



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

Kiddushin Daf Samach Tes

MISHNA

- **R' Tarfon** says, mamzeirem can be purified in that they will not pass on their psul to their children. How so? If a mamzer marries a maidservant, the child is a slave (and not a mamzer). If that child is then freed, he becomes a full-fledged Yid and can marry a regular Jewish girl. **R' Eliezer** says that this child would be a slave and a mamzer.

GEMARA

- **Q:** Did **R' Tarfon** mean that this can be done l'chatchila, or only b'dieved? **A:** A Braisa says, the **Chachomim** said to **R' Tarfon**, you have only found a method for a male mamzer, not for a female mamzeres! Now, if he meant that this can be done l'chatchila, why can't a mamzeres go and marry a slave and in that way have her children born without the mamzer status? Since this wasn't suggested, it must be that **R' Tarfon** was suggesting this b'dieved, and not l'chatchila.
 - **Q:** This is no proof, because a mamzeres marrying a slave will not accomplish anything, because the child will have no legal relationship with the father, and will therefore not be a slave, but will rather be given the status of a mamzer!
 - **Q:** Maybe we can bring a proof that it is even l'chatchila from **R' Simlai**, who told his host who was a mamzer, "Had I known you before you were married, I could have prevented your children from being mamzeirem" (by marrying a maidservant...). Now, if this may be done l'chatchila, it makes sense why he would have told him to do this. However, if it may only be done b'dieved, how could **R' Simlai** have said that he would have told him to do this!? **A:** It could be that **R' Simlai** would have advised his host to steal something and be sold as an eved ivri. In this way, there would be no issur for him to marry a maidservant, and in that case it could even be done l'chatchila.
 - **Q:** In the times of **R' Simlai** there no longer existed the concept of an eved ivri! Therefore, it must be that if he said he would have advised him to marry the maidservant, that means that **R' Tarfon** meant to say that it could be done l'chatchila.
 - **R' Yehuda in the name of Shmuel** paskened like **R' Tarfon**.

R' ELIEZER OMER HAREI ZEH EVED MAMZER

- **R' Elazar** said, that the view of **R' Eliezer** is based on the word "lo" in the pasuk regarding mamzer, which teaches that we always give this status to the children of a mamzer. The **Rabanan** who argue say that this refers to the case of a Yisrael who married a mamzeres. We would think that yichus follows the father based on the pasuk of "l'mishpichosam l'veis avosam". The word "lo" therefore teaches that child gets the status of mamzer even if it is the mother who is the mamzeres. **R' Eliezer** would say, just like "lo" tells us not to follow the pasuk of "l'mishpichosam...", the pasuk of "lo" also teaches us that we don't follow the pasuk of "ha'ishah viladeha...", and instead the pasuk teaches that the child will still be a mamzer. The **Rabanan** say that a slave cannot be a mamzer based on his father, because he has absolutely no connection to his father at all.

HADRAN ALACH PEREK HA'OMER!!!

PEREK ASARAH YUCHSIN -- PEREK REVI'I

MISHNA

- Ten groups of yichus went up from Bavel – Kohanim, Leviim, Yisraelim, chalalim, geirim, freed slaves, mamzeirem, nesinim, "shtukim", and "asufim".

- Kohanim, Leviim, and Yisraelim may marry into each other.
- Leviim, Yisraelim, chalalim, geirem, and freed slaves, may marry into each other.
- Geirem, freed slaves, mamzeirem, nesinim, shtukim, and asufim, may marry into each other.
- Shtukim refers to anyone who knows his mother but does not know who his father is.
- Asufim refers to someone who was brought in from the street and does not know who his mother or his father is.
- **Abba Shaul** would call shtukim by the term “bedukim”.

GEMARA

- **Q:** Why does the Mishna say that these people “went up from Bavel” instead of saying “they went to EY”? **A:** The Mishna is teaching us the concept taught by a Braisa, based on a pasuk, that the Beis Hamikdash is the highest point in EY, and EY is higher than any other land.
 - **Q:** It makes sense to say that the Beis Hamkidash was the highest point, as the pasuk says “v’kamta v’alisa...”. How do we know that EY is higher than all other lands? **A:** We learn from pesukim that in the times of Moshiach we will praise Hashem who has brought us “up” from all over the world to EY.
 - **Q:** Based on this, why did the Mishna have to say “went up from Bavel”? Why couldn’t it say “went up to EY”? **A:** This supports **R’ Elazar**, who says that Ezra did not go up from Bavel until he made sure that he left Bavel in a state of pure yichus.
 - We learned, **Abaye** said the different groups went up on their own, willingly. **Rava** said they were taken up against their will. They argue in the teaching of **R’ Elazar** – **Abaye** does not hold of **R’ Elazar** (who says they were forced to go up), and **Rava** holds of **R’ Elazar**. **A2:** We can also say that that all agree with **R’ Elazar**. **Abaye** holds that they were forcibly separated into these groups, but they all then went up willingly to EY, and **Rava** says that they were forcibly separated and were then forcibly brought up to EY.
 - **Q:** We learned that **R’ Yehuda in the name of Shmuel** said that Bavel has purer yichus than EY. According to **Abaye** this makes sense, because since these people went up willingly, their status got confused and forgotten. However, according to **Rava**, since they were forced to go up, everyone knew who were the people of lower yichus, so why wasn’t EY as pure in yichus as Bavel? **A:** Although it was known for that generation, it was forgotten in later generations.
 - **Q:** The pasuk says that Ezra looked at the group that travelled along with him and looked for Leviim. According to **Abaye** this makes sense, because the people went willingly, so Ezra did not know who was with him. However, according to **Rava**, he knew who he took with him, so why did he have to look to see if there were Leviim!? **A:** He only paid attention to the passul people that went with him. He paid little attention to the people of pure yichus, and therefore did not know if any Leviim came with him.

KAHANEI, LEVIYEI, V’YISRA’EILI

- A pasuk mentions that these three groups were among the people that went up.

CHALALEI, GEIREI, VACHARUREI

- **Q:** How do we know that there were chalalim among them? **A:** A Braisa says, that **R’ Yose** said we can see from the pesukim how great the power of chazakah is. The pasuk says that some of the families of Kohanim couldn’t find their family trees (showing pure yichus) and they were therefore rejected (treated as chalalim) and were allowed to eat terumah, but not to eat kodashim. They were told that they have a chazakah allowing them to eat terumah, because in Bavel they ate terumah, and therefore they can eat terumah now as well.
 - **Q:** Why was there no concern that eating terumah would lead people to think they were of pure yichus? **A:** Since they were not allowed to eat kodashim, that mistake would not happen.
 - **Q:** How does this show that “the power of chazakah is great”? **A:** In Bavel they only ate terumah D’Rabanan, and in EY they ate terumah D’Oraisa.

- **A:** We can also say that eating terumah leads people to think that the Kohanim are of pure yichus only when they eat terumah D'Oraisa, and here (even in EY) they were only eating terumah D'Rabanan.
 - **Q:** If so, how do we see that “the power of chazakah is great”? **A:** Even though in Bavel they were allowed to eat terumah, that may only be because there was no reason to be goizer for terumah D'Oraisa. However, in EY we would think to say that since there is now a reason to be goizer, they shouldn't be able to even eat terumah D'Rabanan. We are therefore taught that the chazakah allowed them to continue eating terumah D'Rabanan.
 - **Q:** The pasuk says that they were told they may not eat “kodesh hakodashim”, which suggests that they could eat all terumah, even terumah D'Oraisa!? **A:** They were told they can't eat “kodesh” (terumah D'Oraisa) or “kodashim” (korbanos).

GEIREI VACHARUREI

- **R' Chisda** learned this from a pasuk that says that the Pesach was eaten by all the people “who had separated from the tumah of the goyim” (i.e. converts, and freed slaves).