



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

Kiddushin Daf Yud

- **Q:** Is the beginning of the act of bi'ah koneh or is it the end of the bi'ah that is koneh? The difference between the two would be where a man has only the beginning of bi'ah with a woman and she then goes and accepts kiddushin from somebody else. Another difference would be whether a Kohen Gadol could do kiddushin with bi'ah, because she would lose her status as a besulah (and therefore become assur for the Kohen Gadol to marry) at the beginning of the bi'ah. If he is not koneh her until the end of bi'ah, he would no longer be allowed to marry her at that point in time. What is the halacha? **A: Ameimar in the name of Rava** said, anyone who has bi'ah has in mind for the full act, and therefore the bi'ah will not be koneh until the end.
- **Q:** Does bi'ah that is done for kiddushin accomplish a nissuin as well or only a kiddushin? The difference would be whether after a kiddushin of bi'ah the husband would inherit her if she were to die, whether he could become tamei to her if he is a Kohen, and whether he could be meifer her nedarim. If it makes nissuin, he can do all these things. If it does not, he cannot. What is the halacha? **A: Abaye** said, a Mishna says - A father is entitled to his daughter's kiddushin – whether by getting the money, the document, or giving her over for bi'ah. He also gets her finds, her earnings, and can annul her vows. If she gets divorced from the kiddushin, the father accepts the get. A father is not entitled to the produce of the field that his daughter inherited from her mother's family. Once the girl enters nissuin, the husband is even stronger than the father was, in that he is entitled to the produce of the girl's property. Now, the Mishna mentions kiddushin of bi'ah, and still then discusses what happens after nissuin. We see that the bi'ah does not make a nissuin!
 - The Gemara says this is no proof, because the Mishna's discussion of nissuin may be for the benefit of when the father gives her over for kiddushin with a method other than bi'ah.
 - **Rava** said, a Mishna discusses that when a girl reaches the age of 3 years and one day, any bi'ah with her is given the status of a bi'ah l'halacha (e.g. a kiddushin with bi'ah is effective, a man who is mezaneh with her could be put to death if she is married, a yavam can be koneh her, etc.). The Mishna also mentions that if she has nissuin to a Kohen, she may eat terumah. We see that although the Mishna first mentions kiddushin of bi'ah, it separately mentions nissuin! It must be that the bi'ah only creates kiddushin, and not nissuin.
 - The Gemara says this is no proof. The Mishna means to say that if the nissuin created by the bi'ah is to a Kohen, she may eat terumah.
 - We have learned that **Yochanan ben Bag Bag** sent to **R' Yehuda ben Beseirah** a message saying "I have heard that you say that a Yisraelis who is an arusah to a Kohen may eat terumah". **R' Yehuda** sent back, "it is based on a kal v'chomer. If a non-Jewish maidservant, who cannot eat terumah based on a bi'ah, eats terumah based on being acquired by money, then a woman who would eat terumah based on a bi'ah, should surely eat when she is acquired by money. However, the **Rabanan** were goizer and said that an arusah to a Kohen should not eat terumah until she enters into chuppah". Now, what are the circumstances that **R' Yehuda** refers to that she may eat terumah after a bi'ah but not after a kiddushin of money? If he refers to a bi'ah that was followed by a chuppah and a kiddushin of money that was followed by a chuppah, then in both cases she may eat terumah!? He can't be talking about where the bi'ah was followed by chuppah but the money was not, because then he is not comparing two like cases!? Rather, he must be discussing a bi'ah and a kiddushin of money that is *not* followed by

chuppah. From the fact that he seems to say that it is established that she may eat terumah after the bi'ah it must mean that he holds that the bi'ah acts as a nissuin, because if it only creates a kiddushin, why is it more established that she eats after bi'ah than after kiddushin of money?

- **R' Nachman bar Yitzchak** said, this is no proof. **R' Yehuda** was discussing where the bi'ah was followed by chuppah and the kiddushin of money was not. Although we asked that if so, he is not comparing two like cases, that is true, but it still serves as the basis for a kal v'chomer as follows – if a maidservant, who does not eat terumah even if he has bi'ah with her followed by a chuppah, will eat terumah based on her being acquired with money, then a woman, who would eat based on a bi'ah followed by chuppah, should surely eat terumah after being acquired with money! However, the **Rabanan** were goizer that an arusah should not eat terumah until she enters into chuppah, as **Ulla** has said (there is a gezeira that if she eats terumah while still living in her father's house, she may accidentally give some terumah to her father or her siblings, who are not allowed to eat terumah).
- **Ben Bag Bag** doesn't agree with this kal v'chomer, because he says that a maidservant is *fully* acquired when she is acquired with money and that is why she may then eat terumah. However, a woman who is acquired with money must still undergo chuppah. Since her kinyan is not complete, she may still not yet eat terumah.
- **Ravina** said, that **R' Yochanan ben Bag Bag** agreed that D'Oraisa an arusah may eat terumah. He asked **R' Yehuda ben Beseirah** "I heard that you allow an arusah to eat terumah and you are not concerned that he will find out that she has a mum which would annul the kiddushin retroactively, thus making that she never had the right to eat terumah!" **R' Yehuda** sent back to him "it is based on a kal v'chomer. If a non-Jewish maidservant, who cannot eat terumah based on a bi'ah, eats terumah based on being acquired by money and we are not concerned that he will find a mum that will annul the sale, then a woman who would eat terumah based on a bi'ah, should surely eat when she is acquired by money and we need not be concerned that he will find a mum that will annul the sale. However, the **Rabanan** were goizer and said that an arusah to a Kohen should not eat terumah until she enters into chuppah". **R' Yochanan ben Bag Bag** disagreed with this kal v'chomer, because he said that the sale of a maidservant would not be annulled based on a mum. If it was a known mum, it would clearly not annul the sale (because he has accepted it with the purchase) and if it was unknown, since it does not effect the work of the maidservant, it has no bearing on the sale. However, with a wife a mum does have bearing on the kiddushin, and that is why we must be concerned for that in the case of kiddushin.
 - **Q:** According to both views a woman may not eat terumah until she enters into chuppah, so what is the difference between them? **A:** The difference would be where the Kohen said he accepts her regardless of any mum she may have (the gezeirah of **Ulla** would still apply, but the concern of the kiddushin becoming batul would not apply). Another difference would be if the father gives over his daughter to the shluchim of the husband or if the father sent her with his own shluchim who were accompanied by the shluchim of the husband (the gezeira of **Ulla** would not apply, but the concern that the kiddushin may become batul upon finding a mum still does apply).