

Review of Makos Lesson 16 - Daf 4B:

3)ARE EDIM ZOMEMIM LASHED FOR LO SA'ANEH?

(a)**(Mishnah - R. Meir):** If Edim Zomemim testified that Reuven owes 200 Zuz, they are lashed and pay, for different verses obligate lashes and payment;

(b)Chachamim say, anyone who pays is not lashed.

(c)R. Meir says, if Edim Zomemim testified that Reuven is liable to receive 40 lashes, they receive 80 lashes, 40 for "Lo Sa'aneh" (do not swear falsely), and 40 for "va'Asisem Lo Ka'asher Zamam"; (Being Edim Zomemim)

(d)Chachamim say, he is lashed only 40.

Daf 4B:

(e)**Version #1 (Gemara) Question:** Granted, Chachamim learn from "Kedei Rish'aso" ("according to his being wicked" - which means the singular, for one evil thing - and not for two evil things from one action) that one receives only one punishment for his evil;

1. Why does R. Meir argue?

(f)**Answer (Ula):** He learns Edim Zomemim from Motzi Shem Ra (a man who claims that his bride was not a virgin), who is lashed and pays (if we find that he lied).

(g)**Question:** We cannot learn from Motzi Shem Ra, for it is a Kenas! (Fine)

(h)**Answer:** R. Meir holds like R. Akiva, who says that Edim Zomemim is a Kenas. (Why will the Chachamim argue with R. Meir ? They will hold that Edim Zomemim is not a Kenas, but a compensation. Therefore, it can not be learned out from Motzi Shem Ra which is a Knes.)