

14.5.7

63a (משנה ז') → 64b (מבנים)

- I מורדת: the consequences of משנה ז'
- a if she rebels - "מורדת"
- i meaning of מורדת
- 1 הונא – ר' – relations (i.e. refuses to have relations with her husband)
 - 2 ר' יוסי בר חנינא – work
 - 3 Arguments:
 - (a) From (c) below (if he is מורד) – must be תשמיש (he doesn't owe her מלאכה)
 - (i) Block: could be a case where he refuses to feed her
 - (ii) Challenge: in such a case, he is obligated to divorce her
 - (iii) Defense: but while we are trying to coax him to relent, we add to his כתובה
 - (b) Ruling that מרד applies to ארוסה, נשואה, even a נדה, sick woman or שומרת יבם → must be מלאכה
 - (i) Block: in case of נדה, the essential prohibition isn't the same as a נדר – "פת בסלר" – נדר
 - (c) Same ruling: a sick woman can't work → must be תשמיש
 - 4 rather – all agree that מורדת מתשמיש is considered a מורדת; dispute is whether it extends to מלאכה
 - 5 recall of ruling: מרד rule that we don't deduct; rather we announce her מרד for 4 straight שבתות in בתי
 - (a) dissent: (רבא) – we continue to try to convince her to relent and keep deducting 7 דינרים per week
- ii definition of מורדת: only if she says "I like him but want to pain him"; but if she finds him repulsive, we don't try to force a reconciliation (in spite of story with ר' חנינא's parents which was unusual)
- 1 story with זביד's daughter-in-law who rebelled and grabbed a fancy garment (against כתובה):
 - (a) version1: they ruled that she loses it (מורדת loses her existing בלאות)
 - (i) accusation: favoritism of זביד רבא; ר' רבא had only raised the question and not answered
 - (b) version2: they ruled that she keeps it (מורדת keeps her worn-out clothes)
 - (i) accusation: favoring against זביד ר' since he will not challenge us
 - (c) ruling: since רבא never settled it, if she grabs בלאות, we don't take away; but we don't grant them לתחילה
 - (d) additionally: she waits 12 months for her גט during which time she receives no מזונות
 - iii we deduct from her כתובה every week:
 - 1 דינרים 7 – ת"ק
 - 2 דינר 1/2 = טרפעק (טרפעקין 7 – ר' יהודה)
- b we continue deducting until the value of her כתובה is finished
- i ר' יוסי – continue beyond that, such that if she later inherits, he can claim it
- c if he is מורד – we add to her כתובה every week:
- i דינרים 3 – ת"ק
 - ii טרפעקין 3 – ר' יהודה
 - iii reason for 3::7 ratio:
 - 1 difference of 1:2 – since his deprivation is greater (or his יצר is more "obvious")
 - 2 difference of 6:7 – since we're adding to the כתובה, it looks like שכתב; as opposed to deducting
- d additional rulings:
- i שמואל: we write an אגרת against an ארוסה (who refuses to marry) but not a שומרת יבם
- 1 challenge: ruling above includes שומרת יבם
 - 2 answer: if he is תובע and she refuses, we write an אגרת; not if she is תובעת
 - 3 challenge: language indicates that we are writing on her behalf (על הארוסה)
 - 4 answer: read "לארוסה" i.e. against her כתובה
 - 5 challenge: why distinguish between שומרת יבם/ארוסה?
 - (a) Suggestion: we tell the שומרת יבם that she isn't commanded re: פ"ר
 - (b) Challenge: same can be said for ארוסה
 - (c) Rather: she claims that she wants someone to take care of her in her old age
 - (d) Challenge: שומרת יבם may make the same claim
 - (e) Rather:
 - (i) if he wants to perform ייבום, her refusal doesn't constitute מרד
 - (ii) if he wants to perform חליצה (and she insists on ייבום) it does
 - (f) challenge: in either case, we could tell him to marry another while she delays
 - 6 rather: he is insisting on ייבום, as per משנה ראשונה (prioritizing ייבום) she is a מורדת, as per משנה אחרונה, not