

14.7.8

77a (משנה י') → 77b (סיום הפרק)

1. בְּדָבָרִים לֹא יִגָּסֵר עֲבָדָה כִּי יִבִּין וְאִין מַעֲנָה: מְשַׁלֵּי פֶרֶק כֵּס פִּסּוּק יֵט
 2. אֵילֵת אֶתְבָּיִם וְעֵלֵת חֹן דְּדִיָּה יִרְוֹךְ בְּכָל עֵת בְּאֶהְבְּתָה תִּשְׁגָּה תִּמְיֵד: מְשַׁלֵּי פֶרֶק ה פִּסּוּק יֵט

- I husbands from whom the ב"ד coerces divorce, whether or not these conditions existed prior to marriage
- a list:
- i someone afflicted with boils
 - ii someone who has a foul smell (פוליופוס)
 - 1 שמואל – halitosis (or, perhaps, he said a foul smell from the nose)
 - 2 ברייתא – foul smell from the nose (or perhaps the ברייתא defined it as halitosis)
 - iii someone who collects dog excrement (for a living)
 - 1 רב יהודה – that's his vocation (perhaps used for laundry – see רש"י)
 - 2 ברייתא – used for tanning
 - (a) challenge: tanner is already listed in our משנה
 - (b) answer: "tanner" refers to a large tannery, מקמץ is a small tannery
 - iv a coppersmith
 - 1 רב אשי: someone who works with copper
 - 2 ברייתא: a copper miner (support from רבב"ח)
 - v a tanner
- b application:
- i ר"מ – even if she made a condition to accept these, she may realize that she couldn't live with it
 - ii חכמים – if she made a condition, she is "stuck", except for מוכה שחין (boils); she harms him when intimate
 - iii story: man who was a tanner and died, she fell to his brother the tanner and stated that she could bear his brother but not him and חכמים accepted the argument
- II Coercing the husband to divorce – cases where the ב"ד does/doesn't accept the wife's willingness to remain married
- a רב: if a man refuses to support his wife, he is forced to divorce w/כתובה
- i שמואל's reaction – as long as they're forcing him, force him to support her!
 - ii רב's reason: impossible to live with such disharmony
- b רב אסי: we only force divorce when the marriage is illegitimate
- i שמואל (as quoted by רב אסי e.g. "אלמנה לכה"ג etc. but not a 10-year childless marriage)
 - ii שמואל (as quoted by ר' תחליפא) – even a 10-year childless marriage is dissolved via coercion
 - iii support for ר' אסי – our משנה which lists מומין but not the 10-year childless marriage
 - 1 support: our משנה only lists rabbinic conditions (not פסולות)
 - 2 challenge (to תחליפא) – should also list 10-year childless marriage
 - 3 answer1: our משנה refers to coercion via whipping; the 10-year marriage is verbal coercion
 - 4 challenge: v.1 – words don't get the job done
 - 5 answer2: both are with whipping; in case of our משנה, if she is willing to remain with him, we don't force
 - (a) note: even in case of מוכה שחין which is dangerous for him, if she is willing to live with him with witnesses to guard against intimacy, we allow it.
 - (b) Tangential discussion: various types of מוכי שחין – all of which are endangered with תשמיש
 - (i) worse is ראתן (trembling?)
 - (ii) causes, treatment and quarantine
 - 1. ריב"ל, following v. 2, sat with them when studying (תורה protects him)
 - 2. story of his death and entrance into עוה"ב
 - 3. story of death and entrance into עוה"ב of ר' חנינא בר פפא
 - 4. dietary explanations for the absence of בעלי ראתן and מצורעים in some places