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The Mishna had stated: The co-wife of an *ervah* and the co-wife’s co-wife are exempt from being taken for *yibum* and *chalitzah*.

The Gemora inquires as to the source of this halachah: Rav Yehudah cites the verse “*litzror*.” The Torah could have written “*lotzur*,” the extra “*reish*” teaches us that other co-wives are forbidden, as well. Rav Ashi said: A Scriptural verse is not necessary; it can be derived purely with logic. Once the initial co-wife is forbidden to the *yavam*, she is regarded as an *ervah* of his brother’s wife. When the other brother subsequently marries her and he has a wife of his own, his wife becomes a co-wife of an *ervah* and is also forbidden. (13a)

The Mishna had stated: How is it that if they died or if they refused, or if they were divorced, or if they were found to be an *aylonis*, their co-wives are permitted? If his daughter or any other one of these *arayos* was married to his brother, who had another wife, and his daughter died, or was divorced, and afterwards his brother died childless, her co-wife is permitted.

The Gemora states: The co-wife would be permitted even if the deceased married the co-wife and only afterwards divorced the *ervah* (*the ervah and the co-wife were married to the deceased brother simultaneously*).

The Gemora asks a contradiction from the following Mishna (30a):



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There were three brothers: Reuven and Shimon were married to two sisters, Rachel and Leah, and the other brother, Levi is married to an unrelated woman, Ester. Shimon divorced his wife, and then Levi died. Shimon performed a *yibum* with Ester and then died childless. This is what they said; and all who died, or who were divorced, their co-wives are permitted. It would seem from this Mishna that Ester is permitted to be taken for *yibum* by Reuven only because she was not married to Shimon at the same time as Reuven’s wife’s sister (Lea), but if they would have been married to Shimon simultaneously and then Shimon divorced Lea, and then died, Ester would not be permitted for *yibum* to Reuven. This is not consistent with our Mishna.

Rabbi Yirmiyah answered: The Tanna that taught this Mishna did not teach the other Mishna. The Tanna of our Mishna maintains that it is the husband’s death which causes the wives to fall for *yibum*. This is why the co-wife of the *ervah* is permitted even though she was married to the deceased brother together with the *ervah*; we are only concerned with the moment that he

died. As long as they were not together at that time, the co-wife will be permitted. The Tanna of the later Mishna holds that the original marriage causes the wives to fall for *yibum*; as long as the *ervah* and the wife were married at the same time, the co-wife will be forbidden to the *yavam* (even though the *ervah* was divorced prior to his death). (13a)

The Mishna states: There are six *arayos* where a greater stringency applies than to these (the fifteen *arayos* mentioned in the first Mishna), because they are married to others (these *arayos* cannot be married to the brother either), their co-wives are permitted. The Mishna lists them: his mother, and his father's wife, and his father's sister, his paternal sister, and his father's brother's wife, and the wife of his paternal brother.

Beis Shamai permits the co-wives to the brothers, but Beis Hillel prohibits them.

If the *yavam* performed *chalitzah* with the co-wife of an *ervah*, Beis Shamai disqualifies her from marrying a kohen, but Beis Hillel permits her to marry a kohen (since she was exempt from *yibum* and *chalitzah*, the *chalitzah* which was done was meaningless).

If the co-wife was taken for *yibum*, Beis Shamai maintains that she is still qualified to marry a kohen (if her husband would die), but Beis Hillel disqualifies her (since she was not permitted to be taken for *yibum*, she is regarded as a *zonah* and thus forbidden to a kohen).

The Mishna concludes: Although Beis Hillel prohibits the co-wives and Beis Shamai permits them; these declared certain women ineligible to a kohen and these declared them eligible, Beis Shamai did not refrain from marrying women of Beis Hillel, nor Beis Hillel from Beis

Shamai. So, too, in regards to *tumah* and *tahara*, they did not refrain from lending each other utensils. (13a – 13b)

Rabbi Shimon ben Pazi cites a Scriptural verse proving that a co-wife of an *ervah* is permitted to the *yavam*.

The Gemora also discusses the source which indicates that *kiddushin* (betrothal) will not be valid with a *yevamah* (if she marries someone other than the *yavam*).

Rava offers an alternative explanation for Beis Shamai: Beis Shamai maintains that one prohibition cannot take effect on another prohibition. (The *ervah* can only be forbidden on account of being a brother's wife, but not on account of the *yavam's* wife's sister; therefore the co-wife is not excluded from *yibum*. The *ervah* herself is forbidden because if the prohibition of his brother's wife would be lifted for *yibum*, the prohibition of his wife's sister would immediately take effect.)

The Gemora asks: This would only be understandable in a case where the prohibition of the brother's wife preceded the other prohibition; what is the explanation in the reverse case?

The Gemora answers: Since the prohibition of the brother's wife would not take effect, she would be regarded as an *ervah* outside the setting of the *mitzvah* of *yibum*, and would therefore be permitted. (13b)