



Points to Ponder

הערות של רב יחיאל גרינהויז

THE SIXTH PEREK OF YEVAMOS IS DEDICATED:

לע"נ גרשון בן החבר מרדכי

YEVAMOS DAF 56 IS DEDICATED:

אשר שמואל בן מיכאל אברהם L'Zecher Nishmas

יבמות דף נ"ו

1. How does שמואל separate between things that are mentioned in the פרשה of יבום from things which are not mentioned? Isn't everything dependent on the מצוה of יבום?
2. When the גמרא says לפוטרה מיבום, Rashi explains that if this יבם dies and leaves behind another wife and children she is free to marry anyone. Why doesn't he simply say that since the תורה includes these ביאות inferior for יבום he fulfilled the Mitzva of יבום, and this will include all of the items which Rashi lists, since they are natural outcomes of יבום? Assuming that the יבם died and didn't leave behind another wife or children, would this יבמה need יבום as this Yavam's widow?
3. On the מחלוקת between שמואל & רב regarding what is he קונה, Rashi on the words לכל קנה says with any of these inferior ways. Which would indicate that in ALL cases other than a regular full ביאה there's a disagreement as to what he acquired. However when we look at רש"י ד"ה לאוקמיה במקום בעל, he says that only when the יבם wasn't intent on acquiring her, would שמואל argue. So for example if he did something שלא כדרכה or העראה with intent to acquire does שמואל hold that he acquired her completely? How can we reconcile the 2 Rashis?

4. Does an אשת כהן eat תרומה because she is the כהן's wife, or because she is part of his household?

5. The גמרא initially says that מן הנשואין everyone agrees that she eats תרומה but if it only מן האירוסין since she didn't eat before, she doesn't eat now, because the תורה doesn't make the יבם better than the first husband. Since מדאורייתא even an ארוסה eats תרומה, how can we understand שמואל saying that the יבם can't be better? He doesn't have to be better מדאורייתא, because on that level she was allowed to eat even with the first husband?

6. An אשת ישראל שנאנסה is allowed to stay married, but if she becomes a widow she can't marry a כהן. This is because the ביאת אונס makes her a זונה. Can we deduce from this דין that there is an איסור which was committed even though it was באונס? Can a lady become a זונה if there was no איסור at all, for example נפקל ונתקע באשת איש?

If you have any comments or suggestions please email me at
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