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Kiddushin Daf 81

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

### **Laws of Seclusion**

Rav Yehudah said in the name of Rav: Two men and one woman in a secluded area does not present a problem of seclusion in the city. However, if people are traveling, three men are required lest one of the men need to go to the bathroom and the other will be left alone with the woman.

The Gemora states: Let us bring a proof to Rav from the following Mishna: They give him two Torah scholars to escort him (to the Beis Din Ha’Gadol), lest he have marital relations with her (the sotah) on the way. Two scholars plus the husband equals three men. [And since they are on the road, three people are required.]

The Gemora rejects this proof. The Mishna requires two people only in order that there should be witnesses (who will testify if they have relations that she no longer has the ability to become permitted to her husband through drinking the sotah waters).

Rav and Rav Yehudah were traveling on the road. There was a woman walking in front of them. Rav said to Rav Yehudah, “Pick up your feet (hurry past her), so we will not go to Gehinom (for being secluded with her).” Rav Yehudah asked Rav, “But aren’t you the one who said that a woman may be secluded with two men if they are kosher people?” Rav replied: “Who said that you and I fall into that category?” Rav Yehudah responded,

“Then, who would be regarded as kosher?” Rav answered, “Like Rabbi Chanina bar Papi and his colleagues” (for they overcame a test). [A noblewoman wished to act immorally with him. He said something (the Holy Name) and he developed boils and scabs all over his body. She used witchcraft and cured him. He ran to a bathhouse that was so infested with demons that even if two people would enter it, and even if it was during the day, they would be harmed by the demons. The next day, the other Rabbis asked him, “Who protected you?” He replied, “Two of Caesar’s soldiers watched over me the entire night.” They asked him, “Perhaps you once overcame a desire to act immorally, for we learned in a braisa: If a person had the opportunity to act immorally, but he held himself back, they perform a miracle for him.”]

Rav said: Rabbinic lashes are administered to one who violates the prohibition of seclusion. However, a woman does not become forbidden to her husband for mere seclusion.

Rav Ashi says: Lashes are administered only for seclusion with a single girl; however, we do not administer lashes for a seclusion with a married woman, for we do not want her children to be thought as mamzeirim.

Mar Zutra would administer lashes even for a seclusion with a married woman, but he would announce that it was for a seclusion (*and not for committing adultery*).

Rav Nachman asked Rav Ashi: Why don't you agree with Rav Ashi?

He replied: I am concerned that some people will hear about the lashes, but they will not hear about the disclaimer.

Rav said: Rabbinic lashes are administered to a person who is the subject of bad rumors.

Rabbah said: If her husband is in the city, we do not administer lashes for a seclusion (*for she is scared to have relations because her husband might show up at any moment*).

Rav Yosef said: If the door is opened to a public domain, we are not concerned for a seclusion (*for she is scared to have relations because people might enter at any moment*).

Rav Bibi went to Rav Yosef's house (*and they ate together upstairs*). Afterwards, Rav Yosef told his servant to remove the ladder underneath Bibi (*so that Rav Bibi would not be secluded with his wife*).

The *Gemora* asks: But Rabbah had said that if the husband is in the city, we are not concerned for a seclusion?

The *Gemora* answers: Rav Bibi was different, for Rav Yosef's wife was a friend of his and they were familiar with each other.

Rav Kahana ruled: If there are men in an outer room and women in the inner room, there is no concern for seclusion (*for the exit to the outside is in the outer room, and there is no reason for the men to go into the inner room; as far as the women exiting through the outer room, there is no concern, for a woman may be secluded with several men*). If there are men in the inner room and women in the outer room, there is a concern for seclusion. It was taught in a *braisa* exactly the opposite (*we are concerned that one man will secretly enter the inner room and be secluded with the women; and when the women are in the outer room, there is no concern for seclusion because the other men will see when they are exiting*). Abaye said: I must act stringently because both views were taught.

Whenever men and women were assembled together, Abaye would set up rows of barrels between them. Rava would place reeds between them (*for if someone would cross over, it would be heard*). Avin said: *Yom Tov* is a troublesome spot during the year (*for the men and women intermingle with each other after the lecture*).

Once some redeemed captive women came to the upper chamber of the house of Rav Amram the Pious in Nehardea. Then the ladder to it was removed from under them (*in order to avoid seclusion*). As one of them passed by an opening to the upper chamber, a light (*from her beauty*) shone from the opening. Rav Amram lifted a very heavy ladder, one which ten men could not lift, and proceeded to climb to the upper chamber in which the women were lodged. When he had climbed up halfway, he stopped and cried out, "There is a fire in the house of Amram!" [*This way, people would come, and this would prevent him from sinning.*] The Rabbis (*upon realizing that they ran to his house for nothing*) said to him, "You shamed us!" He responded, "It is better that you are shamed in the

house of Amram in this world than that you should be ashamed of him in the World to Come.” He then banished the Evil Inclination from himself, and it left him in a form of a fiery column. He said to it, “See, you are fire and I am flesh, yet I am more powerful than you.” (81a – 81b)

### ***Satan and the Evil Inclination***

Rabbi Meir used to scoff at sinners (*for not overcoming their desires*). One day, Satan appeared to him in the guise of a beautiful woman on the other side of the river. There was no ferry (*for Rabbi Meir to go across with*), so Rabbi Meir grasped a rope (*that ran across the river above some wood which could be used as a bridge*) and proceeded to cross. When he reached halfway, Satan left him, saying to him: “Had they not declared in Heaven, ‘Be careful of Rabbi Meir and his Torah,’ your life would have been worth two *ma’ah*.”

Rabbi Akiva used to scoff at sinners (*for not overcoming their desires*). One day, Satan appeared to him in the guise of a beautiful woman on top of a palm tree. Rabbi Akiva grabbed the tree and began climbing it, but when he reached halfway, Satan left him, saying: “Had they not declared in Heaven, ‘Be careful of Rabbi Akiva and his Torah,’ your life would have been worth two *ma’ah*.”

Plimo would curse the Satan every day by saying, “An arrow should be placed in the eye of Satan.” One day, the day before *Yom Kippur*, Satan appeared to Plimo disguised as a poor man. He came to beg at Plimo’s door for charity, and was brought some bread. Satan said, “On a day like today when everyone is inside, should I be outside?” He was invited into the house and given some bread. He said, “On a day like today when everyone is eating at a table, should I be eating by

myself?” They brought him in and sat him at the table. As he sat, he caused his body to be covered with boils and sores, and proceeded to do disgusting things. Plimo told him to sit properly. He then asked for a cup of wine. When it was given to him, he coughed and spat his phlegm into the cup. They scolded him, so he pretended to die. The people in the house heard voices outside saying: Plimo killed a man, Plimo killed a man! Plimo ran away and hid in an outhouse. Satan followed him there and Plimo fell down before him. When Satan saw how much Plimo was suffering, he revealed his identity. Satan then asked Plimo, “Why do you curse me in that manner?” Plimo replied, “What should I say (*in order that you should not cause me to sin*)?” Satan answered, “Say: May the Merciful One rebuke Satan.”

Rav Chiya bar Ashi used to say the following prayer when he would fall on his face (*during Tachanun*): May the Merciful One save us from the Evil Inclination. One day his wife heard this prayer, and she said to herself, “He has not had relations with me for many years now; why would he have to say such a prayer?” [*She had assumed that this was because he lost his desire due to old age, but if he still needed to pray for this, it must be for a different reason; she decided to test him.*] One day while he was studying in the garden, she adorned herself and passed in front of him. He asked her, “Who are you?” She said, “My name is Charusa (*a certain zonah*) and I have come back today.” He propositioned her. She replied, “Get for me that pomegranate on the top branch of the tree.” He jumped up high and brought it to her. After he cohabited with her, he went home. His wife was heating up the oven. He went and sat in the oven (*to kill himself for sinning*). She asked him, “What are you doing?” He told her everything that happened. She then told him that it was in fact her the entire time. He did not pay attention to her until she provided proof. Nevertheless, he said, “I intended to

commit a sin." For the rest of his life he fasted until he died from it.

The *Gemora* cites a *braisa* (as proof that one requires atonement even if he only thought that he was sinning): "Her husband had revoked them, and Hashem will forgive her." The verse is discussing a woman who had made a vow of *nezirus* and her husband had revoked it without her knowledge. She requires atonement if she drinks wine and becomes *tamei* to the dead. When Rabbi Akiva used to reach this verse, he would cry. He said: If someone, who plans on sinning by eating pork and instead eats lamb, nevertheless, he requires atonement; then someone who intends to eat pork and indeed does so, would certainly require atonement! Similarly, the verse states: "And he did not know and he was guilty and carries his sin." When Rabbi Akiva used to reach this verse, he would cry. He said: If someone, who plans on eating kosher fat and instead forbidden fat came into his hand (and he is uncertain if he ate the non-kosher one), nevertheless, he requires atonement, then someone who intends to eat the forbidden fat and indeed does so, would certainly require atonement! Issi ben Yehudah states: "And he did not know and he was guilty and carries his sin." This should make those who worry (rightfully about their spiritual life) concerned. (81a – 81b)

### **Seclusion with Relatives**

The *Mishna* had stated: A man may seclude himself with his mother or with his daughter.

Rav Yehudah said in the name of Rav Assi: A man may seclude himself with his sister, and he may live alone in the same house together with his mother or his daughter. When this ruling was said before Shmuel, he said: It is forbidden to be secluded with any of the

*arayos* in the Torah, and it is even forbidden to be secluded with an animal.

The *Gemora* asks on Shmuel from our *Mishna*: A man may seclude himself with his mother or with his daughter, and he may sleep with them while their skins are touching. This refutes Shmuel's opinion!?

Shmuel would answer that this is a matter of a *Tannaic* dispute.

The *Mishna* had stated: A person can be secluded with his mother or daughter. He can even sleep together with them while their skins are touching. When they are older, (if they are sleeping close together) they should wear clothing.

The *Gemora* asks: Until what age is it permitted?

Rav Adda bar Rav Azza said in the name of Rav Assi: For a girl, it is until she is nine years old and one day. For a boy, it is until he is twelve years old and one day.

The *Gemora* cites a different version: For a girl, it is until she is twelve years old and one day. For a boy, it is until he is thirteen years old and one day. According to both versions, it is only forbidden if she has reached puberty. [The first version holds that pubic hairs at nine years old is a sign of puberty, whereas the second version disagrees.]

Rafram bar Pappa said in the name of Rav Chisda: Once she is embarrassed to stand naked before him, it is forbidden for her father to sleep together with her while their skins are touching. If she is embarrassed, it shows that she has desires for relations.

Rav Acha bar Abba once came to the house of Rav Chisda, his son-in-law. He took his granddaughter and slept together with her under a blanket. Rav Chisda asked him: Did you not know that she is married? Rav Acha replied: If so, you have violated that which Rav said: For Rav Yehudah said in the name of Rav that a person should not be *mekadesh* his daughter when she is a minor, but rather, he should wait until she gets older and chooses to marry a certain person. Rav Chisda said back to him: And you have violated that which Shmuel said, for Shmuel said that it is forbidden to make use of a woman. Rav Acha responded: I hold like a different ruling of Shmuel, for Shmuel said: Everything is permitted, if it is done for the sake of Heaven (*and I did this to make her mother happy*). (81b – 82a)

#### DAILY MASHAL

Once some redeemed captive women came to the upper chamber of the house of Rav Amram the Pious in Nehardea. Then the ladder to it was removed from under them (*in order to avoid seclusion*). As one of them passed by an opening to the upper chamber, a light (*from her beauty*) shone from the opening. Rav Amram lifted a very heavy ladder, one which ten men could not lift, and proceeded to climb to the upper chamber in which the women were lodged. When he had climbed up halfway, he stopped and cried out, “There is a fire in the house of Amram!” [*This way, people would come, and this would prevent him from sinning.*] The Rabbis (*upon realizing that they ran to his house for nothing*) said to him, “You shamed us!” He responded, “It is better that you are shamed in the house of Amram in this world than that you should be ashamed of him in the World to Come.” He then banished the Evil Inclination from himself, and it left

him in a form of a fiery column. He said to it, “See, you are fire and I am flesh, yet I am more powerful than you.”

Rabbi Shlomo Price learns two important lessons from this story.

Firstly, we see that in order not to sin, a person should be prepared to humiliate himself. Sometimes a person knows that he shouldn't tag along with a bad crowd, because it is going to lead to things that he shouldn't be doing. He nevertheless goes with the crowd, fearing that they would mock him or call him names (e.g. a wimp) if he did not join them. The story of Rav Amram should teach us that it is better to be terribly embarrassed than to do something wrong.

Secondly, people think they know all the mussar already, and they are well prepared for the fight in the big world out there. Even if this were true, their knowledge isn't greater than that of Rav Amram's. If Rav Amram wasn't safe from the Evil Inclination, where do we get our cocky confidence from?! Being aware of the problem is the first step to resolve it. If we realize how strong the Evil Inclination is, we can start to look for some ways of resolving the problem.