

Makos Review Lesson 75 - DAF 15A:

1. **Objection:** We cannot learn a rapist from Motzi Shem Ra. The latter is more stringent, for he is lashed and pays!
2. **Correction:** Rather, the Torah did not have to say "v'Lo Sihyeh l'Ishah" regarding Motzi Shem Ra. We could have learned from a rapist;
 - A rapist is not lashed, yet he must marry her. All the more so, Motzi Shem Ra must marry her, for he is lashed and pays!
 - Since we do not need "v'Lo Sihyeh l'Ishah" to teach that he must marry her, we use it to teach that if he divorces her, he must remarry her.
3. **Objection:** We cannot learn Motzi Shem Ra from a rapist. The latter is more stringent, for he did an action!
4. **Correction:** Rather, the Torah did not have to say "v'Lo Sihyeh l'Ishah" regarding Motzi Shem Ra, for he is already married to her;
 - We do not need it to teach that a Motzi Shem Ra must marry her, so we use it to teach that if a rapist divorces her, he must remarry her.
5. **Question:** We should use it to teach that if Motzi Shem Ra divorces her he is not lashed (rather, he remarries her)!
6. **Answer:** Indeed, that is true. We learn a rapist from Motzi Shem Ra.
7. **Objection:** How do we learn?
 - We cannot learn from a Kal va'Chomer or Mah Matzinu (precedent). Motzi Shem Ra did not do an action (therefore, he is not lashed)!
8. **Rava, and Ravin citing R. Yochanan:** Rather, "Lo Yuchal Leshalchah Kol Yamav" - he is forever commanded to remarry her (if he will divorce her. This Aseh is after he transgresses, therefore he is not lashed.) [Ritva - this was R. Yochanan's reason all along. Rashi would say that after he retracted, he found a defense of his original teaching.]
9. **CONCLUSION:** R' Yochanan's original contention stands, and there is. No retraction based on the Beraisa.