



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Kesubos Daf Beis

MESECHTA KESUBOS

**PEREK BESULA NISEIS -- PEREK RISHON**

MISHNA

- A besula should get married on Wednesday, and a widow on Thursday. The reason a besula should get married on Wednesday is that Beis Din is in session twice a week – on Monday and Thursday, and we want her to get married the night before a session, so that if her husband has a claim that she is not a besula, he can get up in the morning and immediately go to Beis Din.

GEMARA

- **R' Yosef in the name of R' Yehuda in the name of Shmuel** said, the reason the **Rabanan** said that the marriage should take place on Wednesday is because after kiddushin a girl is given 12 months to prepare herself for the wedding. If the husband does not enter nissuin by that time, he must begin to support her. The **Rabanan** were teaching that whenever the 12 months end, the husband still has until the following Wednesday to enter nissuin before this penalty comes into effect.
  - **Q: R' Yosef** asked, why does **Shmuel** attribute a reason to the Mishna when the Mishna itself gives a different reason for it!? **A:** What **R' Yehuda in the name of Shmuel** must have meant was, that if the reason for a particular day of the week is so that he can go to Beis Din if the need arises, why can't they get married on Sunday night? The reason is that we want the husband to prepare for the wedding for 3 days (Sunday, Monday, and Tuesday). If the wedding was on Sunday he would not be able to do that. Now, once the enactment was done to have them get married on Wednesday for that reason, if the 12 months end on a Sunday, he need not begin supporting her until the following Wednesday, because the **Rabanan** said he should not get married until that time.
    - We see from here that if the time for nissuin is delayed when it is not the husband's fault (e.g. because of a Rabbinic enactment), he does not have to begin supporting her. Therefore, if the nissuin is delayed because he or she was sick, or because she became a niddah, he would not have to begin supporting her.
    - Others ask this as a question. If the nissuin is delayed because he was sick, do we say he need not support since he is an oneis, just like he is an oneis when he has to wait for Wednesday based on the Rabbinic enactment, or do we say he is only excused when there is a Rabbinic enactment, but not for any other oneis? If we say that he must begin to support her in that case, what about if she was the one who got sick? Can he say, I am ready to enter nissuin and this is your fault and I therefore need not support you, or can she say it is his bad mazal that caused the delay? If in this case he must support her, what would be the case when she became a niddah? If it is at her regular time, she clearly cannot blame it on his mazal. The question would be where the niddah came at an abnormal time. In that case can she say it was his mazal? **R' Achai** said, we can answer from the Mishna. The Mishna said "if they did not marry he must support her" (not "if he didn't marry"). Clearly this can't mean where the woman purposely delayed, because that wouldn't cause him to have to support her. It must mean where she was an oneis as in one of the cases discussed, and we see that it causes him to have to support her! **R' Ashi** said this is not a good proof. It may

be that he only must support when he is at fault for delaying the marriage. The reason the Mishna did not use the verbiage which suggests that the delay was his fault was because the earlier part of the Mishna speaks in terms of her, so the later part of the Mishna speaks in terms of her as well.

- **Rava** said, although an oneis prevents him from having to support the woman, regarding a get it does not work that way (if he gave a get on a condition and is prevented from fulfilling the condition, which would therefore make the get take effect) because of an oneis, the get still takes effect.
  - **Q:** From where does **Rava** learn that there is no concept of oneis for a get?
    - It can't be from the Mishna that says that if a man gives a divorce to take effect if he does not return in 12 months, and he died within those 12 months, in which case the Mishna says that it is not a get. This suggests that if he had gotten sick (instead of died) and that prevented him from returning, it still would be a get. He can't learn it from there, because the Mishna may mean to say that if he was sick it also wouldn't be a get, and the reason the Mishna spoke in terms of him dying is because it wanted to teach that a get cannot be given after the death of the husband.
      - Although the earlier part of the Mishna already states that concept, the Mishna felt it necessary to restate it in the latter case, because the **Rabanan** argue in that case and say that the get would take effect.
    - It can't be from the next part of that Mishna, that says that if the man says, the get should take effect today if I don't return within 12 months. The Mishna says if he dies within those 12 months, the get takes effect. Presumably we can say that the same Halacha would apply if he got sick, and this would be a source for **Rava**. However, this can't be the source, because it may be that only in the case of where he died is it a get, because he does not want her to fall to yibum, but when he got sick, maybe the get does not take effect.
    - Maybe it is from the story where one was prevented from returning (which would have prevented the get taking effect) because he was unable to cross the river, and he yelled, "Look I am here!", and **Shmuel** said he has not actually returned and the get therefore takes effect. We see that an oneis is not taken into account. However, it may be that only that type of oneis is not taken into account, because it is a usual oneis, and he should have built that into his consideration when making the condition.
  - **A:** It must be that the reason of **Rava** is actually based on his own logic. D'Oraisa an oneis would prevent the get from taking place, but he says that it does not because of the "tznu'os" (modest women, who will be machmir on themselves and think that an oneis happened when it did not, and they will prevent themselves from being able to remarry, staying in the status of an agunah), and because of the "prutzos" (immodest women, who will automatically assume that there was no oneis and will immediately get remarried, only to find out later that the husband was an oneis, the get was not effective, her second marriage was in sin, and her children were therefore mamzeirem).