

From the Rabbi's Desk
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Stories with a Twist

[257]

Who Was Just Now in the Courtroom? (A Sad Story Where Everybody Loses) Insights into Babylonian Talmud Ketubot 65b



Background to Our Story

Ĥoma – חומא



Koren Talmud Bavli, The Noe Edition. Ketubot Part 1. Koren publishers Jerusalem.

Page 368

Ĥoma was the daughter of Isi ben Rav Yitzĥak ben Rav Yehuda. She was originally married to Raĥava from Pumbedita, and after his death she married Rav Yitzĥak, son of Rabba bar bar Ĥana. When her second husband also passed away, Abaye took her as his wife, despite the prohibition against marrying a woman whose previous husbands have died, as he relied on the opinion that a woman is considered a danger to her husband only if three previous husbands have died.

Rava – רבא



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Page 368

Rava, one of the most prominent fourth generation *amora'im* in Babylonia, was the son of the *amora* Rav Yosef bar Ĥama and the colleague of Abaye. Rava was born in the town of Meĥoza, where he studied Torah under Rav Naĥman bar Ya'akov and Rav Ĥisda. The Gemara relates that Rava and his study partner, Rami bar Ĥama, were visiting their teacher, Rav Ĥisda, while the latter's young daughter sat on his lap. Rav Ĥisda playfully asked her which of the scholars she would fancy marrying. The girl diplomatically answered that she would like to marry both of them, whereupon Rava responded that he would be last. The daughter ended up marrying Rami bar Ĥama. After he passed away, she married

Rava (*Bava Batra* 12b). Rava considered Rav Yosef to be his primary teacher and would depart his company by walking backward, causing himself multiple injuries to his heels. Upon Rav Yosef's death, Abaye was chosen to succeed him as head of the yeshiva of Pumbedita and Rava subsequently opened a new yeshiva at Mehoza.

The Talmud records innumerable debates between Rava and Abaye, which were ruled in accordance with Rava in all but six instances. Rava did become head of the Pumbedita yeshiva when Abaye died, but he transferred his teacher's academy to his adopted locale of Mehoza. This resulted in Rava's yeshiva standing as the single Babylonian house of study during this period.

Abaye – אביי



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Page 341

Abaye, one of the outstanding Sages of the Talmud, Abaye was a fourth-generation Babylonian *amora*. It is possible that his real name was Nahmani or Kilil and that Abaye was a nickname. Abaye was orphaned at an early age and raised by his paternal uncle, Rabba. Abaye's foster mother, who was the nursemaid who assisted his uncle in raising him, impressed upon him many life lessons that he quotes in her name. There are several incidents related in the Gemara that illustrate his intelligence even as a child, including some where Rabba tests his knowledge. Although Rabba was a priest and the head of his yeshiva, he lived in poverty, as did Abaye. Abaye was the primary student of Rabba and also of Rav Yosef. After Rav Yosef's death, Abaye succeeded him as the head of the yeshiva in Pumbedita. He celebrated the study of Torah and would announce a celebration for the scholars whenever one of them completed a tractate. Growing up in his uncle's home, he was aware of the difficulties of scholars who were without financial means. The Gemara in tractate *Berakhot* (35b) relates that he testified that many were successful following the path of Rabbi Yishmael, who instructed his students to plow, plant, and harvest in the appropriate time, and that only very few were successful following the path of Rabbi Shimon bar Yoḥai, who taught that one should devote himself entirely to Torah and ignore worldly concerns. In addition to Abaye's prominence as a Torah scholar, he was known for his righteousness and his acts of kindness. Abaye's exchanges and halakhic arguments with Rabba and, even more so, with Rav Yosef, can be found throughout the Talmud. However, his disputes with his colleague Rava are especially significant. Their disputes, known as the discussions of Abaye and Rava, are examples of profound and edifying disputes, and they are among the foundations of the Babylonian Talmud. In these disputes, with six exceptions, the *halakha* is ruled in accordance with the opinion of Rava.

"...as large as this..."



Women and Wine as reflected in Babylonian Talmud Ketubot 64b & 65a



Koren Talmud Bavli, The Noe Edition. Ketubot Part 1. Koren publishers Jerusalem

The mishna further taught: **And he must give her half a kav of legumes** as well as oil and fruit. The Gemara comments: **And yet wine is not taught** in the mishna. **This supports the opinion of Rabbi Elazar, as Rabbi Elazar said: Wines are not allotted to a wife.**

...

The Gemara **raises an objection** from a *baraita*: If a woman is **accustomed** to wine, **she is given** wine. The Gemara explains: If the woman is **accustomed** to wine it **is different, as Rav Hinnana bar Kahana said that Shmuel said**: If a woman is **accustomed** to drinking wine, **she is given one cup**, and if she **is not accustomed** to wine, **she is given two cups.**

The Gemara asks: **What is Shmuel saying?** His statement is the opposite of what one would logically expect.

Abaye said: This is what he is saying: If **she is accustomed** to wine, then **in the presence of her husband** she is given **two cups**, and if she **is not in the presence of her husband** she is given **one cup**. If **she is not accustomed** to drinking wine, then **in the presence of her husband** she is given **only one cup**, and if she **is not in the presence of her husband** she is **not given** wine **at all.**

...

It was **taught** in a *baraita*: **One cup** of wine is **good for a woman; two cups is a disgrace**, as she will start to become drunk; after **three cups**, she will become lustful and **verbally request** sexual intercourse, which is unseemly; after **four cups** of wine, she will **even request** intercourse from **a donkey in the marketplace**, as at this stage she is so drunk that **she is not particular** about with whom she has relations. **Rava said: They taught** that a woman should not drink much wine **only if her husband is not with her. However, if her husband is with her, we have no problem with it.** If she feels an urge for intercourse her husband is available.

Sexual Relationships During Daytime

Babylonian Talmud Niddah 17a – Noam Zion’s Translation. In: Noam Zion: Wine, Women and the War of the Sexes

Rav Hisda said: “it is forbidden for a man to have intercourse in the day, as it is written, Love your neighbor as yourself (Leviticus 19:8). How do you infer that? Abaye said: “Perhaps he will see in her some repulsive thing, and she will become repulsive to him.”

A Shining Body – Babylonian Talmud Berachot 5b



Koren Talmud Bavli, The Noe Edition. Berachot. Koren publishers Jerusalem

Rabbi Elazar fell ill. Rabbi Yoĥanan entered to visit him, and **saw that he was lying in a dark room.** Rabbi Yoĥanan **exposed his arm, and light** radiated from his flesh, **filling the house.**

A Lethal Wife (Isha Katlanit) – Babylonian Talmud Yevamot 64b



Yes, and it is taught in a *baraita*: If a woman **was married to her first husband and he died, to a second one and he also died, she may not get married to a third husband.** This is **the statement of Rabbi Yehuda HaNasi. Rabban Shimon ben Gamliel says: She may get married to a third husband,** but if he also dies, **she may not get married to a fourth husband.**

...

The Gemara comments: **Abaye relied on this report and went and married Huma, the daughter of Isi, son of Rav Yitzhak, son of Rav Yehuda. Huma had previously married Raḥava of Pumbedita, and he died,** and then she married **Rav Yitzhak, son of Rabba bar bar Hana, and he died; and he,** Abaye, **married her** nevertheless, without concern that she had been established to be a woman whose husbands die; **and he died** as well while married to her.

Halacha in: Koren Talmud Bavli, The Noe Edition. Yevamot Part 1. Koren publishers Jerusalem. Page 431

If a woman was married or betrothed twice and her husbands died she may not marry a third time, as there is a presumption that she was the cause of her husbands' deaths. However, if a third man married her he is not required to divorce her. Even if he has only betrothed her, he may marry her... many are lenient in regard to this *halakha*, and no objection to their practice is raised (Rambam *Sefer Kedusha, Hilkhhot Issurei Bia* 21:31; *Shulḥan Arukh, Even HaEzer* 9:1 and in the comment of Rema).

Notes in: Koren Talmud Bavli, The Noe Edition. Yevamot Part 1. Koren publishers Jerusalem. Page 431

The Rambam rules that if she did get married, or even betrothed, her husband is not forced to divorce her. Other commentaries struggle to find a rationale for this opinion and support for it in the Gemara. The Rambam himself, in a responsum, explains that marrying a woman whose two previous husbands have died is not actually dangerous; however, if her husband thinks he is at risk, his own worry will in fact cause him to suffer a greater likelihood of harm. Therefore, if he is not concerned, he is not in danger and has committed no transgression by marrying this woman.

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The Text: Pesikta Rabati 14

חומא דביתהו דאביי אתאי לקמיה דרבא. אמרה ליה: פסוק לי מזוני!
פסק לה.

פסוק לי תמרא! אמר ליה: ידענא ביה בנתמני, דלא הוה שתי תמרא.

אמרה ליה: חיי דמר, דהוי משקי ליה בשופרזי פי האי. בהדי דקא מחווא ליה איגלי דרעא, נפל גהורא בבי דינא.
קם רבא, על לביתה, תבעה לבת רב חסדא. אמרה ליה בת רב חסדא: מאן הוי האידנא בבי דינא? אמר לה: חומא דביתהו דאביי.
נפקא אבתרה; מחתא לה בקולפי דשידא עד דאפקה לה מכולי מחווא. אמרה לה: קטלת ליד תלתא, ואתת למיקטל אחרינא?

Abaye's wife, *Homa*, came before Rava after Abaye died, as Rava was the local judge.

She said to him: Apportion sustenance for me, as I am entitled to be sustained by Abaye's heirs. Rava apportioned sustenance for her.

She subsequently said to him: Apportion wine for me as well.

Rava said to her: I know that *Nahmani*, i.e., Abaye, did not drink wine. Since you were not accustomed to drinking wine during your husband's lifetime, you are not entitled to it after his death.

She said to him: By the Master's life, this is not correct. In fact, he would give me wine to drink in cups [*shufrzei*] as large as this. She gestured with her hands to show how large the cups were. While she was showing him the size of the cups, her arm became uncovered, and a light had shined in the courtroom.

Rava arose, went home, and requested intercourse from his wife, the daughter of Rav *Hisda*.

The daughter of Rav *Hisda* said to him: Who was just now in the courtroom? He [Rava] said to her: *Homa*, Abaye's wife, was there.

Upon hearing this, Rava's wife went after *Homa* and struck her with a stick until she drove her out of the entire city of *Mehoza*, saying to her: You have killed three men, as Abaye was your third husband, and now you come to kill another one, my husband Rava?



Explaining the Story (What is the sequence of events that take place in the story?)

Comprehension and Analysis Questions



? Why did Hôma come before Rava?

? Why did Rava appoint sustenance for her?

Answer 1 _____

Answer 2 _____

? Why did Hôma request an allotment of wine?

? What is Rava's reasoning for denying Hôma an allotment of wine?

? "Rava said to her (to Hôma): 'I know that Naḥmani, i.e., Abaye, did not drink wine.'" How does Rava know?

Bonus ? What is flawed in Rava's reasoning above?

Extra Bonus ? Why does Hôma illustrate the size of the cup with her hands/arms?

Answer 1 _____

Answer 2 _____

Answer 3 _____

Extra Bonus ? Why did a light shine in the courtroom when Hôma's arm became uncovered? What do you think is the nature of this light?

Answer 1 _____

Answer 2 _____

Answer 3 _____

? Why did Rava interrupt the court procedures and go home in the middle of the day?

? What is the name of Rava's wife? Which conclusion can you draw from her name?

? Why does Rava's wife ask Rava "Who was just now in the courtroom?"

Bonus ? Do you think Rava and his wife engaged in sexual relationships on that afternoon or not?

Extra Bonus ? Why does Rava tell his wife the truth?

Answer 1 _____

Answer 2 _____

Answer 3 _____

Bonus ? Rava's wife goes after Homa with a stick until she drives her out of the city of Mehoza. What else could she have done?

Answer 1 _____

Answer 2 _____

Answer 3 _____

Bonus ? I subtitled our story "A Sad Story Where Everybody Loses." In what way do our three characters lose?

"The Twist" – Or the Lessons We Can Learn from the Text

! Since I don't have it, nobody will! A sad recipe to shared misery.

EPILOGUE

Our short was analyzed by Noam Zion, Ruth Calderon, Admiel Kosman, Peter Pizele, Maggie Anton, and Ishai Rosen Zvi, among others. Although their analyses are different -in some case diametrically opposed one from the other- they all agree that there is more to our story than what the eye sees. For me it is a sad story of anger, suppressed desire, and missed opportunities.

In our story, Homa, an independent and assertive woman, is being driven out of town, accused of being a seductress, a temptress. Rava's wife, who doesn't have a name in our story (she is called "the daughter of Rav Hisda"), feels threatened by Homa's beauty and light. When Rava comes home in the middle of the day, instead of enjoying a change in her dull routine, Rava's wife demands to know "the truth," a truth that not only kills any possible vestige of passion, but also makes her angry and unhappy.

Finally, Rava, the timorous man in our story, is forced to confront his own unhappy intimate life, first by comparing it with the one between his long-time friend and colleague Abbaye and his wife Homa, and second by acquiescing to an angry and unpassionate wife who cannot enjoy life and doesn't want others to enjoy it either.