



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Yevamos Daf Kuf Ches

R' CHANINA BEN ANTIGNOS OMER KOL TINOKES...

- **R' Yehuda in the name of Shmuel** paskened like **R' Chanina ben Antignos**.
- A Braisa says, **R' Yehuda ben Beseira** said that if a girl goes ahead and enters nisuin with another man, that is considered to be her miun.
 - **Q:** What if she only accepted kiddushin from another man. Is that considered to be a miun? **A:** A Braisa says, **R' Yehuda ben Beseira** holds even acceptance of kiddushin is a miun.
 - **Q1:** Do the **Rabanan** argue on **R' Yehuda ben Beseira**? **Q2:** If they argue, do they only argue regarding kiddushin or even regarding nisuin? **Q3:** If they even argue regarding nisuin, do we pasken like him or not? **Q4:** If we pasken like him, do we only pasken like him by nisuin or even by kiddushin? **A:** We learned that **R' Yehuda in the name of Shmuel** paskened like **R' Yehuda ben Beseira**. That must mean that the **Rabanan** argue on him regarding both.
 - **Q:** Does he hold that this form of miun is good only where she was an arusah at the time of the acceptance of her new kiddushin, or even if she was a nesuah at the time of her acceptance? **A:** The Gemara brings a proof from the daughters-in-law of Abdan, who were overheard as telling other women, "Let our husbands be your husbands". When **Rebbi** was told of this comment, he said this is the greatest form of miun. Presumably they were already married with nisuin at this point, and we see that an unconventional form of miun was still sufficient.
 - The Gemara says, it may be that these women were only married with kiddushin at that point, which is why this miun was deemed sufficient.
 - The Gemara paskens like **R' Yehuda ben Beseira**, even when she was married with nisuin to the first husband.

R' ELIEZER OMER...

- **R' Yehuda in the name of Shmuel** said, **R' Eliezer's** view is the most consistent regarding the marriage of an orphaned minor, for he says that even a bi'ah with her has no significance, to the point that if she is the daughter of a Kohen, she may continue eating terumah.
- A Braisa says, **R' Eliezer** says, there is no true marriage for an orphaned minor. Therefore, the husband does not get her finds, her earnings, does not annul her vows, does not inherit her, and if he is a Kohen he may not become tamei to her. The general rule is that she is not his wife in any respect except that she needs to do miun to make the marriage batul (otherwise it becomes a marriage when she becomes an adult). **R' Yehoshua** says the husband *does* have all those rights (that **R' Eliezer** said he does not have). The general rule is that she is treated as his wife in all respects except that this marriage can be dissolved with a simple miun. **Rebbi** said, the view of **R' Eliezer** appears more correct because he is more consistent whereas **R' Yehoshua** is not.
 - **Q:** How is **R' Yehoshua** inconsistent? **A:** Since he treats her like a wife, she should require a get.
 - **Q:** If so, **R' Eliezer** is also inconsistent, because if she is not a wife she should not even need miun!? **A:** We could not let her leave without getting anything at all, so miun is required.

R' ELIEZER BEN YAAKOV OMER...

- **Q:** What is meant when he says "she remains with the man because of the man" and when he says "she remains with the man not because of the man"? **A:** **R' Yehuda in the name of Shmuel** said, if someone proposes marriage to her and she says, "I cannot accept because I am currently married", that is not a miun. However, if she says, "I cannot accept because that man is not befitting me", that is a miun. **A2: Abaye bar Avin and R' Chanina bar Avin** said, if she receives a

get, that makes it considered that she has been with him as her husband, and they become assur to each other's relatives and she becomes assur to a Kohen. However, if she did miun, that makes it considered as if she was not together with him as her husband, and they are mutar to each other's relatives and she is not passul to a Kohen.

- **Q:** The next Mishna says what **Abaye bar Avin and R' Chanina bar Avin** say, explicitly, which would suggest that that is not what the previous Mishna meant to say!? **A:** The next Mishna is explaining the earlier Mishna, and they are saying the same thing.

MISHNA

- If a girl does miun, the husband remains mutar to her relatives, and she to his relatives, and she remains mutar to a Kohen. However, if he gave her a get, he would be assur to her relatives and she to his relatives, and she would be assur to a Kohen.
 - If he gave her a get, then remarried her, and then she did miun, and she married another man, and that marriage ended in his death or divorce, she may remarry the first husband. However, if she first did miun and then remarried the first husband, and then he divorced her, and she went and married another man and that marriage ended with his death or divorce, she may not remarry the first husband. The general rule is, if the get came after the miun, she may not remarry him. If the miun came after the get, she may remarry him.
- If a girl does miun, marries someone else and gets divorced from him, marries someone else and does miun with him, marries a 4th man and gets divorced from him, and then marries a 5th man and does miun with him, the rule is that anyone from whom she is divorced may not remarry her, but anyone to whom she gave miun may remarry her.

GEMARA

- **Q:** The earlier part of the Mishna seems to say that a miun is mevatal an earlier get (if the miun was done after the divorce and she then married someone else, she is allowed to remarry the first husband after that marriage to the second husband is terminated). However, the later part of the Mishna seems to say that a miun is not mevatal an earlier divorce, because the Mishna says that she is assur to all those who gave her a divorce, even though they were followed with a later miun!? **A: R' Yehuda in the name of Shmuel** said, these 2 parts of the Mishna must have been taught by different Tanna'im. **A2: Rava** said, it may be that it is one Tanna. The difference between the cases is that in the first part of the Mishna the miun was given to the man who gave her the divorce and therefore the miun is mevatal the divorce. In the later part, the miun is given to a different man, and therefore it cannot be mevatal the divorce.
 - **Q:** Why should there be a difference when the miun is given to a man who didn't give her the divorce? We can't say that it is because we are concerned that the man who gave the divorce convinces her to give the miun to the other man so that they can get back together, because then we should have the same concern when he is the same one who gave the divorce, that he will convince her to leave the other man and come back to him!? **A:** When she gave miun to a man that had previously divorced her, he had obviously already tried to convince her to come back and it did not work, so the concern does not exist.
 - **Q:** The question that exists is from a different part of the Mishna. The Mishna says, if after a miun he remarries her and then divorces, and she then marries someone else and gets divorced or widowed, she may not go back to the first husband. This suggests that if the second husband would have been given miun, she would have been allowed to go back to the first husband, and shows that a miun to another man is mevatal the get of the first man. However, the Mishna later says that she cannot return to any man that gave her a get, even though she subsequently gave miun to another man!? **A: R' Elazar** said, clearly the Tanna of the earlier piece is not the same Tanna who taught the later piece. **A2: Ulla** said, the case of the Mishna may be where she had 3 marriages end in divorce. This gives her the appearance of an adult. That is why miun does not help to be mevatal the divorces.
 - **Q:** Who are the Tanna'im whose view the different parts of the Mishna follow?
A: We find that **R' Yehuda in the name of Rav** said that when a minor gets

divorced, then remarried and ends the second marriage with miun, **R' Akiva** and **R' Yehuda ben Beseira** both said that she may not remarry the first husband. **R' Yishmael the son of R' Yose** said this is not what they said was assur, because she would be mutar to remarry the first husband in this case. The case that they said was assur was that we do not cause a yevama who is an ervah and a minor to do miun just for the sake of allowing yibum to the other yevamos.

- **R' Yitzchak bar Ashyan** said, **Rav** would agree that she may marry the relatives of the man that divorced her, and we are not goizer the relatives to prevent her from remarrying the man himself.
 - **Another version** says that **R' Yitzchak bar Ashyan** said, **Rav** would say it is assur for her to marry the relatives of the man as well, as a gezeirah.