



Points to Ponder

הערות של רב יחיאל גרינהויז

יבמות דף פת

1. The גמרא makes a distinction between something which is known to be אסור (אתחזק איסורא) and something which is not known to be אסור. Rashi writes בהיהיא חתיכה in this piece, what is he clarifying?
2. The גמרא says that in our case since she is known to be married, it's איתחזק איסורא and then adds דבר שבערוה פחות משנים (ואין דבר שבערוה פחות משנים) and then adds דבר שבערוה פחות משנים, isn't the fact that it's איתחזק איסורא enough of a reason? Why add the fact about דבר שבערוה?
3. The גמרא says that one person (עד אחד) can be believed with regards to תרומה and similar situations that need some action, because the necessary action is in his control (בידו). Are we assuming that he already took this action, or do we believe him because he could have done it?
4. Since the reason why an עד אחד is believed for עדות אשה is משום עיגונה meaning that חז"ל knew that it would be very difficult to find two עדים, why does the גמרא first say that because we are strict at the end we are lenient in the beginning? It should just say משום עיגונא.

5. The גמרא says that if one witness comes forth after she remarried and testifies that her first husband is still alive, she doesn't have to leave the second husband if she doesn't believe the second witness. In addition, even if she is quite she can stay. How can she stay, if we assume כהודאה שתיקה? If she is agreeing with the second witness that her first husband is alive than she is still an איש אשת.

6. Further to the above, the גמרא says that every case where the תורה believed one witness, he is believed like 2 witnesses. How can we say that the תורה believed him if the whole concept of עדות אשה is רבנן הקילו עיגונא משום, which clearly means that its not דאורייתא.

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