**בעינן זרעו מיוחס אחריו - We require** that **his seed be pedigreed after him**

Overview

Our גמרא maintains that the פסוק of ולזרעו אחריו וגו', teaches us that in order to be כשר לכהונה a כהן must be מיוחס. His lineage must be known. תוספות will cite a seemingly contradictory ברייתא and resolve the contradiction.

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תוספות responds to an anticipated difficulty:

**והא דאמר בהחולץ (יבמות דף לז,א) ראשון ראוי להיות כהן גדול[[1]](#footnote-1) גבי ספק בן תשע לראשון -**

**And** concerning **that** which the ברייתא **states in** פרק **החולץ regarding a child** of **questionable** paternity; whether there was a **nine** month pregnancy from the **first** husband, or a seven month pregnancy from the יבם; **the first** child **is fit to be a כה"ג** -

**בפרק נושאין על האנוסה (שם דף ק,ב) פריך לה ומשני זרעו מיוחס אחריו דרבנן -**

תוספות replies: the גמרא **asks this** **in the פרק נושאין על האנוסה and** the גמרא answers that the requirement of **זרעו מיוחס אחריו**  is a **rabbinical** requirement; it is not a תורה requirement, for -

**קרא אסמכתא[[2]](#footnote-2) בעלמא הוא וכי גזר רבנן בזנות בנשואין לא גזר -**

**The פסוק is merely an אסמכתא, and when did the רבנן decree** that the כהן must be מיוחס, only to exclude a child born out of **promiscuity,** however if the child was born **into** a valid **marriage, they did not decree** that it must be זרעו מיוחס אחריו. Therefore by the case of יבום since there was no זנות; it was a regular marriage (concerning the first born), therefore there is no requirement of זרעו מיוחס אחריו.

Summary

The requirement of זרעו מיוחס אחריו disqualifies from כהונה an offspring of a זנות relationship; not of a marriage relationship.

Thinking it over

Why does תוספות cite a question and answer that is מפורש in the גמרא?![[3]](#footnote-3)

1. The case there is of a יבם who was מייבם his יבמה within three months of his brother’s death. It is not clear at that point whether or not she was pregnant with her (original) husband’s child. The יבמה bore a child after seven months of יבום and within nine months of her husband’s death. It is not clear whether this is the husband’s child (a nine month pregnancy) or the sיבם' child (a seven month pregnancy). In either case the child is ראוי to be a כה"ג (if the brothers are כהנים) for ממה נפשך the child is כשר. [Any future children from the יבם however, are ספק ממזרים. It is possible that this first child is a son of the deceased, and therefore she is אסורה to the יבם as an אשת אחיו שלא במקום יבום, and any future children are ממזרים.]. In that case the lineage of the child is in doubt; we do not know who his father is. Nevertheless the ברייתא states that he is ראוי to be a כה"ג. This contradicts the גמרא here. [↑](#footnote-ref-1)
2. The term אסמכתא means a support. The חכמים occasionally used a פסוק as a support for their גזירה. [↑](#footnote-ref-2)
3. See ח"ב מ"ת. [↑](#footnote-ref-3)