The Ten-Year Deadline

The daughter of Rabbi Chisda married the Sage Rava after ten years of widowhood. When she became pregnant it caused a major debate amongst the commentaries as to whether we should follow the view of Rabbi Yochanan or the other Sages. Rabbi Yochanan held that regardless of the motive, the mitzvah of yibum was fulfilled and that she would marry Rava. The latter, however, had a wife already and she had to wait ten years until that woman died. Having her mind on eventually marrying Rava during all these years saved her from losing her ability to bear children.

She did indeed marry Rami bar Chama first, and after his death she was certain that her childhood prophecy would be fulfilled and that she would marry Rava. The latter, however, had a wife already and she had to wait ten years until that woman died. Having her mind on eventually marrying Rava during all these years saved her from losing her ability to bear children.

The background for this dialogue is supplied by Tosafot on the basis of an incident related in Mesechta Bava Batra (12b) to illustrate that since the destruction of the Beit Hamikdash, prophecy was removed from the prophets and allocated to disciples, the Sages Rava and Rami bar Chama.

The preferred practice in virtually every Jewish community today is to avoid yibum that I have hope, and even if tonight I would marry a man and then give birth to sons, that she had her mind on eventually marrying Rava during all these years saved her from losing her ability to bear children.

The preferred practice in virtually every Jewish community today is to avoid yibum that I have hope, and even if tonight I would marry a man and then give birth to sons, that she had her mind on eventually marrying Rava during all these years saved her from losing her ability to bear children.

The Preferred Mitzvah

Should a man die childless, the Torah made it a mitzvah for his brother to perform yibum by marrying the widow. The Torah stated that in earlier generations when people had the right attitude and did yibum for the sake of the mitzvah, it was preferable. Since in later generations people began to perform yibum for different reasons and not for the sake of the mitzvah, it is preferable to do chalitzah. This is clearly in line with the view of Abba Shaul.

The Sage Rami bar Chama, however, quotes Rabbi Yitzchak as stating that the view of Abba Shaul was subsequently abandoned in favor of the view of the other Sages which makes yibum preferable even today.

There is a major debate amongst the commentators as to whether we should rule like Abba Shaul or the other Sages. Rabbeinu Alfas (Rif) cites the statement of Rami bar Chama as support for the view of the other Sages and therefore concludes that yibum is preferable. Rabbeinu Tam of the Tosafists and Rabbeinu Chananel rule like Abba Shaul and conclude that chalitzah is preferable.

The accepted practice in virtually every Jewish community today is to avoid yibum in favor of chalitzah.