



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

### Yevamos Daf Chuf Vuv

#### MISHNA

- All the people mentioned in the previous Mishnayos, who we said are not allowed to marry a woman that they helped free from her husband, would be allowed to marry this woman if at the time that they helped this other woman these people were already married, and their wives later died.
- Also, in all the cases of the previous Mishnayos, if any of these women married someone else after being freed of her husband, and then they got divorced or widowed, they may then marry any of the men who had helped to free them initially, as well.
- All these women are also mutar to marry the sons or brothers of the men that helped to free her from her husband.

#### GEMARA

- **Q:** Our Mishna seems to suggest that these men may only marry these women if the men were married at the time and then became widowers, but not if the men divorced their wives. However, a Braisa says that they may even marry the women if they divorced them as well!? **A:** The Braisa is discussing where the man and his wife were already fighting before this man helped the other woman. However, the Mishna is discussing where there was no such fight, and that is why we are concerned that he is divorcing her only because he wants to marry this other woman. **A2:** In both cases there was no previous argument with his wife. However, the Braisa is discussing where it is she who began the fighting now, and the Mishna is discussing where it is he.

#### V'KULAN SHENISU...

- **Q:** The Mishna seems to say that if the woman got divorced or widowed from a second marriage after having been divorced or widowed from the first husband, she may then marry the man who helped free her of the first marriage. This suggests that even if she was widowed from both marriages she would be allowed to marry again. Must we say that the Mishna argues with **Rebbi**, who says that a woman who was widowed twice should not marry again, because she has a chazaka that she causes her husbands to die? **A:** The Mishna means that if she was widowed from the first *or* the second, and divorced from the other, that is when she is allowed to marry again.

#### V'KULAM MUTAROS LIVNEIHEM OH L'ACHEIHEM

- **Q:** Why is this different from the Mishna which says, that if a man was rumored to be mezaneh with a particular woman, he may not marry her mother, daughter, or sister? **A:** These women are often together, and we therefore need to be concerned that he will have easy access to the woman he was rumored with, who would then be assur to him D'Oraisa. However, these men are not often together, and we therefore need not be concerned that this woman will have easy access to the man she was rumored with. **A2:** In our Mishna, the husband will be careful to make sure his wife is not mezaneh, because if she would be mezaneh, he would have to divorce her. In the other Mishna, the wife will not be as careful about stopping her husband, because a man does not become assur to his wife if he is mezaneh with another woman.
  - **Q:** If so, we should permit for her to marry the man's father as well!? **A:** The Mishna means to say that she is clearly allowed to marry the man's father, because this man would not dare to be mezaneh with the wife of his father. The Mishna means to teach that she may even marry his son and his brother, where the chance is more likely than when she marries the father.

## HADRAN ALACH PEREK KEITZAD EISHES ACHIV

### PEREK ARBA'AH ACHIN -- PEREK SHLISHI

#### MISHNA

- If there were 4 brothers, 2 of which were married to 2 sisters, and those brothers then died without children, the others brothers must do chalitzah and may not do yibum. If they went ahead and did yibum, we force them to divorce. **R' Eliezer** says, that **B"Y** would allow them to remain married, and **B"H** would force them to divorce.
- If one of the sisters was assur to one of the remaining brothers as an ervah, this brother becomes mutar to do yibum to the other sister, whereas the other brother remains assur to both sisters. If one of the sisters was not an ervah D'Oraisa, but was rather an issur mitzvah or an issur kedusha to one of the brothers, he may only do chalitzah, and not yibum.
- If one sister is assur to one brother as an ervah, and the other sister is assur to the other brother as an ervah, each brother is mutar to do yibum to the sister that is not an ervah to him. This is the case about which it was said that if a yevama's sister who is also a yevama, is assur as an ervah, the one who is not an ervah may do yibum or chalitzah.

#### GEMARA

- **Q:** The Mishna seems to be a clear proof that there is the concept of zikah, because if not, yibum should be permitted here, since the sisters are each falling to yibum from a different brother, and therefore each surviving brother should do yibum to one of the sisters!? **A:** It may be that there is no zikah, and the reason we do not allow yibum to be done is that we are concerned that after the first sister is taken in yibum, the other brother will die, which will then negate the mitzvah for the remaining sister (she is now a wife's sister, and no yibum or chalitzah will be done), and it is assur to cause the negation of a mitzvah.
  - **Q:** If so, the Mishna should give a case where there was only one surviving brother, which would show the same Halacha? Why the need to have an additional brother in the story? **A:** The Mishna is saying, that not only is yibum assur when there is one surviving brother, because in that case by doing yibum he is certainly negating the mitzvah, rather even if there are 2 surviving brothers it would be assur for him to do yibum, even though it is only a *possibility* that the second brother will die and then negate the mitzvah.
    - **Q:** If so, why don't we give the case where there are 3 surviving brothers? **A:** We would not be concerned for 2 additional brothers dying, and would therefore allow yibum in that case.
- **Rabbah bar R' Huna** in the name of **Rav** said, if there are 3 sisters who are yevamos, who fall to yibum to 2 surviving brothers, one brother must give chalitzah to one of them, the other brother gives to another one, and the third sister would require chalitzah from both of the brothers.
  - **Q:** **Rabbah** said to him, by requiring chalitzah from both brothers, it must be that you hold that there is zikah, and since the chalitzah is not an ideal chalitzah (an ideal chalitzah is one that is given when it is given in lieu of a permissible yibum) it must be given by all surviving brothers. If so, why do the first 2 sisters also not need chalitzah from them both? **A:** The case is where one sister first fell to yibum, and received a full chalitzah from one. Then a second sister fell to yibum and the second brother gave the full chalitzah. When the third sister falls to yibum, it is not a situation of permitted yibum, and that is why she needs chalitzah from them both. And **Rav** (who holds that there is no zikah) was saying this according to the view that there is zikah.
  - **Shmuel** argues with **Rav** and says that one brother can give chalitzah to all 3 of the sisters.
    - **Q:** We find that **Shmuel** says that the chalitzah given must be an ideal chalitzah, because we find that he says that if a yavam gives chalitzah to two yevamos who are sisters (each being the wife of a different brother), the tzaros do not become patur from that chalitzah. If so, how can he say that one brother can give

chalitza to all 3 (once the first brother gives the first chalitza, his chalitza to another sister is less than ideal)!? **A:** What **Shmuel** means is that the chalitza to the 3<sup>rd</sup> sister can be done by just one brother (they don't each have to give chalitza).

- **Q: Shmuel** said that one brother can give chalitza to "all" the sisters, so how can you say that he refers only to the middle one? **A:** Since this brother will have done chalitza to the majority of the sisters, **Shmuel** refers to it as "all" the sisters. **A2: Shmuel** says that an ideal chalitza is only necessary to patur the tzaros, but to patur the yevama herself, even less than an ideal chalitza is sufficient.