



Translation:Shulchan Aruch/Even ha-Ezer/15

< [Translation:Shulchan Aruch](#) | [Even ha-Ezer](#)

Biblical and rabbinic prohibitions against sexual iniquity (ervah)

Paragraph 1- With respect to prohibited relatives, there are those who are biblically prohibited and there are those who are rabbinically prohibited. Marriage does not take effect on those that are biblically prohibited. Marriage does take effect on those that are rabbinically prohibited, and a get would be required. Likewise, if one marries an uncertain-prohibited relative, a get would be required.

Paragraph 2- One's mother is biblically prohibited to him. One's mother's mother, however, is only rabbinically prohibited. There is no stopping point to this, and one's mother's mother's mother going up all generations would be prohibited.

Paragraph 3- One's mother's father's mother is rabbinically prohibited to him, and that prohibition only applies to her alone.

Paragraph 4- One's father's mother is rabbinically prohibited to him, and there is no stop and even his father's mother's mother going up all generations would be prohibited.

Paragraph 5- One's father's father's mother is rabbinically prohibited to him, and this prohibition applies solely to her. One's father's wife is biblically prohibited to him, regardless of whether she was his wife from nisuin or erusin and regardless of whether his father was alive or dead or had divorced her. *The wife's mother, however, is permitted to him.* If his father had sexual relations with a woman outside of marriage, however, she would be permitted to the son.

Paragraph 6- One's father's father's wife is rabbinically prohibited to him. There is no stop to this prohibition, in that our forefather, Yaakov's wife is prohibited to all of us.

Paragraph 7- One's mother's father's wife is rabbinically prohibited to him. This prohibition applies solely to her. *There are those who say one's father's mother's father's wife is prohibited to him.*

Paragraph 8- One's father's paternal brother's wife is biblically prohibited to him. His father's maternal brother's wife, however, is only rabbinically prohibited to him.

Paragraph 9- One's mother's brother's wife is only rabbinically prohibited to him, regardless of whether it is a paternal or maternal brother.

Paragraph 10- One's sister is biblically prohibited to him, regardless of whether she is his paternal or maternal sister, and regardless of whether she is his sister born out of marriage or adultery. Even if his father had sexual relations with a prohibited relative and gave birth to a daughter, she would be a sister, and he would be liable even if he had sexual relations with her, except in the case of a sister from a maidservant or gentile. *It seems to me that one is prohibited in the first instance from having sexual relations with such a sister because there are those authorities who are unsure whether the*

rule that a child has the status of the maidservant or gentile is only true biblically but is not true rabbinically, and thus one should be stringent in the first instance. There are those who say this is only true for a standard maidservant. If one's father had sexual relations with his own maidservant, however, and gave birth to a daughter, that daughter is his sister. *Even if the father said his intention was for non-marriage purposes, he would not be believed.*

Paragraph 11- One is permitted to marry his father's wife's daughter that she had from another man. Even if the step-sister was raised together in the same house as the brothers, she is permitted to them. We are not concerned of a *maaris ayin* that she appears to be their sister.

Paragraph 12- One's daughter, daughter's daughter and son's daughter are biblically prohibited to him. One's son's daughter's daughter, daughter's daughter's daughter, son's son's daughter and daughter's son's daughter, however, are only rabbinically prohibited to him. There is no stop to these prohibitions. Similarly, the Yerushalmi states that Avraham is prohibited to all Jewish women and Sarah is prohibited to all Jewish men. According to the Rambam there is a break.

Paragraph 13- One's wife's daughter, wife's daughter's daughter and wife's son's daughter are biblically prohibited to him. This only applies to his wife's daughter. The daughter of a woman he had a sexual relationship with outside of marriage, however, would be permitted to him after the mother dies. *Even if the mother was still alive, if he married the daughter he does not have to divorce her.*

Paragraph 14- One's wife's daughter's daughter's daughter and wife's son's son's daughter are rabbinically prohibited to him. There is no stop to this prohibition. According to the Rambam there is a stop.

Paragraph 15- One's wife's mother and such mother's mother and one's wife's father's mother are biblically prohibited to him. One's wife's mother's mother's mother, wife's father's mother's mother, wife's father's father's mother and wife's father's mother's mother's mother, however, are only rabbinically prohibited to him. There is no stop to this prohibition. According to the Rambam, there is a stop.

Paragraph 16- One's father's sister and mother's sister are biblically prohibited to him, regardless of whether they are paternal or maternal siblings.

Paragraph 17- One is permitted to marry his father's brother's daughter and his mother's brother's daughter. One's father's brother and mother's brother is permitted to marry his wife and daughter.

Paragraph 18- One's father's paternal brother's wife is biblically prohibited to him. One's father's maternal brother's wife, however, and one's mother's paternal or maternal brother's wife, are only rabbinically prohibited to him. Any further generation, such as one's father's father's maternal brother's wife and one's mother's mother's paternal or maternal brother's wife, are permitted. One's father's father's paternal brother's wife, father's father's paternal or maternal sister and mother's mother's sister are permitted. There are those who prohibit such women.

Paragraph 19- One's son's wife is biblically prohibited to him. One's son's son's wife is rabbinically prohibited to him. There is no stop to this prohibition and any of our wives would be prohibited to our forefather, Yaakov.

Paragraph 20- One's daughter's son's wife is rabbinically prohibited and there is a stop to that prohibition.

Paragraph 21- One's wife's son's wife is permitted to him. One's wife's son can marry the stepfather's wife.

Paragraph 22- One's paternal or maternal brother's wife, regardless of whether she was his wife from nisuin or erusin, is biblically prohibited.

Paragraph 23- Two step-brothers who are raised in the same home are each permitted to marry the other's wife and we are not concerned of a maaris ayin that it looks like his brother's wife.

Paragraph 24- One is permitted to marry his father-in-law's wife, and one's father-in-law can marry his wife. There are those who prohibit.

Paragraph 25- One is permitted to marry his brother's son's wife and his sister's son's wife. *One is permitted to marry his brother's daughter and his sister's daughter, and there is a mitzvah to do so, as discussed above in Siman 2.*

Paragraph 26- One's wife's sister is biblically prohibited to him so long as his wife is alive, regardless of whether she is a paternal or maternal sister, even if he divorced his wife. After his wife dies, however, he is permitted to marry her sister. *If a person grants a divorce, even because of a mere rumor, he becomes prohibited to the woman's relatives.*

Paragraph 27- If one was mekadesh a woman, and the woman went to another country and witnesses come and testify that she died, and the man married her sister, and it was later discovered that his first wife was still alive, he is prohibited to both women and both of them would need to receive a get from him. All the specifics that are discussed in the Chapter of "Haisha Rabbah" and the Chapter of "Hazorek" would apply to them. If one of them died, he would be permitted to marry the other. If his nisuin wife went to another country, however, and witnesses come and testify that she died and he married her sister and it was later discovered that she did not die, the sister would not require a get from him and his first wife would be permitted to him. He is permitted to marry the second wife's relatives, and she is permitted to marry his relatives. If the first wife died, he would be permitted to marry the sister. The same applies to other prohibited relatives that were married under the presumption that they were permitted, and they would not need a get because marriage does not take effect on prohibited relatives. *Likewise, any prohibited sexual relationship with a relative that is prohibited to a man through his wife would not prohibit his wife to him, and he would be permitted to marry the second woman's relatives. Nevertheless, if the relative visits the wife frequently, we would force him to divorce his wife.* Why did the Rabbis require a get for one's arusah's sister? They were concerned people would say the erusin was conditional and he married her sister legally and now that her sister was divorced with a get, the first sister that is his arusah is prohibited so that people do not say he married his divorcee's sister. In the case where his nisuin wife went to another country, however, there is no concern that people will say the marriage was conditional because a person would not have his sexual relations be outside of marriage. Therefore, everyone is aware that the marriage to the second sister is of no effect.

Paragraph 28- If one's wife and wife's sister's husband went to another country, and witnesses came and said his wife and his wife's sister's husband died, and he married his wife's sister, and his wife and brother-in-law later come, his wife's sister would need a get from him, regardless of whether she married on the basis of two witnesses or one witness. She would be prohibited to the brother-in-law and his wife would be prohibited to him, regardless of whether she had a nisuin or erusin marriage. *If he had a sexual relationship with his wife's sister outside of marriage, and his wife and brother-in-*

law later died, there are those who say he would be prohibited from marrying his wife's sister because just as the woman is prohibited to her husband, so too is she prohibited to the man she had an affair with, notwithstanding the fact that she was anyway prohibited to him.

Paragraph 29- If they told someone his wife had died and he married her sister, and they later told him his wife was still alive at the time but now died, the initial child would be illegitimate and the later child would not be.

Paragraph 30- If one had a concubine and there was no testimony that he married her, she would be permitted to marry his relatives. If there are witnesses that say the women said the man married her in front of two witnesses, however, she would be prohibited to his relatives. If she simply said he married her, but did not say in front of two witnesses, her words are of no effect.

Paragraph 31- If one married a woman and the marriage was annulled because it was made conditionally and the condition was not fulfilled, or if one married off his daughter without her knowledge and it turned out she was an adult, the husband is permitted to marry the woman's relatives. *This is only where the marriage was annulled without a get. If he gave a get, however, he would be prohibited to all her relatives as was discussed.*

Retrieved from "https://en.wikisource.org/w/index.php?title=Translation:Shulchan_Aruch/Even_ha-Ezer/15&oldid=14155404"