



Translation:Shulchan Aruch/Even ha-Ezer/2

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

Every Man Must Make an Effort to Take an Appropriate Wife

(Contains 11 Paragraphs)

Paragraph 1- A man should not marry a woman that does not have any kind of inappropriateness. [Isserless: Anyone who marries an inappropriate wife for money will result in children who are not respectable, but aside from that, if there is no inappropriateness in marrying her, but he just marries her for money, it is allowed. If someone wants to marry an inappropriate wife, his family members may protest. If he does not want to be supervised by them, the family may make a type of sign such that their offspring will not intermingle with that of his family. If someone was offered a lot of money for him to get married and they then took back the offer (even though they got married) he should not hold his wife like a hostage because of this and he should not quarrel with her over her family's property. Someone who does this will not be successful and the relationship will not be a good one because the money that a man takes along with his wife is not appropriate money; and anyone who does this is called someone who "marries for money". Rather, everything that a father or mother-in-law gives him should be taken with a good-eye (a full heart) and he will be successful.]

Paragraph 2- Any family has the presumption of a good lineage and he's permitted to marry her in the first instance. Nevertheless, if you see two families that always irritate one another [Isserless: or two individuals that irritate one another] or you see a family that argue always or you see a man that argues disputes with everyone and especially brazen, then we should suspect their lineage and it is fitting to distance oneself from them because these are disqualifying characteristics. Similarly, a person who always invalidates others, for example he puts a stain on the lineage of families or on individuals and he says about them, that that they are *mamzerim* then we suspect him of being a *mamzer*. If he says that they are slaves then we suspect that he is a slave. All who invalidates others, that blemish (actually) invalidates him. And likewise he who is brazen, cruel, and hates others and he doesn't show them loving kindness we suspect him the most, lest he is *gibionite* (see Mishnah Torah, Isuri Biya 19:17).

Paragraph 3- When the purity of a family's lineage has been disputed, which means two people testify that there was a *mamzer* or a *challal* intermingled with them or that they have slaves in their lineage, behold this is a doubtful family. If it is a family of priests no one may marry a woman from them until they will check about her up through four generations, totaling eight people: her mother, her maternal grandmother, the mother of her maternal grandfather, the maternal grandmother of her maternal grandfather. Likewise, we check the mothers of the fathers side: the mother of her paternal

grandmother, the mother of her paternal grandfather, and the mother of the mother of her paternal grandfather. If the family that was called into question is a Levite or Israelite they add to the checking of them another one, resulting in a checking of 10 mothers. A woman that is brought to be married, however, doesn't need to check (her husband's family) because kosher women are not warned against marrying blemished men.

Paragraph 4- Anyone who is called a mamzer or netin or challal or a servant and he is silent about his status, we suspect him and his family and we don't marry them, unless we check as was explained. [Isserless: There are some that say this applies only to a family that is known to blend with one of these psulim (inappropriate ones), but an individual that is called this and keeps quiet, means nothing. There are others who say that all this (from the Mechaber) only applies to earlier generations where Beis Din would keep track of the yichus of families and appropriately apply punishments, so if someone is silent, it can be considered that he admits since he knows that the truth will be revealed. But now, silence is an indication only that he does not want to argue or fight and is thus praiseworthy, so rather today, we accept this as a sign of good lineage as long as it did not occur during a fight. There are those who say we do not apply the principle that silence is like admission except where he objects to a different disqualification. If he remains completely silent, however, it does not have the status of an admission. This is all referring to a disqualification that involves the person himself. If they want to disqualify his children in his presence, however, and he is silent, that does not qualify as an admission. We would, however remain slightly suspicious. If one is degraded in other contexts and is silent, that is a sign of proper lineage.]

Paragraph 5- If a family had an uncertain chalal intermingle with them, any valid woman who married into that family and was later widowed would be prohibited to a Kohen in the first instance. If she married the Kohen, she does not need to be divorced because there are two uncertainties: perhaps this widow was the chalal's widow or she was not, and even if she was, perhaps he is not a chalal. [Isserless: Some hold this is only for the widow herself, since she has a presumption of Kashrus (having been married to a Kohen) but this does not apply to her daughter and if she is already married, he must divorce her. But, others are lenient and make no distinction between the widow and her daughter).] But if someone who was certainly a chalal marries into a family, then every woman in that family is forbidden (to a priest) until he the priest does an investigation. If she was married (without an investigation), she must be divorced. This is also the rule if a doubtful or certain mamzer marries into a family. [Isserless: This is only with respect to someone who is familiar with the facts. In the case of a family who had someone disqualified intermingle but it was not known to the public, however, once the invalid person has assimilated, he has assimilated. If one is familiar with the disqualification he is prohibited from revealing it. Rather, she should be left with her presumption of validity because all families that have those assimilated are valid in the future. It is nevertheless still appropriate to reveal the matter to those who are modest. This is only with respect to a family where the disqualified person assimilated and intermingled. So long as he not intermingled, however, we would disclose the disqualification and make an announcement so that valid people separate from the disqualified individuals. See Choshen Mishpat Siman 35 with respect to whom is believed to testify on families.]

Paragraph 6- A person should always make an effort to marry a scholar's daughter and to marry his daughter to a scholar. If he can't find a daughter of a scholar he marries the daughter of one of the great ones of the generation and if he can't find that he marries the daughter of one of the heads of the congregations and if he can't find one of the heads of congregations he marries a collector of charity

and if he he can't find that he marries a schoolteacher but his daughter should not marry an am haaretz (simpleton). [Isserless: Pertaining to their daughters he says, cursed is the one that lies with beasts and all this pertains to the am haaretz because they are not diligent with the mitzvot. There is a mitzvah for a man to marry the daughter of his sister and there are those who say even the daughter of his brother].

Paragraph 7- A man shouldn't marry a women from a leporous family nor from an epileptic family. If a family has three instances the next children will have the presumption of being this way.

Paragraph 8- An am ha'aretz should not marry a female kohen. And if he marries one, their pairing will not develop well (Pesachim 49a) because seither she or he will die quickly or an obstacle will arise between them. In a case where a scholar marries a female kohen, however, it is beautiful and praiseworthy to have the Torah and priesthood in one place.

Paragraph 9- A young man should not marry an old woman and an old man should not marry a young girl for this thing causes whoredom.

Paragraph 10- A man should not marry a woman with the intention of divorcing her, but if he announces from the beginning that he is going to marry her for a few days then that is permitted.

Paragraph 11- A man should not marry a woman in one land and marry another woman in a different land lest the children of this one and that one (meaning, of each woman) pair off with each other and we find that a brother marries his sister, but a famous person and his children are well known because of him, then it is permitted (to marry women in different lands).