



Daf In Review – Weekly Chazarah

Maseches Kesuvos, Daf נב – Daf נה

Daf In Review is being sent l'zecher nishmas R' Avrohom Abba ben R' Dov HaKohen, A"H
vl'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

-----Daf נב---52-----

U'VIKOHENES AHADRINACH LIMDINASEICH...

- **Abaye** said, if a woman who was an almanah got married to the Kohen Gadol and was then captured, the Kohen Gadol would be chayuv to get her redeemed, because it would fit into the verbiage of the Mishna that a Kohen must redeem his wife to bring her back to her city (since she will be assur to him after having been captured). However, if a mamzeres or nesinah was married to a Yisrael and was captured, the husband would not have to redeem her, because he cannot be said to “redeem her and return her as a wife”. **Rava** said, if the woman becomes assur to the husband because of the fact that she was captured, then he must redeem her. If she is assur to him for some other reason, he is not chayuv to redeem her.
 - **Q:** Maybe we can say that they argue in a machlokes of a Braisa. The Braisa says, **R' Eliezer** says, if one swore that his wife may not benefit from him and she is captured, he must redeem her and divorce her and pay the kesubah. **R' Yehoshua** says, he must divorce her and pay the kesubah, but he need not redeem her. Presumably, the case discussed is where the woman was the wife of a Kohen, and **Abaye** said his view in accordance with the view of **R' Eliezer**, whereas **Rava** said his view in accordance with **R' Yehoshua**? **A:** It may be that the case is where the husband was a non-Kohen. The case is where the woman made the vow not to benefit from the husband and the husband did not annul the vow. **R' Eliezer** holds that by not annulling the vow it is as if he caused the vow, and he therefore must still redeem her (even though he cannot take her back as a wife). **R' Yehoshua** says she is viewed as the cause of the vow, and therefore he does not need to redeem her.
 - **Q:** If **R' Yehoshua** says that she is at fault, why must he pay the kesubah? **A:** It must be that the case is where the husband made the vow. **Abaye** will say that all agree that when the captured woman was an almanah who had married a Kohen Gadol (or any woman married to a Kohen) he would be chayuv to redeem her. All agree further that if she was a mamzeres or nesinah married to a Yisrael, he would not be chayuv to redeem her. The machlokes is where one made the vow to prevent his wife from benefitting from him. In that case **R' Eliezer** says we follow the time that the stipulation to redeem her was made (i.e. when they got married) and he therefore must now redeem her. **R' Yehoshua** says that we look at the present time (and she can't remain married to him now because of the vow), and therefore he is not chayuv to redeem her. **Rava** will say that all agree that in the case of the almanah married to the Kohen Gadol and the mamzeres married to the Yisrael, he would not be chayuv to redeem her. The machlokes would be in the case where a vow was made, whether the man is a Kohen or not. **R' Eliezer** says we follow the time that the stipulation was made, and **R' Yehoshua** says we follow the present time (after the vow).

NISHBEIS CHAYUV LIFDOSA...

- A Braisa says, if a woman was captured and then her husband died, if he was aware of the capture before he died, the heirs must redeem her from the estate. If he was not aware, they need not redeem her.
 - **Levi** was going to follow this Braisa in practice. **Rav** told him that **R' Chiya** said that we do not pasken like this Braisa, rather we pasken like another Braisa that says that once the husband dies there is no longer a chiyuv on him or the estate to redeem her.
- A Braisa says, if a woman was captured and the captors demand even 10x her worth, the husband must redeem her the first time this happens. After the first time, he may redeem her, but is not required to do so. **R' Shimon ben Gamliel** says, we never redeem a person for more than their worth so that it not entice kidnappers to kidnap even more.

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- **Q:** This suggests that **R' Shimon ben Gamliel** holds that he must redeem her at her value even it is more than the value of her kesubah. However, we find elsewhere that **R' Shimon ben Gamliel** holds that a husband need not spend more than the value of the kesubah to redeem her!? **A: R' Shimon ben Gamliel** holds of 2 leniencies (he need not spend more than her value, or more than the value of her kesubah).

LAKSAH CHAYUV L'RAPOSAH

- A Braisa says, a widow is supported from the estate, and if she needs medical treatment that is like support and is also paid for by the estate. **R' Shimon ben Gamliel** says, medical treatment that is not for a chronic ailment is paid for by the kesubah. Chronic treatment is paid for as support.
 - **R' Yochanan** said, in Eretz Yisrael they treated bloodletting as a chronic ailment.
 - The relatives of **R' Yochanan** were paying for the medical treatment of their father's almanah. He advised them to set a price with the doctor so it would then be treated as other than chronic, and would be payable from the kesubah payment. **R' Yochanan** then felt bad that he helped a litigant with a strategy.
 - The Gemara explains that initially he thought that as a relative it was proper for him to help them. Later he felt that as a prestigious person it was more important for him to remain impartial.

MISHNA

- If a man did not write a "kesubas b'nin dichrin" (where he agrees to give the woman's sons the proceeds of her kesubah and her other properties, and that they should not have to share those assets with any brothers from another mother) in the kesubah, he is still chayuv to do this, because it is a stipulation of Beis Din.
- If a man did not write in the kesubah that the woman's daughters from him will be supported from his estate until they are married off, he is still chayuv to do this, because it is a stipulation of Beis Din.
- If a man did not write in the kesubah that the woman will be supported from his estate when he dies, he is still chayuv to do this, because it is a stipulation of Beis Din.
 - This is how the people of Yerushalayim and the Galil would write their kesubos (that she gets supported until she gets remarried or until she demands her kesubah payment, as will be stated in the Gemara). The people of Yehuda would write that she was to get supported until the heirs want to pay off the kesubah. Therefore, if they want, they could pay her kesubah and be patur from any further support.

GEMARA

- **R' Yochanan in the name of R' Shimon ben Yochai** said, the kesubas b'nin dichrin was instituted so that people would feel comfortable giving large dowries to their daughters.
 - **Q:** Can it be that D'Oraisa the boys are supposed to inherit and D'Rabanan we say that we would give it to this woman's daughters before the husband's other sons? **A:** We learn from a pasuk that fathers should marry off their sons and daughters. The way a father can marry off his daughter is by making her attractive with a large dowry. To encourage that, the **Rabanan** created a method for the father to be comfortable that his property will remain with his descendants.
 - **Q:** How much is one supposed to give as a dowry? **A: Abaye and Rava** both said, one should give up to a tenth of his possessions.
 - **Q:** Maybe we should say that the woman's sons (without their half brothers) inherit the property given by their grandfather, but should not inherit (without their half brothers) the part of the kesubah that is given by their father!? **A:** Doing so will also cause the woman's father to hold back from giving a large dowry.
 - **Q:** Maybe we should say that where the father didn't give any dowry the husband's part of the kesubah should be shared by all his sons (not just from that wife)? **A:** The **Rabanan** did not want to differentiate this way among the cases.
 - **Q:** Maybe we should say that if the wife has no sons, her daughter should inherit the kesubah? **A:** The **Rabanan** gave it the status of an inheritance, and as such it must go to sons.

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- **Q:** When the man only has daughters, the daughter of the deceased wife should inherit the entire kesubah!? **A:** The **Rabanan** did not want to differentiate this way among the cases.
- **Q:** Why is it that the kesubas b'nin dichrin cannot be collected from moveable property? **A:** The **Rabanan** gave it the status of a kesubah, which may only be collected from real property.
 - **Q:** If so, they should be able to collect payment from properties that were sold!? **A:** They are heirs, and heirs do not inherit from properties that were sold.
 - **Q:** Why don't the sons collect if the estate will be left with less than a dinar? **A:** Doing so would uproot the D'Oraisa laws of inheritance, so we do not allow that to happen.

-----Daf ל"ג---53-----

- **Q: R' Yeimar Saba** asked **R' Nachman**, if a woman sells her rights to the kesubah to her husband, does she still retain the right to the kesubas b'nin dichrin? **Rava** said, you should ask the question regarding a woman who is mochel her kesubah (which is a more common occurrence). **R' Yeimar** said, I have asked in the case of a sale, which we would say that she was forced to do for the money, and that's why I had my question. However, when she is mochel and was not forced, she would clearly lose her rights to the b'nin dichrin. **A: Rava** said, it is obvious to me that when a woman sells her kesubah to other people, that is done out of financial pressures and she therefore retains the b'nin dichrin, and when she is mochel it to her husband she loses the b'nin dichrin.
 - **Q: Rava** asked, if a woman sells her kesubah to her husband, is that treated like a sale to someone else or as if she is being mochel to the husband? **A: Rava** later answered that it is treated as if she sold it to someone else.
 - **Q: R' Idi bar Avin** asked, a Mishna teaches that when a woman gets married based on a single witness' testimony that her husband died and the husband then appears, she must get divorced from both husbands, loses her kesubah, and none of the heirs inherit her kesubah. **R' Pappa** explained that this second mention of the kesubah refers to the fact that she loses the rights to the b'nin dichrin. **R' Idi** therefore asks, we can say that she was forced into this because of the desire to get money, and we see that she still loses the b'nin dichrin, so the same should be when she is forced to sell for money!? **A:** That Mishna is based on a penalty, and therefore no proof can be brought from there.
- **Ravin bar Chanina** said in the name of **R' Elazar**, if a woman is mochel her kesubah to her husband, she is not entitled to support as a widow. **R' Chisda** told him, if you would not have said that in the name of a great person, I would have disagreed.
- A husband once came and asked whether he is chayuv to bury his arusah who had died. The **Rabanan** who were there told him he must bury her or pay her kesubah. **R' Chiya** said to them, we have learned a Braisa that teaches that one does not inherit his arusah, and as such would not have the chiyuv to bury her either.
 - **Ravin in the name of Reish Lakish** said, an arusah does not have the right of burial by her husband. **Abaye** said, this Halacha was already told to us by **R' Hoshaya**.

B'NAN NUKVAN D'YEHEVYAN LEICHI MINAI...

- **Rav** taught the Mishna that the daughters are supported until they marry, and **Levi** taught that it is until they become a bogeres.
 - The Gemara says, all agree that marriage or bogeres stops the support. The machlokes is regarding an arusa who is not a bogeres. **Rav** would hold the support would stop and **Levi** would say it continues until nissuin or bogeres.
 - We find this machlokes between the **T"K** and **R' Elazar** in a Braisa as well.
 - **R' Yosef** taught a Braisa that they are supported until they are in a state of marriage.
 - **Q:** Does this refer to eirusin or nissuin? **A: TEIKU.**
 - **R' Chisda** asked **R' Yosef**, did you hear from **R' Yehuda** whether a daughter who became an arusah still gets support from her father's estate? He answered, that I have not heard, but logic dictates that she is no longer supported, because her husband will certainly not allow her to go around begging, and will

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provide for her. **R' Chisda** said, logic would dictate that she should get supported, because her husband, who is still unsure whether to take her in nissuin, will not yet be willing to support her!

- Another version has the logical arguments reversed as to who said them.
- **Q:** They asked **R' Sheishes**, does a girl who did mi'un receive support from her father's estate? **A:** He answered, that there is a Braisa in which the **T"K and R' Yehuda** argue, but seem to be saying the same thing. The machlokes can be understood as being whether a girl who has done mi'un would be supported by her father's estate. We see that this question is a machlokes among Tanna'im.
- **Q: Reish Lakish** asked, does the daughter of a yevama from the yavam get supported from her father's estate? Do we say that since the yevama is supposed to collect her kesubah from the first husband's estate, the same would be for this daughter, or do we say that since the yevama collects from the yavam if the first husband had no estate, this daughter collects from him as well? **A: TEIKU.**
- **Q: R' Elazar** asked, does the daughter of a marriage which was assur as a shniya get supported by her father's estate? Do we say that since the mother doesn't get a kesubah the daughter doesn't get supported, or do we say that the mother is penalized because she did something wrong, but the daughter is not penalized? **A: TEIKU.**
- **Q: Rava** asked, does the daughter of an arusah (from an illicit bi'ah with her arus) get supported by her father's estate? Do we say that since the mother has a kesubah the daughter is entitled to support, or do we say that since kesubah was really instituted for after nissuin, this daughter does not get supported? **A: TEIKU.**
- **Q: R' Pappa** asked, does the daughter of a woman who was violated get supported (the mother was violated as a naarah and then married the violator)? The question is according to the **Rabanan** who says that this woman does not get a kesubah (she got the penalty payment in its place) since he may not divorce her in any case. Do we say that the daughter therefore will not get supported either, or not? **A: TEIKU.**

-----Daf 71---54-----

AHT TIHEI YASVAH B'VEISI...

- **R' Yosef** said, this suggests that she may remain in the house only if it is a spacious house (a "house" and not a "hut"). However, even if she can't live there, she is still entitled to support. **Mar bar R' Ashi** said, if she doesn't live there she is not entitled to support.
 - The Gemara says that we do not pasken like **Mar bar R' Ashi**.
- **R' Nachman in the name of Shmuel** said, once the widow accepts a marriage proposal, she is no longer entitled to support.
 - **Q:** This suggests that if she turns down a proposal she is entitled to support. If she turned it down because she didn't like the man (but otherwise is ready to move on and remarry) she should not be entitled to support anymore either (she only gets support as long as she is still a widow and mourning for the husband, which she is no longer doing at that point)!? **A: R' Anan** said, **Shmuel's** statement was explained to me, that if she refuses out of respect for her deceased husband, she continues to get support. If she refuses because she feels the man is not fit for her, she loses the support.
 - **R' Chisda** said, if the widow is mezaneh she loses support (she is no longer in mourning). **R' Yosef** said, if she puts on makeup or braids her hair she loses support.
 - **R' Chisda** would agree with **R' Yosef**, but **R' Yosef** may say that when she is mezaneh we would attribute that to the yetzer harah, and she would not lose support because of it.
 - The Gemara says that we don't pasken like any of these views. Rather, the Halacha is like **R' Yehuda in the name of Shmuel**, that a woman gets supported until she demands her kesubah in Beis Din.
 - **Q:** A Braisa says that she loses support when she sells her kesubah, uses it as security, or as an apotiki. This suggests that she does not lose support for demanding payment in Beis Din!? **A:** These actions cause her to lose support even if they are done out of Beis Din. Demand for payment only makes her lose support if she makes the demand in Beis Din.

V'KACH HAYU ANSHEI YERUSHALAYIM...

- **Rav** said that the Halacha follows the people of Yehuda (unless stated otherwise, the heirs may pay off the kesubah and thereby stop supporting the almanah). **Shmuel** said, the Halacha follows the people of the Galil

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(she gets support until she demands payment of her kesubah). The people of Bavel and surrounding areas followed **Rav**, and the people of Neharda'a and surrounding areas followed **Shmuel**.

- **Rav** said, we evaluate the clothing of the almanah and reduce her kesubah by the value. **Shmuel** said that we do not do so.
 - **R' Chiya bar Avin** said that the shitos are reversed regarding the clothing of a field worker. **R' Kahana** said, the shitos remain consistent in the case of the field worker.
 - **R' Nachman** said, although a Mishna says like **Shmuel** (the Mishna says that a woman's clothing are not considered the possessions of the husband), we pasken like **Rav**.
 - **Q: Rava** asked, if we have a Mishna like **Shmuel**, why do we pasken like **Rav**? **A: R' Nachman** said, the Mishna can be understood according to **Rav**. A husband gives his wife clothing on the expectation that she will remain with him. If she is leaving the marriage, he no longer gives them to her, and she must therefore deduct them from her kesubah.
 - We find that **Ravina** paskened like **Rav** in practice.
- A person who was dying instructed that the standard items for a dowry be given to his daughter. After his death these items went down in value, and their cost therefore decreased. **R' Idi bar Avin** said, the estate is the one who gains from this, and the daughter gets the items (and not the value of the cost at the time of the instruction).
- A person who was dying instructed that 400 zuz of wine be given to his daughter. After his death the wine became expensive. **R' Yosef** said, the heirs only need to give 400 zuz worth, even though that is less wine than would have been given at the time of the instruction.
- **R' Yochanan** advised his relatives to have their dying father designate a piece of land for support for his wife so that she be limited to the revenue from that land. **Reish Lakish** said that her support is not limited to the revenue from the land. **R' Yochanan** told the relatives, there is nothing I can do since **Reish Lakish** has argued on me.
 - **R' Avahu** said, **R' Yochanan's** shita was explained to me, that if the dying man would have said that the land is to be used "for support", her support would not be limited to that piece of land. If he would have said that it be used "in support", the support would be limited to that piece of land.

HADRAN ALACH PEREK NAARAH SHENISPATSEH!!!

PEREK AHF AHL PI -- PEREK CHAMISHI

MISHNA

- Even though they said that a besulah gets 200 and an almanah gets 100, if the husband wants to add to that amount, he may. If she then gets divorced or widowed from the eirusin or the nissuin, she would collect the entire amount. **R' Elazar ben Azarya** says, from the nissuin she would collect the entire amount. If it was from the eirusin, she would only get the basic 200 or 100, because any additional amount was only written in anticipation for the nissuin.
- **R' Yehuda** says, if a husband wants, he may write a kesubah for the 200 or 100 and the wife may write a receipt that she has already received half, and this would be acceptable. **R' Meir** says, anyone who gives less than the standard 200 or 100 is considered to be living with the woman as zenus, rather than as marriage.

GEMARA

- **Q:** It is obvious that one can add to the kesubah! Why would we think not? **A:** We would think the **Rabanan** instituted a set amount so as not to embarrass the people who could not afford more. The Mishna teaches that one may add.

IHM RATZA L'HOSIF...

- The Mishna says "he can add", which suggests that the additional amount becomes part of the kesubah. This supports **R' Aivo in the name of R' Yanai** who says that the stipulations of the kesubah are considered like the kesubah itself.

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- The practical application of this status is that we treat them as one and the same for all halachos that apply to kesubah – for one who sells her kesubah, who is mochel her kesubah, for a woman who rebels and thereby is penalized to lose portions of her kesubah, for a woman who admits to partial payment on her kesubah, for a woman who demands payment in Beis Din for her kesubah, for a woman who loses her kesubah for not keeping halachos and minhagim, for not collecting the kesubah based on land appreciated after the death of the husband, for swearing to collect the kesubah, for the kesubah not being subject to shmitta, for the Halacha that a husband who gives away all assets and leaves over a piece of land for his wife's kesubah in which case she may only collect from that land, for collecting only from real property, for collecting from inferior land, with regard to the Halacha that a widow who returns to her father's house must demand payment before 25 years and a day, and for the Halacha of kesubas b'nin dichrin.

-----Daf 71--55-----

- In Pumbedisa they said that a kesubas b'nin dichrin is not collected from encumbered properties, because the Mishna said (as in our version) that it is treated as an inheritance. In Mata Mechasya they said that it is collected from encumbered properties, because the Mishna (according to their version) seems to refer to it as the collection of a debt.
 - The Gemara paskens that it is not collected from encumbered properties.
- Moveable property that was designated for the kesubah payment and are still intact after the husband's death, may be collected by the woman without the need to swear (normally when taking money from orphans one must swear). If the items are not intact, there is a machlokes. In Pumbedisa they said it can be collected without the need to swear, and in Mata Mechasya they said it can only be collected if she swears.
 - The Gemara paskens that there is no need to swear.
- If the husband designated a piece of property for her kesubah payment, and did so by giving the 4 boundaries of the parcel, it can be collected without the need to swear. If he only gave one of the boundaries there is a machlokes. In Pumbedisa they said it can be collected without the need to swear, and in Mata Mechasya they said it can only be collected if she swears.
 - The Gemara paskens that there is no need to swear.
- If one instructed witnesses to write and sign a gift document for a piece of land and to then give it to the recipient, if the witnesses made a kinyan on behalf of the recipient, then they can just give it to him without having to ask whether the giver has changed his mind. If they did not make a kinyan there is a machlokes. In Pumbedisa they said that they need not ask before giving it, and in Mata Mechasya they said that they do have to ask.
 - The Gemara paskens that they do have to go back and ask.

R' ELAZAR BEN AZARYA...

- **Rav and R' Nosson** argue: one says the Halacha follows **R' Elazar ben Azarya** and one says that it does not.
 - We can bring a proof that **R' Nosson** says that the Halacha follows **R' Elazar ben Azarya**, because we find that **R' Nosson** paskens like **R' Shimon Shezuri**, who says that we assess a person's intentions and follow it. It must be that he would also follow **R' Elazar ben Azarya**, and say that we assume the man only gave the additional amounts in the kesubah in anticipation of the nissuin, and therefore, if they never entered nissuin she would not be entitled to that extra amount.
 - **Q:** We find that **Rav** also says that we assess one's intent (regarding one giving an instruction of a gift on his deathbed, but also mentioning that a kinyan should be made, which is not needed for a deathbed gift, and **Rav** says that this gift has the power of a deathbed gift and of a regular gift, which makes that it cannot be revoked if the giver returns to his health). If so, there is no more of a reason to say that **R' Nosson** is the one who paskens like **R' Elazar ben Azarya**!?
 - We must say that although they both hold that we assess a person's intent, the reason why one of them would argue on **R' Elazar ben Azarya** is because that one holds that the husband's intent was to give the

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extra money just to make the wife feel close to him. That was accomplished, and that is why she would collect the money even before nissuin.

- The Gemara brings a number of different views as to whether or not we pasken like **R' Elazar ben Azarya**. The Gemara ends up paskening that the Halacha follows **R' Elazar ben Azarya** in practice.

-----Daf 56-----

- **Q: Ravin** asked, according to **R' Elazar ben Azarya**, if the couple entered chuppah, but did not yet have bi'ah, and she is divorced or widowed at that point, is she entitled to the additional monies added to the kesubah beyond the basic 100 or 200? Does one give that money in anticipation for chuppah or only in anticipation for bi'ah? **A: R' Yosef** taught a Braisa that explains the reason of **R' Elazar ben Azarya**, that any additional amounts were written in anticipation of the first night. Now, "the first night" must refer to chuppah, because bi'ah is something that may be done the first night, but at times takes place at a later time.
 - **Q:** Chuppah is something that can be done by day or by night, so it is not necessarily what is meant by "the first night"! Also, why is it assumed that bi'ah only takes place at night? **Rava** has said that bi'ah may be done by day when it is done in a darkened room!? **A:** Since bi'ah is usually done at night, it is referred to as being at night. Chuppah as well, since it is done to bring to bi'ah, it too is typically done at night.
- **Q: R' Ashi** asked, if the couple entered chuppah, but the woman then became a niddah, thus not allowing for biah, is she entitled to collect the additional amount of the kesubah at that point? Even if we say that the additional amounts are given in anticipation of chuppah, maybe it is only a chuppah that brings to a bi'ah, and this chuppah did not do so!? **A: TEIKU.**

R' YEHUDA OMER RATZA KOSEIV L' BESULAH...

- **Q:** We find that **R' Yehuda** holds that a receipt is not written for partial payments, rather the partial payment should be written into the collection document, so that it not be used to fully collect. Why does he allow for a receipt to be written in our Mishna? **A: R' Yirmiya** said, the Mishna means that it should be written into the kesubah document itself. **Abaye** said, in a normal case **R' Yehuda** does not allow, but in this case he does. In this case she was not really paid, it is part of a scheme to give her a decreased kesubah. Therefore, if he loses the receipt it is his own fault and we are not concerned with making him pay the entire amount.
 - **Abaye** doesn't answer like **R' Yirmiya**, because the words of the Mishna do not suggest that understanding. **R' Yirmiya** does not say like **Abaye**, because we would not allow a receipt in one case, because it may lead to receipts being issued in other cases as well.
- **Q:** The Mishna says she writes a receipt. This suggests that an oral waiver would not be sufficient. Since this is strictly a monetary matter, we find that **R' Yehuda** says that even an oral waiver should be sufficient!? **A: R' Yehuda** holds that kesubah is D'Rabanan, and the **Rabanan** were more stringent regarding their institutions, and therefore required a written waiver.
 - **Q:** We find that **R' Yehuda** allows an oral waiver regarding rights to the produce of her nichsei melog even though that too is a D'Rabanan!? **A: Abaye** said, nichsei melog are not all that common and therefore the **Rabanan** did not insist on a written waiver. Kesubah documents are very common, and therefore, to strengthen the D'Rabanan, they required a written waiver.

R' MEIR OMER KOL HAPOCHEIS...

- **R' Meir's** words suggest that even if one makes a stipulation to reduce the amount of the kesubah, the stipulation would not be effective and she would receive the full amount of the kesubah. However, since she would not feel fully sure that she will get it, any bi'ah they have would be considered as zenus.
 - **Q:** We have learned that **R' Meir** says that a stipulation made to change a D'Oraisa obligation is not effective. This suggests that a stipulation made to a change a D'Rabanan obligation (e.g. a kesubah) would be effective!? **A: R' Meir** holds that kesbah is D'Oraisa.
- A Braisa says, **R' Meir** says anyone who reduces the 100 or 200 zuz kesubah obligation is considered to be in a relationship of zenus with his wife. **R' Yose** says it is permitted. **R' Yehuda** says, one may write the kesubah for

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100 or 200 zuz and the woman can write a receipt stating that she has received partial payment (and in that way reduce the kesubah).

- **Q:** We find that **R' Yose** does not allow moveable property to be designated as payment for the kesubah because they often diminish in value. Now, if he doesn't allow a case where the amount of the kesubah *may* be diminished, surely he will not allow a case where it is certainly diminished. If so, how can he say in the Braisa that it is permitted!? **A:** In the Braisa, going into the marriage she is *mochel* and therefore knows that she will not be getting the full amount. That is why it is permitted. In the other case she thinks she will be getting the full amount, but ultimately may not. That is why it is not allowed.
- **Rami bar Chama's** sister was married to **R' Avya** and lost her kesubah. They asked **R' Yosef** what to do. He told them that **R' Yehuda in the name of Shmuel** said it is only **R' Meir** who says that living without a kesubah is considered *zenus*. However, the **Chachomim** argue and say that it is not a problem. **Abaye** said to him, **R' Nachman in the name of Shmuel** says that we *pasken* like **R' Meir** when he is *goizer*!? **R' Yosef** said, if so, go and write a new kesubah.

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- **R' Dimi** said that **R' Shimon ben Pazi in the name of R' Yehoshua ben Levi in the name of Bar Kappara** said, the *machlokes* between **R' Yose** and **R' Yehuda** (whether the decrease to the kesubah may be made orally or must be made in writing) is only when the decrease is made in the beginning, but if the decrease were to be made at the end, all would agree that it would have to be made in writing. **R' Yochanan** says the *machlokes* is in both cases. **R' Avahu** said, **R' Yochanan** explained to me that he does not argue with the earlier view. When **Bar Kappara** says "in the beginning" he is referring to the beginning of *chuppah* and when he says "the end" he means the end of *bi'ah*. When I (**R' Yochanan**) said the *machlokes* is in both cases, I mean to say that they argue in the case of "the beginning" of *chuppah* and at "the end" of *chuppah*, which is the beginning of *bi'ah*.
 - **Ravin** said that **R' Shimon ben Pazi in the name of R' Yehoshua ben Levi in the name of Bar Kappara** said, the *machlokes* between **R' Yose** and **R' Yehuda** (whether the decrease to the kesubah may be made orally or must be made in writing) is only when the decrease is made at the end, but if the decrease were to be made at the beginning, all would agree that it could be done orally. **R' Yochanan** says the *machlokes* is in both cases. **R' Avahu** said, **R' Yochanan** explained to me that he does not argue with the earlier view. When **Bar Kappara** says "at the end" he is referring to the end of *chuppah* and when he says "the beginning" he means the beginning of *chuppah*. When I (**R' Yochanan**) said the *machlokes* is in both cases, I mean to say that they argue in the case of "the beginning" of *bi'ah* and at "the end" of *bi'ah*.
 - **R' Pappa** said, if not for **R' Avahu**, I would have said that **R' Yochanan** is arguing with the view of **R' Yehoshua ben Levi**, and it is **R' Dimi and Ravin** who do not argue (**Ravin's** "end" refers to the end of *chuppah*, and **R' Dimi's** beginning refers to the beginning of *bi'ah* (which is the same as the end of *chuppah*). However, now that **R' Avahu** has taught that **R' Yochanan** is not arguing, it must be that **R' Dimi and Ravin** are arguing.

MISHNA

- From the time that a *besulah* is told by her husband to prepare for *nissuin*, she is given 12 months to prepare herself. Similarly, if the wife tells the husband to prepare himself for *nissuin*, he is also given 12 months to do so. An *almanah* is given 30 days. If the time was given and the *nissuin* did not take place, the wife is entitled to begin to be supported by the husband, and if he is *Kohen* she may begin to eat *terumah*.
 - **R' Tarfon** says a *Kohen* may choose to give his wife only *terumah*. **R' Akiva** says he may not give more than 50% *terumah*.
- A *yavam* does not entitle the *yevamah* to eat *terumah*. Therefore, if 12 months have passed from when the husband had asked her to prepare herself – whether 6 of those months were with the husband and 6 with the *yavam*, or whether 12 months less a day were with the *yavam*, or 12 months less a day were with the husband – she is still not entitled to eat *terumah*.

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- The above was the original way that the Halacha was set. However, a later Beis Din said that the wife of a Kohen may not eat terumah until she has entered into chuppah.

GEMARA

- **Q:** From where do we learn that a woman is given 12 months to prepare for nissuin? **A: R' Chisda** said, we see this from the pasuk by Rivka, where her brother and mother said that Rivka should remain in their house for a year to prepare before going to Yitzchak.
- **R' Zeira** said, a Braisa says, in the case of a minor, she or her father may delay the wedding until she becomes an adult.
 - **Q:** It makes sense that she can delay if she feels she is not ready for married life. However, if she is ready, why does it make a difference to the father? **A:** The father says that she thinks she is ready but is truly not, and will end up leaving the marriage and returning to him if she gets married before she is truly ready.
- **R' Abba bar Levi** said, we do not set a date for nissuin for a minor, but we may set a date for the minor for a nissuin that will take place when she becomes an adult.
 - **Q:** It is obvious that we may set a date for that later time!? **A:** We would think that even just setting a date will make her ill from nervousness. He therefore teaches that we may set the date.
- **R' Huna** said, if a girl became a bogeres and the next day accepted kiddushin, we give her 30 days to prepare for nissuin, like an almanah.
 - **Q:** A Braisa says that a bogeres is treated like a girl who has been told to prepare for her nissuin. Presumably this refers to a girl who was a besulah, and we see that a bogeres is given 12 months!? **A:** The Braisa means that she is treated like an almanah who was told to prepare for her nissuin.
 - **Q:** A Mishna says that a bogeres who has waited 12 months for nissuin, **R' Eliezer** says that since the husband must support her, he may also annul her vows. We see that a bogeres is given 12 months!? **A:** The Mishna is referring to 2 cases – a bogeres **or** a girl who has waited for 12 months, because a bogeres gets only 30 days.
 - **Q:** A Brasia says, if one gives kiddushin to a besula, whether he demands nissuin and she delayed or visa-versa, we give her 12 months from the time of the demand, not just from the time of the kiddushin. A bogeres is treated like a girl who was told to prepare. How so? If she accepted kiddushin the day after becoming a bogeres, she is given 12 months. An arusah is given 30 days. Now this Braisa clearly refutes **R' Huna! TEYUFTA.**
 - **Q:** What is meant when the Braisa says that an arusah is given 30 days? **A: R' Pappa** said, it means that if a girl was a bogeres for 12 months and then became an arusah, she is only given 30 days, like an almanah.

HIGIYA ZMAN V'LO NISU

- **Ulla** explained, D'Oraisa an arusah of a Kohen may eat terumah, because she is considered the “kinyan kaspou” of the Kohen. However, the **Rabanan** were concerned that since she is living in her father's house, she may mistakenly give terumah to her brothers or sisters to eat or drink. Therefore they were goizer that she should not eat terumah as an arusah.
 - **Q:** If so, then even when the 12 months are reached she should still be assur to eat terumah!? **A:** In that case he designates a special place for her to eat the terumah, away from her family.
 - **Q:** Based on this gezeirah, a Kohen who is employed by a Yisrael should not be allowed to eat terumah, because he may give it to the Yisrael to eat!? **A:** The employer gives him food to eat. He will never give the employer food to eat.
- **R' Shmuel bar R' Yehuda** said, the reason an arusah of a Kohen may not eat terumah is because we are concerned that he will later find a mum in her that will retroactively nullify the kiddushin, and will make it that she was never his arusah and was never allowed to eat terumah.
 - **Q:** If so, then she should not be allowed to eat even after going to chuppah if he has not yet had bi'ah with her (at which time he has seen all physical defects)? **A:** Before going to chuppah, a man has his wife checked out (by his female family members) to see if there are any physical defects.

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- **Q:** Based on this gezeirah, the slave that a Kohen buys from a Yisrael should not be allowed to eat terumah, because the Kohen may find a defect and annul the sale retroactively!? **A:** Such defects do not annul the purchase of a slave retroactively. If it is an external defect, he has seen it. If it is an unexposed blemish, since it doesn't effect his work, the owner does not care. If he is found to be a thief or kidnapper, the sale is considered valid anyway. The only other blemishes would be if he is found to be an armed robber or one who has been sentenced to death by the government. Those blemishes are known.
- **Q:** What is the practical difference between the reason given by **Ulla** and the reason given by **R' Shmuel bar R' Yehuda**? **A:** The difference would be in a case where: 1) the husband agreed to accept any defect that he may find; 2) where the father gave her over to the husband's messengers; 3) where the father's messengers went along with the husband's messengers.

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R' TARFON OMER NOSNIN LAH HAKOL TERUMAH...

- **Abaye** said, the machlokes is when the daughter of a Kohen is marrying a Kohen. However, when it is a Yisraelis who is marrying a Kohen, all would agree that he must give her at least 50% of her support not in the form of terumah. **Abaye** also said, the machlokes is only regarding an arusah. However, regarding a nesuah all would agree that he must give her at least 50% of her support not in the form of terumah.
 - A Braisa brings the machlokes between **R' Tarfon** and **R' Akiva** and qualifies it the way that **Abaye** qualified it. The Braisa then brings the shita of **R' Yehuda ben Beseira**, that he may give her 2/3 terumah and 1/3 not terumah. **R' Yehuda** says he may give her all terumah, and she then sells it and buys non-terumah items with the money. **R' Shimon ben Gamliel** says, when she is given terumah it must be in double the amount that she would have gotten of non-terumah.
 - The difference between the last 2 shitos is that **R' Yehuda** would say that she must go and look for the best price for the terumah so that she can have enough money to buy what she needs. **R' Shimon ben Gamliel** holds that we give her a lot more terumah to allow her to be able to set the price very low and make a quick sale, and still be able to make enough money to support herself.

HAYAVAM EINO MA'ACHIL B'TERUMAH

- This is based on the fact that only the "kinyan kaspoo" of a Kohen may eat terumah, and this woman is the kinyan kaspoo of his brother, not his own.

ASISAH SHISHA CHADASHIM BIFNEI HABAAL

- **Q:** If we said that even when she was 12 months with the husband she does not get to eat terumah, then surely if she spent 12 months with the yavam she would not be allowed to eat terumah, so why the need to mention that case? **A:** The Mishna is saying "zu v'ein tzarich lomar zu" – it mentions it although there is no real need to mention it.

ZU MISHNA RISHONA...

- **Q:** Why did the later Beis Din say that she cannot eat terumah until she enters chuppah? **A: Ulla or R' Shmuel bar Yehuda** said, we are concerned that he will find a mum that will retroactively nullify the kiddushin.
 - **Q:** According to **Ulla** the change in Halacha is understandable, because originally the only reason an arusah did not eat terumah from her husband the Kohen was that she may give the terumah to her siblings, but once the 12 months arrived, she would be given a designated area to be supported and that concern was no more. However, the later Beis Din said that we have to be concerned for a mum, and they therefore changed the Halacha. However, according to **R' Shmuel bar Yehuda**, who says that the concern with any arusah is based on a mum, why did the Halacha change between the earlier and the later Beis Din? **A:** The earlier Beis Din held that an examination done by his female relatives removes the concern of mum, whereas the second Beis Din held that it does not remove the concern.

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- If a man declares that his wife's bare minimum earnings (the minimum amount that she must earn) are to be hekdesh, it is not effective and she may keep the earnings for support. If he declares the amounts above the minimum amount to be hekdesh, **R' Meir** says it becomes hekdesh and **R' Yochanan Hasandler** says it does not become hekdesh.

GEMARA

- **R' Huna in the name of Rav** said, a woman may tell her husband, I will not take support from you and you will not get my earnings.
 - He holds that the main institution was to support the wife, and the earnings are given to the husband so that he not hate her for earning money while he is supporting her. Therefore, if she doesn't want to get supported, she may say so and keep her earnings.
 - **Q:** A Braisa says that the **Rabanan** instituted her getting supported in return for her giving him her wages, not the other way around!? **A:** Change the words of the Braisa to read the reverse.
 - **Q:** Our Mishna says that the husband cannot be makdesh her minimum required earnings. Presumably this is referring to where he is willing to support her, and still she may say that she doesn't want the support and therefore keeps her earnings. This is a proof to **R' Huna!** **A:** The Mishna may be talking about a husband who is not able to support his wife. However, in a case where the husband can, it may not be up to the wife to say that she doesn't want to be supported.
 - **Q:** If the case is where she is not being supported, it is obvious that she would keep her own earnings!? **A:** That part of the Mishna is obvious. It is the next part of the Mishna which is the chiddush – the Mishna says that regarding amounts earned over the minimum required amount **R' Meir** says it becomes hekdesh and **R' Yochanan Hasandler** says it remains chullin.
 - **R' Huna** must argue on **Reish Lakish**, because **Reish Lakish** says that the reason **R' Meir** says it becomes hekdesh is not because a person can be makdesh something which has not yet come into this world, rather it is because he holds that since the husband can force the wife to give him her earnings, he can be makdesh them.
 - **Q:** We find that **R' Meir** does hold that one can be makdesh something which is not yet in the world!? **A:** We see from other places that he does, but **Reish Lakish** was saying that from our Mishna there is no proof that he holds that way, because his reasoning may be based on something else.

HAMOSAR R' MEIR OMER HEKDESH

- **Q:** At what point does it become kodesh? **A: Rav and Shmuel** both say that it becomes kodesh after her death, when the husband inherits it. **R' Ada bar Ahava** says it becomes kodesh as soon as she makes this excess.
 - **Q: R' Pappa** asked, if the case is that she is being supported as she should be, then why would the excess money first become kodesh after her death? If the case is that she is not being supported as she should be, why would the money become kodesh as she makes the excess? **A:** A husband is supposed to give his wife support and give her an additional me'ah for her needs. The case here is where he gave her the support without the additional me'ah. **Rav and Shmuel** hold that the **Rabanan** instituted support in exchange for her basic earnings and the me'ah in exchange for her excess earnings. Therefore, since he did not give her the me'ah, she does not need to give him the excess earnings. **R' Ada bar Ahava** holds that the support is in exchange for the excess and the me'ah is in exchange for the basic earnings. Therefore, since he gives her support, the excess earnings are his.
 - The base of the machlokes is that **Rav and Shmuel** say the **Rabanan** instituted the exchange of something that is common for something that is common. **R' Ada bar Ahava** says that the **Rabanan** instituted something of a fixed amount for something of a fixed amount.
 - **Q:** A Braisa says that support was instituted in exchange for her earnings, which seems to mean her basic earnings!? **A:** The Braisa means to say the "excess of the earnings".
 - **Q:** A Mishna says, if the husband does not give his wife the me'ah, her earnings belong to her? **A:** Understand this to mean the excess of her earnings.

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