

Daf Notes

Insights into the Daily Daf

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Kesuvos Daf 4

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Daily Daf

Marriage on Monday

mother of the bride died on a Monday, the marriage takes place immediately.) (3b – 4a)

The *Gemora* had stated: On Monday one should not marry, and if he did so due to the forced circumstances it is permitted. The *Gemora* offers an alternative explanation as to what the forced circumstances was. It refers to a case that we were taught in the following *braisa*: One whose bread was already baked, his animals were slaughtered, his wine was diluted in preparation for the wedding meal (*all these items would spoil if the wedding would be delayed significantly*), and the father of the groom or the mother of the bride died, the law is the following: We move the corpse to a room and we bring the groom and the bride to the *chupah*. (*After burial, there would be a seven-day mourning period, in which they would be prohibited to marry.*) He then would perform his dutiful marital act with his bride, and then he separates from her. (*Immediately afterwards, the burial would take place.*) They then observe seven days of the wedding feast, and afterwards, he observes the seven days of mourning. During all those (*all fourteen*) days, the groom should sleep among all the men, and the bride should sleep among the women (*in order that they shouldn't cohabit with each other; a mourner is forbidden to engage in cohabitation during the shivah days*). We do not withhold ornaments for the bride all thirty days. (*This is the case that the braisa is referring to; if the father of the groom or the*

Preparations Lost

The *Gemora* qualifies the above ruling: The marriage takes place immediately if the father of the groom or the mother of the bride died because there is nobody else who would bother preparing for them (*if everything that was prepared will be lost*); however, in the reverse situation (*if the mother of the groom or the father of the bride died*), we do not delay their burial.

Rafram bar Papa said in the name of Rav Chisda: We delay the burial only if water was placed on the meat in preparation for its cooking (*it will spoil if the wedding is postponed and it can no longer be sold in the market*); but if the water was not placed on the meat, we delay the wedding until after the burial, because the meat may still be sold in the market.

Rava said: If this occurred in a big city (*where people buy all types of meat*), the wedding is postponed even if the water was placed on the meat because the meat may still be sold in the market.

Rav Papa said: If this occurred in a village, the wedding is not postponed even if the water was not placed on the meat because it is improbable that all the meat from the wedding feast will still be sold in the market.

The *Gemora* asks: If so, when does Rav Chisda's distinction (*if the water was placed on the meat or not*) apply?

Rav Ashi answers: In a city like Masa Mechasya, which is smaller than a big city, but larger than a village.

The *Gemora* cites a *braisa* supporting Rav Chisda: One whose bread was already baked, his animals were slaughtered, his wine was diluted in preparation for the wedding meal and water was placed on the meat, and the father of the groom or the mother of the bride died, the law is the following: We move the corpse to a room and we bring the groom and the bride to the *chupah*. He then would perform his dutiful marital act with his bride, and then he separates from her. (*Immediately afterwards, the burial would take place.*) They then observe seven days of the wedding feast, and afterwards, he observes the seven days of mourning. During all those (*all fourteen*) days, the groom should sleep among all the men, and the bride should sleep among the women (*in order that they shouldn't cohabit with each other; a mourner is forbidden to engage in cohabitation during the shivah days*). And similarly, if the bride would begin to menstruate after the *chupah*, the groom should sleep among all the men, and the bride should sleep among the women. We do not withhold ornaments for the bride all thirty days. He shall never cohabit with his virgin bride for the first time on Erev Shabbos (*Friday night*) or Motzoei Shabbos (*Saturday night*). (4a)

Treating a Prohibition Lightly

The *braisa* had ruled: If the bride or groom is in a state of mourning or if the bride began to menstruate, the groom should sleep among all the men, and the bride should sleep among the women.

Rav Yosef the son of Rava expounded in the name of Rava: The *braisa's* ruling applies only if the husband did not cohabit with his wife yet, but if he did cohabit with her, his wife is permitted to sleep with him.

The *Gemora* asks: But in the case where one of their parents died, he has cohabited with her, and nevertheless, the *braisa* rules that the groom should sleep among all the men, and the bride should sleep among the women?

The *Gemora* answers: Rava was referring to the case where the bride began to menstruate.

(*It emerges that if the bride began to menstruate and they had already cohabited, we trust them to be secluded together, but if one of them is in mourning, we do not trust them to be secluded together even if they had already cohabited.*) The *Gemora* asks: Do people treat a prohibition pertaining to mourning more lightly than a prohibition regarding menstruation? But surely Rabbi Yitzchak bar Chanina said in the name of Rav Huna: All kinds of work that a woman performs for her husband, a menstruant may perform for her husband, except the mixing of the cup (*of wine to serve him*), and the making of his bed and the washing of his face, his hands and his feet (*because these actions may bring about temptation*); while with regard to mourning, it has been taught in the following *braisa*: Although the Rabbis said: No man has a right to force his wife (*while she is mourning*) to paint her eyes or powder her face, in truth they said: She may mix the cup for him, and she makes the bed for him and she washes his face, his hands and his feet? (*It would seem that people treat a prohibition pertaining to menstruation more lightly than a prohibition regarding mourning!?*)

The *Gemora* answers: This is not a difficulty. Here (*where the braisa rules: he sleeps among the men and she sleeps among the women*), it is referring to a case where the husband was mourning (*for he might become tempted*); there, the *braisa* is referring to a case where she was mourning (*and she would resist any temptations*).

The *Gemora* unsuccessfully challenges this distinction from a *braisa*.

Rav said to Chiya his son, when Chiya's father-in-law died: You should observe the laws of mourning

when your wife is present, but you are not required to observe the laws of mourning when she is not present. (4a – 4b)

Newlyweds

Rav Ashi answers the original question differently: Can you compare this mourning (*by the newlywed couple*) with an ordinary mourning? Ordinary mourning is strict in the eyes of people, and one would not treat it lightly (*a wife is permitted to perform certain actions for her husband*). But by this mourning, since the Rabbis were lenient regarding it, one might treat it lightly. What is the leniency? If you will say it is because he may perform the dutiful act of marriage with her first, that is only because the laws of mourning have not taken effect upon him yet. The *Gemora* explains: According to Rabbi Eliezer, the mourning does not begin until the body has been taken out the door of the house, and according to Rabbi Yehoshua, the mourning does not begin until the top of the casket has been closed! Rather, the leniency is this: They then observe seven days of the wedding feast, and afterwards, he observes the seven days of mourning. (4b)

INSIGHTS TO THE DAF

Food for Thought

The *Gemora* cites the following *braisa*: One whose bread was already baked, his animals were slaughtered, his wine was diluted in preparation for the wedding meal (*all these items would spoil if the wedding would be delayed significantly*), and the father of the groom or the mother of the bride died, the law is the following: We move the corpse to a room and we bring the groom and the bride to the *chupah*. (*After burial, there would be a seven-day mourning period, in which they would be prohibited to marry.*) He then would perform his dutiful marital act with his bride, and then he separates from her. (*Immediately afterwards, the burial would take place.*) They then observe seven days of the wedding feast, and afterwards, he observes the seven days of mourning. During all those (*all fourteen*) days, the

groom should sleep among all the men, and the bride should sleep among the women (*in order that they shouldn't cohabit with each other; a mourner is forbidden to engage in cohabitation during the shivah days*). We do not withhold ornaments for the bride all thirty days. (*This is the case that the braisa is referring to; if the father of the groom or the mother of the bride died on a Monday, the marriage takes place immediately.*)

*** The reason that we do not postpone the wedding is because otherwise, all the food will be lost. What is the reason that the Rabbis allowed the initial cohabitation? He should be regarded as an *onein* (*one whose close relative has died and has not been buried yet*), and the cohabitation should be Biblically prohibited?

*** Why is the initial marital act referred to as a *mitzvah*-cohabitation? The Chasam Sofer adds: A woman cannot become pregnant from her first act of cohabitation; if anything the second act should be regarded as the *mitzvah*-cohabitation?

*** During all those (*all fourteen*) days, the groom should sleep among all the men, and the bride should sleep among the women. How many men are required? How many women are required?

*** The Rambam writes that the thirty days of mourning begin after the seven days of the wedding feast. Why can't the seven days of the wedding feast be included in the thirty days? This should be similar to the law that the days of the festival are included in the thirty days.