



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

### Yevamos Daf Tzaddik Hey

- **Q:** The Gemara said that a man who is mezaneh b'meizid with his wife's sister does not become assur to his wife. How do we know this? **A:** A Braisa says, the pasuk that says a married woman who was mezaneh becomes assur says "osah", which is an exclusionary term and teaches that only such a woman becomes assur to her husband, but a woman does not become assur to her husband if he is mezaneh with her sister. Without the pasuk, we would say a kal v'chomer – if when a woman does a "small issur" she becomes assur to her husband, surely when the husband does a "bigger issur" he should become assur to his wife.
- **R' Yehuda** says, **B"S and B"H** agree that a man who is mezaneh with his mother in law becomes assur to his wife. They argue when a man is mezaneh with his wife's sister – **B"S** say he becomes assur to his wife, and **B"H** say that he does not become assur. **R' Yose** says they both agree that a man who is mezaneh with his wife's sister will not become assur to his wife. They argue when a man is mezaneh with his mother in law – **B"S** say he becomes assur to his wife and **B"H** say he is mutar. **R' Yose** says we learn the Halacha that if he was mezaneh with her b'shogeg he doesn't become assur to her, from a kal v'chomer – if a woman who is mezaneh b'shogeg does not become assur to her husband (who had made her assur to every other man in the world), then certainly a man who was mezaneh with one of her relatives b'shogeg will not become assur to his wife (who only made him assur to her relatives, not to women in general). The Halacha that he remains mutar even if it was done b'meizid is learned out from the pasuk of "osah" (as the previous Braisa said).
  - **R' Ami in the name of Reish Lakish** explains the view of **R' Yehuda** (with regard to one who was mezaneh with his mother in law). The pasuk says "ba'eish yisrifu oso v'eshen" – which literally says that when a man is mezaneh with his mother in law, he and her and his wife are burned. Now, the wife did nothing wrong!? The pasuk must be teaching that the wife now becomes assur to her husband through his act.
  - **R' Yehuda in the name of Shmuel** said that the Halacha does not follow **R' Yehuda**.
  - **Q:** The earlier Braisa brought a kal v'chomer, which mentioned a "small issur". What is meant by that? **A:** **R' Chisda** said, that refers to one who remarries his divorcee after she had married somebody else. When the second husband marries her she becomes assur to the first husband. When the first husband then remarries her, she becomes assur to the second husband. We see that the first husband's aveirah caused the one who made her assur to him (the second husband) to become assur himself.
    - **Q:** The case of remarrying a divorcee is very different than the case of marrying a wife's sister (and therefore can't be compared): 1) the divorcee herself becomes defiled, whereas the wife in the case of the man who was mezaneh with the wife's sister does not, 2) the second husband of the divorcee becomes assur to her when she marries any other man, whereas the wife is only assur because of the sister, 3) the divorcee remains assur forever, whereas the sister is only assur for as long as the wife is alive!? **A:** Rather, **Reish Lakish** said, the "small issur" must be the issur with a yevama.
      - **Q:** What is the issur by a yevama? If it is talking about where she married an outside man, and this follows **R' Hamnunah**, who says she becomes assur to her yavam, that case is different than a wife's sister because of the first 2 characteristics mentioned regarding a divorcee!? If it is the case of where she got maamer from one brother and then a second brother had bi'ah with her, thereby making her assur to the first brother, the same issur would apply if the second brother only gave her maamar as well, and did not have bi'ah with her!? Even according to **R'**

**Gamliel** who says the second maamar has no effect, the Braisa can say that the second brother gave a get or chalitza!? Why did the Braisa speak only in terms of bi'ah? **A:** Rather, **R' Yochanan** said, the "small issur" is the issur of sotah.

- **Q:** What is the issur of sotah, that when the husband has bi'ah with her she then becomes forever assur to the man who was mezneh with her? She would become assur to him even if the husband gave her a get or said that he doesn't want her drinking the water!? Are we to say that the issur is when the man was mezaneh with her she becomes assur to her husband? That is no small issur, it is the huge issur of eishes ish!? **A:** Rather, **Rava** said, the issur of eishes ish is considered to be a "small issur" in the sense that the husband does not make her assur for his entire lifetime (he can end the issur by giving her a divorce).

R' YOSE OMER KOL SHEPOSEL...

- **Q:** What does **R' Yose** mean to say? He can't be saying that just like the wife is mutar to her husband the sister should be mutar to her husband, because then **R' Yose** should say "kol *she'ein* posel...". Rather, **R' Yose** must be saying that just like the sister is assur to her husband, so too the wife is assur to her husband. If so, what is meant by the second part of the statement where he says "kol she'eino posel..."? **A:** **R' Ami** said that **R' Yose's** statements are going back on the earlier part of the Mishna that says that a woman who remarried on one witness' testimony and then found out that her husband was still alive must get divorced but need not bring a korbon, and a woman who remarried on the testimony of 2 witnesses must bring a korbon. **R' Yose** is saying that he is only permitted to return to his wife when the sister would be permitted to return to her husband (when she remarried based on 2 witnesses) and not if the sister becomes assur to her husband (she got remarried based on a single witness). **A2:** **R' Yitzchak Nafcha** said that **R' Yose** is referring to the beginning of the current Mishna (where she got remarried based on a single witness). The 2 cases referred to by **R' Yose** are: 1) where the man was married to his wife only with kiddushin and she then went overseas, 2) he was married to her with nissuin and she then went overseas. **R' Yose** is saying, in the first case, since it is possible for people to think that the kiddushin was made on a condition that was never fulfilled, and therefore the second marriage was a valid one, we would require the sister to receive a get to show that the marriage is terminated, and she therefore becomes assur to her original husband if he returns (because she was "married" and received a get from another man), therefore the first man would be assur to his wife as well. However, in the second case, people will know it was a mistaken marriage, she will not require a get, and will therefore be mutar to return to her husband, which will make the first man and woman mutar to each other as well.
  - **R' Yehuda in the name of Shmuel** paskens like **R' Yose**.
    - **Q:** **R' Yosef** asked, we find that **R' Huna** explains **Shmuel's** view in a machlokes to mean that we are not concerned that people will think that the first marriage was done on a condition thereby making the second marriage a valid one. If so, how can he hold like **R' Yose**? **A:** **Abaye** said, that only contradicts with **R' Yose** according to **R' Yitzchak Nafcha's** understanding. It may be that he paskens like **R' Yose** according to **R' Ami's** understanding. **A2:** Even if it does follow **R' Yitzchak Nafcha**, it may be that he only paskened like the negative part of his statement, not on the positive side (and is therefore not contradictory). **A3:** Maybe **R' Huna's** explanation of **Shmuel** is incorrect, and he actually argues in something else altogether.