

Siyum – Maseches Kesuvos

Shabbos Noach - Marcheshvan 5783

Maseches Kesuvos would seem to be focused, based upon its name, on the marriage document, the Kesuba. This document, at least as we have it nowadays, is the legal document that many couples have framed and it is hung in a prominent location on a wall in their home.

The kesuba that we utilize today is not only prominently displayed in our home but it is also read under the chuppah at weddings. Why is this? The Rambam writes that:

“The custom of our fathers is law and the custom was to read the ketubah aloud.”

Why is the ketuba read? According to Rabbeynu Tam (12th century), the reading serves to demarcate two different legal proceedings at the wedding, that of eirusin, betrothal, and kiddushin, the marriage nuptials.

The mesechta serves as a cornerstone of Seder Nashim and deals with the relationship between a husband and wife. This relationship spans conjugal relations, mutual obligations, and monetary arrangements. Although our tradition recognizes three ways in which a marital relationship can be created, that of monetary transfer, a mutually-agreed upon document, and conjugal relationship, Chazal determined that a Jewish marriage must include the preparation of the Ketuba.

Thus, the myriad of Halakhot presented and analyzed in Kesuvos relate to articulating the nature of the mutual bond of responsibility and commitment between the husband and wife. Further, the Torah recognized that, in the eventuality of the marriage ending during the lifetime of both spouses, there must, in the Kesuba, also be mentioned the agreement between the parties of how to handle a potential separation (either by divorce or by death).

One of the primary enactments of Chazal in terms of the marriage contract is the sum of money that the husband (or his estate if he predeceases his wife) commits to his wife. This sum, 200 zuzim (or dinarim) for a woman marrying for the first time and 100 zuzim (or dinarim) for a woman who was previously married and had consummated the marriage, represents a significant financial commitment. In today's world, the 200 zuzim equates to what it would cost the divorced wife or widow to support herself for a year after the divorce or the husband's passing. So, in modern terms, we are looking at a range of \$75,000 to \$100,000. This sum is significant and represents a real commitment by the husband to maintain, together with his life-partner, their marital relationship.

In the days of old, this sum, this commitment, about a year's support, was arguably as important 2,500 years ago as it is today. The notion that, in Jewish tradition, the wife in the marriage has this financial safety net in case of divorce or death is breathtaking in its novelty. Chazal chose well to institute a process of this kind.

Curiously, if you learn through the 111 pages of the mesechta looking for sample ketuba texts, you, as I was, may be crestfallen. Yes, you will find mishnayot discussing the 200/100 zuz system and of the bride's dowry that also forms part of the marriage's assets but you will not find a sample text of any length. The Aramaic text that we use today does not appear in our mesechta. While the earliest extant texts date back to about 450 BC, it was the Sanhedrin 300 years later that formalized the text. It is attributed to Rabbi Shimon ben Shetach.

The final Perek of Kesuvos, Shnay dayaney gezayros, presents a series of differences in approach to handling several marriage and other civil law cases in the courts of Yerushalayim. The penultimate Mishna presents a map of Israel split into three regions, Yehuda, Ever HaYarden, and the Galil. Rashi explains that when a guy marries a girl from one of the regions, he is prohibited from forcing her to move to one of the other regions. The husband can request his wife to move with him from her home city or village to another in the same region. However, he is not allowed to compel her to severely downgrade or upgrade their living situation. Perhaps, observes the Gemara, moving to a location with fewer amenities has its associated hardships and moving to a location where you feel like a “pauper among princes” would put too much pressure on the couple. Of course, if the wife and husband agree on a move, that is great.

The Mishna then presents, following the matrix just discussed of the three regions in Israel, whether the husband can compel his family to make Aliyah or to leave Israel. Even within Israel, can a husband compel his family to resettle in Yerushalayim from somewhere else in the country?

While the Gemara is occupied on discussing these topics about Eretz Yisrael, the text then turns to a discussion of the beauty of Eretz Yisrael both in our time and in the time of the Messianic redemption.

רבי אבא מנשק פיפי דעכו. רבי חנינא מתקן מתקליה. רבי אמאי
ורבי אסי

§ **Rabbi Abba would kiss the rocks of Akko**, which was on the coast of Eretz Yisrael. **Rabbi Hanina would repair its stumbling blocks**, i.e., any potholes in the land, so that travelers would not fall and consequently speak ill of Eretz Yisrael. **Rabbi Ammi and Rabbi Asi**

קיימי משמשא לטולא ומטולא לשמשא. רבי חייא בר גמדה מיגנדר
בעפרה, שנאמר: “כי רצו עבדיך את אבניה ואת עפרה יחונגו”.

would stand and pass **from** a **sunny** spot **to** a **shady** one, **and from** a **shady** spot **to** a **sunny** one, so that they would always sit in comfort and never have cause to remark that they were uncomfortable in Eretz Yisrael. **Rabbi Hiyya bar Gamda would roll in the dust of the land**, as **it is stated**: “For Your servants take pleasure in her stones, and love her dust” (Psalms 102:15).

אמר רבי זירא אמר רבי ירמיה בר אבא: דור שבן דוד בא —
קטיגוריא בתלמידי חכמים. כי אמריתה קמיה דשמואל אמר צירוף
אחר צירוף, שנאמר: "ועוד בה עשיריה ושבה והיתה לבער". תני
רב יוסף: בזווי, ובזווי דבזווי.

The Gemara continues to discuss the messianic age. **Rabbi Zeira said** that **Rabbi Yirmeya bar Abba said: In the generation in which the son of David will come there will be indictments [kateigorya], i.e., denunciations and incitements against Torah scholars. When I said this before Shmuel he said: The generation will undergo refinement after refinement, i.e., several stages of cleansing, as it is stated: "And if there be a tenth in it, it shall again be eaten up" (Isaiah 6:13).** Rav Yosef taught about the messianic era: **Despoilers and despoilers of despoilers will plunder Eretz Yisrael at that time.**

אמר רב חייה בר אשי אמר רב: עתידין כל אילני סרק שבארץ
ישראל שיטענו פירות, שנאמר: "כי עץ נשא פרו תאנה וגפן נתנו
חילם".

Rav Hiyya bar Ashi said that Rav said: In the future all barren trees in Eretz Yisrael will bear fruit, as it is stated: "For the tree bears its fruit, the fig tree and the vine yield their strength" (Joel 2:22). This verse indicates that every tree, not just the fig and vine, will produce fruit.

It is therefore no coincidence at all that we are marking this conclusion of Maseches Kesuvos and its message of the centrality of Eretz Yisrael to the Jewish people everywhere at the same time as we welcome the recent birth and subsequent bris of our newest grandchild Nadav Tzemach. This little guy is the first Israeli-born grandchild for Brenda and me.

Nadav joins his siblings, Naama Batsheva, Avraham (Avi) Yechezkel, Ayal Shalom, and Shaanan Tzvi in Alon Shvut. Nadav's second name is Tzemach, the name of my father, a"h, Tzemach ben Yosef who left this world in 2020 and is buried in Eretz Yisrael. The word Nadav means "one who is generous" and my father was an individual who spent his life giving to others of his time and wisdom. He was also generous in understanding others, never rushing to conclusions, and always giving others the benefit of the doubt, sometimes even if they were in the wrong.

I believe that Sefi and Jonathan purified (were mitz-taref) my father's essence to one character trait that stood out to them and that was his "nedivut" – his generosity. Our entire family hopes that little Nadav will grow to be, in Eretz Yisrael, a ben Torah, a ben Ha-Aretz, and a nediv-lev.