



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

### Yevamos Daf Pey Hey

- The people of Hintzivu asked **R' Pappa and R' Huna the son of Yehoshua**, is a Kohenes forbidden to marry a passul Kohen (a chalal) or not? **R' Pappa** said, a Mishna lists the 10 genealogical groups and says which groups may intermarry with each other. The Mishna does *not* say that a Kohenes may marry a chalal, it must be that she is forbidden to do so. **R' Huna the son of R' Yehoshua** said, that is no proof, because the Mishna only lists intermarriages where the men and women are treated equally. So, although it may be that a Kohenes may marry a chalal, since a Kohen may not marry a chalala, this group of cases is not listed. They then went and asked this question to **R' Idi bar Avin**. He said to them, **R' Yehuda in the name of Rav** has said that a Kohenes is not forbidden to marry a passul.

#### SHNIYOS MIDIVREI SOFRIM

- **Q:** The people of Biri asked **R' Sheishes**, if a woman is a shniya to the husband but not to the yavam, is she entitled to a kesubah from the yavam? Do we say, that since we learned that the kesubah obligation rests with the assets of the husband, she does not get a kesubah here, or do we say that since in a case where the husband left no assets we make the yavam give a kesubah, we would do the same here as well? **A: R' Sheishes** said, a Braisa says, the yevama's kesubah lies with the husband, and if she was a shniya to the husband, she does not have a kesubah even from the yavam.
- **Q: R' Elazar** asked **R' Yochanan**, if a widow marries a Kohen Gadol, or a divorcee or chalutza marries a regular Kohen, does the woman have a right to support or not? Clearly, while they are living together she is not entitled to support, because we try and have them divorce, and clearly wouldn't promote the marriage with support. The question is if the husband has traveled abroad, and the wife borrowed money for support. Do we say that the husband must repay that money or not? Do we say that since she gets her kesubah, and this support is a condition of the kesubah, she gets this as well, or do we say that we don't want her to enjoy support, so that she does not want to stay married? **A: R' Yochanan** said she is not entitled to this support.
  - **Q:** A Braisa says that she is entitled to support! **A:** That Braisa is discussing after the husband's death (the marriage is over, and there is no incentive to force them to divorce).
- A Braisa says, if a widow marries a Kohen Gadol, or a divorcee or chalutza marries a regular Kohen, the wife is entitled to kesubah, the produce/profit of her assets, support (after death, as explained above), and the return of the worn out clothing that she brought into the marriage. The woman becomes passul from this marriage, her children are passul, and we force them to divorce. Regarding shniyos, she does not get her kesubah, the produce/profit, support, or the worn out clothing. However, she and her children do not become passul. Here again, we force them to divorce. **R' Shimon ben Elazar** explains, in the first set of cases, since the husband and wife are both passul during this marriage, we make him give the kesubah, because since they are both made passul, she will want to get divorced anyway (and we don't need to use the kesubah to create the incentive). In the second set of cases, since neither becomes passul, we need to use the kesubah as an incentive to make them get divorced. **Rebbi** says, the first set are D'Oraisa issurim, and we don't need to strengthen the prohibition by removing the kesubah. The second set is only D'Rabanan, so we need to strengthen the prohibition by taking away the kesubah. **Another** explanation is, in the first set of cases it is the husband who wants the marriage, and in the second set of cases it is the wife.
  - **Q:** Who is the one who gives the "other explanation" at the end of the Braisa? **A:** Some say it is **R' Shimon ben Elazar**, and the "other explanation" is the logic as to why when both are passul she keeps her kesubah (it is him who wants the marriage) and when

they are not passul she loses her kesubah (it is she who wants the marriage). **Others** say it is **Rebbi**, and he was bothered that the case of chalutza is only D'Rabanan, and yet she keeps her kesubah. He therefore gave another reason, that since she becomes passul D'Rabanan, it must be him who wanted the marriage, and therefore we do not take away her kesubah.

- **Q:** According to the first answer, what is the practical difference between the **Rebbi** and **R' Shimon ben Elazar**? **A: R' Chisda** said, the difference would be where a mamzeres or nesina married a Yisrael. According to **Rebbi**, these are D'Oraisa and the kesubah would not have to be taken away. According to **R' Shimon ben Elazar**, since she is not becoming passul through the marriage, and she can cleanse her future generations of mamzeirus (by having her son marry a slavewoman whose children are then freed) it is she who pushed for this marriage and we therefore take away her kesubah.
- **Q:** According to **R' Eliezer** the future generations cannot be cleansed in this way!? **A: R' Yosef** said, the practical difference between the two would be where one remarried his divorcee after she had married somebody else. According to **Rebbi**, since it is a D'Oraisa we would not have to take away her kesubah. According to **R' Shimon ben Elazar**, since they do not become passul, it was she who pushed for the marriage and therefore her kesubah is taken away.
- **Q:** According to **R' Akiva**, a mamzer is produced from chayvei lavim, so this case would produce the pessul of mamzer!? **A: R' Pappa** said, the practical difference would be the case of a beulah to a Kohen Gadol. According to **Rebbi**, since it is a D'Oraisa we would not have to take away her kesubah. According to **R' Shimon ben Elazar**, since they do not become passul, it was she who pushed for the marriage and therefore her kesubah is taken away.
- **Q:** According to **R' Eliezer ben Yaakov**, even this case of an assei will produce the pessul of chalal. If so, she would not have pushed for this marriage!? **A: R' Ashi** said, the practical difference would be the case where one took back his wife who was a suspected sotah. According to **Rebbi**, since it is a D'Oraisa we would not have to take away her kesubah. According to **R' Shimon ben Elazar**, since they do not become passul, it was she who pushed for the marriage and therefore her kesubah is taken away.
- **Q:** According to **R' Masya ben Charash** who says that this case would make her become passul as a zonah, she would not have pushed the marriage!? **A: R' Ashi** said, the practical difference would be where a man takes back his wife who was a definite zonah. According to **Rebbi**, since it is a D'Oraisa we would not have to take away her kesubah. According to **R' Shimon ben Elazar**, since she does not become passul (she was already a zonah), it was she who pushed for the continued marriage and therefore her kesubah is taken away.

#### MISHNA

- A Yisraelis who is mekudesh to a Kohen, pregnant from a Kohen, or who is a yevama to a yavam who is a Kohen, or if a Kohenes is in any of these situations with a Yisrael, she may not eat terumah.
- A Yisraelis who is mekudesh to a Levi, pregnant from a Levi, or who is a yevama to a yavam who is a Levi, or if a Leviya is in any of these situations with a Yisrael, she may not eat maaser.
- A Leviya who is mekudesh to a Kohen, pregnant from a Kohen, or who is a yevama to a yavam who is a Kohen, or if a Kohenes is in any of these situations with a Levi, she may not eat terumah or maaser.

#### GEMARA

- **Q:** Everyone is allowed to eat maaser (it is just that it must be given to a Levi), so why does the Mishna say that the woman becomes assur to eat maaser? **A: R' Nachman in the name of Shmuel** said, the Mishna follows the view of **R' Meir** of a Braisa, who says that maaser is actually assur to Yisraelim.