This verse is referring to a man who has potential widowhood and divorce with her, excluding a gentile and a slave, who do not have widowhood and divorce with her, as they cannot marry Jews at all. Therefore, they disqualify a woman from marrying into the priesthood through sexual intercourse, even if she does not have a child with them.

The Gemara asks: **We have found a source for the halakha that a gentle and a slave disqualify a priestess. From where do we derive this with regard to a Levite and an Israelite woman?** The Gemara answers: It is as Rabbi Abba said that Rav said: The verse “But if a priest’s daughter be a widow, or divorced” (Leviticus 22:13) could have begun with the words: If a priest’s daughter. The word “but,” the prefix ווע, expands the prohibition to include additional women. Here too, it may be derived from the distinction between the phrase: If a priest’s daughter, and the phrase as it actually appears in the verse: “But if a priest’s daughter,” that Levite and Israelite women are subject to the prohibition as well.

The Gemara asks: In accordance with whose opinion is this exposition possible? It is in accordance only with the opinion of Rabbi Akiva, as he derives halakhot from the prefix ווע. The Gemara responds: Even if you say it is accordance with the Rabbis, the entire phrase: “But if a priest’s daughter,” is superfluous in the verse, as the previous verses had already mentioned the priest’s daughter. Therefore, the inclusion of Levite and Israelite women in the prohibition may be derived from the entire expression.

The Gemara suggests: But perhaps you should say a different interpretation of the mention of widowhood and divorce in the verse: In the case of one who has potential widowhood and divorce with her, if he does not have offspring from her she may partake of teruma upon her widowhood or divorce, whereas if he does have offspring from her she does not partake. However, in the case of one who does not have widowhood and divorce with her, even if she has offspring from him, she should be allowed to partake of teruma, as the offspring is not considered his.

The Gemara answers: If so, why do I need to include a Levite and an Israelite woman? If the daughter of a priest is not disqualified from teruma due to intercourse with a gentle or slave, certainly a Levite or Israelite woman is not. The fact that the verse indicates inclusion of Levite and Israelite women proves that the halakha that is derived from it is a stringency and not a leniency.
The Gemara asks: And according to Rabbi Akiva, who said that betrothal of those who may not engage in intercourse, as they are liable for violating a prohibition, does not take effect, and therefore the meaning of the phrase “And if a priest’s daughter be [z’ye] to a common man” (Leviticus 22:12) is not: If she marries him, but rather: If she engages in intercourse with him, why do I need the Torah to mention the phrase “a widow, or divorced” in the verse? “But if a priest’s daughter be a widow, or divorced...” (Leviticus 22:13)? It is not necessary for this phrase to teach that a gentile and a slave disqualify a woman from marrying into the priesthood through sexual intercourse, as suggested by Rabbi Yishmael, as they are included in the prohibition proscribing a woman who engaged in intercourse with a man who is unfit for her.

The Gemara answers: A widow is mentioned to be stringent with her, and a divorcée to be lenient with her, and both are necessary. As, had the Torah taught us only the case of a widow, you might have assumed that specifically it this daughter of a priest is a widow she partakes of teruma when she does not have offspring because she is fit for the priesthood, as she may marry a common priest, but with regard to a divorcée, who is not fit for the priesthood at all, you might say that even if she does not have offspring she does not partake of teruma. And had it taught us only the case of a divorcée, you might have assumed that only a divorcée does not partake of teruma when she has offspring from a non-priest because she is not fit for the priesthood, but with regard to a widow, who is fit for the priesthood, you might say that even if she has offspring she should also partake of teruma. It is therefore necessary for both cases to be stated.

The Gemara asks: And perhaps you should say that the category of a woman who engaged in intercourse with a man who is unfit for her and is therefore disqualified from the priesthood applies even to the case of a man remarrying his divorcée after she had been married to another man in the meantime, which is prohibited. The Gemara answers: The Merciful One states in the Torah: “To a common man [z’ye],” literally, a man who is a stranger, “she shall not eat of that which is set apart from the sacred.” The Gemara understands the notion of a stranger to be one whom she was forbidden to marry and interprets homiletically: Only marriage to one who was a stranger, i.e., forbidden, to her from the outset precludes her from partaking of teruma, to the exclusion of one who was not a stranger to her from the outset, such as her ex-husband.

The Gemara asks: If so, a halal, who was not excluded at the outset, as he may marry even the daughter of a priest, should not disqualify a woman from marrying into the priesthood. The Gemara answers that the verse states, with regard to a priest who marries a woman unfit for the priesthood: “He shall not profane his seed among his people” (Leviticus 21:15), thereby juxtaposing his seed to him. Just as he, a priest who married a woman forbidden to him, disqualifies her from the priesthood, so too, his seed, the halal, also disqualifies a woman with whom he engaged in intercourse.

The Gemara asks: And perhaps you should say that a woman who engaged in intercourse with a man unfit for her is disqualified from the time of their betrothal, even before they engaged in intercourse. The Gemara answers that this is similar to a High Priest who engaged in intercourse with a widow: Just as a High Priest who engaged in intercourse with a widow has disqualified her through intercourse, not betrothal, so too, this unfit man has also disqualified her through intercourse.
The Gemara asks: And perhaps you should say that he does not disqualify her until there is both betrothal and intercourse. The Gemara again answers that this is similar to a High Priest who engaged in intercourse with a widow: Just as a High Priest who engaged in intercourse with a widow disqualifies her through intercourse alone, so too, this man also disqualified her through intercourse alone.

It was taught in the baraita under discussion (68a) that Rabbi Yosei says: Of the men unfit to enter the assembly of Israel, anyone whose offspring are also unfit disqualifies a woman with whom he engaged in intercourse from the priesthood. However, anyone whose offspring are not unfit does not disqualify her. The Gemara asks: What difference is there between the first tanna of the baraita and Rabbi Yosei?

Rabbi Yohanan said: The practical difference between them pertains to a second-generation Egyptian and a second-generation Edomite. The children of these men, i.e., the third generation, may marry Jews of unlawful lineage. Therefore, according to Rabbi Yosei, they do not disqualify a woman from the priesthood through intercourse with them. The first tanna, however, holds that they have the same status as a first-generation Egyptian or Edomite convert, in that they disqualify a woman from the priesthood through intercourse.

And both tanna'im derived their respective opinions only from the case of a High Priest who engaged in intercourse with a widow, although they reached different conclusions. The first tanna reasoned: Just as with regard to a High Priest who engaged in intercourse with a widow, his act of intercourse with her is a transgression, and therefore he disqualifies her from the priesthood, so too, this man, a second-generation Egyptian or Edomite, also disqualifies her.

And Rabbi Yosei also reasoned: This is like a High Priest who engaged in intercourse with a widow. Just as the High Priest’s children are unfit for the priesthood, and he himself disqualifies the widow from marrying into the priesthood, so too, any man whose children are unfit to marry Jews of unlawful lineage disqualifies a woman with whom he engaged in intercourse from marrying into the priesthood. This inference comes to exclude a second-generation Egyptian, whose children are not unfit, as it is written: “The children of the third generation that are born to them may enter into the assembly of the Lord” (Deuteronomy 23:9).

It is taught in the baraita under discussion that Rabban Shimon ben Gamliel says: Anyone whose daughter you may marry, you may marry his widow; anyone whose daughter you may not marry, you may not marry his widow. The Gemara asks: What difference is there between Rabbi Yosei and Rabban Shimon ben Gamliel? They appear to be stating the same principle, that a man disqualifies a woman from the priesthood only if his children are unfit to marry Jews of unlawful lineage as well.

Ulla said: The practical difference between them is in the case of an Ammonite and a Moabite convert. And both of them derived their respective opinions from none other than the case of a High Priest with a widow. Rabbi Yosei reasoned: Just as with regard to a High Priest who engaged in intercourse with a widow, his children are unfit for the priesthood and he himself disqualifies the widow, so too, any man whose children are unfit disqualifies a woman with whom he engaged in intercourse.

NOTES

The Iltera: Deut 23:9. The Gemara assumes that a High Priest disqualifies a widow through intercourse, even if he did not betroth her. It is answered that from the juxtaposition in the verse (Leviticus 21:14–15) between the prohibition against a High Priest marrying a widow and the disqualification of his child from the priesthood as a result, it is derived that just as the child is disqualified whether or not his parents were betrothed, so too, the High Priest transgresses the prohibition and disqualifies the widow through intercourse alone, even without betrothal.
Rabban Shimon ben Gamliel reasoned: Just as in the case of a High Priest who engaged in intercourse with a widow, where all of his children from her are unfit for the priesthood and he disqualifies her as well, so too, in the case of a man all of whose children are unfit, he disqualifies a woman with whom he engaged in intercourse. This is to the exclusion of an Ammonite or a Moabite convert, as not all of his children are unfit to marry Jews of unflawed lineage, as the Master said: An Ammonite man is unfit to enter the assembly but not an Ammonite woman; a Moabite man is unfit but not a Moabite woman. Since only the sons of an Ammonite or Moabite convert are unfit, they do not disqualify a woman with whom they engaged in intercourse from marrying into the priesthood.

**MISHNA**

In the case of one who rapes a woman without marrying her; or one who seduces a woman without marrying her; or an imbecilic who engages in intercourse with a woman, even if he did marry her, if they are non-priests they do not disqualify the daughter of a priest from partaking of teruma, and if they are priests they do not enable an Israeli woman to partake of teruma. And if they are not fit to enter the assembly of Israel through marriage, they disqualify the daughter of a priest from partaking of teruma. How so? If it was an Israeli woman who engaged in extramarital intercourse with the daughter of a priest, she may partake of teruma, as this act of intercourse does not disqualify her.

**HALAKHA**

An Ammonite man but not an Ammonite woman, a Moabite man but not a Moabite woman — just as with the Ammonite. This ruling was introduced upon Ruth the Moabite’s arrival in Bethlehem. It was not well known and was a cause of her rejection by her relatives before Boaz; the head of the clan, took her in (Yalkut Shimon).

One who rapes, or one who seduces, or an imbecile, etc. — likewise: Tosafot ask why the mishna does not list a minor as well, as he too does not disqualify a woman from partaking of teruma through intercourse, nor can he enable her to partake of teruma if he is a priest. They answer that since the mishna subsequently discusses the case of a pregnant woman, it cannot list a minor, as he is incapable of impregnating a woman.
A slave disqualifies a woman from partaking of teruma due to his engaging in intercourse with her, and he does not disqualify a woman because he is her offspring. How so? In what case would a slave theoretically disqualify a woman because she is his offspring? If an Israelite woman was married to a priest, or the daughter of a priest was married to an Israelite; and she bore him a son, and the son went and pressed himself onto a maidservant, an epithet for intercourse used in this context due to the shame involved in having intercourse with a maidservant; and she bore him a son, then this son is a slave. If the latter’s father’s mother was an Israelite who was married to a priest, and her husband died, she may not partake of teruma due to her grandson, as he is not a priest but a slave. On the other hand, if she was the daughter of a priest married to an Israelite, and he died, leaving only this grandson, she may partake of teruma, as the grandson is not considered his father’s offspring.

A mamzer disqualifies a woman from partaking of teruma, and he also enables a woman to partake of teruma. How so? If an Israelite woman was married to a priest, or the daughter of a priest was married to an Israelite, and she bore him a daughter, and the daughter later married a slave and bore him a son, this son is a mamzer. If his mother’s mother was an Israelite woman married to a priest, even if her husband died, she may partake of teruma, as she has surviving offspring from a priest. Conversely, if she is the daughter of a priest married to an Israelite, she may not partake of teruma, even after her Israelite husband’s death, as she has offspring from him.

Even with regard to a High Priest, sometimes he disqualifies his grandmother from partaking of teruma. How so? If the daughter of a priest was married to an Israelite, and she bore him a daughter, and the daughter went and married a slave and bore him a son, this son is fit to be a High Priest, who stands and serves on the altar. This son enables his mother to partake of teruma, as he is a priest. And yet, he disqualifies his mother’s mother from partaking of teruma, as he is her offspring from her Israelite husband. This grandmother can say in disapproval: Let there not be many like my daughter’s son, the High Priest, as he disqualifies me from partaking of teruma.

GEMARA We already learned that the marriage of an imbecile is invalid, as the Sages taught in a baraita: With regard to an imbecile and a minor boy who married women and died, their wives are exempt from halitza and from levirate marriage.

HALAKHA The son of a slave is not considered his offspring – הַגְּנֵב מַעֲלֵה שְׁאֹלָה. אָפְּרוּ כְּֽהָנִים If the daughter of a priest was married to an Israelite, and she bore a son, and that son engaged in intercourse with a maidservant and fathered a son, the son is rendered a slave. If the woman’s son died and her grandson, the slave, is still alive, he is not considered his father’s offspring. Therefore, if the woman is an Israelite who was married to a priest, she may not partake of teruma due to this grandson; if she is the daughter of a priest who was married to an Israelite, she is not disqualified from partaking of teruma because of him (Rambam Sefer Zera'im, Hilkhot Terumot 6:14).

A High Priest, sometimes he disqualifies – הַגְּנֵב מַעֲלֵה שְׁאֹלָה. אָפְּרוּ כְּֽהָנִים. If the daughter of a priest married an Israelite and bore him a daughter, and the daughter later married a priest and bore him a son, even if the daughter died, her mother may not partake of teruma due to her grandson, who is her offspring from an Israelite. This is so even if the grandson becomes the High Priest (Rambam Sefer Zera'im, Hilkhot Terumot 6:15).

The wife of an imbecile or a minor – הַגְּנֵב מַעֲלֵה שְׁאֹלָה. אָפְּרוּ כְּֽהָנִים. If the wife of an imbecile or a minor whose husband died is exempt from halitza and levirate marriage, as their marriage was invalid (Rambam Sefer Nashim, Hilkhot Hidubim 6:18; Shulhan Arukh, Even HaEzer 172:6).
It is stated in the mishna: How so? If an Israelite engaged in extramarital intercourse with the daughter of a priest, she may partake of teruma. If he impregnated her, she may not partake of teruma. The Gemara asks: Since if he impregnated her she may not partake of teruma, let us be concerned in any case of intercourse between an Israelite and a daughter of a priest lest he impregnate her, thereby rendering it prohibited for her to partake of teruma. Didn’t we learn in a mishna that if two men betrothed two women, and then at the time that they entered the wedding canopy, they accidently switched wives, and engaged in relations with each other’s wives that night, in this case, after the accident is discovered, the court removes the wives from their husbands for three months, lest they are pregnant from the men they supposed to be their husbands and the fetus is therefore a mamzer, although they engaged in intercourse only once (33b)?

The Gemara answers that Rabba, son of Rav Huna, said: About lineage the Sages were concerned, and they therefore decreed a three-month separation of the husbands and wives, to prevent the possibility of a child being of uncertain lineage. However, about the prohibition against a non-priest eating teruma they were not concerned. The Gemara asks: And for teruma were they not concerned? Isn’t it taught in a baraita that if a husband says to his wife: ‘This is your bill of divorce’ one hour before my death, if she is an Israelite woman married to a priest it is prohibited for her to partake of teruma immediately, as the Sages were concerned that her husband might die within the hour?

Rather, Rabba, son of Rav Huna, said: About impregnation through an act of marriage they were concerned, but about impregnation through licentious intercourse they were not concerned, as the woman generally takes precautions to ensure that she will not become pregnant.

The Gemara asks: And about marriage were they concerned? Isn’t it taught in a baraita: In the case of the daughter of a priest who married an Israelite and her husband died on that same day, she immerses to purify herself, as she is ritually impure due to their intercourse, and she may partake of teruma that same evening? Evidently, the Sages were not concerned that she became pregnant from the initial act of intercourse, even that of marriage.

Rav Hisda said: She immerses and partakes of teruma only until forty days after her husband’s death, when there is still no reason for concern, as if she is not pregnant then she is not pregnant. And if she is pregnant, until forty days from conception the fetus is merely water. It is not yet considered a living being, and therefore it does not disqualify its mother from partaking of teruma.

Let us be concerned lest he impregnated her – לָכֵי עַשֶׁר מָתָן. The Ritva asks why the Gemara raises this question with regard to the issue of the mishna and not with regard to the first clause, which states that a man who rapes or seduces a woman does not disqualify her from partaking of teruma. He answers that the first clause can be interpreted as referring to a virgin, as that is the case of rape and seduction that is discussed in the Torah, and the Sages did not factor into their ruling the possibility of a virgin becoming pregnant from her first experience of intercourse.

About lineage the Sages were concerned, about teruma they were not concerned – לָכֵי עַשֶׁר מָתָן. Apparently, temporary problems relating to teruma were less of a concern than the lasting stain of defective lineage. A principle is indicated in the Jerusalem Talmud that the Sages were not concerned about possible occurrences that would disqualify a woman from partaking of teruma. For example, an Israelite woman married to a priest whose husband went overseas may continue to partake of teruma in his absence, without worrying that he might have passed away.

About impregnation through licentious intercourse they were not concerned – לָכֵי עַשֶׁר מָתָן. Why does the mishna permit the wife of an imbecile to partake of teruma? Tosafot maintain that she also takes precautions to avoid pregnancy, and therefore the Sages were not concerned that she might be pregnant. The Maharsha infers from Rashi that perhaps there is concern that she is pregnant, and therefore she should partake of teruma only if she knows that she is not. However, it is stated in the Jerusalem Talmud that since the marriage of an imbecile is invalid, she is considered unmarried for all intents and purposes.
The daughter of a priest who might be pregnant – כל תלת. If the daughter of a priest engaged in intercourse with an Israelite, there is no concern that she might have been impregnated, and she may immerse herself and partake of teruma that evening, as stated by Rabbi, son of Rav Huna. However, if she was married to an Israelite and her husband died, she may immerse and partake of teruma only for forty days. If she continues to partake of teruma after the forty days and it becomes noticeable that she is pregnant, she is retroactively considered to have sinned from after the forty days. However, during those forty days the fetus is considered merely water and does not disqualify her from partaking of teruma (Rambam Sefer Zedim, Hilkhot Terumot 8:3).

A man who engaged in intercourse with his betrothed in his father-in-law’s house – כל תלת. If a betrothed woman became pregnant while still living with her parents, and the couple agrees that the betrothed is the father, or if the woman claims that he is the father and he is unavailable for comment or says that he does not remember, the child is unflawed (Rena). This ruling follows the second version of the dispute between Rav and Shmuel, according to which Rav agrees with Shmuel in this case (Rambam Sefer Kidusha, Hilkhot Issurei Biya 15:17; Shulhan Arukh, Even HaZer 4:2).

Abaye said to him: If so, say the latter clause of the baraita: Once her fetus in her womb is noticeable, she is ruined retroactively.41 Her prior consumption of teruma is retroactively prohibited. Evidently, pregnancy immediately disqualifies her from partaking of teruma. Therefore, the reason that she may partake of teruma immediately after her husband’s death is that the Sages were not concerned that she became pregnant. Rav Hisda responded: What is the period in which she is retroactively ruined? It is from the moment the fetus is noticeable and back in time until forty days from the beginning of her pregnancy. During the first forty days of the pregnancy, she is not retroactively ruined, as the fetus is not yet considered a living being:

It was stated: With regard to a man who engaged in intercourse with his betrothed in his father-in-law’s house, i.e., before they got married, Rav said that the offspring is a mamzer, as the future husband is not considered his father. And Shmuel said that the offspring is a shetuki, a child of unknown parentage. Rav said: Rav’s statement stands to reason in a case where she is rumored to have engaged in intercourse with others. However, if she is not rumored to have engaged in intercourse with others, we cast the child after him, i.e., we assume that the child is the betrothed’s son.

Rava said: From where do I say that? What is the source for my assertion? The source is the mishna, which teaches that if a priest engaged in extramarital intercourse with an Israelite woman and she gave birth, she may partake of teruma due to her child, who is a priest. What are the circumstances? If we say that she is rumored to have engaged in intercourse with others, even if she gave birth, why may she partake of teruma? Shouldn’t there be concern that the child’s father is not the priest? Rather, is it not a case where she is rumored to have engaged in intercourse with him and is not rumored to have engaged in intercourse with others?

And if there, in the case of the mishna, where for her to engage in intercourse with this priest is a prohibition, and to engage in intercourse with that non-priest, with whom she is not rumored to have engaged in intercourse, is a prohibition of the same degree, nevertheless, we cast the child after the priest, then here, where for her to engage in intercourse with that man who is not her betrothed is a Torah prohibition, and to engage in intercourse with this man, her betrothed, is permitted by Torah law, is it not all the more so that her betrothed should be considered the father? Therefore, Rav’s statement stands to reason only if the woman is rumored to have engaged in intercourse with others as well.

Ruined retroactively – נתקלה בתרומה невозвращена. In what way is she ruined? Rashi explains that she must pay for the teruma she consumed and add a fifth. Rabbi Avraham min HaHar and other commentators argue that the daughter of a priest is never obligated to pay for consumption of teruma, even teruma that she consumed unlawfully, as stated in Toran Kohanim. Accordingly, her ruin must be her transgression of a Torah prohibition.

The offspring is a mamzer – נתקלה. According to Rashi, the child is rendered a definite mamzer. However, the Rishas cites the Gemara in Kiddushin (73b), which indicates that Rav meant that the child is rendered a mamzer of uncertain status, who may not marry a Jew of unlawful lineage or a mamzeret.

A child whose father’s identity is unknown (shetuki) – נתקלה. A child whose father’s identity is not known is referred to as a shetuki, from the Hebrew root sh-t-k, which means to silence. The Gemara explains that when a shetuki calls his father, his mother silences him (Kiddushin 72a).
Abaye said to him in rejection of his proof: Actually, I could say to you that anywhere that she is rumored to have engaged in intercourse with him, her betrothed, even if she is not rumored to have engaged in intercourse with others, Rav said that the offspring is a mamzer. What is the reason? It is that we say that since she exposed herself to her betrothed, she is reputed to be known to have engaged in licentious intercourse with her betrothed and with others. And the mishna that you cited as support for your assertion is referring to a situation where they were both incarcerated alone together in prison. Therefore, there is no concern that she engaged in intercourse with another man. This is one version of the dispute between Rav and Shmuel.

Some say that when the betrothed admits that he engaged in intercourse with her, everyone agrees that we cast the child as a mamzer. Rather, their dispute was stated as follows: In the case of a betrothed woman who became pregnant, if her betrothed denies that he engaged in intercourse with her, Rav said that the offspring is a mamzer, and Shmuel said that the offspring is a child whose father’s identity is not known. Rava said: Rava’s statement stands to reason in a case where the woman is not rumored to have engaged in intercourse with others and she is rumored to have engaged in intercourse with others. Therefore, it is assumed that the child is a mamzer.

**NOTES**

Since she exposed herself to her betrothed – נמסקרה רביינו מִדְּאַפְקְרָא. Sexual intercourse between a betrothed couple is prohibited only by rabbinic law. Accordingly, the blessing over betrothal: Blessed are You… Who prohibited us from incest, and forbade the betrothed to us, and permitted those married to us through a canopy and betrothal, is referring both to Torah and rabbinic prohibitions.

Early commentators question Abaye’s rationale, as intercourse between a betrothed couple is prohibited but the lineage of the child conceived through this act is completely unrelated. This leads some commentators to accept Rava’s distinction and others to accept Shmuel’s opinion.

**HALAKHA**

A betrothed woman who became pregnant – נמסקרה רביינו מִדְּאַפְקְרָא. If a betrothed woman became pregnant while still living with her parents, and her betrothed denies having engaged in intercourse with her, the child is rendered a definite mamzer. If she is unavailable for questioning, or if she says that she does not know the father’s identity, the child is rendered a mamzer of uncertain status.

If there are rumors that a betrothed woman engaged in licentious intercourse with her betrothed and with others, the child is rendered a mamzer of uncertain status, even if her betrothed admits that he engaged in intercourse with her. If she is questioned and says that she engaged in intercourse only with her betrothed, the child is rendered unflawed. It goes without saying that the child is unflawed if it is known that she engaged in intercourse with her betrothed and there are no rumors with regard to others. This ruling follows Shmuel’s opinion as cited in the second version of the dispute. Some commentators (Rosh; Rashba; Beit Shmuel) add that even if there were rumors that she engaged in intercourse with others, if it is known that she engaged in intercourse with her betrothed, or if he acknowledges the same, the child is unflawed, as stated by Rava (Rambam Sefer Kedusha, Halhakot Issurei Bi 15:17–18; Shulhan Arukh, Even Hazzer 427:18).

**NOTES**

Rumored to have engaged in intercourse with him – אִילֵימָא. Tosafot explain that she is known to have engaged in intercourse with him. Otherwise, Rava’s proof from the mishna, which discusses a case of definite sexual intercourse with an Israelite, is problematic. However, the wording of Rava’s statement is difficult according to this opinion. Rabbi Avraham min HaRi explains that she is rumored to have had an extensive affair with him, which raises the probability that the child is his in the mishna’s case.