

האונס והמפתה והמוציא שם רע דממונא הוא –

One who forced or seduced or slandered, which is a monetary issue

OVERVIEW

The גמרא asks that **אונס ומפתה ומוציא שם רע** should have mentioned the **מזיקים** of **אונס ומפתה ומוציא שם רע** since they are required to pay monetary damages (ממונא); and not (only) punitive damages (קנסא). The case of **מוצש"ר**¹ is where a newlywed husband accuses his wife that she was not a בתולה at the time of their נישואין. If the husband is proved to be lying he is required to pay a fine (קנס) of one hundred כסף to his father in law. There are no (other) monetary payments. תוספות will explain why the גמרא mentions **מוצש"ר**.

מוציא שם רע לית ביה ממונא כלל אלא מאה כסף אלא אגב אחריני נקטיה:

There is no monetary payment at all by a מוציא ש"ר, only the hundred כסף, which the husband must pay to his father in law; it is therefore not understood why the גמרא mentions it.² **Rather** we must say **that he mentions מוצש"ר on account of the others** (i.e. אונס ומפתה). These three (אונס ומפתה and מוצש"ר) are often mentioned in the same context.³ The גמרא did not mean, however, that **אונס ומפתה ומוציא שם רע** should actually mention **מוצש"ר**.

SUMMARY

The גמרא mentions **מוצש"ר** on account of **אונס ומפתה**; there was no thought that **מוצש"ר** should be included, since it is solely a קנס payment.

THINKING IT OVER

The **דין** by a **מוצש"ר** is that besides the **מאה כסף** that he pays to the father he is also obligated to remain married to her for the rest of his life (he cannot divorce her).⁴ This carries with it monetary obligations of **שאר כסותה**; he has to support her as long as he lives. Why should this not be considered **ממונא**??!

¹ דברים [תצא] כב, יג-יט.

² It would appear from **אונס ומפתה ומוציא שם רע** that **אונס ומפתה ומוציא שם רע** is not **מוצש"ר**.

³ They all deal with violation of בתולה issues.

⁴ The פסוק states: (דברים [תצא] כב, יט) ולא תהיה לאשה לא יוכל לשלחה כל ימיו (דברים [תצא] כב, יט).