



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

Kesubos Daf Mem Hey

- **Shila** taught a Braisa that there are 3 levels of death penalty that are given (depending on the case) to a naarah who was mezaneh. 1) If witnesses testify after the nissuin that she had been mezaneh while she was an arusah, she gets skilah at the entrance to her father's house, to show that the znus took place while she was still living in her father's house. 2) If witnesses testify while she is an arusah that she was mezaneh while she was an arusah, she gets skilah at the entrance to the city. 3) If she was mezaneh while she was a naarah and became a bogeres before being killed, she gets chenek.
 - **Q:** Are we to say that every time there is a change in body (e.g. to a bogeres) there is a change in the method of misah? A Braisa says that if a naarah who was an arusah and then entered nissuin and became a bogeres, and the husband then claims that she was mezaneh as an arusah, she gets skila!? **A: Rava** said, the case of motzi shem rah is very different, because it is always the case that she gets punished for a different punishment than she would get at the present time (a woman after the nissuin would only get chenek and she gets skila). Therefore, we can't bring a proof from that novel Halacha.
 - **Q: R' Huna the son of R' Yehoshua** asked, maybe the Torah only meant for the concept of motzi shem rah to apply to a case where she was still a naarah!? **A: R' Nachman bar Yitzchak** said, whether a change in status (or body) brings about a change in punishment is actually the subject of machlokes. In fact, we find a Mishna where the **T"K** says that if a person does an aveirah and is then appointed as king or Kohen Gadol, they are treated as regular people and bring the korbon of a regular person. **R' Shimon** says, if they became aware of the aveira after they became king or Kohen Gadol, they are patur from bringing the korbon. We can say that **Shila's** Braisa follows **R' Shimon**.
 - **Q:** If **R' Shimon** really holds like **Shila's** Braisa, he should require the king and Kohen Gadol to bring the korbanos that a king and Kohen Gadol bring when they sin. He shouldn't make them patur!? **A:** We find that **R' Yochanan** told one who was teaching the Braisa of **Shila**, that he should change the wording to teach that the girl is chayuv skila.
 - **Q:** She is no longer a naarah, so why should she get skila!? **A: R' Illa** said, the pasuk says "hanaarah", which suggests that it includes even the girl who was a naarah but is no longer a naarah.
 - **Q: R' Chananya** asked, if so, why doesn't the husband get malkus and have to pay the penalty even if she became a bogeres? **A: R' Yitzchak bar Avin** explained, when the girl was mezaneh she was a naarah, and therefore gets punished as one. When the husband sinned (by making the false claim), he did so against a bogeres, and therefore in that case he doesn't have to pay or get malkus.
- A Braisa says, if a naarah who was an arusah was mezaneh, she gets skila at the entrance to her father's house. If her father has no house, she gets skila at the entrance to the city. If the city is mostly made up of goyim, she gets skila at the entrance to Beis Din. Similarly, one who worshipped avodah zara gets skila at the entrance to the city that he sinned in. If the city is mostly goyim, he gets skila at the entrance to Beis Din.
 - A Braisa explains, we know that one who worshipped avodah zara gets skila at the city's entrance based on the word "she'arecha" in the pasuk. The word "she'arecha" also teaches that it should not be done there if the city is mostly goyim.

- **Q:** How can we use the same word to teach two things? **A:** The extra word could have been written as “shaar” and was written as “she’arecha”, so it teaches both things.
 - **R’ Avahu** said, we learn that a naarah hame’urasah gets skila at the city’s entrance from a gezeirah shava on the word “pesach” which is also stated by the Mishkan, and we then have a gezeira shava from there to the one who worshipped avodah zarah based on the words “shaar” (in that pasuk regarding the Mishkan) and “she’arecha” (written regarding the one who worshipped).
 - A Braisa says, a husband who is motzi shem rah gets malkus and must pay 100 sela. **R’ Yehuda** says, he gets malkus in any case, but will only have to pay the 100 sela if he had bi’ah with her.
 - The Gemara says, they argue in the machlokes between the **Rabanan** and **R’ Eliezer ben Yaakov** – the **Rabanan** here hold like the **Rabanan** there, and **R’ Yehuda** holds like **R’ Eliezer ben Yaakov**.
 - Others say that the entire Braisa follows **R’ Eliezer ben Yaakov**. Even the **T”K** is discussing where they had bi’ah. **R’ Yehuda** argues and says that he gets malkus even if they did not have bi’ah.
 - **Q: R’ Yehuda** says in a Braisa that he doesn’t get malkus if he did not have bi’ah with her!? **A: R’ Nachman bar Yitzchak** said, he means that he gets malkus D’Rabanan in either case. **A2: R’ Pappa** said, when **R’ Yehuda** in the second Braisa says there is only malkus when there was a bi’ah, he uses the term “malkus” to refer to a monetary payment.