



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

Yevamos Daf Yud Beis

- **R' Lili bar Mamal in the name of Mar Ukva in the name of Shmuel** said, the tzara of a woman who did mi'un to the yavam is assur to have yibum done to her.
 - **Q:** Who is the tzara assur to? It can't be to the other brothers, because **Shmuel** says that even the woman who did mi'un herself is mutar to the other brothers. It must mean that the tzara is assur to the yavam to whom the mi'un was done. Now, why is it that she herself is mutar to the other brothers since they did not get the mi'un, and yet the tzara is not mutar to the yavam even though they did not give the mi'un? **A:** It is a gezeirah so that one should not come to do yibum to the tzara of his daughter, in a case when his daughter does mi'un to him.
 - **Q:** The Mishna said that if the ervah does mi'un, the tzaros become mutar. Presumably this is discussing where the ervah did mi'un to the yavam, because if it refers to where she did it to her husband, that would be the same thing as her getting divorced from her husband, which is separately mentioned in the Mishna!? We see from here that even when she does mi'un to her yavam, the tzara remains mutar for yibum!? **A:** It may be that it refers to where she did mi'un to her husband before his death, and the Mishna is mentioning two types of "divorces". If so, there is no proof that the tzara becomes mutar when mi'un is done to the yavam.
 - **Q:** Why is it that when she does mi'un to her husband, the marriage becomes annulled and the tzara becomes mutar for yibum, but not when she does mi'un to the yavam? **A:** It is because when she does mi'un to the yavam, she appears to have been married to her husband at the time of his death, and that makes her tzara look like the tzara of an ervah.
- **R' Assi** said, the tzara of an "ailunis" (a woman who cannot have children) is assur for yibum, based on the pasuk which says "vihaya habechor asher teileid" – which means the yevama must be capable of having children. Since an ailunis cannot, she remains an eishes ach, and therefore makes her tzaros assur as well.
 - **Q: R' Sheishes** asked, a Mishna discusses a case where a woman who fell to yibum had "maamar" (a Rabbinic process which acts like kiddushin for the yevama) done to her by one of the brothers, and that brother then died without children. The Mishna says that she (and by extension, her tzaros) are then assur for further yibum (D'Rabanan) based on a pasuk (an asmachta) that says "umeis echad meihem". The Mishna comments that this is the one case that we find that a yevama becomes assur to the yavam as a result of having fallen to him for yibum. This would suggest to exclude the case of the tzara of an ailunis, meaning that she would be mutar to the yavam!? **A:** The Mishna means that there is no other Rabbinic case like this. However, the case of the ailunis is D'Oraisa, and the tzara of the ailunis remains assur to the yavam and would not even require chalitzah. In the case of the Mishna the tzara would require chalitzah.
 - **Q:** Our Mishna said, that if the ervah is found to be an ailunis, her tzaros become mutar!? **A: R' Assi** is discussing where the husband knew she was an ailunis and kept her, whereas the Mishna is discussing where he didn't know, and the marriage is therefore annulled as a mistaken transaction. The words of the Mishna prove this, because the Mishna says "she was *found*" to be an ailunis.

- **Rava** argues on **R' Assi**, and says that the tzara of an ailunis is mutar, even if the husband knew she was an ailunis, and even if the ailunis was the yavam's daughter. With regard to the verbiage of the Mishna, the word should be changed to "or if they were an ailunis".
- **Ravin in the name of R' Yochanan** said, the tzara of a woman who did mi'un to the yavam, the tzara of an ailunis, and the tzara of a remarried divorcee are all mutar to the yavam for yibum.
- **R' Bibi** taught a Braisa before **R' Nachman**, that **R' Meir** says, there are 3 women who may use contraception: a minor (we are afraid she may get pregnant, and maybe wouldn't survive a pregnancy), a pregnant woman (we are afraid she may conceive again and kill the baby), and a nursing woman (we are afraid she will be forced to wean her child and the child will die). A minor for this purpose is a girl from 11 to 12 years old. Younger or older may not use contraception (younger can't become pregnant, and older will not be endangered by a pregnancy). The **Chachomim** say no contraception is allowed, and Hashem will have mercy on these women to protect them.
 - **Q:** Since the Braisa says that the fear with a minor is that she *may* become pregnant and *may* die, this suggests that it is possible for a minor to become pregnant and not die. If so, how does our Mishna say it is impossible to have a mother in law who does mi'un (since she had a child and therefore can't be a minor)? We see that a minor can have a child!? **A:** The Braisa should say that "she may become pregnant and then surely die". A minor who becomes pregnant will certainly die.
 - **Q:** A Braisa says that we can't say that a mother-in-law did mi'un, "since she already gave birth". Now, based on the above, the Braisa should say, "because she is already an adult"!? **A:** Really a minor can give birth (like the original reading of the Braisa), but once a woman gives birth, she is considered to be a full adult, and therefore cannot do mi'un anymore.