

**A** בס"ד  
Intro

Beruchim Haboim

Today, B'ezras Hashem, we begin מסכת יבמות, which primarily deals with the many Halachos and scenarios of the Mitzvah of Yibum.

If a married man dies without leaving any living offspring, the Torah commands his brother to marry his surviving wife. This Mitzvah is call יבום –



**B** As the Torah says:

כי ישבו אחים יחדו  
When brothers dwell together

ומת אחד מהם ובן אין לו  
And one of them dies without a child

לא תהיה אשת החוצה לאיש זר  
The wife of the deceased brother shall not marry outside the family, but rather

יבמה יבא עליה ולקחה לו לאשה ויבמה  
Her יבם, which is her deceased husband's brother, shall take her as his wife and perform Yibum with her.

The basic idea behind this Mitzvah is that by marrying her, and hopefully having a child with her, the brother keeps his deceased brother's name alive – so that his name will not be erased from Klal Yisroel.

**B**

כי ישבו אחים יחדו  
ומת אחד מהם ובן אין לו  
לא תהיה אשת המת  
החוצה לאיש זר  
יבמה יבא עליה  
ולקחה לו לאשה  
... ולא ימחה שמו מן הארץ

**C** If the brother refuses to marry her then he must perform חליצה, whereby, in front of Bais Din, she removes one of his shoes, spits and proclaims;  
– ככה יעשה לאיש אשר לא יבנה את בית אחיו  
So is done to the man who will not build the house of his brother.

**C**

*If the brother refuses he must perform חליצה*

She removes one of his shoes      She spits      She proclaims

ככה יעשה לאיש  
אלו לא יבנה  
את בית אחיו

**חליצה** ◀ **גט**

חליצה is similar to a גט - for whereas beforehand she was tied to the brother and was unable to marry anyone else, after חליצה she is permitted to marry anyone she wishes.

**D** What is unique about this mitzvah is that although, generally there is an איסור אשת אח – One is forbidden to marry his brother’s wife, even after the brother’s death, under the penalty of כרת – this Issur is suspended in a situation of יבום, since the mitzvah cannot be performed otherwise.

**יבום**  
UNIQUE MITZVAH

But since this mitzvah cannot be performed any other way, the Torah suspends this prohibition for the mitzvah of Yibbum

**D** However, other איסורי עריות are not suspended for יבום. מצוות יבום במקום ערוה סו. In a case where the יבמה is an ערוה to the יבם - for example a man married his brother’s daughter and then died childless, his surviving wife would fall for Yibbum to her own father - which is of course an איסור ערוה. This additional איסור is not suspended - and therefore, since the יבמה is an ערוה to the יבם no yibbum - or chalitzah for that matter - is required.

However...  
other איסורי עריות are not suspended

איסור צנוק פטור מיבום

**E** Our first Mishnah lists 15 עריות that would be exempt from the Mitzvah of Yibbum - and also introduces the concept that if the deceased brother had numerous wives, and only one of them is an ערוה to the יבם, but the other wives - referred to as צרות - are NOT an ערוה to the יבם, nevertheless, they are also פטור from יבום. And, since she is פטור, she is actually אסור to marry the יבם, because of the איסור אשת אח שלא במקום מצוה. She is forbidden to the יבם as his brother's wife in a non-Yibbum situation.

**E** Our first mishnah begins...

### חמש עשרה נשים

15 עריות that would be exempt from the Mitzvah of Yibbum

If the deceased brother had other wives, and only one of them is an ערוה to the יבם

פטור מיבום

**F** However, the above mentioned פטור is only where there is only one יבם. But where there are more brothers, to whom the יבמה is not an ערוה, there IS חיוב יבום והליצה by one of the other brothers.

**F**

חיוב יבום

1 So let's review...  
B'Ezras Hashem we begin Meseches Yevomos

The Mishna begins by teaching that not only is a woman who is an ערוה to the יבם - her deceased husband's brother - פטור from Yibum, but so is her co-wife (צרה) - as well as the co-wife's future co-wife.

Zugt de Mishna...

חמש עשרה נשים פטורות צרותיהן וצרות צרותיהן  
מן החליצה ומן היבום עד סוף העולם

15 עריות - פטור from Yibum, also exempt their co wives from Yibum.

2 The first one is: בתו  
The case is as follows:  
Reuven, Shimon & Levi are brothers.  
Shimon married Reuven's daughter שרה.  
Shimon also has another wife רבקה. The 2 wives are considered a צרה to each other, being that they both seek the attention of their shared husband.

If Shimon dies without leaving any children Sarah and Rivkah fall for Yibum – One of Shimon's brothers must marry one of them.

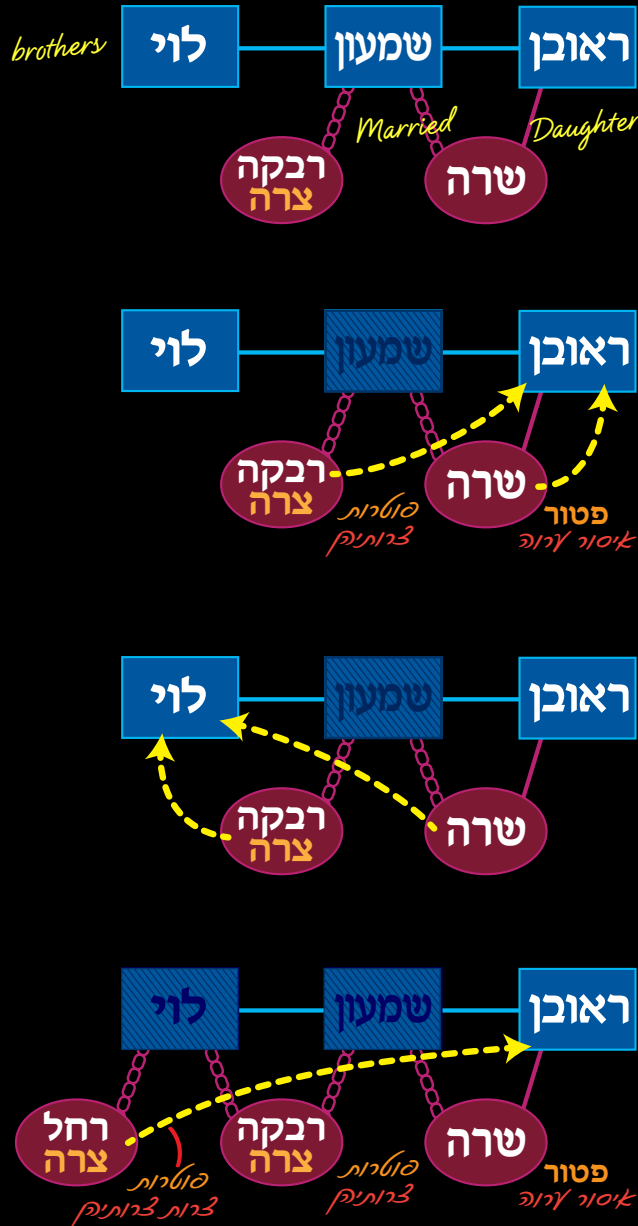
Now, being that שרה is the daughter of Reuven - not only can Reuven not be m'Yabem Sarah because she is an Ervah to him - but he also cannot be m'Yabem Rivkah, her צרה.

However, since שרה is not related to Levi, the other brother, both she and her צרה fall for Yibum to him, and Levi needs to marry one of them.

If Levi went ahead and married רבקה, and he also had another unrelated wife, רחל - and then died without leaving any children, both רבקה and רחל are exempt from Yibum, since the only other brother left is Reuven, and רבקה was already previously exempt from him as a צרה of Sarah, Ruvane's daughter - and forever remains אסור to him as אשת אח. Therefore, HER צרה - that is רחל - referred to in the Mishna as צרות צרותיהן - is now also exempt from Yibum as a צרת ערוה.

1 **חמש עשרה נשים פטורות צרותיהן וצרות צרותיהן מן החליצה ומן היבום עד סוף העולם**

2 **בתו**  
The first case is...



brothers **לוי** — **שמעון** — **ראובן**

Married **רבקה צרה** **שרה** Daughter

**לוי** — **שמעון** — **ראובן**

**רבקה צרה** **שרה** פטורת צרותיהן פטור איסור צרה

**לוי** — **שמעון** — **ראובן**

**רבקה צרה** **שרה**

**לוי** — **שמעון** — **ראובן**

**רחל צרה** **רבקה צרה** **שרה** פטורת צרותיהן פטורת צרותיהן פטור איסור צרה



3 The next eight cases in the Mishnah follow a similar pattern where Shimon married Sarah - his brother Reuven's ערוה - with the only difference being in how Sarah is an ערוה to Reuven.

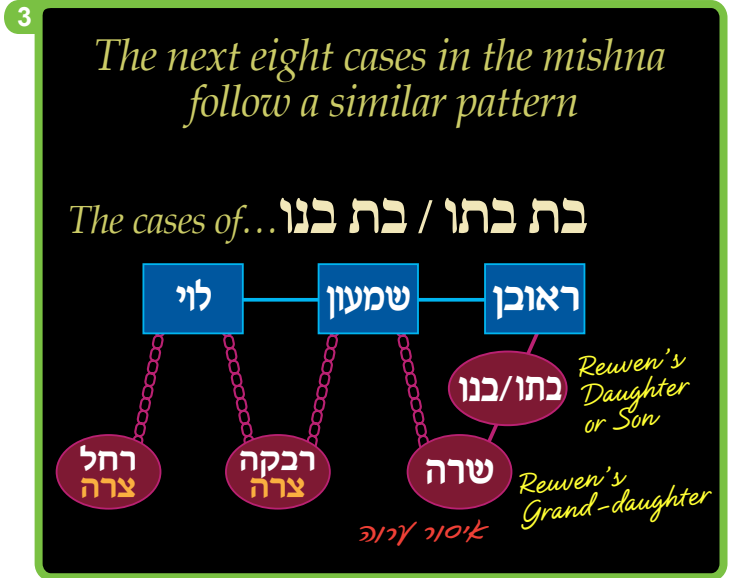
2 & 3 –

בת בתו

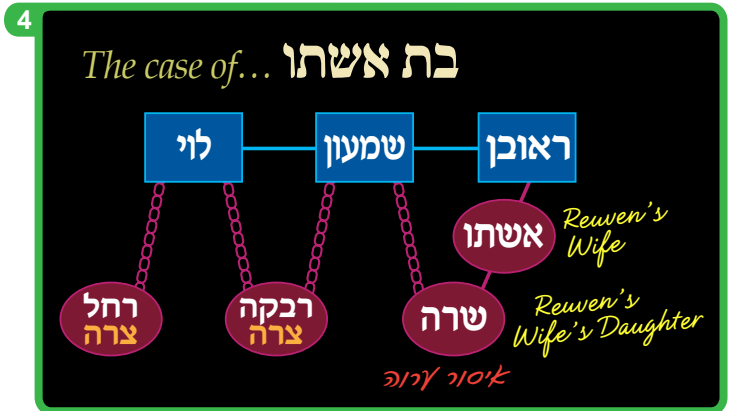
OR

בת בנו

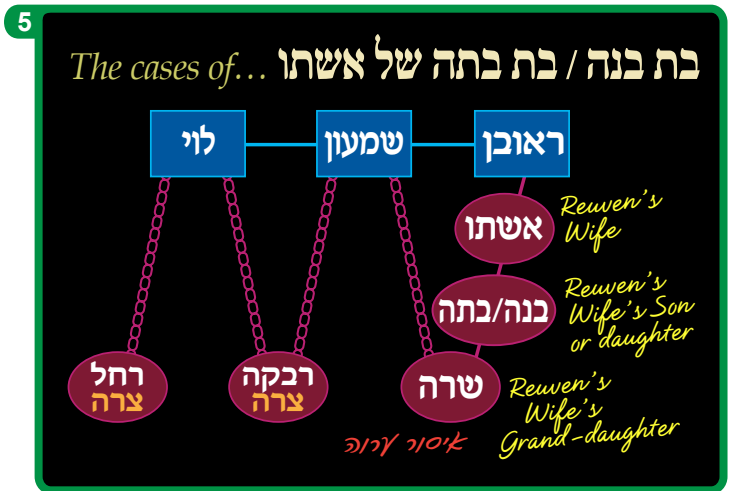
Sarah is an ערוה to Reuvene either because her mother or father is Reuven's child. In other words, she's his granddaughter



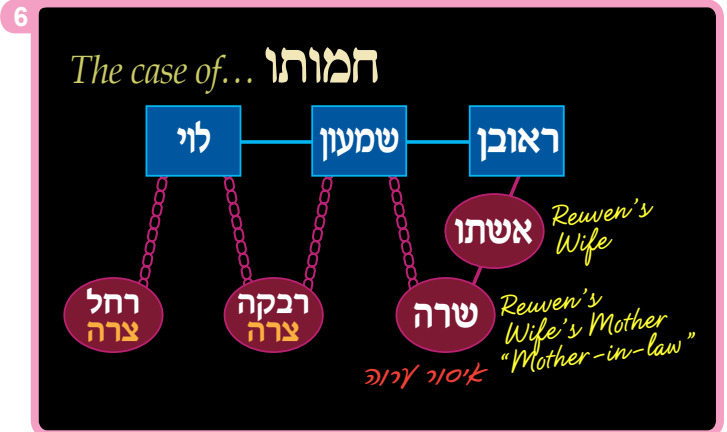
4 בת אשתו -4- Sarah is an ערוה to Reuvene because her mother is Reuven's wife.



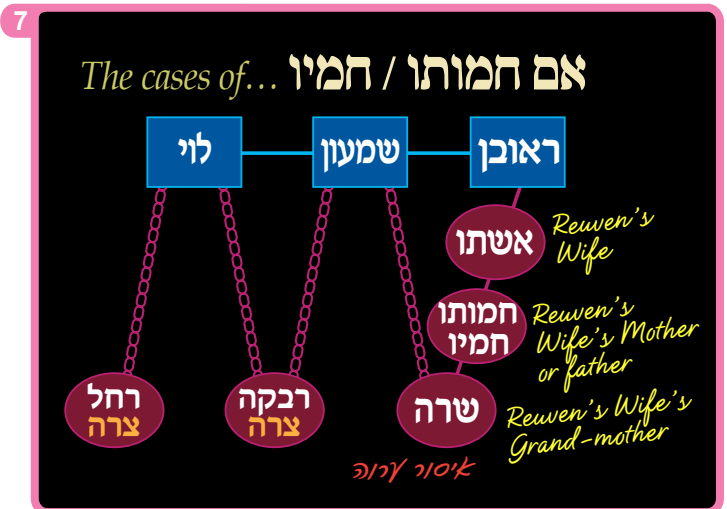
5 And in the case of בת בנה של אשתו OR בת בתה של אשתו Sarah is an ערוה to Reuvene because either her mother's mother or father's mother – her grandmother is Reuven's wife.



6 -7- חמותו  
Sarah is an ערה to Reuvane because she is the mother of Reuven's wife – She's his mother-in-law.



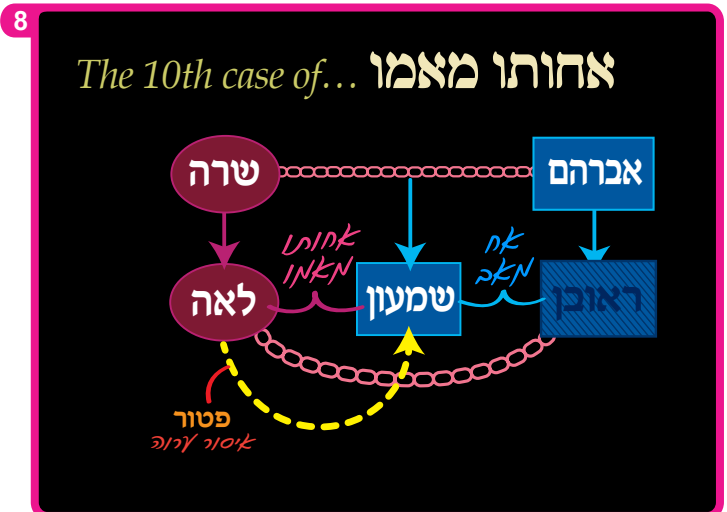
7 8 & 9 -  
אם חמותו  
OR  
אם חמיו  
Sarah is an ערה to Reuvane because she is the mother of either Reuven's mother-in-law, or Reuven's father-in-law.



In all of the above cases, if Shimon dies without leaving any children either שרה or רבקה fall for Yibum - and one of them must marry one of their husband's brothers.

Now, being that שרה is an ערה to Reuvane - not only can Reuven not be m'Yabem Sarah because she is an Ervah to him - but he also cannot be m'Yabem Rivkah, her איה.

8 The 10th case in the Mishna is: אחותו מאמו  
In this case, Avrohom who had a son Reuvane from a previous marriage, married Sarah who had a daughter Leah, from a previous marriage. Together they had a son Shimon.



If Reuven married Leah who is unrelated to him, and later died without any children, Shimon cannot be מיבם Leah, because she is אחותו מאמו – his maternal sister.

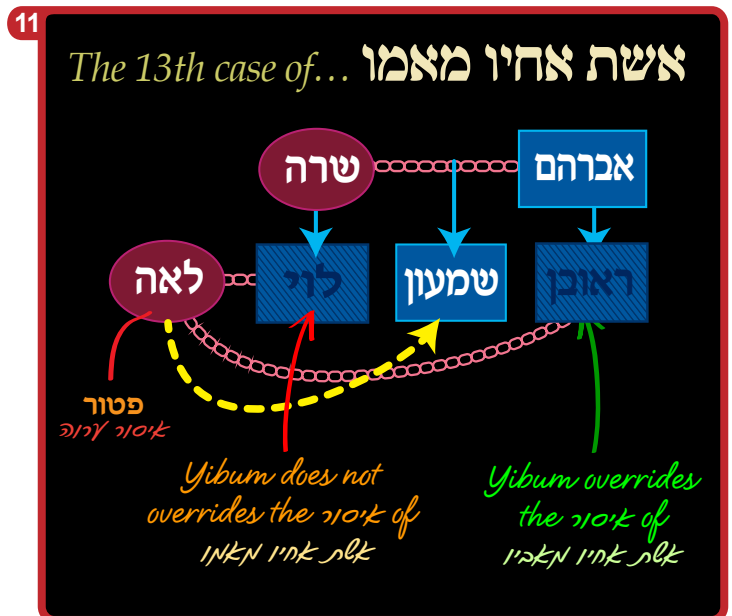
- 9 The 11th case in the mishna is: אחות אמו  
This too, is a case where Avrohom who had a son Reuvane from a previous marriage married Sarah, and together they had a son Shimon.
- If Reuven married Leah - Sarah's sister who is unrelated to him - and later died without any children, Shimon cannot be מייבם Leah, because she is - אחות אמו - his mother's sister.



- 10 In the 12th case of: אחות אשתו  
Reuven and Shimon, two brothers, married two sisters Rochel and Leah.
- If Reuven died without any children, Shimon cannot be מייבם Rochel, because she is אחות אשתו - his wife's sister.



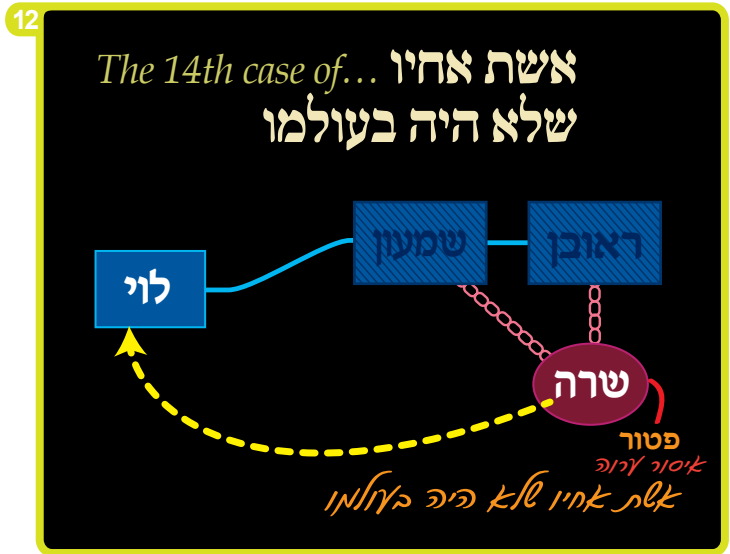
- 11 Case number 13 is: אשת אחיו מאמו  
Avrohom who has a son Reuven marries Sarah who has a son Levi - both from a previous marriage - and together have a son Shimon.
- Levi marries Leah, an unrelated woman, and then divorces her or dies. There is no issue of Yibum at this point.
- Reuven, who was not related to Levi, may marry Leah, because she is not אשת אחיו - and if he then dies without leaving any children.
- Shimon cannot be מייבם Leah, because she's אחיו מאמו from Levi, his maternal brother.
- Although ייבום usually overrides the איסור אשת אח - However, Yibum only overrides the Issur אשת אח of the brother who is the cause of Mitzvas Yibum - in this case Reuven - but Yibum does not override an Issur אשת אח of another brother - in this case Levi.



12 The 14th case is: **אשת אחיו שלא היה בעולמו**  
 Reuvane and Shimon are two brothers.  
 Reuvane who is married to Sarah died without leaving any children.

Levi, a third brother is then born. Levi cannot be m'Yabim Sarah since Reuven and Levi were not alive on this world together.

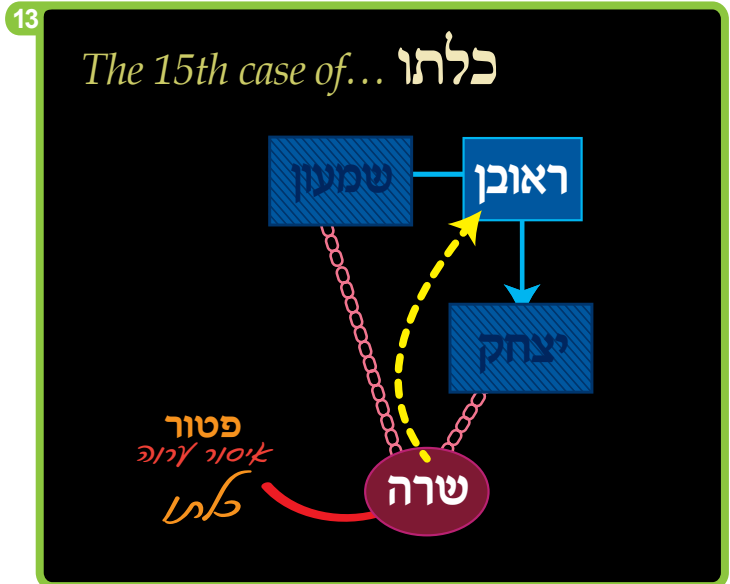
Therefore if Shimon was m'yabim Sarah, as required, and then dies without leaving any children, Levi still cannot be m'yabum Sarah, even though Levi and Shimon were alive together, because Sarah remains אסור to Levi from the original אשת אח אסור of Reuven.



13 The 15th and final case is: **כלתו**  
 Reuvane and Shimon are two brothers.  
 Reuvane's son Yitzchok married Sarah.

Yitzchok then dies and Shimon marries Sarah.

If Shimon then dies without leaving any children, Reuven cannot be מבים Sarah, because she is כלתו - his former daughter-in-law who remains an ערוה to him even after his son died.



14 The Mishnah continues:  
 הרי אלו פוטרות צרותיהן וצרות צרותיהן  
 מן החליצה ומן הייבום  
 עד סוף העולם  
 The Mishnah first proceeds to describe the scenario of exempting צרותיהן, their co-wives from הייבום:

14 **הרי אלו פוטרות צרותיהן וצרות צרותיהן מן החליצה ומן הייבום - עד סוף העולם**



15

כיצד פטורת צרותיהן  
היתה בתו או אחת מכל העריות האלו  
נשואות לאחיו ולו אשה אחרת ומת  
כשם שבתו פטורה כך צרתה פטורה

In a case where there are only two brothers:  
Shimon married Reuven's daughter שרה. Shimon also has  
another wife רבקה, who is not related to Reuven. When  
Shimon dies, Sarah, the יבמה potentially falls to her father  
for יבום, but is פטור because she is an Ervah of בתו to her  
father Reuven, the יבם. Therefore, the צרה Rivka is also פטור,  
even though she is NOT an Ervah to Reuven.

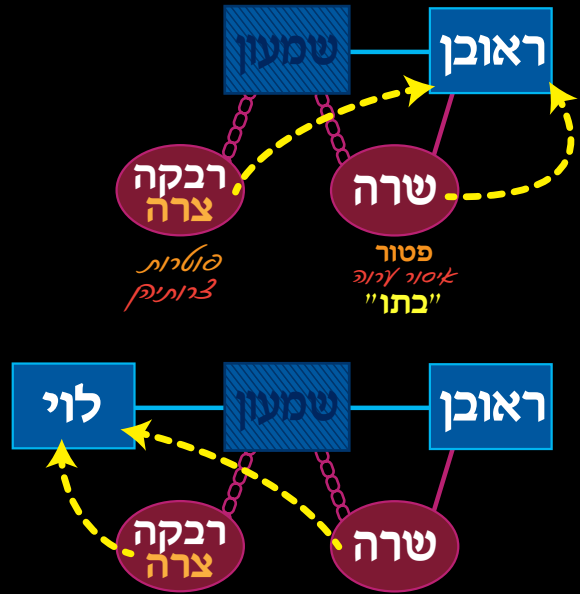
As the Gemara on ג דף teaches, we derive from a Posuk  
that wherever one wife is an ערוה to the Yavam, all other  
wives, פטור צרת ערוה, are also פטור.

However, this is only where there are but two brothers,  
Shimon the בעל, and Reuven the יבם, to whom one of the  
יבמות is an Ervah.

But if there is a third brother Levi, to whom both יבמות are  
NOT an Ervah, they are bound to him for Yibum.

15

**כיצד פטורת צרותיהן**  
**היתה בתו או אחת מכל העריות האלו**  
**נשואות לאחיו ולו אשה אחרת ומת**  
**כשם שבתו פטורה כך צרתה פטורה**



16

The Mishnah then goes on to explain the scenario of צרות  
צרותיהן, the co-wives of their co-wives:

הלכה צרת בתו ונשאת לאחיו השני  
ולו אשה אחרת ומת  
כשם שצרת בתו פטורה  
כך צרת צרתה פטורה

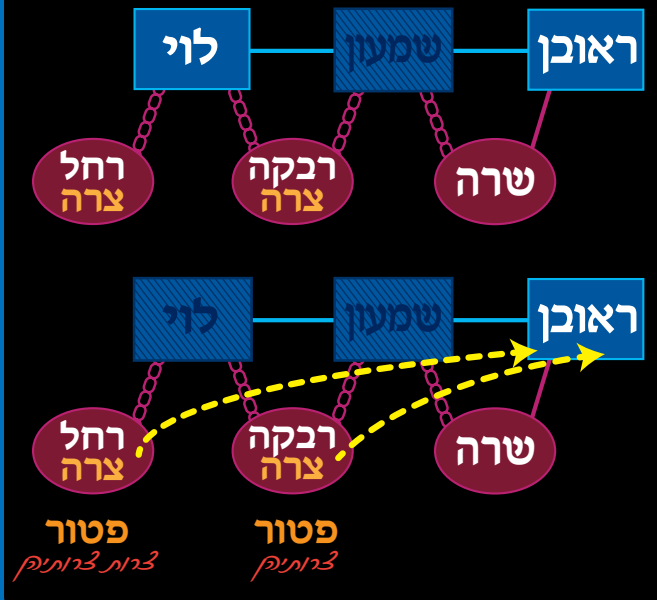
The צרה Rivka married the third brother Levi - who is the  
second יבם - as required – and he has another unrelated  
wife רחל.

When Levi dies, both of his wives fall for Yibum to  
Reuven. Even though neither one is an original Ervah to  
Reuven, they are both פטור. Why?

Because, Rivka IS an Ervah to Reuven the יבם – since she  
had once before fallen to him for Yibum from Shimon –  
and since at that time they were פטור from יבום because she  
was צרת בתו, she became an Ervah of אשת אח שלא במקום מצוה  
which remains forever. Therefore, when she now falls to  
Reuven for Yibum from the third brother Levi, she is an  
Ervah of אשת אח, who exempts herself, and HER צרה  
Rochel, from Yibum.

16

**הלכה צרת בתו ונשאת לאחיו השני**  
**ולו אשה אחרת ומת**  
**כשם שצרת בתו פטורה**  
**כך צרת צרתה פטורה**



17

The Mishnah continues:

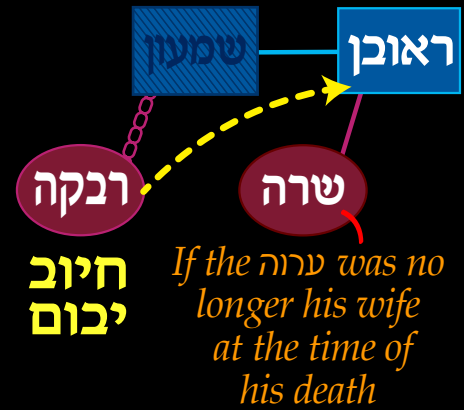
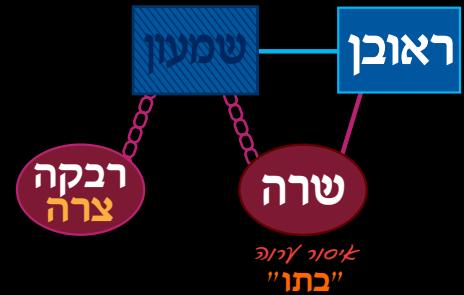
וכלן אם מתו או נגדרשו או שנמצאו אילנית צרותיהן מותרות

This essentially means that the פטור of צרת ערוה is only when the ערוה AND the צרת ערוה were both wives of the בעל at the time of מיתה, when the Mitzvah of Yibum takes effect - and since the ערוה is פטור, the צרת ערוה is also פטור.

However, if the ערוה was no longer the wife of the בעל at the time of death, she is not included in the Mitzvah of Yibum - and the other wife cannot be considered a צרת ערוה if the ערוה was not in the marriage at that time. Therefore, the צרה may - and actually MUST have Yibum or Chalitzah with the Yavam.

17

וכלן אם מתו או מיאנו או נגדרשו או שנמצאו אילנית צרותיהן מותרות



18

The Mishnah concludes;

וכל היכולה למאן ולא מיאנה צרתה חולצת ולא מתייבמת

Any one of the ערויות who was a קטנה, a minor, who could have performed מיאון but did not do so, her צרה must perform תליצה, but may not perform יבום.

As Rashi explains; the marriage of the ערוה to the בעל was only a קידושין דרבנן, while the marriage of the צרה to the בעל was a קידושין דאורייתא. Therefore, the צרה must perform תליצה, because מדאורייתא, she is NOT a צרת ערוה, and therefore מחויב בחיוב יבום. However, she may not perform יבום, because מדרבנן she IS a צרת ערוה, and פטור מיבום.

18

וכל היכולה למאן ולא מיאנה צרתה חולצת ולא מתייבמת

