

OVERVIEW of the Daf

1) The acquisition of an inferior yibum

Rav and Shmuel dispute the extent of the acquisition of an inferior yibum.

The dispute is further limited to whether a yevama from eirusin who is acquired with inferior yibum may eat the yavam's terumah.

It is demonstrated how Shmuel is consistent with another ruling.

Shmuel's position is unsuccessfully challenged.

An alternative understanding of this dispute is presented where the dispute is whether a yevama from marriage may eat the yavam's terumah.

Two challenges to Shmuel are presented, the second one being successful.

2) A deaf-mute wife

A Baraisa teaches that there is a dispute whether a woman who became deaf-mute between eirusin and marriage and began to eat terumah on account of her child may continue to eat terumah after her child passes away. According to R' Nosson she may whereas according to Chachamim she may not.

Rabbah suggests an explanation for R' Nosson's position.

Abaye refutes this explanation.

R' Yosef suggests an alternative explanation but Abaye successfully challenges this explanation.

3) A woman who was violated

R' Amram cites R' Sheishes' ruling that a woman who was violated (אונס) becomes disqualified from kehuna and suggests that the Tanna of our Mishnah concurs with this ruling.

The suggested proof from the Mishnah is rejected.

Rabbah rules that if a kohen remains with his wife after she was violated he is liable to two sets of lashes.

R' Zeira unsuccessfully challenges this ruling.

An alternative version of this discussion is presented.

4) MISHNAH: A dispute is presented whether a woman who becomes engaged to someone who disqualifies her from kehuna may eat terumah. The consequence of becoming widowed or engaged from a husband who disqualified her from kehuna is presented.

5) Clarifying the dispute

A Baraisa presents an expanded version of the dispute.

6) A kohen who is a פצוע דכא

R' Elazar in the name of R' Oshaya suggests that the same dispute between R' Meir versus R' Elazar and R' Shimon will apply to a woman who became engaged to a kohen who is a פצוע דכא (wounded or crushed testicles). ■

Distinctive INSIGHT

When does the woman become disqualified to eat teruma?

אלמנה לכהן גדול גרושה וחלוצה לכהן הדיוט מן האירוסין לא יאכלו בתרומה וכו'

Rashi offers two approaches to explain the case of the Mishnah. He initially explains the Mishnah one way, but he then presents a number of questions against this approach. As he explains the discussion in the Gemara, Rashi presents a second approach, which he then concludes is more authoritative. His basic understanding is that we are speaking about a woman, whether she is the daughter of a kohen or a yisroel, who becomes engaged (מאורסת) to a kohen to whom she is prohibited to marry. For example, if she is a widow engaged to a kohen gadol, or if she is a divorcée who is engaged to a regular kohen. The halacha is that, from a Torah perspective, a woman who is מאורסת to a kohen is already considered קנין כספו, and she may already eat teruma. However, this right was suspended by the rabbis, and she may only begin to eat once she is actually married. Our Mishnah holds according to the opinion that allows her to eat teruma once the promised date for the wedding arrives, even if the wedding itself might be delayed for whatever reason.

When a kohen gives קידושין to a woman who is prohibited for him to marry, although she is technically קנין כספו, this preliminary status of אירוסין is in anticipation of an upcoming marriage which will result in this woman becoming a חללה, due to her being ineligible to marry the kohen. This will disqualify her not only from eating the teruma of the kohen husband, but also from eating teruma from her father's household, if she comes from a family of kohanim. This is the situation which is the subject of the dispute in the Baraisa. Rabbi Meir holds that she becomes rabbinically disqualified to eat teruma from the moment of אירוסין. She certainly cannot eat teruma from the date of the wedding, even if the wedding has been delayed. Rebbe Eliezer and Rabbi Shimon hold that if she actually marries the kohen she will be a חללה, and consequently not be allowed to eat teruma. However, if the date of the wedding has arrived, and the wedding is delayed, she is not yet a חללה and she may eat teruma. ■

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By Mr. & Mrs. Dennis Ruben in memory of
הילדה רבקה דינה ע"ה בת ר' דוד שיחי'

HALACHAH Highlight

Does the wife of a kohen who was violated become prohibited to the violater?

ויש לך אחרת שאע"פ שנתפשה אסורה ואי זו זו אשת כהן

There is another who is prohibited even though she was forced and who is that? That is the wife of a kohen.

A woman married to a non-kohen who has an adulterous affair becomes prohibited to her husband, and once prohibited to her husband she becomes prohibited to the adulterer as well, even after her husband divorces her or dies. In contrast if she was raped she does not become prohibited to her husband or to the rapist.

Rav Moshe Lima¹, the Chelkas M'chokeiek, inquires whether the wife of a kohen who is raped becomes prohibited to the rapist. Does she become prohibited to the rapist since she becomes prohibited to her husband or perhaps she will be permitted to the rapist since the prohibition against remaining married to her husband is a function of his status as a kohen and not the result of the relations per se?

Shulchan Aruch² rules that a woman who has an adulterous affair become prohibited to her husband and the adulterer. Rema³ adds that if she becomes prohibited on account of an affair she is prohibited to the adulterer. It seems as though Rema is just repeating the ruling of Shulchan Aruch. Rav Shmuel ben Uri Shraga Faivish⁴, the Beis Shmuel, answers that the Rema is addressing our question of whether the wife of a kohen who is raped becomes prohibited to the rapist and he is hinting to the fact that although in the same situation of rape the wife of a Yisroel would not become prohibited, nevertheless, the wife of a kohen becomes prohibited to the rapist.

Rav Avrohom Shmuel Binyomin Sofer⁵, the Ksav Sofer, suggests that the two approaches are reflected by the two ver-

REVIEW and Remember

1. Is a yevama permitted to eat teruma because of the yavam?
2. Is the wife of a deaf-mute allowed to eat her husband's teuruma?
3. Does a woman who is raped become prohibited to her husband?
4. Explain the dispute of R' Meir versus R' Elazar and R' Shimon?

sions in our Gemara. According to the second version of the Gemara, namely that a kohen is prohibited to his wife who was raped because of tumah, it is logical to assume that the same tumah will prohibit her to the rapist. According to the first version of the Gemara, namely that a kohen is prohibited to his wife who was raped because of tumah and זונה it could be said that she would not be prohibited to the rapist. The reason is based on a ruling of Rosh⁶ that tumah prohibits a woman to her adulterer only when that is the only reason she became prohibited to her husband. But if there is another reason she is prohibited, tumah will not prohibit her to the adulterer. Therefore, since according to this version she is prohibited as a זונה the tumah prohibition will not prohibit her to the rapist. ■

1. חלקת מחוקק אה"ע סי' י"א סק"י
2. שו"ע אה"ע סי' י"א סע' א'
3. רמ"א שם
4. בית שמואל שם סק"ג
5. שו"ת כתב סופר אה"ע סיק ח'
6. רא"ש לכתובות פרק א' סי' ד' ■

STORIES Off the Daf

Understanding the question

אלמנה לכהן גדול גרושה וחלוצה לכהן הדיוט
מן האירוסין לא יאכלו בתרומה... אין מאכילין
קדושי עבירה

A Rav often has to understand the background of the questioner to ascertain what is behind his query. It is only in this way that he can provide an appropriate answer. Once, while a group of students were gathered in the home of Rav Chaim Ozer Grodzensky, zt"l, they were intruded

upon by a simple Jew. The workingman trudged into the house and blurted out his question. "Rebbi, I am a kohen. Is it permitted for me to take a divorcée?"

The Gadol responded without hesitation, "Of course you may!"

The students were shocked, since it is well known that a kohen may not marry a divorcée. As soon as the man pushed his way out of the house, one of the talmidim had the nerve to question Rav Grodzensky's psak.

The student asked, "Rebbi, don't we learn from the Mishnah in Yevamos that

a kohen may not take a divorcée for a wife? This is a clear verse in the Torah!"

Rav Grodzensky smiled and said, "What do you think just happened here? Is Yankel the wagon driver really asking me whether he should banish his own wife and marry a divorcée? Consider the circumstance, and then you understand the answer. Yankel has heard many times that a kohen may not 'take' a divorcée, and in his simplicity he assumed that this might include a wagon driver taking such a woman for a ride! Naturally, I explained that this is permitted!" ■

