



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

Kesubos Daf Yud Daled

- **Q: Abaye** asked **Rabbah**, how can we say that **R' Yehoshua** does not believe the woman? In another Mishna **R' Yehoshua** says that a woman who was married to a questionable chalal is allowed to marry a Kohen. We see that **R' Yehoshua** follows the woman's chazaka!? **A: Rabbah** said, in that case where the question arose from a marriage, we rely on the fact that a woman checks into a man's yichus before marrying him, and he must therefore not be a chalal. However, in our Mishna we are discussing where she was mezaneh. A woman does not check into the man she is going to be mezaneh with.
 - **Q: Rava** asked, in that same Mishna **R' Gamliel** said that the woman will be treated as assur to the Kohen. This contradicts **R' Gamliel** in our Mishna who says we follow the woman's chazaka!? **A: Rava** said, **R' Gamliel** is not contradictory, because in our Mishna she is claiming a claim with certainty, whereas in that Mishna she is making the claiming with some uncertainty. **R' Yehoshua** is not contradictory, because in our Mishna there is only one safek (and we therefore go l'chumra), but in the other Mishna there is a sfek sfeika (and we can therefore go l'kula).
 - Based on the above, the resulting views are: **R' Gamliel** holds a claim of certainty is strong enough to be believed even in the face of a single safek, and an uncertain claim is weak in that it is not believed even in the face of a sfek sfeika. **R' Yehoshua** holds that one safek is so strong that even a claim of certainty would not be believed against it, whereas a sfek sfeika is so weak, that even an uncertain claim would be believed against it.
- A Braisa says, a "widow of a person of uncertain status" refers to a widow regarding who we are not concerned to possibly have been married to a mamzer, a nasin, or the slaves of a king. **R' Meir** said, I have heard that any woman regarding who we have no such concern may marry a Kohen. **R' Shimon ben Elazar in the name of R' Meir** said, the widow of a person of uncertain status refers to a woman who was married to a safek chalal. This is because Jews are aware of the mamzeirem among them, but not of the chalalim among them.
 - **Q:** The Braisa in the beginning suggests that mamzer, nassin, and slaves are a problem, but a chalal would not be. A chalal is D'Oraisa as well, so why should it be treated differently? **Q2: R' Meir** seems to be saying the exact same thing as the T"K!? **Q3:** The end of the Braisa seems to say that a safek chalal would make the widow assur to marry a Kohen, but the beginning of the Braisa suggested that it would not!? **A: R' Yochanan** said, the issue in the Braisa is regarding one who protests when he is called a mamzer, but who does not protest when he is called a chalal. The T"K holds that if one remains quiet regarding any accusation, even one of chalal, his wife would be passul to marry a Kohen, because we take his silence as an admission. **R' Meir** then says, the silence in the face of being called a chalal is not an admission, because it does not make him passul to marry a regular Jew, and he therefore does not bother to protest. **R' Shimon ben Elazar** then says, **R' Meir** only said he is valid even when remaining silent if he is called a mamzer, because he figures that people know who is and is not a mamzer, so there is no need to protest. However, if he protests when being called a mamzer and is then quiet when called a chalal, we say he is passul, because the reason he was quiet is because he is happy that they are not making him passul to marry a Jew.
 - **Q:** One Braisa says that **R' Yose** says that one who remains silent when accused of being a mamzer is valid, and one who remains silent when accused of being a chalal is passul. Another Braisa says the opposite!? **A:** The second Braisa follows the view of **R' Meir** as stated by the first Tanna in the Braisa above, and the first Braisa follows the view of **R' Meir** according to **R' Shimon ben Elazar**.