shows the same contrasting result!? **A:** The Tanna thought it was a bigger chiddush to teach that tahor meat that got mixed into tahor meat does not become nullified.