



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Kesubos Daf Chuf Daled

MISHNA

- Similarly, if there are 2 men, and each says that he is a Kohen, they are not believed. However, if they testify regarding each other, they are believed. **R' Yehuda** says we do not elevate one to the status of a Kohen based on a single witness. **R' Elazar** says that is only true if there are challenges to that status. However, when there are not challenges, we elevate him even based on a single witness. **R' Shimon ben Gamliel in the name of R' Shimon Hasgan** says that we do elevate a person to Kehuna based on the testimony of a single witness.

GEMARA

- **Q:** Why do we need all the previous Mishnayos which each taught the concept of peh she'assar peh shehitar? **A:** If we would only have the Mishna where **R' Yehoshua** agreed (where the person admitted the field belonged to another's father, whom he says he then bought it from), we would think we only believe him in that case, where his admission opens himself up to a loss of money, however, in the case where the witnesses say they were forced to sign a document, where there is no such loss, we would think that we don't believe them. If we would just say this second case, we would think they are believed, because they are testifying for others. However, in the first case where the person testifies for himself, we would think that we should not believe him. If we would just have these two cases, we would say that in monetary cases they are believed, but not in cases of issur. That is why we also needed the case of the married woman who says she got divorced. Finally, the case of the woman who says she was captured but was not violated is only needed to teach that if the witnesses came after she got married (or received a heter to get married) she need not leave the second husband (or the heter to get married). And, according to the view that this was said on the case of the woman who says she got divorced, the chiddush of the case of the captured woman was that even when there are 2 captured women, and we should possibly be concerned for reciprocity in testimony, we are not concerned. The reason that our Mishna, regarding the men who claim the status of a Kohen, is needed, is to teach the machlokes between **R' Yehuda** and the **Rabanan**.
- A Braisa says, if 2 people say about each other, "I am a Kohen and my friend is a Kohen", they are believed to be allowed to eat terumah, but not to marry a woman of pure lineage, unless there are 3 men to the group and each two say testimony about the third. **R' Yehuda** says that they may not even eat terumah unless there are 3 men, with each 2 giving testimony about the third person.
 - **Q:** It would seem that the **Rabanan** are not afraid that 2 people will collude to give reciprocal testimony, and **R' Yehuda** is concerned for that happening. However, a Mishna says that the **Rabanan** say that a donkey driver is not believed to say "My grain is not yet separated maaser but my friend's grain is", and **R' Yehuda** says that he is believed. Presumably, this is because **R' Yehuda** is not concerned for collusion and the **Rabanan** are!? **A: R' Ada bar Ahava in the name of Rav** said we must reverse the shitos. **A2: Abaye** said we don't have to reverse the shitos. The reason **R' Yehuda** is more lenient in this case is because we are generally more lenient when dealing demai.
 - **Q: Rava** asked, that doesn't explain the contradiction in the shitah of the **Rabanan**!? **A:** This contradiction can be answered by using a statement of **R' Chama bar Ukva**, that the case is where the donkey driver had the utensils used for selling the grain in his hand. This shows that he clearly wants to sell his grain. The **Rabanan** say, that the only reason he would praise his friend's grain over his own would be if he was colluding with him.

- We can say that the machlokes is based on whether giving someone to eat terumah would make people treat the person as genealogically fit as well. **R' Yehuda** says it does, which is why he says we cannot allow him to eat terumah. The **Rabanan** say it does not, which is why we allow him to eat terumah.
- **Q:** They asked, can we elevate someone who is referred to in a document as a Kohen to the status of a genealogically fit Kohen? The case would be where the lender refers to himself as a Kohen and witnesses sign the document. Do we say they only sign to the underlying transaction, or do we say that they are signing to everything written in the document? **A: R' Huna and R' Chisda** argue – one says we may do so and the other says we may not.
- **Q:** They asked, can we elevate someone who “duchaned” to the status of a genealogically fit Kohen? This can be asked according to the view that we elevate from terumah, because it may be that we only elevate there, since the eating of terumah by a non-Kohen carries a death penalty at the Hands of Heaven, and this can be asked according to the view that we do not elevate from terumah, it may be that only there we don't because terumah is eaten in private, but with regard to the public act of duchaning, maybe we would elevate, because one wouldn't have the chutzpah to so publicly act as a Kohen unless he was truly a Kohen. What is the Halacha? **A: R' Chisda and R' Avina** argue – one says we may do so and the other says we may not.
- **Q: R' Nachman bar Yitzchak** asked **Rava**, do we elevate from duchaning to giving the status of genealogically fit? **A: Rava** said, this is a machlokes between **R' Chisda and R' Avina**. **Q:** He asked, how do we pasken? **A: Rava** said, I can bring a proof from a Braisa. **R' Yose** said in the Braisa, the power of chazaka is great, because we see in a pasuk that Kohanim whose lineage came into question were told that they may not eat “kodesh hakodashim”. This suggests that they were allowed to eat terumah. The pasuk is teaching that based on their chazaka of having eaten teruma previously, they may continue to eat terumah. Now, since **R' Yose** bases this on chazaka, it must be that just as they were allowed to continue eating terumah, they would be allowed to continue duchaning. Now, if we are concerned that people will elevate from duchaning to the status of pure lineage, we could not allow them to duchan. It must be that we do not so elevate!
 - The Gemara says, it may be that only here we are not concerned that people will elevate their status, because their chazaka was weak in that all knew they had issues with their lineage. If we do not say this, we would have the same concern when we allow them to eat terumah, according to the view that we elevate from terumah to the status of pure lineage.
 - We must say, that the statement of “the power of chazaka is great” is meant in the sense that initially the Kohanim in the pasuk only ate terumah D'Rabanan, and they were now allowed to eat terumah D'Oraisa
 - We can also say that these Kohanim were only allowed to continue eating terumah D'Rabanan. The reason he was not concerned that they would be elevated to pure lineage was because that only happens to Kohanim who eat terumah D'Oraisa. What was meant by “chazaka is great” was that we allow them to eat terumah D'Rabanan and are not concerned that it will lead them to eat terumah D'Oraisa.