



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

Kesubos Daf Nun Aleph

- A Braisa says, **Rebbi** says that real property and moveable property are both taken from the heirs to be used to support the widow and the daughters. **R' Shimon ben Elazar** says, if there is real property, we can take it from the sons to use for the support of the daughters, and from older daughters for younger daughters, and from the older sons for the younger sons, and from the daughters for the sons if it is a large estate but not if there is a small estate. If there is only moveable property, we can take it from the older sons for the younger sons, and from the older daughters for the younger daughters, and from the daughters for the sons. However, we cannot take this from the sons for the support of the daughters.
 - Although we normally pasken like **Rebbi** when he argues on another Tanna, in this case we pasken like **R' Shimon ben Elazar**, as we find that **Rava** said that we may only support the daughters from real property.

MISHNA

- If a husband did not write a kesubah for his wife, the wife will still collect 200 at the termination if she was a besulah when she got married, and 100 if she was not a besulah, because this amount is a stipulation of Beis Din. Even if one wrote that he is giving a field worth 100 zuz in the place of the 200 zuz requirement, and even if he did not write that his other assets should be pledged toward the payment, he must still pay the 200, because it is a condition of Beis Din.
- If a husband did not write in the kesubah, "If you are captured I will redeem you and return you to me as a wife", or if he is a Kohen "and I will return you to your city", he must still redeem her if she is captured, because it is a condition of Beis Din.
- If a woman is captured, her husband must redeem her. If he gives her a get and her kesubah payment and tells her to use the money to redeem herself, he does not become patur to redeem her by doing that.
- If a wife becomes sick, the husband must pay her medical bills to heal her. However, if he gives her a get and her kesubah payment and tells her to use that for her medical care, he is allowed to do so and becomes patur.

GEMARA

- The first part of the Mishna follows **R' Meir**, who says in a Mishna that anyone who gives less than the 200 or 100 in a kesubah is considered to be living with his wife as an act of zenus. It can't follow **R' Yehuda**, because he says in the Mishna that the husband may give less (by having the wife say that she had already received a partial payment).
 - **Q:** When the Mishna says that even if the husband wrote that his assets are not pledged to the kesubah, he is still chayuv the full amount of the kesubah, that must follow **R' Yehuda**, who says that if a document didn't have a pledge guarantee ("achrayus"), we assume it was by mistake of the scribe and that the guarantee was truly given. Shall we say that the beginning of the Mishna follows **R' Meir** and the next part follows **R' Yehuda**? **A:** We can say that both parts follow **R' Yehuda**. He only allows it in the other Mishna, because she says that she had already received a partial payment and has thereby expressly waived her rights to anything more. In our Mishna, where she did not do that, he would not allow it. We can also say that the entire Mishna follows **R' Meir**. When the Mishna later says that he is chayuv to pay the full amount, it means that he is chayuv to pay from the unsold properties.

LO KASAV LAH...

- **Shmuel's** father said, if the wife of a Yisrael was violated she becomes assur to her husband, because we are concerned that she ultimately had the bi'ah willingly.
 - **Q: Rav** asked him, our Mishna says that a person is obligated to redeem his wife and return her to being his wife if she is captured!? He remained quiet and didn't answer. **A:** The Gemara says, he could have answered that the kesubah stipulation is referring to where she was captured (and not known to have been violated) and we are meikel and don't have the same concern. However, if we know that she was violated it may be that we must be concerned.
 - **Q:** According to **Shmuel's** father, what is the case of a violated woman that the Torah says may return to her husband? **A:** The case would be where there were witnesses that she screamed from beginning to end of the act.
 - **Rava** argues and says that even if at the end the violated woman specifically says that she wants the zenus, she would remain mutar to her husband, because it is the beginning of the act, at which time she was forced, that creates an uncontrollable desire by her to complete the act.
 - A Braisa says like this as well. It darshens the pasuk of "v'hee lo nispassa" to teach that a woman who was forced and finished the act willingly would remain mutar to her husband.
 - Another Braisa darshens this pasuk to teach that the wife of a Kohen who is violated become assur to her husband even if she was forced.
 - **R' Yehuda in the name of Shmuel in the name of R' Yishmael** darshened this pasuk to teach that a woman whose kiddushin was deemed to be in error, and who then was mezaneh with another man, would be mutar to go back to her husband and accept a valid kiddushin.
 - **R' Yehuda** said, women who were kidnapped by kidnapers are mutar to their husbands. The **Rabanan** asked, but we see these women preparing meals for the kidnapers, which suggests that any zenus that took place was willingly!? **R' Yehuda** said, they prepare meals out of fear for them. They asked, but we see the women hand arrows to the kidnapers to help them fight!? He said, that too is out of fear. The Gemara says, if the kidnapers let them free and they anyway return to the kidnapers, that would show that any zenus was done willingly.
 - A Braisa says, captives of the king remain mutar to their husbands, while captives of kidnapers become assur.
 - **Q:** Another Braisa says exactly the opposite!? **A:** The case of captives of the king is not contradictory, because we can say that the second Braisa discusses a king like Ben Netzer, who would marry some of the captives, and therefore each captive hopes to get married to him, whereas the first Braisa discusses a king like Achashveirosh, who would not marry the women and they were therefore clearly not willing. The case of captives of kidnapers is also not contradictory, because the first Braisa deals with regular kidnapers, who none of the captives want to marry, whereas the first Braisa deals with a kidnapper like Ben Netzer, who they would want to marry.
 - **Q:** Why is Ben Netzer referred to as a king and yet referred to as a kidnapper? **A:** When compared to Achashveirosh he is referred to as a kidnapper, when he is compared to regular kidnapers he is referred to as a king.