



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

Yevamos Daf Kuf Yud Beis

- **Q:** Instead of forcing him to give her chalitza, why don't we force him to do yibum? **A: Rav** said, the case is where she was given a get, and therefore yibum may no longer be done.
 - **Q:** A Braisa says, if she says during the first 30 days that no bi'ah was done, we force him to give chalitza. The Braisa in a later case then discusses a case where the yevama would need to receive a get and chalitza. This means that the first case is discussing where a get was not received. If so, why do we force chalitza and not allow for yibum!? **A: R' Ami** said, the end of the Braisa means that she needs to have chalitza along with the get she had already received. This would mean that the previous cases are also discussing cases where a get was already received. **A2: R' Ashi** said, **Rav** may be referring to a get that was written to dissolve the zikah, whereas the Braisa is discussing a get that was written as a divorce after the bi'ah.
 - **Q: Hon the son of R' Nachman** asked, do we make the tzara wait to get remarried until the chalitza in this case is given? **A: R' Nachman** said, just because we require her to get chalitza based on her claim, that would not make the tzara assur.

HANODERES HANA'AH

- A Mishna says, originally the **Rabanan** said that if a woman says that she vowed not to have hana'ah from any man, she must be divorced. Later they said, that the husband may revoke the vow with respect to himself.
 - **Q:** Would she remain assur to her yavam if her husband revoked the vow with respect to himself? Did she think that she may fall to yibum, and therefore the vow encompassed that as well, or did she not? **A: Rav** said she is permitted to the yavam, and **Shmuel** said the yavam is included in the vow like the husband and therefore must have the vow revoked if he is to marry her.
 - **Abaye** said, our Mishna seems to say like **Rav**. The Mishna says that if she vowed during her husband's life we require him to give chalitza. If **Shmuel** is right, that a woman thinks of the possibility of falling to yibum, then her vow to prevent yibum should make us request that he give chalitza, but not force him!
 - The case may be where the woman had children at the time of the vow, in which case she surely did not contemplate falling to yibum.
 - **Q:** That would mean that if she had no children we would say that we don't force chalitza, rather we request chalitza? If so, the Mishna should base the differing cases on whether she had children, not on whether she purposely intended for it!? Rather, it must be, that whether she had children or not, we force him to give chalitza, and this is a proof to **Rav**.

HADRAN ALACH PEREK BEIS SHAMMAI!!!

PEREK CHEIRESH SHENASAH -- PEREK ARBA'AH ASSAR

MISHNA

- A deaf-mute man who marries a healthy woman, or a healthy man who marries a deaf-mute woman, they may get divorced or remain married. The same way they accept marriage with gesturing, they can get divorced by doing that as well.
- If a healthy couple gets married and the woman then becomes a deaf-mute, they can still get divorced if they want. If she becomes a shoteh, he cannot divorce her. If he became a deaf-mute or a shoteh, he may never divorce her.

- **R' Yochanan ben Nuri** asked, why is it different when the woman becomes a deaf-mute and when the man becomes a deaf-mute!? They said, the difference is that a woman can get divorced even against her will, whereas a man can only divorce if he is willing.
- **R' Yochanan ben Gudgida** testified that a deaf-mute who was married off by her father as a minor may be divorced with a get. The **Rabanan** said to **R' Yochanan ben Nuri**, the case of a woman who was healthy when married and then became a deaf-mute is the same as this woman, and therefore she can likewise get a divorce.
- If 2 deaf-mute brothers are married to 2 deaf-mute sisters, or to 2 healthy sisters, or to sisters one of whom is healthy and one of whom is a deaf-mute, or if there are 2 deaf-mute sisters married to 2 healthy brothers, or to 2 deaf-mute brothers, or to brothers one of whom is healthy and one of whom is a deaf-mute, all these women as widows would be patur from chalitza and yibum. If the women were not sisters, the surviving brother may marry the widow and can then divorce her if he'd like.
- If 2 brothers, one of whom was a deaf-mute and the other of whom was healthy, and they married 2 healthy sisters, and the deaf-mute died without children, she is patur from yibum as a wife's sister. If the healthy brother died, the deaf-mute must divorce his wife and the yevama remains assur to remarry forever.
- If 2 healthy brothers are married to 2 sisters one of whom is a deaf-mute and the other of whom is healthy, if the husband of the deaf-mute dies, she is patur from yibum as a wife's sister. If the husband of the healthy sister dies, he must divorce his wife and give the yevama chalitza.
- If there are 2 brothers one of whom is healthy and one of whom is a deaf-mute, who are married to sisters who are also one and one, if the deaf-mute husband of the deaf-mute wife dies, she is patur from yibum as a wife's sister. If the healthy husband of the healthy wife dies, the deaf-mute must divorce his wife and the healthy woman is assur to remarry for ever.
- If there are 2 brothers, one healthy and one deaf-mute, married to 2 healthy, unrelated women, if the deaf-mute brother were to die, the yavam can do yibum or chalitza. If the healthy brother was the one to die, the deaf-mute would have to do yibum and could never divorce the yevama.
- If 2 healthy brothers married unrelated women, one who was healthy and one who was a deaf-mute, if the husband of the deaf-mute died, the yavam could do yibum and then divorce her. If the husband of the healthy woman died, he can do yibum or chalitza.
- If 2 brothers, one healthy and one deaf-mute, married unrelated women, one healthy and one deaf mute, if the deaf-mute husband of the deaf-mute wife died, the healthy brother can do yibum and then divorce her. If the healthy brother was the one who died, the deaf-mute could do yibum and could never divorce her.

GEMARA

- **Q: Rami bar Chama** asked, why is it that the **Rabanan** allowed marriage for deaf-mutes but not for mentally deranged people? **A:** Deaf-mutes can live a normal marriage, while a shoteh cannot.
- **Q:** Why did the **Rabanan** not allow marriage for minors? **A:** A minor will eventually be able to marry as an adult, so there is no reason to allow it earlier.
 - **Q:** The **Rabanan** allowed marriage for a minor girl even though she can wait until she becomes an adult!? **A:** That is to protect them from immoral people.
 - **Q:** Why do they allow miun for a minor but not for a deaf-mute? **A:** A deaf-mute would never grow out of that right, and that would prevent people from wanting to marry them.