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

Makkos Daf Yud Daled

- The Gemara had quoted a Braisa that brought the view of **R' Yitzchak**, who learns from the issur of one who is mezaneh with his sister, that just as that person is only chayuv kares (from the fact that the pasuk specifically says the person is chayuv kares), and not malkus, so too any aveira that carries the kares penalty will not also carry the malkus penalty.
    - **Q:** According to the **Rabanan** who argue, why did the Torah specifically mention kares in regard to the issur with one's sister? **A:** To teach the halacha of **R' Yochanan**, who says that if someone is mezaneh with multiple arayos in one period of unawareness, he is chayuv a separate chatas for each aveira.
        - **Q:** How does **R' Yitzchak** learn this halacha? **A:** He learns it from the extra word of "v'ehl *isha* b'nidas tumasah".
        - **Q:** Why don't the **Rabanan** learn it from there as well? **A:** They actually do. They use the pasuk of the sister to teach that one is chayuv 3 chataos if he is mezaneh with his sister, his father's sister, and his mother's sister.
            - **Q:** This seems obvious, given that they are separate and distinct entities, and each have their own name of issur!? **A:** Rather they use that pasuk to teach that a person is chayuv 3 separate chataos if he is mezaneh with his sister, who is also his father's sister, who is also his mother's sister.
            - **Q:** How would **R' Yitzchak** learn this halacha? **A:** He learns it from a kal v'chomer that was told to **R' Akiva** by **R' Gamliel and R' Yehoshua**, that if someone is chayuv separate chataos for being meznaeh with multiple nidos in one period of awareness, then he would certainly be chayuv 3 chataos in this case, because this involves multiple different issurim.
                - The **Rabanan** don't say this kal v'chomer, because they say the nidos are separate people, whereas the sister, who is also his father's sister, who is also his mother's sister is one person, and that may be why he should only be chauv one chatas.
                - **Q:** According to **R' Yitzchak** he also shouldn't be able to learn from the kal v'chomer, for this same reason!? **A:** He actually learns it from the second mention of "achoso" in the pasuk.
                - The **Rabanan** use this mention of "achoso" to teach that he is chayuv for a sister who is his paternal *and* maternal sister, which could have been learned via a kal v'chomer, but the pasuk is teaching that we don't punish based on a kal v'chomer.
                - **R' Yitzchak** will either learn this concept from the concept of the warning – just as a warning of the pasuk may not be learned from a kal v'chomer, the same is for a punishment, or he learns it from the first mention of the word "achoso" in the pasuk. The **Rabanan** say that this word is not needed for that, so we use it for another concept altogether, to teach that there is a separate chiyuv korbon for one who makes a shemen hamishcha and for one who anoints himself with the actual shemen hamishcha that Moshe made.
                - **R' Yitzchak** will learn that there is a separate chiyuv korbon, because he holds like **R' Elazar in the name of R' Hoshaya** who said that whenever lavim are stated separately, even if there is only one mention of kares for the two of them, it means they

are chayuv in separate kares and therefore separate korbanos. Or, we can say that he learns it from the pasuk that says "v'ish asher yishkav es isha dava" (a man who is mezaneh with a niddah gets kares). That is not needed for a niddah (we already know that), so we use it for another concept altogether, to teach that there is a separate chiyuv korbon for one who makes a shemen hamishcha and for one who anoints himself with the actual shemen hamishcha that Moshe made.

- The other **Rabanan** will use this pasuk for the drasha of **R' Yochanan in the name of R' Shimon ben Yochai**, which teaches that a woman only becomes a niddah when the blood exits her body through her ervah, not if it leaves from another place (e.g. through a cut in her stomach).

V'TAMEI SHE'ACHAL ES HAKODESH

- **Q:** With regard to one who is tamei and walks into the Beis Hamikdash there is a pasuk of punishment, "es Mishkan Hashem timei v'nichrisa" and a pasuk of warning, "v'lo yitamu es machaneyhem". However, regarding a tamei person who ate kodashim there is a pasuk for punishment, "v'hanefesh asher tochal…v'tumaso alav v'nichrisa", but what is the pasuk of warning? **A: Reish Lakish** said, it is the pasuk of "b'chol kodesh lo sigah", and **R' Yochanan** said in the name of **Bardela**, that we learn a gezeira shava from a tamei person who entered the Beis Hamidash and learn that just as that has a warning and punishment, the same is for a tamei person who ate kodashim.
    - **Q: Reish Lakish** didn't say like **R' Yochanan**, because he didn't learn this gezeira shava. Why didn't **R' Yochanan** say like **Reish Lakish**? **A:** He holds that that pasuk is the warning for eating terumah while tamei, not kodashim.
        - **Reish Lakish** said, the warning for terumah is learned from the pasuk of "ish ish mizerah Aharon v'hu tzaru'ah oy zav".
            - **R' Yochanan** said, that pasuk is a warning for eating terumah when tamei, whereas the other pasuk is needed for a warning against touching terumah when tamei.
    - **Q:** How could **Reish Lakish** say that "b'chol kodesh lo sigah" is the warning for eating kodesh when a person is tamei, when we have clearly learned that **Reish Lakish** says the pasuk is a warning against *touching* kodashim when a person is tamei!? **A:** From the fact that the pasuk uses verbiage of "sigah" (touching) it teaches a warning against touching. The warning against eating is taught from a hekesh between kodashim and entering the Beis Hamikdash – just as with regard to the entering it refers to an issur that carries kares, so too the kodashim refers to something that carries kares, which must be eating kodashim when tamei, because there is no kares for touching kodashim when tamei.
        - **Q:** We learned that **Reish Lakish** uses this pasuk to teach a warning even against a tamei person eating kodashim even before the blood is offered. Now, in that case there is no kares. We see that the pasuk is not limited to something with a kares penalty!? **A:** The issur of a tamei person eating the kodashim before the blood is offered is learned from the words "b'chol kodesh", but the main part of the pasuk refers only to something which carries a kares penalty.
        - There is a Braisa that says like **Reish Lakish**, that the pasuk of "b'chol kodesh lo sigah" is a warning against eating kodashim when a person is tamei, and it can't refer to simply touching, because that would not carry kares, and the hekesh teaches that the pasuk is talking about something that has a chiyuv kares.