

Which are eighteen months

שהן י"ח חדש -

OVERVIEW

After the משנה teaches us how a חזקה is made in a בית הבעל, the משנה concludes 'שהן י"ח חודש'. תוספות will discuss what is this phrase 'שהן י"ח חודש', teaching us.

תוספות asks:

תנימה וכי מניינא אתא לאשמועינן וכהאי גוונא פריך בכמה דוכתי –

It is astounding! Does the משנה come to teach us how to count?! It is obvious that twelve months and twice three months are eighteen months. Why does the משנה conclude that 'it adds up to eighteen months'? And in many places the גמרא asks in this manner; we do not need to be taught how to calculate.¹

תוספות anticipates a possible answer:

וליכא למימר דרצופין אתי לאשמועינן –

And we cannot answer that the משנה is teaching us that these eighteen months must be consecutive. If the משנה would have merely stated 'three months, etc. and three months, etc. and twelve months in between, without adding 'שהן י"ח חודש', I may mistakenly assume that the three months and the twelve months etc. do not have to be consecutive. It may be possible to make a חזקה for three months, then wait awhile and then continue to make the חזקה for the twelve months, etc. The משנה, by stating 'שהן י"ח חודש', makes it clear that the total amount of time is eighteen months, meaning there can be no interruption in between. This will seemingly answer תוספות question.

תוספות rejects this answer:

דאם כן מאי קא משמע לן רב הונא –

For if it is indeed so; that by stating 'שהן י"ח חודש', the משנה is teaching us the requirement of רצופין, then **what does רב הונא teach us.** רב הונא states in the גמרא,² that the חזקת ג' שנים must be רצופין. However, now that we are proposing that the phrase 'שהן י"ח חודש', teaches already the rule of רצופין, why did רב הונא have to repeat it. We already know it from the משנה!

תוספות anticipates a possible answer to this last question and rejects it. Seemingly it is possible that we know the rule of רצופין from the משנה. However רב הונא is merely restating that we can derive it from the משנה; he is not necessarily teaching us something new. This would seem to

¹ This may be a support to the original question; or perhaps it is an additional question. Why indeed did the גמרא not ask here, וכי מניינא אתא לאשמועינן?

² דף כט,א.

resolve all difficulties. תוספות however rejects this approach:

ובגמרא משמע דממתניתין לא הוה שמעינן דבעינן רצופים –

However from the גמרא it seems that from our משנה (alone) we would not be aware that רצופין is required³ -

אי לא דאשמועינן רב הונא [ע"י תוי"ט שתמה על זה⁴]:

Were it not for the fact that רב הונא taught it to us. Therefore the question remains why is it necessary for the משנה to state 'שהן י"ח חודש'? It cannot be to teach us רצופין, for רב הונא exclusively is teaching that to us.

SUMMARY

questions the need for the משנה to state חודש י"ח. It cannot come to teach us רצופין, for that is taught exclusively by רב הונא.

THINKING IT OVER

Why indeed cannot we infer from חודש י"ח שהן that רצופין are required?

³ After the גמרא cites the rule of רב הונא, it asks immediately מאי קמ"ל תנינא חזקתן שלש שנים וכו'. Now if we were to assume that חודש י"ח teaches us that רצופין are required, the גמרא should have asked מאי קמ"ל תנינא שהן י"ח חודש. This proves that the גמרא assumes that חודש י"ח cannot teach us the rule of רצופין. Also from the answer of the גמרא it is indicated that this rule is a חידוש of רב הונא. See: 'Thinking it over'.

⁴ The תוס' יו"ט claims, even if חודש י"ח teaches us רצופין, however it may be that רצופין is required only by a בית (where חודש י"ח is stated), since it is not a complete three years. רב הונא is teaching us that even when three full years are required for a חזקה, nevertheless רצופין are still required. See רעק"א and others who discuss this point.