

14.11.5

100b (משנה ר') → 101b (סיום הפרק)

- I כתובה: women who get limited or no
- a ממאנת and שניה (לעריות), ממאנת get no...
- i כתובה
- 1 only 100/200 but they keep תוספת,
 - 2 *contra*: women who, due to their own behavior, are divorced "without כתובה" – lose everything
 - 3 *distinction*: women who are divorced due to adultery – only keep their מלוג נכסי
(a) *support*: if she commits adultery, she leaves with (מלוג) מלוג
- ii פירות (רש"י) (פירות); she is not able to recover פירות (רמב"ם); husband has no חיוב to redeem her
- iii מזונות
- 1 *meaning*: if the husband went abroad and she borrowed for מזונות and then she turned out to be an איילונית or left him via מיאון, she has no recourse to him to repay the loan
- iv בלאות – suing for recovery of clothes gone threadbare that she was given as part of סתות
- 1 *comment* (in שמואל's name): only applies to מלוג נכסי, but she keeps בלאות of צ"ב
 - 2 *challenge*: this can't apply to ממאנת – if the בלאות are still around in any case she keeps it; if not around, she can't claim them
 - 3 *challenge2*: can't apply to איילונית – if they're around, she gets both; if gone, only keeps מלוג (since that's in her domain)
 - 4 *rather*: applies to שניה; both of them are fined for the illicit marriage – he loses hers (נכסי צ"ב) and she loses what he has been holding onto (מלוג)
(a) *implication*: if she brings in clothing as מלוג, it is considered principle and she may not use it (as clothing) until it is worn (*contra* נחמן ר')
- b in case of איילונית, if he married her with the understanding that she was an איילונית, she maintains כתובה
- c prohibited marriages מה"ת (e.g. אלמנה לכה"ג) have כתובה
- d *associated discussion*: a קטנה who is divorced
- i רב: neither she, nor ממאנת, gets כתובה
- ii שמואל: she gets כתובה – only ממאנת doesn't get כתובה
- 1 שמואל is consistent – he rules that ממאנת (exclusively) has no כתובה, is still permitted to the brothers (of her former "husband") may still marry a כהן and needn't wait 3 months to marry
(a) *challenge*: all of these were taught in the (משנה יבמות יג:)
(b) *answer*: distinction vis-à-vis requirement of waiting 3 months omitted from משנה
- iii *suggestion*: מעשה קטנה ר"א/ר' יהושע :: רב/שמואל vis-à-vis validity of קטנה
- 1 *rejection*: all agree that according to ר"א, her actions are meaningless and she has no כתובה
 - 2 *rather*: שמואל follows ר' יהושע's thinking; רב limits ר' יהושע's approach to her obligations to him
- e *Application of איילונית to אלמנה*:
- i אלמנה is a "full woman" → whether or not he knew her to be an אלמנה beforehand, gets כתובה (unlike איילונית who only gets כתובה if he knew about it)
- ii איילונית::אלמנה דב יהודה
- iii *challenge* (to רב הונא): if he married her with the understanding that she is an אלמנה and she turns out to be one – she gets a כתובה (→if he married her סתם, she gets no כתובה)
- 1 *provisional answer*: applies even to סתם
 - 2 *challenge*: why not teach that, which is more surprising
 - 3 *additional challenge*: explicit ruling that if he married her סתם and she turns out to be an אלמנה, she gets no כתובה – ר' הונא is refuted
(a) *error of רב הונא*: since text didn't make same distinction for אלמנה, must be that she gets כתובה in any case
(b) *Reality*: אלמנה was taught right after איילונית, relying on same distinction