



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

Yevamos Daf Lamed Vuv

- **R' Elazar** said, it can't be that the **Rabanan** have accepted the view of **Reish Lakish** unless it was also taught in a Mishna. He searched and found a Mishna that says, if a woman's husband and tzara travelled overseas, and she is then told that her husband has died, this woman may not marry or do yibum until she finds out that her tzara was not pregnant. Now, it is understandable why she can't do yibum, because we must be concerned that the tzara will have a viable child, which would make this woman assur to her husband's brother. However, why can't she do chalitza and then wait for 9 months to pass, in which case either the chalitza was good, or there was a viable child!? It must be that the Mishna holds that a chalitza done during the pregnancy is not a valid chalitza.
 - The reason for this Mishna is not because it follows the view of **Reish Lakish**, because if that was its reason, it should say that she could do chalitza after 9 months and get married then (because the chalitza done then was surely after any possible baby was born). Since this suggestion is not given, it must be that the reason is like **Abaye bar Avin** and **R' Chinina bar Avin**, that we don't want her to get a chalitza (which would pasul her to a Kohen) and then find out that the tzara had a viable child (which means that the woman is truly mutar to a Kohen), in which case we will have to announce that she is truly mutar to a Kohen. We don't want to rely on such announcements, because a person may have been present at the chalitza and not at the announcement, and he will come to think that they allowed a chalutza to marry a Kohen.
 - **Abaye** said, the Mishna only says that she "cannot marry or do yibum", which can be understood as meaning she may not marry without first doing chalitza, but if chalitza is done it would be okay for her to marry. If so, this Mishna does not even follow the view of **Reish Lakish** at all.
 - A Braisa says like **Reish Lakish**. The Braisa says, if a pregnant woman gets chalitza and then miscarries, she needs another chalitza.
 - **Rava** said, the Halacha follows **Reish Lakish** in 3 matters:
 - That a chalitza or yibum done to a pregnant woman is not a valid chalitza or yibum.
 - That, when dividing one's estate in a way other than how the Torah says that inheritance is given, the father must state that he is giving the portion as a gift to each of the people he is giving to.
 - That, when a father says his fields should go to his son after his death, and the son then sells his rights in the field, and then the son dies before the father, the buyer acquires the field when the father dies, because the father's current rights to the produce of the field do not give him full rights to ownership of the field (since he had given that to his son).

EIN HAVLAD SHEL KAYAMA...

- A Braisa says, **R' Eliezer** says, even in this case he must divorce her.
 - **Rava** said, that **R' Meir** and **R' Eliezer** share the same view, because **R' Meir** says that if one married a woman who was pregnant or nursing (which is not supposed to be done), he must divorce her forever.
 - **Abaye** said, this is not a valid proof that they share the same view. It may be that **R' Eliezer** would agree with the **Rabanan** who argue on **R' Meir** and say that they must separate for the time being and can get back together when the baby is 24 months old, because it may be that **R' Eliezer** is only machmir in the case of

a D'Oraisa. Also, it may be that **R' Meir** is only machmir in a case of a D'Rabanan, since we have to be strong so that people stay away from the D'Rabanan.

- **Rava** said, the **Rabanan** mean that he must give her a get, but may take her back later on. **Mar Zutra** said, we can prove this from the Mishna's use of the word "yotzi" instead of "yafrish" (separate).
 - **Q: R' Ashi** asked **R' Hoshaya the son of R' Idi**, a Braisa says that **R' Shimon ben Gamliel** says, if a child lives 30 days it is considered to be a viable child. This suggests that anything less than that is a safek. We have learned that in a case where the only baby of a man who has died, lived less than 30 days, and the widow went and married someone else without chalitza, there is a view that if the man she married is a Kohen, we do not require her to get chalitza now, because that would force her to have to divorce her husband (who, as a Kohen, may not marry a chalutza). **R' Ashi** asked, in the case where one married a pregnant or nursing woman, would we also be meikel if the man was a Kohen?
A: R' Hoshaya said, in the case of the chalitza, since the **Rabanan** argue on **R' Shimon ben Gamliel**, and say that the child is viable even if it does not make it to 30 days, we can rely on the **Rabanan** to be meikel and not require her to get chalitza. However, in the case of marrying the pregnant woman, all shitos say that she must get divorced. Therefore, there is no one to rely on in order to be meikel.
- We have learned, if one gave kiddushin to a woman within 3 months of her becoming a widow or getting divorced (which is not allowed, and we would force them to get divorced), but the man then runs away, **R' Acha and Rafram** argue: one says we put the man in cheirem until he gives the get, and the other says, his running away is enough, because it shows that he does not intend to live with this woman until her 3 months have passed.
 - It once happened that such a story took place, and **Rafram** said that his running away sufficed, and a get was not necessary.