



Alyth Chavruta Project

Babylonian Talmud Ketubot 61b
Week 1



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'Iron sharpens iron, so a person sharpens the wit of their friend.'

Proverbs 27:17



Introduction

Welcome back to the Alyth Chavruta project. In this series, we shall take on a whole *sugya* (section) of the Babylonian Talmud. The *sugya* we have chosen is from Tractate Ketubot, which is concerned with the laws of matrimony. As with all *sugyot* in the Talmuds, this one begins with a Mishnah. In this case, the Mishnah deals with the question of how long a husband may go without fulfilling his conjugal duties. It is important to know what the Mishnah says, as much of the discussion in the remainder of the *sugya* relates back to the Mishnah. This also means, however, that there may be aspects of this week's text that are a bit mysterious, and which are not discussed or explained until later in the *sugya*.

The text itself can be found here in both Hebrew only and Hebrew with translation. For those with some knowledge of Hebrew, we encourage you to attempt your own translation, but there is absolutely no expectation that you engage with the Hebrew. As usual, there is also no requirement to get to the end of the pack – we have provided more than you can get through in an hour of study, and we encourage you to focus on understanding a small amount rather than becoming confused by a greater amount.

Further resources and advice on how to get the most out of chavruta can be found in our [FAQs](#). We look forward to seeing you on Thursday to share our learning with each other.

Blessing for Study

ברוך אתה יי אלהינו מלך העולם, אשר קדשנו במצוותיו, וצונו לעסוק בדברי תורה.

Blessed are You, our Living God, Sovereign of the universe, whose commandments make us holy, and who commands us to devote ourselves to the study of Torah.

Baruch Atah Adonai, Eloheynu Melech ha-olam, asher kidshanu b'mitzvotav, v'tzivanu la-asok b'divrey Torah.



The Hebrew Text

מתנ' המדיר את אשתו מתשמיש המטה, בית שמאי אומרים, שתי שבתות. בית הלל אומרים, שבת אחת. התלמידים יוצאין לתלמוד תורה שלא ברשות, שלשים יום. הפועלים, שבת אחת. העונה האמורה בתורה, הטילין, בכל יום. הפועלים, שתיים בשבת. החמרים, אחת בשבת. הגמלים, אחת לשלשים יום. הספנים, אחת לששה חודשים, דברי רבי אליעזר:

מתנ' המדיר את אשתו מתשמיש המטה, בית שמאי אומרים, שתי שבתות. בית הלל אומרים, שבת אחת.

התלמידים יוצאין לתלמוד תורה שלא ברשות, שלשים יום.

הפועלים, שבת אחת.

העונה האמורה בתורה, הטילין, בכל יום. הפועלים, שתיים בשבת. החמרים, אחת בשבת. הגמלים, אחת לשלשים יום. הספנים, אחת לששה חודשים,

דברי רבי אליעזר:

THE MISHNAH: One who prohibits his wife from use of the bed,¹ the House of Shamai says [he may do so for] two Shabbats. The House of Hillel says [he may do so for] one Shabbat.

Scholars who depart to study Torah without consent, may for thirty days.

Labourers may for one Shabbat.

The conjugal duty stated in the Torah [is as follows]: *Tayalin** every day; workers twice per Shabbat; donkey drivers* once a week; camel drivers* once every thirty days; sailors* once every six months.

¹ A euphemism for sexual intercourse.



These are the words of Rabbi Eliezer.²

Questions

1. Usually, the House of Hillel are said to be more lenient and the House of Shammai more stringent in halachic matters. Does this Mishnah reflect those tendencies?
2. What does it mean for a scholar or a labourer to depart 'without consent'?
3. Why do you think a scholar and a labourer are treated differently?
4. Rashi (on page 6) tells us that the word *Tayalin* will be explained later in the *Gemara*. Can we infer its meaning (or at least part of its meaning) from its position here?
5. Read this mishnah alongside Mishnah Yevamot 6:6 on pages 7-8. Does this other mishnah affect your understanding?
6. Reading Mishnah Ketubot 5:6 again, this time followed by Mishnah Ketubot 5:7 on page 8. Does this reading change your understanding of what the rabbis of the Mishnah are up to?
7. What does a reading of Judith Romney Wegner and Judith Hauptman (pages 9-10) add to your reading?

² Rabbi Eliezer (ben Hyrcanus) was one of the most important sages in the Land of Israel around the beginning of the second century CE.

Rashi's Commentary

הטיילין. מפרש בגמרא.

Tayalin. This is explained in the *Gemara*.

החמרים. שיוצאין לכפרים להביא תבואה למכור בשוק.

Donkey drivers. Who go out to the villages, to bring produce to sell in the market.

הגמלין. סוחר חבילות ומביאין על הגמלים ממקום רחוק.

Camel drivers. Carriers of large loads, who bring things upon camels from a long distance.

הספנים. פורשין לים הגדול לקצווי ארץ.

Sailors. Travellers on the great sea to the extremities of the world.



Exodus 21:10-11

’ אַם־אַחֶרֶת יִקַּח־לוֹ שְׁאֵרָה כְּסוּתָהּ וְעֹנֹתָהּ לֹא יִגְרַע: ^א וְאִם־שְׁלֹשׁ־אֵלֶּה לֹא יַעֲשֶׂה לָּהּ וַיִּצָּאָה חֲנָם אֵין כֶּסֶף:

¹⁰ If he takes another [woman] for himself, he must not withhold her food, her clothing, or her conjugal rights. ¹¹ If he does not provide these three [things] for her, she shall go free, without money.

Mishnah Yevamot 6:6

לֹא יִבְטֹל אָדָם מִפְרִיָּה וְרִבְיָה, אֲלֵא אִם כֵּן יֵשׁ לוֹ בָּנִים. בֵּית שַׁמַּי אוֹמְרִים, שְׁנֵי זָכָרִים. וּבֵית הֵלֵל אוֹמְרִים, זָכָר וְנִקְבָּה, שְׁנַאֲמַר, (בְּרֵאשִׁית ה) זָכָר וְנִקְבָּה בְּרֵאִם. נָשָׂא אִשָּׁה, וְשָׁהָה עִמָּה עֶשְׂרִי שָׁנִים, וְלֹא יָלְדָה, אֵינוּ רֵשָׁאִי לִבְטֹל. גִּרְשָׁהּ, מִתְּרֵת לַנָּשָׂא לְאַחֵר. וְרֵשָׁאִי הַשְּׁנִי לְשָׁהוּת עִמָּה עֶשְׂרִי שָׁנִים. וְאִם הִפִּילָהּ, מוֹנָה מְשַׁעָּה שְׁהִפִּילָהּ. הָאִישׁ מִצָּוָה עַל פְּרִיָּה וְרִבְיָה, אֲבָל לֹא הָאִשָּׁה. רַבִּי יוֹחָנָן בֶּן בְּרוּקָא אוֹמֵר, עַל שְׁנֵיהֶם הוּא אוֹמֵר, (בְּרֵאשִׁית א) וַיִּבְרָךְ אֹתָם אֱלֹהִים וַיֹּאמֶר לָהֶם אֱלֹהִים פְּרוּ וּרְבוּ:

A man should not depart from the commandment to be fruitful and multiply, unless he already has children. The House of Shammai says, two males. The House of Hillel says, a male and a female, as it is said, ‘male and female God created them’ (Genesis 5:2). If he married a woman, and stayed with her for ten years, and she did not give birth, he is not permitted to depart [from the commandment to be fruitful and multiply]. If he divorced her, she is permitted to marry another man. And the second husband is permitted to stay with her for another ten years. And if she suffers a miscarriage, he counts [the ten years] from the time of her miscarriage. The man is commanded in regard to the commandment to be

fruitful and multiply, but not the woman. Rabbi Yochanan ben Beroka³ says, 'Upon both of them does the it say "And God blessed them and God said to them 'Be fruitful and multiply'" (Genesis 1:28).'

Mishnah Ketubot 5:7

הַמּוֹרְדֵת עַל בַּעְלָהּ, פּוֹחֲתִין לָהּ מִכֶּתֶבְתָּהּ שִׁבְעָה דִּינָרִין בַּשָּׁבָת. רַבִּי יְהוּדָה אוֹמֵר, שִׁבְעָה טַרְפְּעִיקִין. עַד מָתִי הוּא פּוֹחֵת, עַד כְּנָגֵד כֶּתֶבְתָּהּ. רַבִּי יוֹסִי אוֹמֵר, לְעוֹלָם הוּא פּוֹחֵת וְהוֹלֵךְ, שֶׁמָּא תִפּוֹל לָהּ יְרֵשָׁה מִמָּקוֹם אֲחֵר, גּוֹבָה הֵימָנָה. וְכֵן הַמּוֹרֵד עַל אִשְׁתּוֹ, מוֹסִיפִין לָהּ עַל כֶּתֶבְתָּהּ שְׁלֹשָׁה דִּינָרִין בַּשָּׁבָת. רַבִּי יְהוּדָה אוֹמֵר, שְׁלֹשָׁה טַרְפְּעִיקִין:

The woman who rebels against her husband, her *ketubah* is reduced by seven dinars every Shabbat. Rabbi Yehudah⁴ says, seven *tarp'i'kin* [half dinars]. Until when do you reduce [her *ketubah*]? Until it has been reduced by its full amount. Rabbi Yosei⁵ says, he can reduce it indefinitely, so that if an inheritance falls to her from another place, he can collect the extra. And so, the man who rebels against his wife, three dinars [are added to her *ketubah*] per week. Rabbi Yehudah says, three *tarp'i'kin* [half dinars].

³ Rabbi Yochanan ben Beroka was a Sage in the Land of Israel at the beginning of the Second Century CE, a contemporary of the famous Rabbi Akiva.

⁴ Rabbi Yehudah (bar Ilai) is one of the most quoted Sages in the Mishnah (over 600 mentions). He was one of the later students of Rabbi Akiva at the beginning of the Second Century CE.

⁵ Rabbi Yosei (ben Chalafta) was (like Rabbi Yehudah above) an important student of Rabbi Akiva, and taught at Sepphoris in the Land of Israel in the early Second Century CE.



Judith Romney Wegner, *Chattel or Person? The Status of Women in the Mishnah*

The most interesting feature of these rules is that even though they deal with the sexual relationship, they do not treat the wife as mere chattel, but primarily as a person subject to reciprocal rights and obligations. ... The framers of Mishnah Ketubot 5:6-7 deal not with the wife as the husband's exclusive sexual property (a claim she does not challenge), but with the scriptural rule that (so they think) gives the wife an absolute *right* to intercourse with the husband. The issue in M. Ketubot is not her performance of her duty to her husband, but his implementation of his duty towards *her*.

At M. Ketubot 5:7 the sages redress the balance of M. Ketubot 5:6 by insisting on the wife's corresponding duty to her husband. The reciprocal network of sexual entitlements and obligations places the spouses in a complementary relationship, though not on a precisely equal footing. Moreover, the framers' perception of intercourse as a wife's *right* and not merely her *duty* negates any view of the wife as a mere vehicle for the satisfaction of the husband's sexual needs. To the contrary, the sages emphasise her right to have him spend as much time with her as his occupation permits. Furthermore, in penalising husband and wife alike for neglecting their marital duties, the sages indicate that the wife is no mere chattel even in the context of conjugal relations.

...

The refractory wife does not challenge the husband's *legal* ownership of her sexuality any more than the reluctant husband challenges her *legal* right to receive his attentions. The only issue here is the extent of the reciprocal rights and duties. This is merely a domestic squabble, to be resolved by the imposition of an *ad hoc* penalty.

Yet the personhood of the wife always remains less than that of her husband. Symbolically, the sages here establish the ultimate double

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standard: The fine imposed for a wife's wilful refusal is more than double that imposed on the husband. Tempted though we are to suggest that the discrepancy reflects the greater value of the wife's services as compared with those of the husband, the true explanation is that in penalising the refractory wife more severely than the reluctant husband, the sages value the woman's rights (hence her personhood) below those of a man. Despite the strictures of Exodus 21:10, they maintain that the woman's sexuality, when the chips are down, really belongs to the husband.

Judith Hauptman, *Rereading the Rabbis: A Woman's Voice*

This passage says that if a man vows to deny his wife sexual activity for one week, according to Bet Hillel, or two, according to Bet Shammai, he must divorce her. This clear statement that women have conjugal rights in marriage indicates that the rabbis recognised that women too, and not just men, are desirous of sex.

...

The rabbis understood that women have sexual needs, dependent for satisfaction on the men who marry and control them. Recognising the power that a husband has over his subordinate wife, the rabbis spell out in detail his obligations to her, above and beyond sex for the sake of procreation. There is no frequency of obligation on her part to him, most likely because initiating sexual activity was considered his prerogative. Even if she was also the initiator, his sexual rights did not need the same kind of protection that hers did.



A Guide to the Texts

The Mishnah is a Jewish legal code from approximately 200 CE, containing legal rulings and disputes of the sages which are written down there for the first time. It is the first part of what is called the 'Oral Law', which for traditional Jews is just as authoritative as the Written Law (the Tanach). The Mishnah is divided into six 'orders', and each order is divided into tractates. Tractate Ketubot is included in the order of *Nashim* (Women), and deals with issues of marriage.

The **Babylonian Talmud** (also known simply as The Talmud or *Bavli*) is a commentary on the Mishnah from Babylonia, containing the discussions of rabbis from the period just after the Mishnah was finished (around 200 CE), until it was finally redacted in approximately 700 CE.

Rashi (Rabbi Shlomo Yitzchaki) was a French scholar in the second half of the Eleventh Century. His seminal commentaries on both the Hebrew Bible and the Babylonian Talmud are still the primary explanatory tools used by those approaching these central Jewish texts today.

Judith Romney Wegner (1933-2017) was one of the pioneers of feminist studies of rabbinic literature in the United States. She was educated at Cambridge and Brown in both legal and religious studies. Her most important work, *Chattel or Person? The Status of Women in the Mishnah*, was published in 1988.

Judith Hauptman (b. 1943) is E. Billi Ivry Professor Emerita of Talmud and Rabbinic Culture at the Jewish Theological Seminary. She researches the textual development of the Talmud, as well as women's roles in rabbinic thought. *Rereading the Rabbis: A Woman's Voice* was published in 1998. She was ordained as a rabbi in 2004.

HAPPY STUDYING!

If you have any further questions, please be in
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