

Because he intends to teach, כסף

משום דקבעי למיתני כסף –

OVERVIEW

The האשה initially asked why does the משנה state נקנית and not האשה. The answer is that since כסף is one of the three דרכים, and כסף has a connection with the word קנין; therefore (on account of כסף) the משנה writes נקנית. Our תוספות discusses the validity of this answer.

anticipates a difficulty (and resolves it):

והכא לא שייך למיפרך ותנא תרתי אטו חדא² כדפריך לקמן³ –

And here it is not appropriate to ask; ‘and do you change the wording by two on account of one’, as the גמרא asks later⁴. –

explains why this question is not applicable:

דלשון קנין שייך נמי בשטר וביאה –

Because the expression ‘קנין’ (acquisition) applies also to שטר and ביאה.

Therefore (since שטר וביאה as well as כסף) it is not חדא אטו תרתי, for the term קנין is applicable to all.⁵

anticipates a difficulty with this answer. If the לשון קנין applies to שטר וביאה (as well as כסף), then what was the original question of the גמרא that it should say האשה מתקדשת if the term נקנית is appropriate. תוספות responds:

ולא היה תמוה על לשון קנין –

¹ This question can be understood it two ways. 1. Why does our משנה use the term קנין (which is appropriate for acquiring ownership [not for marriage]) and not the term קידושין (which is appropriate for betrothal) as the משנה uses it in פרק שני? 2. Why is there a difference between פרק ראשון which uses the term קנין and פרק שני which uses the term קידושין? The question and answer of תוספות parallel these two explanations respectively. See footnotes # 4 & 6.

² It seems from the גמרא's answer that really we would use מתקדשת (for that is more appropriate), however since כסף is associated with קנין, the משנה chose נקנית. It is difficult to understand, however, why change נקנית (which is appropriate for all [three]) to חדא, on account of כסף (which is only one). How can one case outweigh the other two (where מתקדשת would be more appropriate)?

³ On עמוד ב' the גמרא explains that the משנה states 'דרכים' (instead of 'דברים'), because ביאה is referred to as דרך. The גמרא asks is it proper to change the לשון of two things (כסף ושטר) [where the דברים is preferred] on account of one thing (ביאה for which the דרך is preferred). It is not proper to use דרכים for ביאה (one item) if דברים is appropriate for כסף ושטר (two items).

⁴ In this (anticipated) question תוספות assumed the first explanation mentioned in footnote # 1. We assume that the term קנין is [generally] inappropriate for קידושין. If we state קנין because of the association of כסף (alone) with קנין, then it is חדא אטו תרתי.

⁵ Therefore since there is a specific association of כסף with קנין (even though this association does not manifest itself with שטר and ביאה, nevertheless), it is justified to use the term קנין (for it is appropriate for שטר וביאה as well).

And there never was a concern with the לשון קנין that it is inappropriate -
אלא משום דלקמן תנא לשון קידושין והכא תנא לשון קנין⁶ –

But rather the question of the גמרא, that it should state here (האשה מתקדשת), was **because later** (in פרק שני) **the משנה uses a לשון קידושין** (האיש מקדש), **so why here does the משנה use a לשון קנין** (האשה נקנית); why the change of the לשונות? However the גמרא did not assume (even in the question) that קנין is an inappropriate לשון, on the contrary קנין is appropriate for all three modes of קידושין.

תרתי אטו חדא offers an alternate solution⁷ to explain why it is not חדא אטו תרתי:

אי נמי בשטר נמי אשכחן לשון קנין⁸ **דכתיב ואקח את ספר המקנה**⁹ (ירמיה לב¹⁰):

Or you may also answer; that by שטר we also find the לשון קנין, as it is **written המקנה ואקח את ספר המקנה** (and I took the writ of acquisition) referring to a שטר with the term (ספר המקנה) קנין. Therefore (since the term קנין is associated with כסף and שטר) it is not חדא אטו תרתי but rather תרתי אטו חדא, that even though the term קנין may not be associated (nor appropriate) for ביאה, but it is associated with the other two קנינים of כסף and שטר (who are the majority).

SUMMARY

There was never any concern with the term נקנית; the question of the גמרא was why the change from פרק ראשון to פרק שני. Therefore since כסף (or כסף) is associated with קנין it is not חדא אטו תרתי.

THINKING IT OVER

1. What are the relative advantages of both answers of תוספות?
2. Is it more evident that כסף is associated with קנין, or that שטר is associated with קנין?

⁶ This is in accordance with the second interpretation in footnote # 1.

⁷ The א"נ finds the first answer unsatisfactory. Granted that the term קנין is appropriate for שטר וביאה; however since there is no specific association between them, the משנה should have written מתקדשת (which is certainly more appropriate). Writing נקנית is still חדא אטו תרתי. [Alternately the א"נ may maintain the first interpretation of footnote # 1, whereupon תוספות previous תירוצ is inapplicable (see אות כז)].

⁸ See מהר"ם who explains that the גמרא knew of the association of שטר with קנין, but nevertheless asked the question that it should state מתקדשת because of the rule חדא אטו תרתי. The גמרא answered that כסף is also associated with קנין so it is תרתי אטו חדא.

⁹ See 'Thinking it over' in the following וכסף תוספות ד"ה.

¹⁰ פסוק יא.