

19 Iyar 5776
May 27, 2016



Kiddushin Daf 77

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamot of

Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h

Tzvi Gershon ben Yoel (Harvey Felsen) o”h

May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Mishna

The daughter of a male *chalal* is forbidden to the *Kehunah* forever. A *Yisroel* who marries a *chalalah*, his daughter is permitted to the *Kehunah*. A *chalal* who married the daughter of a *Yisroel*, his daughter is forbidden to the *Kehunah*.

Rabbi Yehudah says: The daughter of a male convert is like the daughter of a male *chalal*.

Rabbi Eliezer ben Yaakov says: If a *Yisroel* married a female convert, his daughter is permitted to the *Kehunah*, and if a convert married the daughter of a *Yisroel*, his daughter is permitted to the *Kehunah*, but if a male convert married a female convert, his daughter is forbidden to the *Kehunah*. The *halachah* is the same to a convert and to a freed slave, even unto ten generations - until his mother is from a *Yisroel*. Rabbi Yosi says: Even if a male convert married a female convert, his daughter is permitted to the *Kehunah*. (77a)

Chalal - Chalalah

The *Tanna* of the *Mishna* holds that the daughter of a male *chalal* is forbidden to the *Kehunah*, but the daughter of a *chalalah* (who married a *Yisroel*) is permitted to the *Kehunah*.

The *Gemora* provides the Scriptural source for these *halachos*.

The *halachos* that emerge are as follows: Any child born from a forbidden union (such as a widow with a *Kohen Gadol*) are *chalalim*. A *chalal's* male children can transmit the state of *chalalus* to the next generation, but his female children cannot.

The *Mishna* had stated that the daughter of a *chalal* is forbidden to the *Kehunah*.

The *Gemora* comments: This is unlike the opinion of Rabbi Dostai the son of Yehudah, who holds that just as a Jewish man is a *mikvah* of purity for a *chalalah*, so too, a Jewish woman is a *mikvah* of purity for a *chalal*. [He holds that the daughter of a *chalal* is not disqualified from the *Kehunah*.] (77a)

The *Gemora* cites a *braisa*: It is written: He shall not profane his offspring. This teaches us that if a *Kohen* cohabits with a forbidden woman, the child is a *chalal*. That the woman becomes a *chalalah* is derived from the following *kal vachomer*: If the child, who did not commit any sin, becomes a *chalal*; she, who did commit a sin, should certainly become a *chalalah*.

The *braisa* states that a *chalalah* is a girl born from a union of a *Kohen* with a woman forbidden to the *Kehunah*.

Rabbah explains: A *chalalah* can also be a widow, divorcee or *zonah* (who cohabits with a *Kohen*). The *braisa* is the “mentioned” *chalalah* who was never (in her lifetime) fit for *Kehunah* (i.e. she was born a *chalalah*).

Rav Idi bar Avin explains the “mentioned” *chalalah*. The girl born from a union of a *Kohen* with a woman forbidden to the *Kehunah* is the *chalalah* mentioned in the Torah who does not need any Rabbinic explanation at all. (77a)

Multiple Prohibitions

The *Gemora* cites a *braisa*: If a *Kohen Gadol* cohabits with a widow, a widow, a widow (*the Gemora will explain this*), he receives only one set of lashes. If a *Kohen* cohabits with a divorcee, a divorcee, a divorcee (*the Gemora will explain this*), he receives only one set of lashes. If he cohabits with a widow, a divorcee, a *zonah* and a *chalalah*, the *halachah* is as follows: If it happened in that precise order (*first she became a widow, then a divorcee etc.*), he receives lashes for each and every transgression. However, if she became a *zonah*, then a *chalalah*, then a divorcee, and then a widow, he will only receive one set of lashes.

The *Gemora* explains the *braisa*: If a *Kohen Gadol* cohabits with a widow, a widow, a widow, he receives only one set of lashes. If he cohabited with Reuven’s widow, Shimon’s widow and Levi’s widow, why would he only be liable once? Each one of them is a different entity, and they have three different titles! [*He should receive three sets of lashes!?*] Perhaps the *braisa* means that he cohabited with one widow three times. But what exactly is the case? If there was no warning in between each one, it is obvious that he is only liable once (*for one cannot receive lashes unless he was duly warned beforehand!*)? And if he was warned before each and every time, why is he only liable for one? Did we not learn in a *Mishna* that if a *nazir* was drinking wine the entire day, he will only be liable once (*he will only receive lashes one time*). If they told him, “Do not drink,” “Do not drink,” but he kept on drinking, he will be liable for each and every time (*that he drank after he was warned*). Rather, the *braisa* must be referring to a case where he cohabited with the widow of Reuven, who was also the widow of Shimon, who was also the widow

of Levi. Although she is forbidden under three different titles, he is only liable once, for she is one entity.

The *braisa* had stated: If he cohabits with a widow, a divorcee, a *zonah* and a *chalalah*, the *halachah* is as follows: If it happened in that precise order (*first she became a widow, then a divorcee etc.*), he receives lashes for each and every transgression. However, if she became a *zonah*, then a *chalalah*, then a divorcee, and then a widow, he will only receive one set of lashes.

The *Gemora* asks: What does this *Tanna* hold? If he holds that one prohibition can take effect upon another preexisting prohibition, he should be liable for all four transgressions even if it happened in the reverse order!? And if he holds that one prohibition cannot take effect upon another preexisting prohibition, then he should only be liable for one transgression even if it happened in that precise order!?

Rava answers: This *Tanna* maintains that one prohibition cannot take effect upon another preexisting prohibition; however, he holds that it can take effect if the second prohibition is more extensive than the first one (*i.e. if it applies to more people than the first one, or if it is more restrictive than the first one*). When this woman was a widow, she was only forbidden to a *Kohen Gadol*, but she was permitted to an ordinary *Kohen*. When she becomes a divorcee, we say the following: Since we have added a prohibition with respect to an ordinary *Kohen*, it takes effect on the *Kohen Gadol* as well. When she becomes a *chalalah*, she now becomes forbidden to eat *terumah*. However, the *Gemora* asks: What new prohibition takes effect when she becomes a *zonah*? Rav Chana bar Rav Katina answers: It is because the title “*zonah*” disqualifies her even to a *Yisroel*.

The following *braisa* was taught before Rav Sheishes: Whoever is included in the verse: *And a Kohen Gadol shall take a virgin* is included in the verse: *(A Kohen Gadol) shall*

not take (a widow, a divorcee, a chalalah or a zonah). [If the woman was permitted to him as a virgin, she can become forbidden to him as a widow, divorcee etc.] However, if she is not included in the verse: *And a Kohen Gadol shall take a virgin*, she is not included in the verse: *(A Kohen Gadol) shall not take (a widow, a divorcee, a chalalah or a zonah)*. This would exclude a *Kohen Gadol* who cohabited with his widowed sister (*for she was not included in the first verse*).

Rav Sheishes said to him: According to which *Tanna* does this *braisa* follow? It reflects the opinion of Rabbi Shimon, who holds that one prohibition cannot take effect upon another preexisting prohibition, for we learned in a *braisa*: Rabbi Shimon says that one who eats *neveilah* (carcass of an animal that was not slaughtered properly) on *Yom Kippur* is exempt from bringing a *korban chatas* (for eating on *Yom Kippur*, since it was forbidden from beforehand). For the *Chachamim* hold that one prohibition can take effect upon another preexisting prohibition (and therefore the widow prohibition should take effect upon the sister prohibition).

The *Gemora* rejects this reasoning: The *braisa* can reflect the *Chachamim's* opinion as well, for they only said that one prohibition can take effect upon another preexisting prohibition if a stringent prohibition (*Yom Kippur*) is taking effect upon a lenient prohibition (*neveilah*). However, they agree that a lenient prohibition (*widow, which is a mere negative prohibition*) cannot take effect upon a stringent prohibition (*sister, where the punishment is kares*).

The *Gemora* cites a different version of the discussion: Rav Sheishes said to him: According to which *Tanna* does this *braisa* follow? It reflects the opinion of the *Chachamim*, who hold that one prohibition can take effect upon another preexisting prohibition. For they only said that one prohibition can take effect upon another preexisting prohibition if a stringent prohibition (*Yom*

Kippur) is taking effect upon a lenient prohibition (*neveilah*). However, they agree that a lenient prohibition (*widow, which is a mere negative prohibition*) cannot take effect upon a stringent prohibition (*sister, where the punishment is kares*). However, according to Rabbi Shimon, there would be no novelty in that which the *braisa* is teaching, for if a stringent prohibition cannot take effect upon a preexisting lenient prohibition, then a lenient prohibition can certainly not take effect upon a stringent prohibition!

The *Gemora* rejects this reasoning: The *braisa* can reflect Rabbi Shimon's opinion as well, for perhaps the prohibitions regarding *Kohanim* are different (and even a lenient prohibition can take effect upon a stringent one). The *braisa* teaches us that this is not so. (77a – 77b)

Zonah - Chalalah

Rav Pappa asked Abaye: If a *Yisroel* cohabits with his sister, we know that she becomes a *zonah*; but does she become a *chalalah* as well?

Abaye told him that a *chalalah* can only come from transgressing a Kohanic prohibition.

The *Gemora* provides the Scriptural source for this. (77b)