

DERECH B'YAM HATALMUD ON THE DAF

LYUN INSIGHTS ON KESSUBOS 5A-5B

(A selection of issues discussed by the מפרשים on the דף.)

When is the optimal time for a couple to have ביאה ראשונה?

The גמרא in the middle of דף ה. brings a ברייתא which teaches that a בתולה marries on יום הרביעי (Wednesday in the day) and the couple has ביאה ראשונה on the night following (Wednesday night). The reason for this is that Hashem gave the ברכה to the fish of פרו ורבו on יום החמישי, and so it is an auspicious time for ביאה ראשונה. The גמרא says that an אלמנה weds on יום החמישי and the couple has ביאה that night, because ה' gave a similar ברכה to mankind on יום השישי.

Is the גמרא saying that there is a *benefit* to have a ביאה ראשונה on a specific day because of one of these ברכות, or is it a חיוב to do so?

רש"י (ד"ה טעמא משום ברכה) says that the primary reason for the ביאה ראשונה to be on ליל החמישי is the ברכה of that day, However if a person is not מקפיד for this, he could have the ביאה earlier (if there was no additional reason for the ביאה to be delayed until this time).

תוס' (ד"ה מאי איכא) says that if a person does not plan to have ביאה on a day which coincides with a ברכה, he is not called an עבריינא – a sinner.

We see that there is a benefit to have the ביאה on a night of ברכה, but not a requirement.

The requirement of אלמנות שקדו regarding

The גמרא gives a second reason why אלמנות marry on יום החמישי and have relations on יום הששי. This is because of שקדו – we are concerned about the feelings of Jewish women, so we require the couple to spend three straight days together (Thursday, Friday and Shabbos). The חתן only returns to work on Sunday.

The rule of שקדו achieves two objectives – ביטול מלאכה (requiring the husband to miss work by obligating him to stay home), and שמחה ומשתה (requiring him to spend time gladdening his new wife). Which is the primary reason?

רש"י (ד"ה וששי בשבת) says that on Friday the couple will remain together because of חיבה ביאה – the joy they feel because of the connection formed through their first act of relations. The following day is שבת, meaning that the couple will spend three days together in שמחה. According to רש"י, the reason for שקדו is to cause שמחה ומשתה.

The הריטב"א (ד"ה למחר) quotes the אחרים who hold differently. They say that even before

שמחה was created, the חכמים required that a man spend three days with his new wife in שמחה. However, they saw that men were not being careful and were going back to work within the three days. Therefore, they created the requirement of שקדו as a סייג לדבריהם – a fence for their words.

It seems that according to the אחרים, the purpose of שקדו was to cause ביטול מלאכה, that the חתן stay home from work, to enforce the previous rule of having three days of שמחה together. The א"ת brings a support for this position from תוס' who says that these days are ימי בטילה – days when men do not work.

Is ביאה ראשונה permitted on Friday night? Is it אסור if the wife bleeds?

איבעיא להו – The גמרא in the middle of דף ה: asks whether ביאה ראשונה is permitted on Friday night. It says that this is based on where the blood was located prior to the relations. Was it דם מיפקד פקיד – located between the walls of the רחם where it is not absorbed – in which case the relations would be permitted. Alternatively, חבורי מיהבר – the walls of the רחם are attached together. The ביאה ראשונה would cause the walls to separate and the woman to bleed. The ביאה would then be a prohibited act of making a חבורה.

שבת דף קז. ד"ה וחובל בהן חייב) in רש"י says that this גמרא is a challenge to תוס' and how he defines the problem of making a חבורה on שבת.

The גמרא in שבת דף קז. says that on שבת if a person injures one of the שמונה שרצים, he is חייב for making a חבורה. According to the second answer of רש"י there, this is prohibited because of צובע – when these animals are injured, blood gathers under their skin and dyes it.

גמרא challenges רש"י on several points, including that we do not see a concern of צובע in the גמרא here regarding the חבורה made through the ביאה ראשונה. (See the תוס' הרא"ש who explains the question further.)

תוס' concludes that causing a חבורה in one of the שמונה שרצים is prohibited because it causes נטילת גשמה, and not because of צובע.

The פני יהושע in שבת קז. says that in general, רש"י agrees with תוס' that when a person creates a חבורה and causes blood to leave the body, the חיוב is because of נטילת גשמה. However, the case of שמונה שרצים is different. There, the דם does not exit the body, but is displaced within it. Therefore, it is an act of צובע and not נטילת גשמה.

The רמב"ם in משנה תורה (הלכות שבת ח:ז) suggests a different reason why the creation of a חבורה is prohibited on שבת. He says that if one makes a חבורה in skin on שבת, causing דם to emerge, it is a prohibited act of מפרק, which is a תולדה of דש.

**Excerpted from the forthcoming sefer
Derech B'Yam HaTalmud on the First Perek of Kesubos (Sections 6-7)**

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