

**אלמנת עיסה -** A widow (whose husband's lineage is entangled and is) of a [dough(y)] mixture

## OVERVIEW

The משנה cites a גמרא, in which ר"י and ר"ב testify that the widow of an 'עיסה' is permitted to marry into כהונה. There is a dispute between רש"י and תוספות as to what consists an עיסה.

פירוש בקונטרס שני פירושים<sup>1</sup> ושניהם דחוקים -

רש"י offers two interpretations as to the meaning of אלמנת עיסה and both of these explanations are lacking. They do not satisfactorily explain the term אלמנת עיסה. תוספות goes on to explain why they are דחוקים -

דהא אמרינן לקמן<sup>2</sup> איזו היא אלמנת עיסה כל שנטמע בה ספק חלל<sup>3</sup> -

For we learn later in a ברייתא; 'who is this עיסה?' The ברייתא replies 'all situations in which a ספק חלל was intermingled'; this concludes the citation from the ברייתא.

ומה<sup>4</sup> טימוע שייך במה שנישאת לספק -

And how is the term טימוע (intermingled; mixed in) applicable because she married this ספק חלל. He is not טימוע; it is known that he is a ספק חלל. The term טימוע means that somewhere in the genealogy there is a ספק חלל intermingled; not that a woman married a ספק חלל.

פירש"י asks an additional question on תוספות:

ועוד דאין לשון עיסה נופל על אדם אחד אלא על משפחה שייך לשון עיסה -

<sup>1</sup> In ד"ה על אלמנת עיסה, there רש"י explains that if a ספק חלל (a ספק חלל is one who is born from a marriage between a כהן and a woman who is a ספק זונה, ספק גרושה, etc.) marries and subsequently dies, his widow is the אלמנת עיסה. In ד"ה ספק מגורשת (ר"י טוב עלם), there רש"י offers a different explanation (in the name of ר"י). A woman was a ספק מגורשת and remarried to a כהן within three months of the ספק גירושין (after her first husband died) and bore a child of questionable lineage; whether he is a son of her original ספק divorced husband and therefore he is כשר; or if he is a son from her new husband; in which case he is a ספק חלל for perhaps the גט was valid and she is a גרושה and the child is a חלל, or there was no גט (and she is an אלמנה) and the child is כשר. There is a ספק ספיקא on this child. The widow of this 'child' is an אלמנת עיסה. It appears from רש"י that the term עיסה is referring to the individual who is a ספק (ספיקא) חלל.

<sup>2</sup> On the top of ד"ה. See following ת"ר תוספות ד"ה ת"ר; see מהר"ם שי"ף here.

<sup>3</sup> A ספק חלל is an offspring of a relationship between a כהן and a woman who is forbidden to a כהן, such as a גרושה. A ספק חלל is someone who is the offspring of a relationship between a כהן and a גרושה, etc.

<sup>4</sup> In the (bottom) margin there is an additional question (seemingly from ת"י or likewise): 'וגם על חלל עצמו אין שייך'. 'And in addition, on the חלל himself the expression טימוע does not apply'. According to רש"י the term טימוע means she married a ספק חלל. Therefore עיסה means a ספק חלל. We cannot refer to the חלל by saying that there was נטמע in him a ספק חלל.

**And furthermore, the expression עיסה is not applicable for one person; rather the expression עיסה is appropriate for a family –**

**כדאמרין (קידושין סט,ב) כל הארצות עיסה לארץ ישראל וארץ ישראל עיסה לבבל -**

As the גמרא states all countries are considered as an עיסה (a doughy mixture) compared to א"י, and א"י is an עיסה when compared to בבל. All countries have no pure lineage as א"י has; but rather their lineage is a 'mixture' of various indiscernible types, like a dough which is a mixture of various ingredients. The גמרא there continues, the lineage of בבל is purer than even the lineage of א"י. This concludes the גמרא there. It is evident from this גמרא that the term עיסה applies to a 'mixture' of different elements that are intermingled among the populace at large and are not (necessarily) discernable. This is in conflict with both of רש"י's interpretations.

ובתוספתא<sup>5</sup> תניא מפני מה אמרו עיסה פסולה מפני ספיקי חללין -

**And we learnt in a ברייתא in the תוספתא; why did the חכמים rule that an עיסה is disqualified from marrying into כהונה? On account of the ספיקי חללין (plural) which are intermingled in the עיסה –**

**ומה ספיקי חללין שייך לאלו הפירושין -**

**And how is the concern of ספיקי חללין (plural) applicable according to these explanations** that רש"י offered?! According to both explanations of רש"י, the אלמנה married one ספיקי חללין; there is no issue with many ספיקי חללין!

ואלמנת עיסה offers his explanation of תוספות:

**ונראה לרבינו יצחק ולרבינו יצחק בר אשר<sup>6</sup> -**

**And the ר"י and the ריב"א are of the opinion –**

**דעיסה קורא המשפחה שנטמע בהם ספק חלל אחד או הרבה ספיקי חללים -**

**That the term עיסה applies to a family in which one ספק חלל became intermingled or that many ספיקי חללים became intermingled with this family.** It is known that in a particular family (either one or) some of the people are ספיקי חללין; however they cannot be identified with certainty –

**ולהכי חשיב ליה לקמן<sup>7</sup> ספק ספיקא -**

**And therefore the גמרא later considers this 'עיסה family' as a ספק ספיקא; a doubt within a doubt, meaning –**

**דכל אחד מבני המשפחה ספק הוא אם הוא אותו ספק שנתערב בהן אם לאו**

**That each one from this עיסה family in which a ספק(י) חלל(ים) was intermingled,**

<sup>5</sup> קדושין פ"ה ה"ג.

<sup>6</sup> עי' שה"ג להחיד"א מערכת גדולים אות 291.

<sup>7</sup> On this עמוד the גמרא comments that according to ר"י a ספק ספיקא is sufficient to be מתיר a woman לכהונה.

**there is a doubt (by בי"ד) whether he is the ספק חלל that was intermingled with them or not.** It is possible that he is not the ספק חלל and therefore לכהונה. Even if he is the ספק חלל, it is possible that in fact he is not a חלל and is therefore (still) permitted לכהונה. That is why this עיסה is merely a ספק פיקא concerning איסור כהונה.

**ולקמן<sup>8</sup> גרסינן איזהו עיסה כל שנטמע בה כולי ולא גרסינן אלמנת -**

**And later the text should read; 'what is an עיסה; in all cases where there was an intermingling, etc.'** and the text does not read a 'widow of' an עיסה; but merely the word עיסה itself. The mixture is in the עיסה (this particular family); not in the אלמנה -

**והכי איתא בירושלמי<sup>9</sup> ואפילו גרסינן אלמנת כל שנטמע בה קאי אעיסה -**

**And this is also how it is rendered in תלמוד ירושלמי**; only the word 'עיסה', not אלמנת עיסה. **And even if the text reads 'אלמנת עיסה';** nevertheless in the following phrase of 'כל שנטמע בה'; the word 'בה' is referring to the עיסה; and not to the אלמנה. The term עיסה is fitting only for a community, and not for an individual such as an אלמנה.

Tosfos asks:

**ואם תאמר דבפרק עשרה יוחסין (שם דף עה, א) משמע -**

**And if you will say; that it seems from the גמרא in פרק עשרה יוחסין -**

**דאפילו מאן דמכשר אלמנת עיסה מודה בבת דפסולה -**

**that even the one who permits the אלמנת עיסה to marry into כהונה (which would include ר' יהושע וריב"ב), nevertheless he admits that the daughter of the עיסה is disqualified** from marrying into כהונה. Tosfos will now show that the one who is מכשיר the אלמנה is פוסל בבת. When the גמרא discusses -

**גבי הא דאמר רב חסדא הכל מודים באלמנת עיסה שפסולה לכהונה כולי -**

**פסולה is אלמנת עיסה** that which ר"ח stated; **'everyone agrees that an אלמנת עיסה is פסולה, etc.'** The גמרא comments that the statement of ר"ח is coming -

**ולאפוקי מהני תנאי דתנן העיד רבי יהושע כולי -**

**ר"י ב"ב and ר"י that משנה, תנאים, which we have learnt in a משנה that ר"י ב"ב and ר"י testified, etc.** that an אלמנת עיסה is לכהונה.<sup>10</sup> This concludes the citation from the גמרא. Tosfos concludes his question:

<sup>8</sup> At [the bottom of this עמוד and] on top of the עמוד ב'.

<sup>9</sup> Here פ"א ה"ט, and elsewhere.

<sup>10</sup> רב חסדא was referencing a previous ברייתא taught there, in which there were various opinions. רב חסדא maintains that all of these opinions (who argue in the ברייתא) agree (nonetheless) that an אלמנת עיסה is אסורה. רב חסדא proved his statement by citing רשב"ג (who was the most lenient view in the ברייתא) who ruled that if you are not permitted to marry someone's daughter, you are also not permitted to marry his widow. Therefore, concludes רב חסדא that since one may not marry the בת העיסה, one may not marry the אלמנת עיסה as well. רב חסדא offered no proof that a בת העיסה is אסורה; he merely presumed it as a universally agreed upon ruling. The גמרא then concluded that the ruling of רב חסדא that an אלמנת עיסה is אסורה, is intended to reject the ruling of ר"י ב"ב and ר"י (that were not mentioned in the

**ומה לי אלמנה ומה לי בת דבת נמי הוי ספק ספיקא כמו באלמנה -**

**And what difference is there whether she is the אלמנה of an עיסה or whether she is the daughter of the עיסה, for by the daughter there is also the same ספק ספיקא as there is by the אלמנה!**<sup>11</sup>

answers: תוספות

**ויש לומר דבת העיסה אין לה חזקת כשרות -**

**And one can say; that the daughter of the עיסה has no חזקת כשרות;** as opposed to the עיסה who has a חזקת כשרות from the time before she married into this עיסה. However the עיסה was born into a ספק situation, therefore since she has no חזקת כשרות, she is אסורה לכהונה.

anticipates a difficulty and resolves it: תוספות

**ואף על גב דבעלמא מקילין בספק ספיקא -**

**And even though that generally we are lenient by a ספק ספיקא,** and we permit it even without a חזקת כשרות. Therefore, here too by the עיסה, even though she has no חזקת כשרות, she should still be אסורה לכהונה, since it is only a ספק ספיקא; nevertheless –

**הכא מעלה עשו ביוחסין -**

**Here, for the genealogy of כהונה, the חכמים instituted a higher level of stringency and forbade even a ספק ספיקא from marrying into כהונה –**

**כי היכי דמצריך לקמן<sup>12</sup> תרי רובי להכשיר אף על גב דבעלמא סגי בחד רובא:**

**Just as later, the גמרא requires two pluralities (of כשרות) to permit marriage to כהונה, even though generally one רוב is sufficient;** nevertheless concerning כהונה we are more stringent, and we require two רובא; the same is by a ספק ספיקא, that in addition to the ספק ספיקא, we also require a חזקת כשרות.

## **SUMMARY**

The term 'עיסה' (according to תוספות) refers to a family in which a ספק חלל (or many ספיקי חללים) were intermingled. An offspring of this family is אסורה לכהונה (for she has no חזקת כשרות); however a woman who married into this family and became

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previous (ברייטא), who maintain that אלמנת עיסה is מותרת. According to that גמרא, the ruling of ר"י ב"ב and ר"י is that an אלמנת עיסה is מותרת, even though that the עיסה is אסורה (this is a universally agreed upon ruling). This is what רב חסדא is rejecting; how can ר"י ב"ב maintain that אלמנת עיסה is מותרת, since even רשב"ג who is the most lenient view, maintains that 'כל שאי אתה נושא בתה אי אתה נושא אלמנתה'. Therefore since the עיסה is אסורה the אלמנת עיסה is also אסורה. However ר"י ב"ב disagree and maintain that the עיסה is אסורה and the אלמנת עיסה is מותרת. Our תוספות asks why should there be a difference between the עיסה and the אלמנת עיסה.

<sup>11</sup> Why does רב חסדא presume that everyone (including ר"י ב"ב who maintain that מותרת עיסה is מותרת) agrees that עיסה is אסורה? See 'Thinking it over' # 2.

<sup>12</sup> לקמן ט"א. This is regarding a woman who was מחוץ לעיר; in order that she remains אסורה לכהונה there is a requirement that both the רוב of the city and the רוב of the caravan, which passed through the city, are אסורים לכהונה, even though that generally one רוב is sufficient.

widowed is מותרת לכהונה, according to ר"י וריב"ב (since she has a חזקת כשרות). A חזקת כשרות is required in addition to a ספק ספיקא in order to be מותרת לכהונה.

### **THINKING IT OVER**

1. אלמנה עיסה and רש"י disagree as to the meaning of תוספות. Is this merely a difference of interpretation; or do they disagree as well? [What will רש"י and תוספות maintain is the rule in each other's scenario?]

2. תוספות asks why there is a difference between the אלמנה and the בת.<sup>13</sup> How will רש"י deal with this question?<sup>14</sup>

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<sup>13</sup> See footnote # 11.

<sup>14</sup> See מהר"ם שי"ף.