



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

Yevamos Daf Nun Beis

KEITZAD ASA MAAMAR...

- **Q:** The Mishna began by discussing a get given after a get, and a maamar done after a maamar. It then asks "keitzad" and responds with a case of a get after a maamar!? **A: R' Yehuda** said, the Mishna leaves the clarification of the get after the get, and the maamar after the maamar for clarification in the Braisa. The Mishna itself focuses on the more complicated case of when different acts were done between the yavam and the yevama.

ASA MAAMAR U'BA'AL HAREI ZU K'MITZVASA

- **Q:** Shall we say this is a proof to **R' Huna**, who says that the mitzvah of yibum is to first do maamar and then do bi'ah? **A:** This Mishna may be saying that if done in this way it is *also* an acceptable way, but it may not be a proof to **R' Huna**, that this is the preferable way.
 - **Q:** It would seem obvious that this would be an acceptable way!? **A:** We would think that since we learned that when maamar is done it removes the zika and replaces it with an eirusin and nesuin relationship, maybe doing maamar removes the scenario of the mitzvah for yibum.
- As referenced above, **R' Huna** said that the proper form of yibum is to first do kiddushin and then the bi'ah. However, if he did bi'ah first and then did the maamar, he still acquires her.
 - **Q:** Even if he did bi'ah alone he would acquire her!? Why the need to state that he did maamar after the bi'ah!? **A:** He meant to say that if he does bi'ah without doing maamar, he still acquires her.
 - **Q:** A Braisa says that one gets malkus if he does bi'ah without first doing maamar!? **A:** That refers to malkus D'Rabanan. As we find that **Rav** gave malkus for one who: does kiddushin of bi'ah; gives kiddushin in the market; gives kiddushin without having an agreement to get married; nullifies a get; says that a get was written against his will; acts with chutzpa to the shaliach of Beis Din; remains in cheirem for 30 days without asking that it be removed; lives in his father-in-law's house.
 - **Q:** We find that **R' Sheishes** gave malkus to someone for simply passing by the house of his father-in-law!? **A:** That son in law was suspected of having znus with his mother-in-law.
 - **Nehardai** said, **Rav** only gave malkus for one who did kiddushin with bi'ah, without having had an agreement to get married first. **Others** say that even if they had an agreement he would give malkus, because it is not proper.
- A Braisa asks, how is maamar done? The yavam gives the yevama money or something worth money. The Braisa then asks, how is it done with a document?
 - **Q:** The Gemara asks, it is simple how it works – he writes on a paper "You are mekudeshes to me"! **A: Abaye** explains, the Braisa was asking, how is the kesubah document for a yevama written.

The Braisa continues and answers, he writes, "I have accepted the yevama upon myself, to feed and support her as is fitting, except that her kesubah is to come from the first husband".

- The Gemara says, if there are no assets of the first husband, the **Rabanan** say that she gets a kesubah from the second husband, so that he not be so quick to divorce her.
- **Q: Abaye** asked **Rabbah**, if one gives a get to his yevama, and the get says "You are divorced from me, but you are not mutar to any other man", what would the Halacha be? Do we say that get only takes effect by a yevama through a D'Rabanan, and therefore, only a get that would work for a real wife will work for a yevama (and this get would not work for a real wife), or do we say that even this get could get confused with a normal get and we therefore must be goizer

in this case as well? **A: Rabbah** said, we must be concerned in this case for the mixup with a regular get.

- **Q: Rabbah bar Chanan** asked, if he would give his yevama a blank piece of paper, would we be concerned in that case as well!? **A: Abaye** said, this case is very different, because it would not passul a woman from marrying a Kohen, whereas the get mentioned above would.
- **Q: Rami bar Chama** asked, we have learned, if someone has a get written for his arusa, and says that after the nisuin he will give it to her, it is a valid get, since he has the ability to divorce her now as well. On the other hand, if he would write a get for someone he was not married to, it would not be a valid get. What if someone wrote a get for his yevama and gives it to her after the yibum? Do we say that since there is a zikah, she is like his arusah, or do we say that since he did not yet even do maamar, she is not like his arusah and the get is therefore not valid? **A: TEIKU.**
- **Q: R' Chananya** asked, if one writes a get for his zikah but not for his maamar, or visa-versa, will it be valid? Do we say that the maamar is on top of the zikah and the get is as if he divorces half the woman, in which case it would not be a valid get, or do we say that the zikah and maamar are 2 separate things? Although we find that **Rava** says that giving a get for one's maamar is valid, it may be that **R' Chananya** was still unsure. **A: TEIKU.**

CHALATZ V'ASSA MAAMAR

- **R' Yehuda in the name of Rav** said, this only follows **R' Akiva**, who says that kiddushin does not take effect when the man and woman are assur to each other with a lav. However, the **Rabanan** would say that the kiddushin would take effect.
 - **Q:** In the earlier part of the Mishna it says that if maamar is done after a get, another get is needed for the maamar. Now, according to **R' Akiva**, once a get is given she becomes assur to him with a lav based on a pasuk, and the later maamar should therefore not take effect at all!? **A: R' Ashi** said, even according to **R' Akiva**, the get for a yevama only takes effect D'Rabanan, and the pasuk he quotes is only an asmachta.
 - We find that a Braisa says like **R' Yehuda** as well.
 - A Braisa says, if one gives chalitzta to his yevama and then gives her kiddushin, **Rebbi** says that if the kiddushin was given for marriage, she would need a get. If it was given for yibum, she would not need a get (since chalitzta was already given, the maamar would not take effect). The **Chachomim** say, in either case, she would need a get.
 - **R' Yosef** said, **Rebbi's** view is similar to the case of one who works the field of a ger who has died (which would normally be a way to acquire the field), but does so because he thinks it is his own field. Just as there he is not koneh the field because he did not intend to make a new kinyan, so too here he did not intend to make a new kiddushin, and he therefore would not be koneh her.
 - **Abaye** said, this comparison is not right, because in the case of the field he does not even to intend to make a kinyan at all, whereas in the case of the yevama he does! Therefore, **Abaye** says that the machlokes is where the yavam says, I want to give you the kiddushin of maamar. The reason behind the machlokes is that **Rebbi** says maamar stands on the zikah. Since the zikah is gone, the maamar can't take effect. The **Rabanan** say that the zikah and the maamar each stand on their own. Therefore, even after the zikah is gone, the kiddushin of maamar can take effect.
 - **Rava** said, in **Abaye's** case all would agree that it does take effect. The machlokes is where the yavam said, I am mekadesh you with the zikah of yibum. **Rebbi** holds of the concept of zikah, and therefore, once it is removed with the chalitzta, it cannot be used for kiddushin. The **Rabanan** say there is never zikah. Therefore, since this kiddushin would have taken effect before the chalitzta, it can take effect now as well.
 - **R' Shrivya** said, the case here is where a deficient chalitzta was done. **Rebbi** holds it still totally removes the zikah and therefore the zikah cannot be used for kiddushin. The **Rabanan** say that the chalitzta does

not fully remove the zikah, and therefore the zikah can still be used to create a kiddushin.

- **R' Ashi** said, the case is where the chalitza was given on a condition. **Rebbi** holds this condition is not effective, and the chalitza therefore immediately removes the entire zikah. The **Rabanan** say that a condition can be effective, and therefore the zikah is not removed until the condition is fulfilled.
- **Ravina** said, all agree that a condition may be made, but they argue in whether or not the condition must be a double condition. **Rebbi** says it must be so and the **Rabanan** say that it need not be double.