

Makos. Review Lesson 73 - DAF 15A:

LAV HA'NITAK L'ASEH

1. **Rabah bar bar Chanah citing R. Yochanan:** If an Aseh precedes (can be fulfilled even before transgressing) a Lav, we do not consider this a Lav she'Nitak l'Aseh. One is lashed for the Lav.
2. Rabanan asked R. Yochanan; Did you really say this?
3. R. Yochanan: No. (I changed my mind)
4. **Rabah:** He did say it, and our Mishnah supports it!
5. "Vi'Shalchu Min ha'Machaneh (is an Aseh for Teme'im to leave the Mikdash). "V'Lo Yetam'u Es Machaneihem (is a Lav forbidding Teme'im in the Mikdash)";
6. **Mishnah:** One who enters the Mikdash when Tamei (is lashed). [Even though one can do the positive Mitzvah of leaving the temple without ever transgressing the command to not enter the Mikdash in a Tamei state. (E.g. When he became Tameih while already in the Mikdash.)
7. **Question:** Why did he retract?
8. **Answer:** It is because a Me'anes (rapist) is not lashed (for divorcing her).
9. **Beraisa:** If a Yisrael raped a woman and divorced her, he remarries her, and he is not lashed;
10. If a Kohen did so, he cannot remarry her, so he is lashed.
11. A Yisrael is not lashed, even though the Aseh precedes the Lav!