



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

### Yevamos Daf Tzaddik Aleph

BAS KOHEN MIN HATERUMAH

- She is even passul to eat D'Rabanan terumah.

V'EIN YORSHAV SHEL ZEH V'YORSHAV SHEL ZEH...

- **Q:** Why are we discussing her kesubah when we said before that she does not get her kesubah?  
**A: R' Pappa** said, this is referring to the "kesubah b'nin dichrin", which says that the property brought into the marriage by the wife will only be inherited by her own children (i.e. if she predeceases her husband and he inherits her estate, upon his death these properties will only be inherited by her children, not by any other children that the husband may have had).
  - **Q:** This is a condition of the kesubah, and since we said there is no kesubah, it seems obvious that these kesubah conditions will not exist either!? **A:** We would think that only she, who did an issur, is penalized, but her children are not penalized. The Mishna teaches that they too are penalized by losing this kesubah condition.

ACHIV SHEL ZEH V'ACHIV SHEL ZEH CHOLTZIN...

- The brother of the first man must do chalitza D'Oraisa and may not do yibum only D'Rabanan. The brother of the second man does chalitza only D'Rabanan, and may not do yibum pursuant to D'Oraisa or D'Rabanan.

R' YOSE OMER KESUBASAH AHL NICHSEI BAALAH...

- **R' Huna** said that the 3 Tannaim listed at this point in the Mishna are listed in order of increasing chiddush, so that the first will not hold of the chiddush of the later, but the later will certainly hold of the chiddush of the earlier (**R' Shimon** says that even the bi'ah was not penalized, so certainly he would agree with **R' Elazar** that the money was not penalized, although **R' Elazar** would not agree with him. Also, they would both agree that if the money which is meant to keep a marriage together is not penalized, then the kesubah which is meant to be collected at termination of a marriage is not penalized like **R' Yose** said, although **R' Yose** would not agree with them).
- **R' Yochanan** said that the Tannaim are listed in order of decreasing chiddush, so that the first will certainly hold of the later chiddush, but the later will not hold of the earlier (if **R' Yose** did not penalize the kesubah payment from him to her, he will surely not penalize the monetary payment of **R' Elazar** which go from her to him, but **R' Elazar** would not agree with **R' Yose**. They will both hold that if these lifetime rights were not penalized then certainly the yibum, which takes place after death will not be penalized, like **R' Shimon** said. However, **R' Shimon** would not agree with them).

NISEIS SHELO BIRSHUS...

- **R' Huna in the name of Rav** says that we pasken this way.
  - **R' Nachman** said to **R' Huna**, you should have either said that the Halacha follows **R' Shimon** (who is the author of this part of the Mishna) or, if you are concerned that it will make it sound as if you hold of **R' Shimon** in his earlier psak as well, then at least say that you hold like **R' Shimon** "in his later psak"!?
  - **R' Sheishes** said, I think **Rav** was sleeping when he made this statement, because it makes it sound like there are those who argue and would make her assur even if she remarried based on 2 witnesses. However, that can't be because what else should she have done!? Also, a Braisa says that a woman who remarries based on 2 witnesses does not need a get from the second man, but if she married based on one witness she would need a get. This Braisa can't be following **R' Shimon**, because he says in another Braisa that neither of these women would need a get!?
    - The Gemara, and **R' Ashi**, and **Ravina** each interpret this second Braisa in a way that can make **R' Shimon's** view fit with the first Braisa as well. If so, the first

- Braisa may be following only the view of **R' Shimon**, which would mean that the **Rabanan** may actually argue on him, which is why **Rav** had to pasken as he did.
- The Gemara gives another answer which explains the first Braisa as following the view of the **Rabanan**, and which requires a get in both cases. This confirms that the **Rabanan** argue on **R' Shimon**, and is the reason that **Rav** had to explain that he follows the view of **R' Shimon**.
  - **Q: Ulla** asked, how could **R' Sheishes** say that “what else should she have done” is a reason to say that we don’t penalize her? A Mishna says, if a get is written with certain detailed flaws (dated to the wrong kingdom, written giving the wrong location, etc.) the get is passul and if she gets married to a second man, she is penalized in all the ways mentioned. Now, in that case, given that she is no expert, what else should she have done, and yet she is still penalized!? **A:** She should have shown the get to an expert.
  - **Q: R' Simi bar Ashi** asked, a Mishna says, if one of the yevamos get yibum, and based on that another yevama went and married another man, and it is later discovered that the yevama taken in yibum was an ailunis, the other yevama must divorce her husband and is penalized in many ways. Here we can say “what else should she have done”, and yet we penalize her!? **A:** She should have waited until she was certain that the woman taken in yibum was not an ailunis.
  - **Q: Abaye** asked, a Mishna says, if the tzaros of an ervah went and married other men, and it then turned out that the ervah was an ailunis, the tzaros must divorce and are penalized. Here we can say “what else should she have done”, and yet we penalize her!? **A:** She should have waited until she was certain that the woman taken in yibum was not an ailunis.
  - **Q: Rava** asked, the Mishna says, if the sofer mistakenly gave the get to the woman and the receipt for kesubah payment to the man, and they then gave these to each other (he thought he was giving her the get and she thought she was giving the receipt) and she got married based on this “get”, she must divorce and is penalized. Here we can say “what else should she have done”, and yet we penalize her!? **A:** She should have read the get before marrying.
  - **Q: R' Ashi** asked, the Mishna says, if the sofer changed their names or the names of the cities, and she got remarried based on the get, she must get divorced and is penalized. Here we can say “what else should she have done”, and yet we penalize her!? **A:** She should have read the get before marrying.
  - **Q: Ravina** asked, a Mishna says, if a woman remarried based on a “bald get” (a special get that requires additional signatures, but is missing those signatures), she must get divorced and is penalized. Here we can say “what else should she have done”, and yet we penalize her!? **A:** She should have read the get before marrying.
- **R' Ashi** said, we do not make a woman get divorced, and impose the other penalties, based on a rumor that the first husband has reappeared.
    - **Q:** What type of rumor is meant? If it is a rumor after the nissuin, **R' Ashi** has already once said that we don’t concern ourselves with a rumor after nissuin!? **A:** We would have thought that since this woman could not marry without getting permission from Beis Din first, it is considered as if the rumor was already there before the nissuin (the fact that she needs permission suggests that there is a possibility that the husband is alive). **R' Ashi** therefore teaches that even in this case the rumor which came about after the nissuin is not a matter of concern for us.