



לע"נ ברוך בענדיט וברכה גרוס ע"ה
by Mr. & Mrs. Duvy Gross

The Hakuk Edition English Topics on the Daf

Dedicated l'refuah sheleima for Yaakov ben Victoria

By Rabbi Mordechai Papoff

THE SIXTH PEREK OF YEVAMOS IS DEDICATED:

לע"נ גרשון בן החבר מרדכי



YEVAMOS DAF 57 IS DEDICATED:

In honor of Rabbi Ari and Meira Federgrun for all their Dedication and Commitment to Klal Israel.

May they go from Strength to Strength

Yevamos Daf 57

The Gemara asks, if a “petzuah daka” Kohen marries a convert’s daughter, may she eat terumah on his account?

Two issues are at play here. A regular Kohen cannot marry a giyores, and a petzuah daka cannot marry a standard woman.

As the Gemara spells out, a Kohen with such a disability may be devoid of his kedusha and thus can marry a convert. Secondly, geirim are not included in the regular prohibition of marrying a petzuah daka.

What about other laws of Kohanim? Is a petzuah daka excluded from all of them, or only that he can marry a giyores? The poskim discuss this.

The Shulchan Aruch (E.H. 5:1) rules that such a Kohen may indeed marry a giyores, since he is devoid of his kedusha. If so, argues the Chelkas Mechokek, he should be permitted to marry a divorcee or

chalala, as well, unlike standard Kohanim. Furthermore, he wouldn’t have any halachos of Kohanim – he could become tomei meis, he couldn’t do birkas Kohanim, and so on. He is like a Yisroel!

He notes, however, that the Rambam seems to say that he could eat korbonos like other Kohanim. The possuk lists “meruach oshech” as a mum (disqualification), which is interpreted as crushed testicles, and Kohanim with a mum may eat korbonos? He leaves off with the question. (The Chelkas Yoav [cited below] offers an answer that the possuk refers only to circumstances resultant from illness, not a direct blow.)

On the other hand, the Beis Shmuel argues. We cannot add anything on our own to what the Gemara says. The only exemption for a petzuah daka Kohen is a giyores, since there is no explicit prohibition in the Torah for it. Anything else which is written in the Torah still

applies to him! He cannot marry a divorcee nor a mamzeres.

All agree that he may still eat terumah, though. As Rav Shmuel Rozovsky (Siman 11) explains, he is no worse than the slave of a Kohen, who may eat it by dint of his being owned by a Kohen. Obviously, kedushas kehunah is not necessary to be allowed terumah, and a disqualified Kohen is the same.

This classification of terumah pertains as well to the family members of Kohanim. In Ateres Shmuel (Intro. to Perek 7) he explores at length the nature of a “bas Kohen” – is a Kohen’s daughter allowed terumah because she is considered a Kohen to some degree, or just because she a member of his family? The same question may be posed about the Kohen’s son. Although he certainly is a Kohen as well, if his father receives terumah his son may eat it because he is a family member. He cites many proofs and ramifications, including this Chelkas Mechokek. A petzuah daka may be devoid of kedusha, yet can eat terumah. This implies that aside from the fact that he’s a male Kohen, a son has a right to terumah as a member of the Kohen’s family.

He cites the Meshech Chochmoh on Parshas Korach (18:11), who asserts that even before Pinchas attained the status of a Kohen, he was allowed to eat korbonos, just like any daughters of a Kohen. Once again, we see a male Kohen has an additional channel to access terumah.

An interesting source may be in the Mishnayos of Eizehu Mekoman we say in Korbonos. “The separated part may be eaten by Kohanim, their wives, sons and slaves.” Sons of Kohanim evidently are included in the grouping of the Kohen’s family and servants.

A third opinion about a petzuah daka Kohen is the Beis Meir. He restricts the withdrawal of kedusha to that which relates to marriage. The whole context of petzuah daka is about marriage, and that is the only area in which he lacks the Kohanic kedusha. He compares it to a Yisroel petzuah daka – would anyone suppose he is lacking in his overall kedusha of Jewishness? Of course not. So too for Kohanim; at most they may be permitted to marry those normally forbidden to Kohanim.

In sum, it is a machlokes among the poskim if a Kohen petzuah daka has any of the laws of Kohanim, including birkas Kohanim and the prohibition to become tomei meis.

Another manifestation of the kedusha of a Kohen is performing pidyon haben. Can such a Kohen accept the five shekels and redeem a firstborn? The Chelkas Yoav (Vol. 1 E.H. 3) debates it. He was approached with a story in which a Kohen had a life-threatening infection in his testicles and they operated, removing part of them. He argues that there is no issur of petzuah daka here anyway, since it came about in a permissible way, to save his life. Furthermore, many poskim permit it if only part is removed. He thus rules that he may stay married to his wife.

What about pidyon haben? At first he inclines to the negative, since according to the Chelkas Mechokek he is like a Yisroel. One of the Rishonim, Raavan, writes that he is like a chalal, which also implies that he has no dinim of a Kohen. And even the Beis Meir, who says his exclusion from Kehunah is only about marriage, may mean only l’chumrah, in that he must avoid becoming tomei. Perhaps we cannot use him for pidyan haben, though, since he doesn’t have full kedushas Kohen.

He appears to permit it in the specific shealah he addresses, since he ruled that the man is permitted in terms of petzuah daka. Once he's not considered a petzuah daka, he would be deemed a full Kohen and can do pidyon haben. (A genuine petzuah daka, though, should not.)