

13.6.12

64a → 66a (סוף הפרק) (משנה 21)

1.	ותקח שרי אשת אברם את הגר המצרית שפחה מקץ עשר שנים לשבת אברם בארץ כנען ותתן אתה לאברם אישה לו לאשה: בראשית טז.
2.	ויהי יצחק בן ארבעים שנה בקחתו את רבקה ... ויצחק בן ששים שנה בלדת אתם: בראשית פרק כה פסוק כ, כו
3.	ויעתר יצחק לה' לנכח אשתו כי עקרה הוא ויעתר לו ה' ונתהר רבקה אשתו: בראשית פרק כה פסוק כא
4.	... הביטו אל צור חצבתם ואל מקבת בור נקרתם: הביטו אל אברהם אביכם ואל שרה תחוללכם כי אחד קראתיו ואברהו ואברהו: ישעיהו נא-א-ב
5.	ותהי שרי עקרה אין לה ולד: בראשית פרק יא פסוק ל
6.	מי שנותניו בהם שבועים שנה ואם בגבורת שמונים שנה ורהבם עמל ואון כי גז חיש ונעפה: תהלים פרק צ פסוק י
7.	כי בצל החכמה בצל הכסף ויתרון דעת תחכמה תחיה בעליה: קהלת פרק ז פסוק יב
8.	ויברך אתם אלהים ויאמר להם אלהים פרו ורבו ומלאו את הארץ וכבשה ורדו בדגת הים ובעוף השמים ובכל חיה הרמשת על הארץ: בראשית א-כח
9.	ויאמר לו אלהים אני אל שדי פרה ורבה גוי וקהל גוים יהיה ממך ומלכים מחלציד יצאו: בראשית פרק לה פסוק יא
10.	אל תוכח לץ פן ישנאך הוכח לחכם ויאהבך: משלי פרק ט פסוק ח
11.	ויצו אל יוסף לאמר אביך צוה לפני מותו לאמר: כה תאמרו ליוסף אנא שא נא פשע אחיד וחסאתם כי רעה גמולו ועתה שא נא לפשע עבדי אלהי אביך ויבך יוסף בדברים אלה: בראשית פרק נ פסוק טז-יז
12.	ויאמר שמואל איך אלוך ושמע שאלו והרגני ס ויאמר ה' עגלת בקר תקח בידך ואמרת לזבח לה' באתי: שמואל א פרק טז פסוק ב
13.	ותצחק שרה בקרבה לאמר אחרי בלתי היתה לי עדנה ואדני זקן: ויאמר ה' אל אברהם למה זה צחקת שרה לאמר האף אמנם אלד ואני זקנת: בראשית פרק יח פסוק יג

I מצוות פ"ר: further on משנה 21

a after 10 years of childless marriage, may not desist from מצווה (hint: v. 1)

i v. 1 → count only began from their עליה –

1 → a period of cessation from relations (e.g. due to sickness or captivity) doesn't count

2 רב: in our day (shorter lifespan) – after 2.5 years (3 years – 7 years)

(a) rejection: our משנה is post-דוד, when lifespans “normalized” (v. 6)

ii he must give her the כתובה – his role in the barrenness is possible

1 challenge: perhaps it is her role – why should she get כתובה?

2 Answer: she isn't commanded to fulfill פ"ר; he must be the one “punished” here

3 Challenge: ר' אבה בר זבדא claimed that if his 1st wife had been meritorious, they would have had children

(a) Answer: he was deflecting a demand that he remarry; was impotent (like others) from דרשה of הונא ר' הונא

(i) Aside: of 60 students of הונא ר', only אחא בר יעקב was spared from impotency (v. 7)

b if she divorced him, another may marry her and they are given another 10 years

i implication: may only remarry once

ii attribution: רבי, who maintains that after 2 mishaps, חזקה established and danger must be avoided

1 challenge: רשב"ג is reported as taking position of 2X=חזקה, רבי maintaining 3X=חזקה

2 response: later version holds that רבי held 2x;

3 support: story of 4 sisters, 3 of whom had sons who died מילה מחמת מילה, רשב"ג forbade מילה on 4th

(a) challenge: perhaps he would have disallowed 3rd as well

(i) story educed to teach that מיתה מחמת מילה is genetic and can be carried through sisters

(ii) application: don't marry into a family of epileptics or lepers (if established by 3 cases)

(b) ruling: case of ר' יוחנן – allowed מילה after 2 deaths (on שחל בשבת פ"ר)

(i) case: ר' אבוי married a woman who outlived 2 husbands – and he then died

(ii) Question: why did he rely on report of ר' יוחנן (above) via יצחק ר' – ר' אבוי held he was unreliable

(iii) Reasoning: a malignant disease in her womb – or bad luck

(iv) Split the difference: death before marriage (ארוסה) or if he died by some external accident

4 Final ruling(s):

(a) Marriage: רבי (2x=חזקה, 3rd should not marry her unless he has children)

(i) Application: if she marries a 3rd w/o children, she leaves w/o כתובה

1. further: #1&2 cannot claim כתובה, maintaining that her 3rd childless relationship proves, retroactively, that she was barren: her retort: barrenness set in now

2. further: if she has children with #4, cannot go back and claim כתובה from #3

a. counter: #3 could claim that divorce is retracted; divorced due to barrenness

b. rather: we maintain that she was healed now

(b) Lashes: רבי (if he got מלקות twice, they then use the כיפה to cause his death)

(c) Menstruation: כרשב"ג (established after 3 cycles)

(d) שור המועד (pattern established after 3 gorings/attacks)

- 5 *credibility*: if she claims that he is faulty – she is believed (woman is more knowledgeable re: potency)
- (a) *אסי ד'* if he says he'll marry another to prove his virility – must divorce with *כתובה*, since anyone who marries a 2<sup>nd</sup> wife must divorce his wife and give a *כתובה*
- (i) *דב*: a man may marry several wives, as long as he can support each
- (b) *further*: if he says she miscarried during 10 years and she challenges it – she is believed
- (i) *rationale*: she wouldn't want to (dishonestly) establish herself as barren
- (c) *further*: if she has 3 miscarriages in a row, he should divorce w/*כתובה*
- (i) *rationale*: she is *מוחזקת לנפלים ממנו*
- (d) *further*: if she claims 3 miscarriages and he claims 2, she is believed
- (i) *rationale*: she wouldn't want to (dishonestly) establish herself as *מוחזקת לנפלים*
- iii if she miscarried, the 10 years is reckoned from the moment of miscarriage
- c observations about barrenness and the *אבות*
- i *יצחק* was also barren, as per v. 3 (*לנכח אשתו*) – he was answered, as *צדיק בן צדיק*
- 1 no inference from *יצחק* (v. 2), he was barren;
- (a) mention of 60 years is there to calculate *יעקב*'s bio (*מגילה ז.*)
- 2 prayer of *צדיקים* compared to pitchfork, turning *מדת הדין* into *מדת רחמים*
- 3 barrenness *אבות* – because ה' desires their *תפילות*
- 4 v. 4 – *אברהם* and *שרה* were *טומטומים*; v. 5 – *שרה* had no womb
- II *פ"ר*: obligation of *משנה ז*
- a *חכמים*: only men
- i *prooftexts*:
- 1 v. 8 (conquest – male domain)
- 2 v. 9 – (in the singular)
- (a) *tangents*: *ר' אילעא בשם ר"א בר"ש* of *דרשות* who brought 1<sup>st</sup> prooftext)
- (i) v. 10 – just as it is appropriate to reprove when there is a ready audience, similarly, it is in appropriate to reprove if no receptivity
- (ii) v. 11 – it is permissible to “bend the truth” to maintain domestic tranquility
1. *ר' נתן*: it is a *מצוה* (v. 12)
2. *ר' ישעאל*: significance of domestic tranquility seen from ה'’s “modifying truth” in v. 13
- b *ר' יוחנן בן ברוקה*: both (as per v. 8)
- c *Ruling*: dispute between *ר' יוחנן/ריב"ל*
- d *assumption*: *ר' יוחנן* ruled like *חכמים*
- i *proof*: when it was reported that he ruled like *ריב"ב*, his disciples turned away (i.e. rejecting report)
- ii *question*: acc. to version that *ר' חייא בר אבא* reported it, why didn't *אסי ור' אמי* correct him?
- iii *Proof*: a woman came to *ר' יוחנן*, wanted out of a marriage since he couldn't provide children
- 1 *Ruling*: *ר"י* ordered *כתובה* paid
- 2 → she must be obligated, else he could tell her to remain there
- 3 *rejection*: perhaps she made a special claim of no support in her old age (no children, no *כתובה*)
- (a) as in case with woman who came before *ר' נחמן* – he enforced divorce with *כתובה*
- iv *story*: wife of *ר' חייא* who had terrible pains with her twin boys and disguised herself, asking her husband if she was commanded; when he responded in the negative, she took a sterilizing potion
- v *challenge*: a  $\frac{1}{2}$  *שפחה*  $\frac{1}{2}$  *בית חורין* was forced to be freed
- vi *answer*: she was being taken advantage of...