

# Daf Notes

Insights into the Daily Daf

10 Sivan 5767

Yevamos Daf 24

May 27, 2007

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## Highlights

The Mishna states: The *mitzvah* is that the eldest brother should be the one to perform the *yibum*. If the younger brother preempted him, he has fulfilled the *mitzvah*. (24a)

The Gemora cites a braisa: It is written [Devarim 25:6]: *And it will be, that the eldest brother .., will succeed in the name of his deceased brother, so that his name shall not be obliterated from Israel. The eldest brother* teaches us that the eldest brother is the one who has the commandment to perform the *yibum*. *Will succeed in the name of his deceased brother* teaches us that the brother who performs the *yibum* inherits the entire property of the deceased brother. It does not mean that the son born from the *yavam* and *yevamah* should be called the same name as the deceased brother; if the deceased brother's name was Yosef or Yochanan, that is what you should call the son. *So that his name shall not be obliterated from Israel* excludes a *saris* from *yibum* since his name is obliterated (*he cannot father a child due to defects in his body*).

The Gemora provides Scriptural support for the laws of the aforementioned braisa. The Torah does not mean that only the eldest brother can perform the *yibum*; he has the preferential right to perform the *mitzvah*, but the others may also perform *yibum*.

The Gemora asks: Perhaps the verse teaches us that the firstborn brother should perform the *yibum*, but

if there is no living firstborn, we do not go to the next oldest. Why did Abaye the Elder teach us that the *mitzvah* is for the eldest brother to perform the *yibum*, and if he declines, we go the next eldest brother?

The Gemora answers: Just like the firstborn takes precedence because he is the firstborn, so too here, the eldest takes precedence because he is the eldest. (*Since we know that any brother can fulfill the mitzvah of yibum, it is logical to assume that the next oldest brother takes precedence over a younger one.*) (24a)

The Mishna states: If one was accused of cohabitating with a slavewoman or a non-Jewess (*rumors were circulating*), and the slavewoman was freed or the non-Jewess converted; he should not marry her. (*This would corroborate the rumor.*) If he did marry her, we do not force him to issue a bill of divorce.

If one was accused of cohabitating with a married woman, and Beis Din forced her husband to divorce her; if he (*accused adulterer*) subsequently marries her, he is required to divorce her (*because she is Biblically forbidden to him*). (24b)

The Gemora analyzes the first ruling of the Mishna: If one was accused of cohabitating with a slavewoman or a non-Jewess (*rumors were*

*circulating*), and the slavewoman was freed or the non-Jewess converted; he should not marry her.

We can infer from here that her conversion is considered valid.

The Gemora asks from a braisa: If a man converted for the sake of a woman and a woman who converted for the sake of a man, and, similarly, a man who converted for the sake of eating at the King's table, or for the sake of joining King Solomon's servants; these are not regarded as valid converts. These are the words of Rabbi Nechemia, for Rabbi Nechemia used to say: Those that converted because of the fear of lions or those that who converted on account of a dream or those that converted in the times of Mordechai and Esther are not regarded as valid converts unless they convert as in the present time. The Gemora explains this to mean that they have no ulterior motive.

The Gemora answers: Rabbi Yitzchak bar Shmuel bar Marta said in the name of Rav: The *halachah* is in accordance with the opinion of the one who maintains that they are valid converts.

The Gemora asks: If so, why isn't it permitted altogether (*let the man marry her after she converts*)?

The Gemora answers: It is because of what Rav Assi said: It is written [Mishlei 4:24]: *Take crooked speech away from yourself, and put devious lips far away from you. (Don't act in a manner for which people will slander you and make their mouths crooked.)* (24b)

The Gemora cites a braisa: No converts will be accepted in the days of Mashiach (*it will be assumed that they have ulterior motives*). Similarly, no converts were accepted in the days of Dovid, nor in the days of Shlomo. (24b)

# INSIGHTS TO THE DAF

## FOOD FOR THOUGHT

\*\*\* *Will succeed in the name of his deceased brother* teaches us that the brother who performs the *yibum* inherits the entire property of the deceased brother.

The Zohar (Mishpatim) states: The *yavam* becomes the father of the deceased brother. Reb Nosson Lubart in Sheiris Nosson says that this is the reason why the *yavam* receives the entire property of his brother and the other brothers do not get anything. One who dies and a father and brothers survive him; the father receives the entire estate and not the brothers.

\*\*\* The Gemora stated: It does not mean that the son born from the *yavam* and *yevamah* should be called the same name as the deceased brother; if the deceased brother's name was Yosef or Yochanan, that is what you should call the son.

Reb Tzadok Hakohen explains according to the secrets of Torah why it is these two names that are mentioned here and in the Gemora Gittin (34b). It seems that the Ben Yehoyadah had a different version in the Gemora, as he asks why the Gemora mentions Yosef and Yaakov, and not Reuven and Shimon like it usually does.

\*\*\* The Gemora cites a braisa: No converts will be accepted in the days of Mashiach (*it will be assumed that they have ulterior motives*). Similarly, no converts were accepted in the days of Dovid, nor in the days of Shlomo.

The Maharil states: Similarly, repentance will not be accepted in the days of Mashiach (*it will be assumed that one has ulterior motives*). A person should hurry to repent because we are anxiously awaiting the imminent arrival of Mashiach, and if someone doesn't repent and Mashiach will arrive, he will remain with his sins.

(Margolios HaShas)