



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

### Yevamos Daf Samach Aleph

#### MISHNA

- If a Kohen gave kidushin to a widow and was then appointed as Kohen Gadol, he may continue with the marriage.
  - It once happened that Yehoshua ben Gamla (who was a Kohen) gave kiddushin to Marsa bas Baysus (who was a widow), and the king then appointed him as Kohen Gadol, and he went ahead with the marriage.
- If a yevama falls to a Kohen and he is then appointed as Kohen Gadol, even if he had already given her maamar, he may not continue with the marriage.

#### GEMARA

- A Braisa says, the extra words of "yikach isha" teach that the Kohen may continue with the marriage as stated in the case of the Mishna.
  - **Q:** If so, in the case of a yevama he should also be allowed to continue along with the marriage!? **A:** The pasuk says "isha", which comes to exclude a yevama.

#### MAASEH B'YEHOSHUA...

- It seems that he was appointed by the king, and not by the other Kohanim. **R' Yosef** explained, that Marsa paid a hefty sum to the king so that he should appoint her husband as the Kohen Gadol.

#### MISHNA

- If the brother of a Kohen Gadol dies and leaves over a yevama, the Kohen Gadol must give her chalitza, and may not do yibum.

#### GEMARA

- **Q:** The Mishna suggests that this would be the case whether the yevama has been widowed from eirusin or nissuin. A widow from nissuin would be assur to the Kohen Gadol with an assei (she is not a besula) and a lo saasei (she is a widow), and therefore the assei of yibum cannot override it. However, when she was widowed from eirusin, she is only assur to the Kohen Gadol with a lo saasei (because she is still a besulah). If so, why can't the assei of yibum override the lo saasei? **A:** Only the first act of bi'ah is the mitzvah and can override the lo saasei. We don't allow that, as a gezeirah to prevent a second act of bi'ah from happening.

#### MISHNA

- A Kohen may not marry an ailunis (a woman who can't have children), unless he has another wife or children. **R' Yehuda** says, even if he has another wife or children he may not marry an ailunis, because she is considered to be in the category of "zonah". The **Chachomim** say that "zonah" in the Torah refers to a convert, a freed slave, or to a woman who engaged in prohibited zenus.

#### GEMARA

- **Q:** The Reish Galusa asked **R' Huna**, if the reason a Kohen can't marry an ailunis is because of the mitzvah to have children, then why is this Halacha limited to a Kohen? A Yisroel should likewise be assur!? **A:** **R' Huna** said, it was said in terms of a Kohen since **R' Yehuda** later says that she is assur to a Kohen as a zonah.
- A Braisa says, **R' Eliezer** says a Kohen may not marry a minor.

- **R' Chisda** told **Rabbah** to try and figure out the reasoning for this shita. **Rabbah** said, it must be that **R' Eliezer** holds like **R' Meir** who is concerned for the minority, and he holds like **R' Yehuda** who says that an ailunis is considered as a zonah.
  - **Q:** How can we say that he holds like **R' Meir**? We find that **R' Eliezer** argues with **R' Meir** and allows a minor to do yibum, and is not concerned that the minor may turn out to be one incapable of having children!? **Q2:** How can we say that he holds like **R' Yehuda**? **R' Eliezer** says in a Braisa that a zonah only includes a married woman who is mezaneh, and does not include an ailunis!? **A:** **R' Ada bar Ahava** said, when **R' Eliezer** said that a Kohen may not marry a minor, he meant that a Kohen Gadol may not marry a minor, because he cannot be fully koneh her until she is an adult, and at that time she will no longer be a besulah.
    - **Q: Rava** asked, if her father married her off, he is fully koneh her at the time of the marriage, and if she married herself off, even the **Rabanan** would agree that he could not marry her for the above reason!? **A: Rava** said, **R' Eliezer** was referring to a regular Kohen, and the reason we don't want him marrying a minor is because she is easily seduced, and if she is seduced, she will become assur to him. This is only a problem for a Kohen, because as the wife of a Yisroel, she would remain mutar to her husband.
    - **R' Pappa** said that **R' Eliezer** is referring to a Kohen Gadol, and the reason he may not marry a minor is based on the pasuk that says "isha".
    - **R' Nachman bar Yitzchak** said that we learn from a pasuk that a Kohen Gadol may only marry a naara.
  - The Braisa mentioned above brought the view of **R' Elazar**, that an unmarried man and woman who are mezaneh gives the woman the status of a zonah. **R' Amram** said, we do not pasken like **R' Elazar**.

#### MISHNA

- A person may not abstain from trying to have children unless he already has children. **B"R** say he must have at least 2 boys, and **B"H** say that one has fulfilled the obligation even with one boy and one girl, based on the pasuk of "zachar u'nekeiva bera'am".

#### GEMARA

- The Mishna seems to say, that although after having children one may stop having more children, he must remain married. This is a proof to **R' Nachman in the name of Shmuel**, who said that a person must remain married even if he has many children, as the pasuk teaches that it is not good for a person to remain single.
  - Others say that the Mishna means to say that once a person has children he no longer needs to remain married. Based on this, it seems to refute what **R' Nachman in the name of Shmuel** said. However, the Gemara says that it is not a refutation. The Mishna means that if one hasn't had children, he must marry a woman who can bear children. If he already has children, he may marry a woman even if she cannot bear children.