

13.1.12; 14a (ת"ש) → 15b (דקעביד)

1. בנים אתם לה' אלהיכם לא תתגדדו ולא תשימו קרחה בין עיניכם לית: דברים פרק יד פסוק א  
 2. פה אמר ה' צבאות צום הרביעי... היתה לבית יהודה לששון ולשמחה ולמקדים טובים והאמת והשלום אהבו: זכריה פרק ח פסוק יט  
 3. דרקה דרקי נעם וכל נתיבתיך שלום: משלי פרק ג פסוק יז

- I. Continuation of dispute between ר"ל/ר' יוחנן as to whether ב"ש practiced their own approach to צרת ערוה
- a. End of ד' משנה – ב"ש and ב"ה intermarried
- i. *Support*: for ר"ל – ב"ש did not practice their own approach
  - ii. *Challenge*: to ר"י
    1. *possibility*: it works if ב"ש allow to marry ב"ה women – results of חייבי לאוין (יבמה לחוץ) חייבי לאוין
    2. *however*: not if ב"ה marry women of ב"ש – results of חייבי כריתות (צרת ערוה) → ממזר
  - iii. *defense*: ב"ש would notify ב"ה if a person was result of such a marriage/יבום; ב"ה would desist
  - iv. *Support*: from end of משנה, indicating that even ב"ה (stringent) would work with טהרות with ב"ש (lenient); must be that ב"ש notified them and they would avoid it
    1. *note*: support stronger from last case, since we would think there is no need to notify about צרת ערוה since it has a קול – קמ"ל
- II. Reassessing the collegiality between ב"ש and ב"ה in areas of marriage
- a. Although ב"ש and ב"ה disagreed on a series of issues affecting marital status:
- i. צרות (our משנה)
  - ii. אחיות (keeping זקוקתו if he performed ייבום)
  - iii. נשואה of a מאן (regarding ספק אשת איש)
  - iv. גט ישן (a גט followed by the couple staying together in an inn)
  - v. minimum value of קידושין
- b. nonetheless, they intermarried in the spirit of v. 2 (ת"ק)
- c. ר"ש: they only married in case of ספק
  - i. *analysis*: perhaps this proves that ב"ש maintained their position – else, why limit to ספק?
  - ii. *rejection*: we are referring to the woman herself, as opposed to her offspring
  - iii. *challenge*: they should even avoid a ספק (לאו) ספק or כריתות (ספק כריתות)
  - iv. *defense*: they didn't avoid ספק, rather a default case, assuming the other would notify them
- d. *reevaluate*: entire ברייתא authored by ר"ש
- III. Occurrence in רשב"ג and ריב"נ בית מדרש with חליצה
- a. רשב"ג adovated חליצה for ערוה, to avoid any questions – they didn't complete it.
- b. רשב"ג asked how we are to deal with these women at this point:
- i. *analysis*: seems to prove that עשו
  - ii. *rejection*: discussion re: the women themselves; i.e. what shall we do with the ערוה?
    1. cannot have them perform חליצה :: → disdained by husbands, *contra* v. 3
- IV. Stories with ר"ט and ר"ג
- a. ר"ט – desired to "marry" a צרת ערוה (proves "עשו" – ר"ט was a ב"ש)
  - i. *repair*: he desired to "marry off" a צרת ערוה, to show support for ב"ה (*contra* ריב"נ, [חליצה] →)
- b. ר"ג's daughter fell to him and he performed ייבום on her צרה (even though he is a Hillelite)
- i. *answer*: she was an איילונית
    1. *challenge*: איילונית (→ didn't think so) יש אומרים
    2. *answer #1*: they disagree about הכיר בה ולא הכיר בה
    3. *answer #2*: they disagree about כנס ולבסוף גרש
    4. *answer #3*: they disagree about תנאי בביאה (contingent on having no מומים)
- V. Challenge to position of ר"ע – לא עשו – took 2 מעשרות from an אתרוג which he harvested between 1-15 שבט
- a. Answer: he was in doubt as to whose position was בטבט (ב"ה) טו בשבט
- VI. Challenges to position עשו
- a. *Case*: עשו himself opened up room for a סוכה for his infant grandson (*contra* ב"ה)
  - i. *defense*: not an obvious deviation – perhaps he was just allowing in more air
- b. *Case*: ב"ש enforced a wider מקוה – as per their approach – in ירושלים
  - i. *defense*: observer thinks they just want better water-flow