

A

ס"ד  
Intro

Today we will learn בע"ה of Mesechte Yevamos. Some of the key topics and concepts that we will learn about include:

יש זיקה  
אין זיקה

After the death of the בעל, a bond exists between the Yevama and the brothers, in that until either Yibum or Chalitzah is performed the Yevama may not marry an outsider. However, there is a Machlokes whether

יש זיקה

This is a strong bond in that is considered like a marriage, מדרבנן, in that he may not marry her relatives, for example, אחות זקוקתו, similar to a marriage where one may not marry אחות אשתו, his wife's sister.

אין זיקה

This is a weak bond, and is not considered like a marriage. Therefore, he may marry זקוקתו, because she is not considered אחות אשתו מדרבנן.

A

אין זיקה  
יש זיקה

After the death of the בעל a bond exists between the Yevama and the brothers in that until either Yibum or Chalitzah is performed the Yevama may not marry an outsider

1 So let's review.....

Our Shiur begins with the Mishnah:

וכולם

As Rashi explains;

החכם

והמביא גט

והמעיד באשה להשיאה

דתנן בהן לא יכנסו

All those mentioned in the previous Daf, who may not marry the woman about whom they testified or ruled to release her from her marriage, מפני החשד, because people will think that he was dishonest in order to marry her;

שהיו להם נשים ומתו

מותרות לינשא להם

If they had wives at the time they are not suspect. Therefore, if their wives subsequently died, they are allowed to marry this woman.

2 וכולן שנישאו לאחרים ונתגרשו או שנתאלמנו מותרות לינשא להם

If these women married others, and were then divorced or widowed from them, may then marry the וחכם, because any rumors would have ceased during their second marriage.

וכולן מותרות לבניהם או לאחיהם

The above איסור because of חשד is only for the וחכם to marry her, but the son or brother of the וחכם may marry her. He's not כדי כך נחשד.

The Gemara adds several variables to these Halachos.

הדרן עלך כיצד

We have B"H completed the Second Perek of יבמות, and we begin the Third Perek אחין ארבעה, B'ezras Hashem.

1

משנה

וכולם...

החכם ~ והמביא גט ~ והמעיד באשה להשיאה

דתנן בהן לא יכנסו – מפני החשד

שהיו להם נשים

ומתו

מותרות לינשא להם

*they are not suspect – and therefore they are allowed to marry this woman*

2

וכולן שנישאו לאחרים ונתגרשו או שנתאלמנו מותרות לינשא להם

*because any rumors would have ceased during their second marriage*

וכולן מותרות לבניהם או לאחיהם

*the son or brother of the וחכם may marry her.*

*He's not כדי כך נחשד.*

הדרן עלך כיצד

**3** Zugt di Mishnah:  
 ארבעה אחין  
 שנים מהם נשואים שתי אחיות  
 ומתו הנשואים את האחיות  
 There are four brothers, לוי יהודה, and later died childless.  
 Two of them, רחל ולאה, married two sisters,  
 The two יבמות now fall for יבום to שמעון וראובן.  
 הר"י אלו חולצות ולא מת"יבמות  
 Each יבם may only perform חליצה, and not יבום, with any  
 one of the יבמות, as each one is אחות זקוקתו, the sister of a  
 יבמה bound to him for יבום, which is אסור מדרבנן because it  
 is similar to אחות אשתו.

**3** ארבעה אחין

ארבעה אחין  
 שנים מהם נשואים שתי אחיות  
 ומתו הנשואים את האחיות



הרי אלו חולצות ולא מתיבמות  
 אחות זקוקת

The sister of a יבמה bound to him for יבום  
 which is אסור מדרבנן  
 because it is similar to אחות אשתו

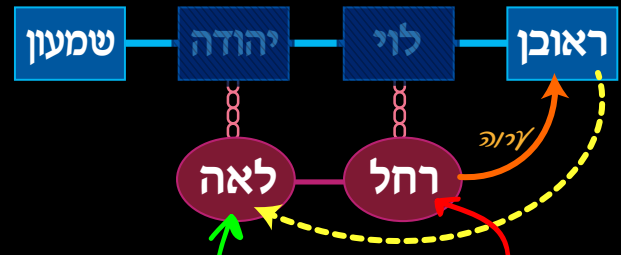
**4** ואם קדמו וכנסו יוציאו  
 If they did not ask, and Ruvain and Shimon married  
 Rochel and Leah, we compel them to divorce them.  
 רבי אליעזר אומר  
 ב"ש אומרים יקיים  
 וב"ה אומרים יוציאו  
 According to Rebbe Eliezer the above is the opinion of  
 Bais Hillel, but Bais Shamai hold they may stay married.

**4** ואם קדמו וכנסו - יוציאו  
 we compel them  
 to divorce

רבי אליעזר אומר  
 וב"ה אומרים יוציאו  
 ב"ש אומרים יקיים

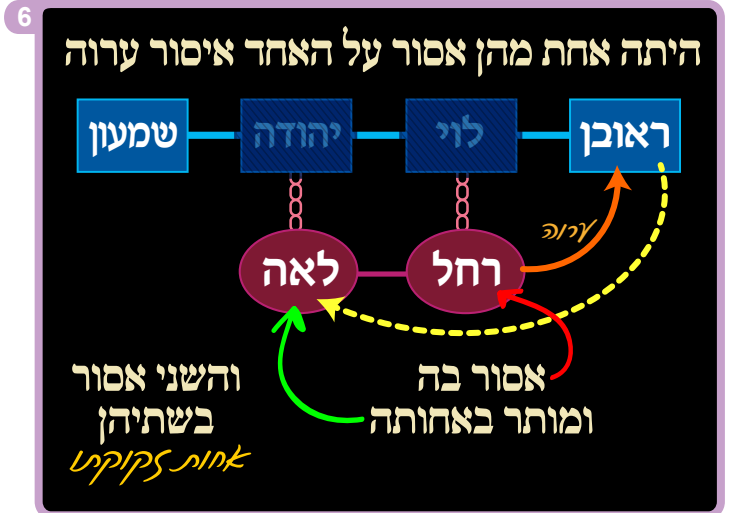
**5** The Mishna continues:  
 היתה אחת מהן אסור על האחד איסור ערוה  
 If one of the sisters, רחל, was an ערוה to one of the brothers,  
 ראוין, he is  
 אסור בה ומותר באחותה  
 Reuvain obviously cannot take Rochel because of Ervah.  
 Therefore, she is not זקוק, not bound to him for יבום. As a  
 result, her sister Leah is not considered זקוקתו, and  
 מותר to Reuvain. We must remember that Leah is not a צרת  
 to Reuvain. We must remember that Leah is not a צרת  
 ערוה, because they are not coming from the same husband.  
 והשני אסור בשתייהן  
 However, the second brother Shimon is forbidden in both  
 sisters because of זקוקתו, as explained earlier.

**5** היתה אחת מהן אסור על האחד איסור ערוה

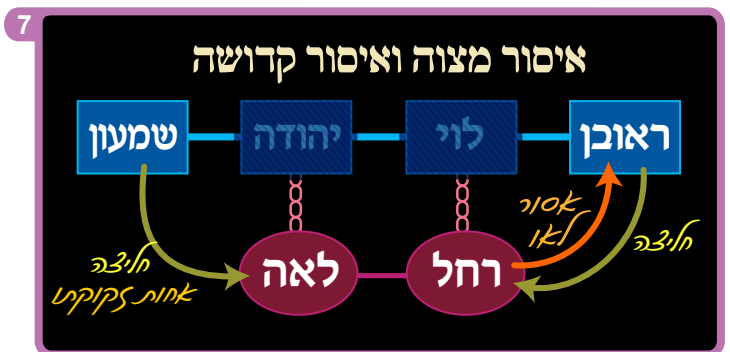


אסור בה  
 ומותר באחותה  
 והשני אסור  
 בשתייהן  
 אחות זקוקת

**6** The Mishna continues:  
 היתה אחת מהן אסור על האחד איסור ערוה  
 If one of the sisters, רחל, was an ערוה to one of the brothers, ראובן, he is אסור בה ומותר באחותה  
 Reuvain obviously cannot take Rochel because of Ervah. Therefore, she is not זקוק, not bound to him for ייבום. As a result, her sister Leah is not considered אחות זקוקתו, and מותר to Reuvain. We must remember that Leah is not a צרת ערוה, because they are not coming from the same husband. והשני אסור בשתיהן  
 However, the second brother Shimon is forbidden in both sisters because of אחות זקוקתו, as explained earlier.



**7** איסור מצוה ואיסור קדושה חולצת ולא מתייבמת  
 If רחל was אסור to ראובן because of an איסור לאו or an איסור דרבנן, she requires Chalitzah, because the exemption is only for an Ervah of חייבי כריתות similar to אשה - but he may not do Yibum, because of the איסור לאו, or the איסור דרבנן.  
 Leah also requires Chalitzah because she's not a צרת ערוה, but may not do Yibum because of אחות זקוקתו.



**8** The Mishnah continues:  
 היתה אחת מהן אסורה על זה איסור ערוה והשניה אסורה על זה איסור ערוה  
 If each one of the sisters was an Ervah to one of the brothers, as follows:  
 Rochel was an Ervah to Reuvain, and Leah was an Ervah to Shimon.  
 האסורה לזה מותרת לזה והאסורה לזה מותרת לזה  
 Rochel is אסור to Reuvain and מותר to Shimon - Because she is NOT an Ervah to Shimon. She is also NOT אחות זקוקתו, because her sister Leah is not זקוקתו, since she is an Ervah to Shimon.  
 Leah is אסור to Shimon and מותר to Reuvain - Because she is NOT an Ervah to Ruvain, and NOT אחות זקוקתו, because her sister Rochel is not זקוקתו, since she is an Ervah to Ruvain.  
 וזו היא שאמרו אחותה כשהיא יבמתה או חולצת או מתייבמת  
 This is a case of which was said:  
 Her sister and fellow Yevamah may do either Chalitzah OR Yibum.



9 The Gemara explains that the reason of אחות זקוקתו can be used to explain the Mishnah only according to the opinion that יש זיקה  
 After the death of the בעל, until either Yibum or Chalitzah are performed, the bond between the Yevama and Yavam is considered like a marriage, מדרבנן. Therefore, he may not marry אחות זקוקתו, similar to a marriage where one may not marry אשתו, his wife's sister. However, according to the opinion of אין זיקה  
 The bond is not considered like a marriage, and he may marry אחות זקוקתו.

9 The Gemara explains that the reason of אחות זקוקתו can be used to explain the Mishnah only according to...

But according to... **יש זיקה**

**אין זיקה**

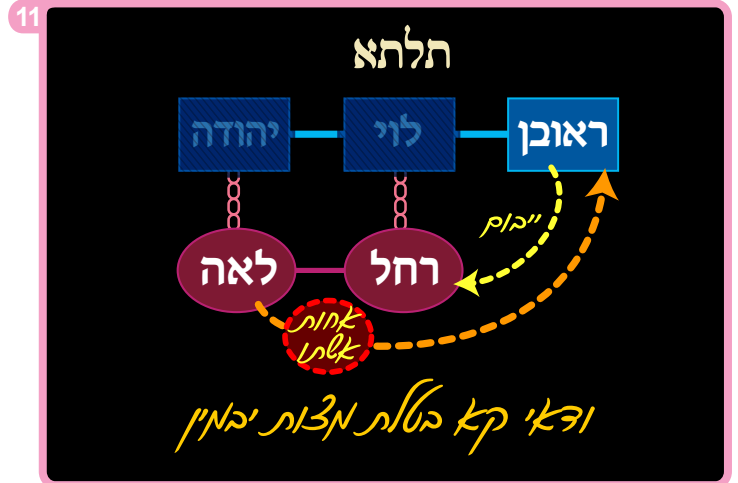
The bond is not considered like a marriage  
 Therefore, he may marry אחות זקוקתו

After the death of the בעל until Yibum or Chalitzah are performed the bond is considered like a marriage, מדרבנן  
 Therefore, he may not marry אחות זקוקתו

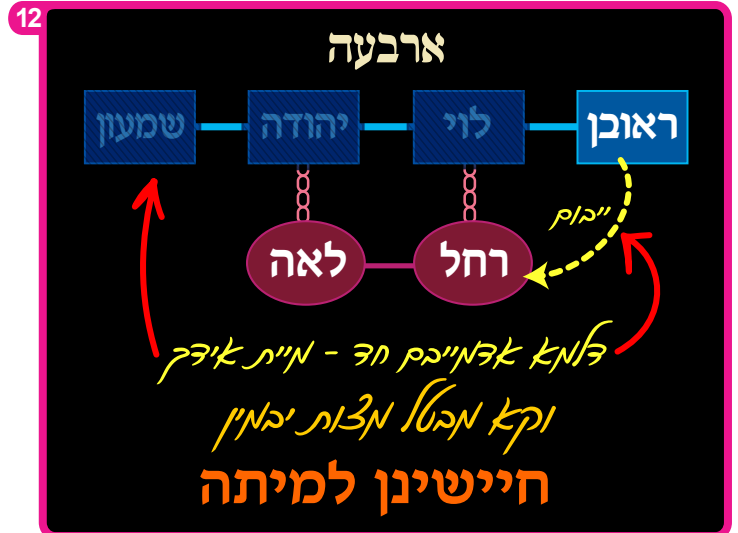
10 Therefore, we must explain הרי אלו חולצות ולא מתייבמות  
 Each יבם may only perform חליצה, and not ייבום, with any one of the יבמות;  
 משום דאסור לבטל מצות יבמין  
 As the Gemara explains;  
 דלמא אדמייבם חד מיית אידך  
 For example, it could happen that Ruvain will first be Meyabem Rochel, and Shimon will die before being Meyabem Leah - and Leah would now fall for Yibum to Ruvain. However, Ruvain will not be able to be Meyabem Leah, because she is אחות אשתו מן התורה, the sister of his now full-fledged wife, Rochel.  
 וקא בטלת מצות יבמין  
 Therefore, Ruvain may NOT be Meyabem Rochel, מדרבנן, because it might pre-empt the Mitzvah of Yibum, should the above scenario happen.



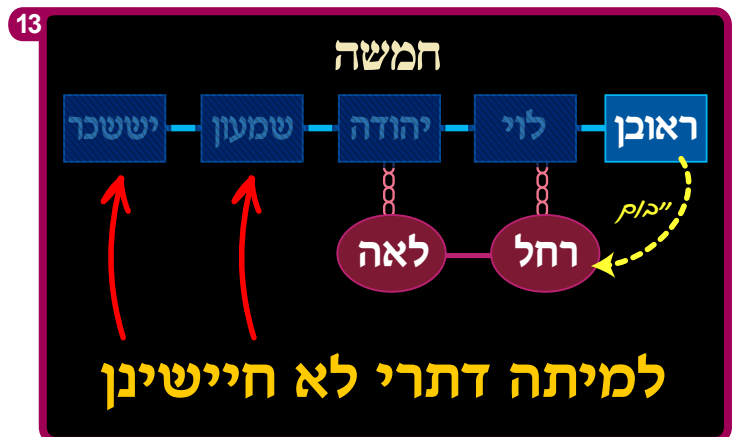
**11** The Gemara elaborates:  
 תלתא  
 ודאי בטלה מצות יבמין  
 In a case of three brothers, ראוּבֵן לוי יהודה, it's not merely a חשש, but a certainty. If Ruvain is Meyabem Rochel, he can no longer be Meyabem Leah, because she is אחות אשתו.



**12** ארבעה  
 In the case of our Mishnah of four brothers it's merely a חשש of דלמא אדמייבם חד מיית אידך וקמבטל מצות יבמין  
 Our Mishnah teaches that although one might argue למיתה לא חיישינן We are not concerned that Shimon might die in the interim.  
 קמ"ל  
 That we ARE concerned that Shimon might die.



**13** חמשה  
 In a case of five brothers, for example there's a fifth brother Yisachar;  
 למיתה דתרי לא חיישינן  
 We are not concerned that both Shimon AND Yisachar will die in the interim, and Ruvain may be Meyabem Rochel.  
 =====



14 The Gemara proceeds to introduce a new concept:  
 As opposed to חליצה מעליא, a regular or strong Chalitzah, in a standard case of Yibum, where Yibum is possible, but the Yavam rather chooses Chalitzah - חליצה פסולה, a weak Chalitzah is when Yibum is not possible due to an איסור, yet Chalitzah is required.

14

<p><b>חליצה פסולה</b></p> <p><i>When Yibum is not possible due to an איסור yet Chalitzah is required</i></p>	<p><b>חליצה מעליא</b></p> <p><i>A standard case of Yibum, where Yibum is possible, but the Yavam rather chooses Chalitzah</i></p>
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15 In a case where there are several brothers and several wives from one deceased brother, the Gemara above on דף ע"ב describes חליצה מעליא as איהו שליחותא דאחים קעביד איהי שליחותא דצרה קעבדה The Yavam and Yevamah did Chalitzah on behalf of the others - which means, that ALL the wives are released from the זיקה of ALL the brothers.



16 However, in a case of חליצה פסולה, for example, the case of our Mishnah ארבעה אחין שנים מהם נשואים שתי אחיות ומתו הנשואים את האחיות The two sisters, רחל ולאה, the wives of לוי ויהודה, fall for Yibum to שמעון וראובן ומתו הנשואים את האחיות הרי אלו חולצות ולא מתייבמות Each יבם may only perform חליצה, and not ייבום, with any one of the יבמות, as each one is אחות זקוקתו, the sister of a ייבום bound to him for ייבום.



17

OR - Rav gives another, quite similar example:  
 שלש אחיות יבמות  
 שנפלו לפני שני אחין יבמין  
 There are five brothers, ראובן שמעון לוי יהודה יששכר.  
 Three of them, רחל לוי יהודה ויששכר, married three sisters, רחל  
 לאה ורבקה, and later died childless. The three יבמות now fall  
 for Yibum to שמעון וראובן.  
 Now, it depends on the following:  
 This scenario, as described, is a case of  
 דנפול בבת אחת  
 All three Yevamos are awaiting Yibum at the same time,  
 because the 2nd and 3rd brother died before the 1st and 2nd  
 Yevama did Yibum or Chalitzah.  
 At this point, they cannot do Yibum anymore, because  
 they are all זקוקות, and are  
 אחות זקוקתו ולא מתייבמות:  
 חולצות ולא מתייבמות  
 Therefore, they are all חליצה פסולה, and Rav holds;  
 חליצה פסולה  
 צריך לחזור על כל האחין  
 All brothers must give Chalitzah - The Chalitzah of one  
 does not release the Yevama from the Zikah of the other  
 brothers.  
 It must be pointed out, that in this case, each Yevama must  
 do her own Chalitzah with all the brothers - however, for  
 a different reason - because they are each coming from a  
 different בעל. The Gemara on the next Daf discusses a  
 case of several wives from ONE בעל, whether the חליצה  
 חליצה of one releases the others, or they must each do their  
 own Chalitzah.

17

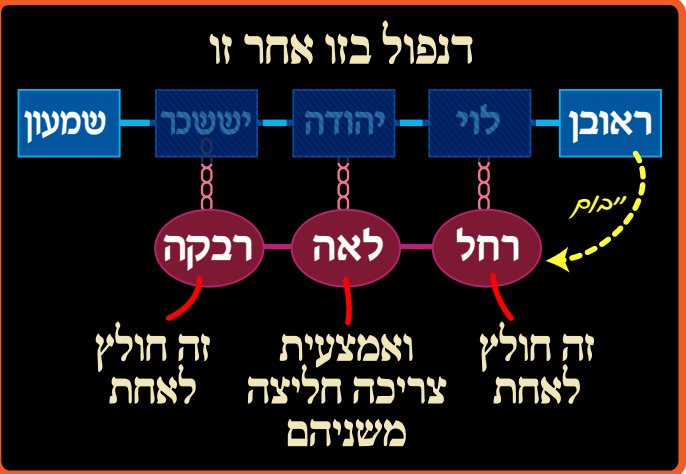
Rav gives another similar example...



18

This was all in a case of  
 דנפול בבת אחת -  
 However, in a case of  
 דנפול בזו אחר זו,  
 זה חולץ לאחת  
 וזה חולץ לאחת  
 ואמצעיית צריכה חליצה משניהם

18





19

As follows;

נפלה חדא חליץ לה ראובן

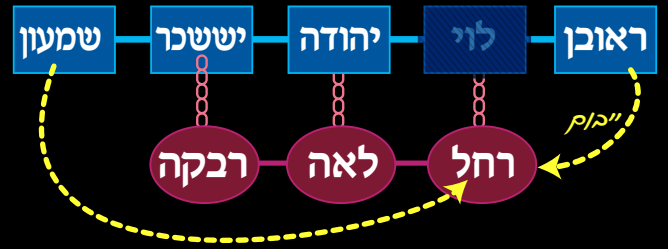
Levi died, and Rachel fell for Yibum to all the brothers.

Yehuda and Yisachar certainly cannot be Meyabem, because, to each of them, she's אחות אשתו - but Ruvain or Shimon can be Meyabem. There's no issue of זקוקתו because, at this point, there's no other Yevama awaiting Yibum.

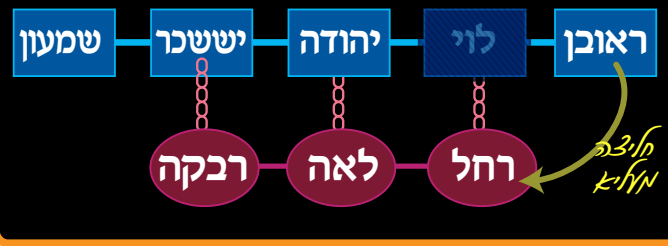
Therefore, Ruvain's Chalitzah was מעליא, and it releases her from Shimon as well.

19

נפלה חדא חליץ לה ראובן



נפלה חדא חליץ לה ראובן



20

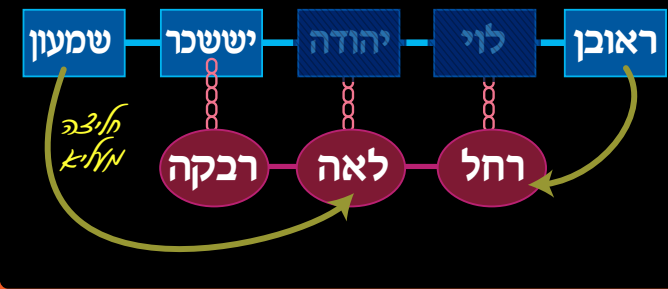
נפלה אידך חליץ לה שמעון

Yehuda then died, and Leah falls for Yibum. In addition to Yisachar who cannot be Meyabem, because of אחות אשתו, Ruvain cannot be Meyabem either מדרבנן, because, to him, she's אחות חלוצתו, the sister of Rachel with whom he did Chalitzah - However, Shimon CAN be Meyabem.

Therefore, Shimon's Chalitzah was מעליא, and it releases her from Ruvain as well.

20

נפלה אידך חליץ לה שמעון



21

נפלה אידך

Then, Yisachar died, and Rivkah falls for Yibum. At this point Shimon cannot be Meyabem either, because she's אחות חלוצתו to both Ruvain AND Shimon. Therefore, צריכה חליצה משניהם Ruvain AND Shimon must both do Chalitzah, because חלץ לה האי מפקע זיקתו חלץ לה האי מפקע זיקתו Each one's חליצה פסולה releases her only from HIS Zikah.

All this was the opinion of Rav.

The Gemara points out that although Rav generally holds אין זיקה, this ruling of חליצה פסולה, Rav said only לדברי האומר יש זיקה

According to the opinion of יש זיקה -

That a weak Chalitzah cannot release a strong זיקה

ושמואל אומר

אחד חולץ לכולן

The חליצה פסולה of one brother releases her from the other brother or brothers.

The Gemara on the next Daf elaborates on Shmuel's opinion.

21

## נפלה אידך צריכה חליצה משניהם

