

Yevamos Daf 31 is Dedicated



הערות של רב יחיאל גרינהויז

לרפ"ש נסים בן סולטנה ויפה בת מוטארם

לע"נ Yevamos Perek Gimmel is Dedicated

מרת רבקה בת ר' אליהו ז"ל

הח"ר אברהם בן ר' מאיר הלוי ז"ל

מרת האלע בת הח"ר משה הלוי ז"ל

יבמות דף לא

1. The גמרא discusses the משנה regarding חליצה for a צרת ערוה, whereby the Erva's marriage to the deceased brother is questionable. This can be caused by 2 possible events; either the קידושין are in doubt or the Divorce is in doubt. The גמרא explains that we must be mindful of the possible interpretation of our rulings, with regards to others. For example someone seeing the co-wife getting חליצה may assume that she can't be a צרת ערוה, since if she was, there would be no חליצה. The גמרא uses the same argument for both ספק קידושין and ספק גירושין. We can easily understand that in case of a questionable חליצה, קידושין of the co-wife proves that the ערוה wasn't married, for if she were there would be no חליצה. But in case of a questionable divorce of an ערוה, the fact that the co-wife gets חליצה, can lead someone to believe that she was fully divorced, and really the co-wife could have done Yibum, but the יבם chose not to do יבום, which often happens?
2. The גמרא distinguishes between a ספק defined by 2 witnesses who have conflicting opinions about whether the גט landed closer to him or closer to her, and 2 sets of witnesses where one pair disagrees with another pair. Since the bottom line is that we don't know if she is divorced, what is the difference between the 2 scenarios?
3. Further to the above, the גמרא brings an example from the case of בר שטיא, a man who sold property but may have been unstable mentally during the sale. 2 pairs of witnesses have conflicting opinions about it, and the גמרא rules that since it's in doubt we leave the property as it was before. What is the גמרא seeking to learn from this case? Isn't it always the case that in ממן we rule עליו הראיה (See רעק"א)
4. Every גט must be dated, but a שטר קידושין doesn't need a date. The גמרא explains that the date is not as important, and may lead to עדים testifying from reading the שטר, which is a חיסרון of מפי כתבם. Based on this reason, how do we ever use a גט which is brought to us, sometimes many years after the divorce, without knowing if the witnesses remember signing it?

If you have any comments or suggestions please email me at Ygrunhaus@gmail.com

לע"נ אבי מורי הרב יעקב בן ר' קיים משה יצחק ז"ל

רפואה שלימה לרב רפאל צבי ליפא בן אסתר רכאל