

דרבי יהושע אדרבי יהושע לא קשיא

There is no contradiction between the two opinions of ר"י

OVERVIEW

The גמרא presented a contradiction between ר"י of our משנה (where the woman is not believed to claim (לכשר נבעלתי) and ר"י of אלמנת עיסה (where the woman is כשרה (לכהונה). רבה resolved this contradiction; by אלמנת עיסה since the woman married the 'עיסה', she first investigated and ascertained that he is not a חלל. However no such investigation occurs when there is a זנות relationship (as in our משנה). רבא asked that we have, however, not resolved the contradiction between ר"ג (of our משנה) and ר"ג (of אלמנת עיסה). After רבא resolved that contradiction, he continues to resolve the contradiction between the two (abovementioned) statements of ר"י. Seemingly there is no need to resolve any contradiction by ר"י, since this was resolved previously. תוספות will explain why it was necessary for רבא to resolve the contradiction in ר"י, differently than was previously explained (by רבה).

והשתא לא מצי לשנויי דבודקת ונישאת כדמשני לעיל¹ –

And now (according to the answer of רבא), we cannot answer as we previously answered to explain that the reason why ר"י is מכשיר by an אלמנת עיסה (as opposed to כשר, etc.), is **since she investigates and** when she is certain that he is כשר, only then does **she marry** him. This answer of בודקת ונישאת is not valid according to this – כיון דהשתא אוקימנא באומרת שמא²:

Since that now רבא establishes that אלמנת עיסה is discussing a case where the אלמנה merely states that **perhaps** he is כשר; there is then no חזקה of בודקת ונישאת.

SUMMARY

According to רבא by אלמנת עיסה the woman is merely a שמא, therefore there is no concept of בודקת ונישאת.

THINKING IT OVER

1. Is there a מחלוקת להלכה (אליבא דר"י) between רבה and רבא?
2. Seemingly תוספות is stating the obvious. What was תוספות concern initially?!

¹ עמוד (רבא) earlier on this [רבה].

² In order to resolve the discrepancy by ר"ג, רבא stated that in the case of אלמנת עיסה (in which there is a dispute between ר"י and ר"ג) the woman is merely claiming שמא.