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## Stories with a Twist [219]



### “My Teacher, One of You Betrothed Me Through Cohabitation!”

Insights into Babylonian Talmud Sanhedrin 11a

#### Background to Our Story

##### Rabbi Meir



[https://en.wikipedia.org/wiki/Rabbi\\_Meir](https://en.wikipedia.org/wiki/Rabbi_Meir)

Rabbi Meir was a Jewish sage who lived in the time of the [Mishna](#). He was considered one of the greatest of the [Tannaim](#) of the fourth generation (139-163). According to the Talmud, his father was a descendant of the [Roman Emperor Nero](#) who had converted to Judaism. His wife [Bruriah](#) is one of the few women cited in the [Gemara](#). He is the third most frequently mentioned sage in the Mishnah.

In the Babylonian Talmud, Tractate Gittin 4a, it says that all anonymous Mishnas are attributed to Rabbi Meir. This rule was required because, following an unsuccessful attempt to force the resignation of the head of the [Sanhedrin](#), Rabbi Meir's opinions were noted, but not in his name, rather as "Others say...".

"Meir" may have been a [sobriquet](#). Rabbi Meir's real name is thought to have been Nahori or Misha. The name *Meir*, meaning "Illuminator," was given to him because he enlightened the eyes of scholars and students in Torah study

#### Kiddushin -- Betrothal

chabad.org

By Naftali Silberberg

#### Two Stages in Marriage

According to Torah law, marriage is a two-step process. The first stage is called "*kiddushin*," and the second step is known as "*nisu'in*." *Kiddushin* is commonly translated as betrothal, but actually renders the bride and groom full-fledged husband and wife. After this point, if, G-d forbid, they

decided to part ways, a "get" (Jewish divorce) would be required. However, the bride and groom are not permitted to live together as husband and wife until the second stage, the *nisu'in*, is completed.

### ***Kiddushin:***

According to Torah law, there are three ways to betroth a woman:<sup>1</sup> a) A money transaction. The man gives to the woman money or any object of value. b) A document. The man gives the woman a marriage document which states his intention to marry her.<sup>2</sup> c) Sexual intercourse with the intention that it consummates the marriage. The rabbis forbade betrothing through intercourse, making it a punishable offense.

In order for the betrothal to take effect, the transaction must be witnessed by two kosher witnesses.<sup>3</sup>

The common custom is to betroth by means of a money transaction, using the traditional wedding band to effect the *kiddushin*. Aside for the kabbalistic reasons for this tradition, there is also a practical explanation -- a ring serves as a constant and highly visible reminder of the couple's wedding commitment. Additionally, most possessions owned by husband or wife end up belonging to the "family" and are enjoyed by all members of the household. Using a ring to transact the marriage assures that the item will belong exclusively to the wife.

### ***Nisu'in:***

The *nisu'in* is accomplished through "chupah" -- the husband uniting with the wife under one roof for the sake of marriage.

In ancient times, the two stages of marriage were done on separate occasions, often separated by a full year which the groom would devote to Torah study. Both the *kiddushin* and the *nisu'in* were accompanied by celebratory feasts. By the twelfth century this practice had ended, and it became customary to do both *kiddushin* and *nisu'in*, successively, beneath the chupah. One of the reasons given for this change of custom is the poverty which prevailed in the Jewish communities. People simply couldn't afford the expense of the two celebrations.

### **The Souls of the Soulmates**

The two-stage marriage is more than a technical nuance of Jewish law, it is expressive of the uniqueness of a Jewish marriage. Marriage is more than two people who choose to share their lives with each other, it is the fusion of two souls -- or to be more precise, two halves of one soul which was severed in two before being catapulted from its heavenly abode into the bodies of a man and woman.

During the *kiddushin* stage the couple is married, with one minor caveat -- they cannot physically express their union. So in the absence of any practical tangible connection, what binds the two? Their soulful connection. Only after the connection of the souls has manifested itself during the *kiddushin* period, laying the foundation for a soulful marriage, can the couple proceed with the *nisu'in*, the physical aspect of their relationship.

If matrimony started with *nisu'in*, the physical relationship could permanently overshadow the spiritual connection, resulting in a marriage whose priorities and ideals are skewed.

### **Footnotes**

[1.](#) *Mishna, beginning of tractate Kiddushin.*

[2.](#) *This document should not be confused with the Ketubah ("marriage contract"), which doesn't produce a betrothal or marriage, rather it stipulates the husband's financial obligations which result from the marriage.*

[3.](#) *If the betrothal is effected through sexual intercourse, it is sufficient for the witnesses to see the couple entering a private room with their stated intention of being intimate.*

## The Text: Babylonia Talmud Sanhedrin 11a

There was an incident involving a woman who came to the study hall of Rabbi Meir. She said [to Rabbi Meir]: My teacher, one of you in this study hall betrothed me through cohabitation. Please have that person either complete the marriage or divorce me. Rabbi Meir Arose and wrote her a bill of divorce and gave it to her. [The others] arose and they all wrote bills of divorce and gave them to her.



### Explaining the Story

What is the sequence of events that take place in the story? (According to the Schottenstein Edition of the Babylonian Talmud)

In this incident, a woman knew that someone in Rabbi Meir's study hall had betrothed her through cohabitation, but she could not identify the person who had done so. She therefore asked that the person step forward and either perform *nisuin* to complete the marriage or divorce her.

### Comprehension and Analysis Questions

**?** Why did one of the students of Rabbi Meir betroth the woman through cohabitation even though such a procedure was frowned upon upon by the Sages, to say the least?

Answer 1 \_\_\_\_\_

Answer 2 \_\_\_\_\_

**Bonus ?** Why didn't the student, who betrothed the woman through cohabitation complete the marriage process?

**Bonus ?** Why didn't the student, who betrothed the woman through cohabitation divorce her?

Answer 1 \_\_\_\_\_

Answer 2 \_\_\_\_\_

**?** Why did the woman come to Rabbi Meir with her plea?

Answer 1 \_\_\_\_\_

Answer 2 \_\_\_\_\_

**Bonus Question ?** Why did Rabbi Meir write a bill of divorce to the woman even though he wasn't the one who betrothed the woman through cohabitation?

Answer 1 \_\_\_\_\_

Answer 2 \_\_\_\_\_

**?** Why was it necessary that everyone gave the woman a of divorce?

### **“The Twist” – Or the Lessons We Can Learn from the Text**

- ! Actions speak louder than words!
- ! A good teacher feels responsible (and believes he is responsible) for the poor behavior of his students.
- ! “Hillel said: ... In a place where there are no leaders, strive to be a leader” (Avot 2:6. Artscroll Translation).

## EPILOGUE