



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

Yevamos Daf Tzaddik Vuv

MISHNA

- If a man is told that his wife (Wife 1) has died, and he therefore goes and marries her paternal sister (Wife 2); and is then told that she died and went and married Wife 2's maternal sister (Wife 3); and is then told that Wife 3 died, so he went and married Wife 3's paternal sister (Wife 4); and is then told that she died and he went and married Wife 4's maternal sister (Wife 5), and he then finds out that none of them had actually died, he is allowed to remain married to Wife 1, 3, and 5 (they are unrelated to each other) but not to Wife 2 and 4 (2 is a sister of 1, and 4 is a sister of 3). If only Wife 1 had actually died, he remains mutar to Wife 2 and 4, but not to Wife 3 and 5.
- If one of the yavams is 9 years old and he does bi'ah with the yevama, the other brothers may no longer do yibum with the yevama. If the other brothers do bi'ah, maamar, chalitza, or give a get after the 9 year old's bi'ah, that prevents him from completing his yibum with the yevama. The main difference being that his act only has an effect when it is done first, before anyone else's act, whereas an adult's act can take effect even if it is done after the minor's act.

GEMARA

- **R' Sheishes** explained, the second case of the man who married the multiple sisters is discussing where the marriage to the second sister happened after the actual death of the first wife, and was therefore a legal and valid marriage.

BEN TEISHA SHANIM...

- **Q:** The Mishna said that the bi'ah of the minor only effects if it is done before any act of an adult brother. However, **R' Zvid bar R' Oshaiya** taught a Braisa that the bi'ah of a minor done after an adult brother did maamar, is effective in disallowing the adult from continuing with yibum!? **A:** A minor's bi'ah is effective even if done after the adult's acts. It is the minor's maamar that is only effective when it is done first.
 - **Q:** The Mishna clearly says (and gives an example) that the bi'ah of a minor is ineffective unless it is done before any adult's act!? **A:** The Mishna is missing words and should say that his bi'ah is effective at any time, but his maamar is only effective when it is the first act done to the yevama.
 - **Q:** A Braisa says that a minor can only effect a yevama in one way (with bi'ah) whereas an adult can effect a yevama in 4 ways (bi'ah, maamar, get, chalitza). We see that a minor cannot even do maamar at all!? **A:** The Braisa only mentions things that can take effect at any time. Since only his bi'ah has the ability to do that, it is the only method mentioned.
 - We find that **R' Yehuda in the name of Shmuel** says that the get given by a minor to his yevama has some effect. **R' Tachlifa bar Avimi** says his maamar has an effect. A Braisa says that **R' Meir** says his get and his maamar have an effect.
 - **Q:** A Braisa says that **R' Meir** says that the chalitza of a minor has the effect of the get of an adult. Now, if **R' Meir** holds that a minor's get has effect, he should compare the minor's chalitza to his own get, not to the get of an adult!? **A:** **R' Huna the son of R' Yehoshua** said, **R' Meir** holds that the minor's get is less effective than the adult's get, and he says that the minor's chalitza has the status of an adult's get. The minor's get is less effective in that according to **R' Gamliel** who says that no get is effective after an earlier get is given, that would not be true for the get of an adult given after the get of a minor. According to the **Rabanan**

who say that the second get does have effect, that would not be true when the second get is a minor's get.

MISHNA

- If a yavam who is a minor (at least 9 years old) has bi'ah with his yevama, and then another minor brother (also at least 9) has bi'ah with her as well, that second brother makes the first brother assur to continue with a full yibum. **R' Shimon** says he does not become assur to do so.
- If the minor yavam had bi'ah with one yevama, and then had bi'ah with a tzara, he may no longer complete yibum with the first yevama. **R' Shimon** says that he may.

GEMARA

- A Braisa says, **R' Shimon** said to the **Chachomim**, if the first minor's bi'ah makes a kinyan, the second brother's bi'ah is nothing, and if the first brother's bi'ah does nothing, neither does the second brother's bi'ah!
- Our Mishna does not follow **Ben Azzai**, who says that when one yavam gives maamar to 2 yevamos, the second one doesn't take effect. Our Mishna says that when one minor does bi'ah (a minor's bi'ah is given the status of an adult's maamar) with 2 yevamos, the second bi'ah does have an effect.

MISHNA

- If the minor yavam had bi'ah with the yevama and then he died, the yevama must get chalitza, and not yibum, from the other brothers (this yevama now has the zikah of the first brother and of the minor brother, and therefore she may not be taken in yibum).
- If a minor gets married and dies without children, his wife is patur from yibum or chalitza.
- If the minor had bi'ah with his yevama, and when he became an adult he married another woman and then died without children, the Halacha is as follows: if he never had bi'ah with his first wife (the yevama) after becoming an adult, that woman must get chalitza but not yibum (it is as if she only got maamar and therefore is now falling to yibum from "two houses", and may not be taken in yibum), and the second wife may be taken in yibum or chalitza (she has only a single zikah). **R' Shimon** says, the brother can do yibum with whichever woman he'd prefer and give chalitza to the other woman.
- All these rules apply whether he is a minor of 9 years old, or even if he is 20 years old, but has yet to produce shtei saaros.

GEMARA

- **Rava** said, we see from our Mishna that when we say that a woman who has the zikah of 2 brothers on her may not be taken in yibum, and may only get chalitza, that is even where there is no tzara in the scenario at all.

NASA ISHA UMEIS...

- The Mishna is saying the same thing that is taught in a Braisa, that a shoteh or minor who get married and die without children, their wives are patur from chalitza or yibum.

BEN TEISHA...MISHEHIGDIL...

- **Q:** Why don't we say that since the bi'ah of the minor is given the status of the maamar of an adult, the tzara should not be allowed to be taken in yibum!? **A: Rav** said that they did not treat the bi'ah of the minor as the maamar of an adult for this purpose.
 - **Shmuel** and **R' Yochanan** both say that they did, and the reason the Mishna does not say that the tzara is assur to be taken in yibum is because that is actually a matter of dispute.
 - **R' Elazar** repeated this teaching of **R' Yochanan** without attributing it to **R' Yochanan**, and **R' Yochanan** was upset at him for this. **R' Ami** and **R' Assi** tried to calm **R' Yochanan** by showing him the ills of anger and how it led the tearing of a Sefer Torah, and the eventual turning of that Beis Medrash into a house of avodah zarah. **R' Yochanan** became even more upset, saying that that story happened between colleagues, whereas he was the rebbi here. **R' Yaakov bar Idi** then told **R' Yochanan** that we find that whenever Yehoshua said something that he heard from Moshe he did not say that it was from Moshe. Rather, since

Moshe was his known rebbi, it was known that anything Yehoshua said was automatically from Moshe. The same is here with **R' Elazar**, who is your talmid. This appeared **R' Yochanan**.

- **R' Yochanan** was very particular to have this repeated in his name, because we find a drasha that when something is said over in someone's name, it is a big zechus for him even if he is no longer living.