

שהן י"ח חודש – which (they) are eighteen months.

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.

משנה תנא – It is surprising! Does the תנא of 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'?

וכהאי גוונא פריך בכמה דוכתי – and in many places the גמרא asks in this manner; we do not need to be taught how to calculate¹.

תוספות anticipates a possible answer:

ולכא למימר דרצופין אתי לאשמועינן – and we cannot answer that the תנא of the משנה is teaching us that these eighteen months must be consecutive. If the תנא 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 – for if it is indeed so; that by stating 'שהן י"ח חודש', the משנה is teaching us the requirement of רצופין, then –

מאי קא משמע לן רב הונא – what does רב הונא teach us. גמרא² states in the הונא, that the חזקה must be רצופין ג' שנים. 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 resolve all difficulties. תוספות however rejects this approach –

ובגמרא משמע – however from the גמרא it seems –

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

² דף כט, א.

that from our משנה (alone) we would not be aware that רצופין is required³ –

– 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

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

Thinking it over

Why indeed cannot we infer from שהן י"ח חודש 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 שהן י"ח חודש teaches us that רצופין are required, the גמרא should have asked 'מאי קמ"ל רצופין קמ"ל'. תנינא שהן י"ח חודש. This proves that the גמרא assumes that שהן י"ח חודש 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 as follows, even if שהן י"ח חודש teaches us רצופין, however it may be that רצופין is required only by a בית הבעל (where שהן י"ח חודש 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.