

וכיון דאסהיד דלוי הוא כולי –

But since he is testifying that it belongs to *Levi*, etc.

Overview

The גמרא is discussing a case where ראובן stole a field from שמעון and sold it to לוי. Afterwards יהודה comes and claims that it is his field, the rule is that שמעון cannot testify on behalf of לוי against יהודה (for he is a בדבר).¹ The גמרא asks if שמעון will testify that it belongs to לוי, how will שמעון be able to dislodge לוי, since he testified already on his behalf. The גמרא offers an answer.² תוספות offers an alternate answer.

תוספות comments:

הוה מצי לשנויי כגון דאסהיד שמעון דשל אבותיו דלוי הוה³ -

The גמרא could have answered that for instance שמעון testifies that this property belonged to לוי's ancestors, so it could not belong to יהודה -

ובתר הכי אתי שמעון וטעין דמלוי זבנה ואית ליה סהדי דראובן גזלה ממנו ומכרה ללוי:
And later (after יהודה's claim will be dismissed [based on שמעון's testimony]), שמעון will come and claim that he (שמעון) subsequently bought it from לוי, and שמעון will produce witnesses that ראובן stole it from him and sold it back to לוי.⁴

Summary

שמעון can claim that it belonged to לוי's ancestors (disqualifying יהודה) and later will claim that he (שמעון) bought it from לוי.

Thinking it over

Is there any advantage in תוספות proposed answer over the גמרא's actual answer? If there is, why indeed did the גמרא not answer in this manner?!⁵

¹ יהודה prefers to challenge לוי rather than שמעון.

² שמעון will not testify on behalf of לוי, he will merely testify that יהודה's claim is bogus.

³ It would seem that this testimony of שמעון is valid to challenge יהודה if יהודה's claim is that this field always belonged to him from generations past.

⁴ This allows שמעון to testify on behalf of לוי to negate יהודה's claim, and subsequently for שמעון to dislodge לוי.

⁵ See משה.