

22.8.6

114b (האשה את בנה) → 115a (יורשת ואינה מורשת)

.1 וְכֵן בֵּית יִשְׂרָאֵל נִחְלָה מִמָּטוֹת בְּנֵי יִשְׂרָאֵל לְאַחַד מִמְשַׁפְּחֹת מִטָּה אֲבִיָּה תְהִיָּה לְאִשָּׁה לְמַעַן יִרְשׁוּ בְנֵי יִשְׂרָאֵל אִישׁ נַחֲלַת אֲבֹתָיו: בַּמְדָּבָר פֶּרֶק לוֹ פְּסוּק ח

I Analysis of 3rd grouping in משנה which is simply an inversion of 2nd grouping

- a *Justification*: teaching that just as a man does not inherit from his wife after she is dead (i.e. those properties which fall to her posthumously), similarly, a son does not inherit from his mother "in the grave" (after he has died) that the property would then go to his paternal brothers (no relation to the "conduit's" mother)
- b *היהודיה* – a father inherits (from) his son, and a mother inherits her son
- i *Source*: equating father's tribe to mother's tribe – just as father inherits from his son...
- ii *Challenge* (ר' יוחנן): our משנה limits mother's inheritance to a unidirectional relationship
- 1 *Answer* (ר' שמעון בן יהודה): unclear who authored our משנה
- (a) *question*: why not identify it as זכריה בן הקצב ר', who doesn't read מטות as equating מטה האב as equating מטה האם::מטה האב
- (b) *Answer*: משנה cannot be זכריה ר', as we learned that בנות אחות בני אחות excludes בנות אחות בני אחות
- (i) *And*: we interpreted that statement as directed to prioritizing – and זכריה ר' equates daughters with sons vis-à-vis mother's estate
- 2 *Question*: what is our תנא's position?
- (a) *If*: he learns מטות, he should allow mother to inherit from her son
- (b) *If*: he doesn't accept מטות, he should equate nieces to nephews
- (i) *Answer*: he does read מטות (→ prioritizes son over daughter re: mother's estate)
1. *But*: v. 1 militates against girl bequeathing to two tribes
2. → mother does not inherit from her child