



Points to Ponder

הערות של רב יחיאל גרינהויז

YEVAMOS DAF 93 IS DEDICATED:

לזיין חיים מתתיהו בן אהרון מאיר

יבמות דף צג

1. The גמרא says that according to רבי עקיבא when a lady makes a נדר regarding her earnings, the husband should be מפר because maybe she will produce more than the minimum. The assumption is that this is only because רבי עקיבא holds that אדם מקנה דבר שלא בא לעולם. If the reason why דבר שלא בא לעולם doesn't work is because a person is not סומך דעת, why would it effect our case where she is obviously סומך דעת on her own work? (And it should work even if we hold אדם מקנה דבר שלא בא לעולם).
2. Further to the above, if she says יקדשו ידי לעושיהן, she can't enjoy them either, so how can this fit into the נדר of לפיך עושה, which is specifically targeting her husband?
3. רב נחמן argues on רב הונא and says that the קנין is not חל on a לעולם בא דבר. He then adds that if he grabs it we don't force him to return it. Why wouldn't we take it back if the קנין is not חל?
4. רבי ינאי gave מעשר before receiving the פרות on שבת and the גמרא says that it would be a problem of טלטול דרבנן. In the משנה ב פרק ב משנה ז' it says that one can't take off מעשר and the מפרשים explain that it's a problem of מתקן. Why does our גמרא focus on טלטול, which is a side issue?

5. The גמרא discusses whether we can believe one עד to let her do יבום. One of the reasons not to believe him, is the concern that she likes the יבם and will therefore be willing to forgo sufficient due diligence. Why is this not a concern with every lady, that maybe she likes someone who she would like to marry and will therefore “want” to believe the witness without researching the situation?
6. Further to the above, the גמרא suggests that one עד is נאמן because it's מילתא דעבידא כל מקום שהאמינה תורה גמרא that לאיגלויי. How can this work in conjunction with the earlier גמרא that עד אחד הרי הוא כשנים?
7. The גמרא brings a ראייה from a lady whose son and husband went away, and one witness testified that the son died first. Why is this a case of מילתא דעבידא לאיגלויי? Since it's a certainty that both died, it may never come to light who died first?

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

לע"נ הרב צבי ליפא בן יחיאל ישראל זצ"ל