



A man's credibility to cost his kallah her ketubah of a betulah

- Rav Yehudah/Shemuel: Saying there were no betulim is sufficient to cost her the ketubah of a betulah^{1 2}
 - Q: Rav Yosef: We already know this!
 - We've learned that when a chatan eats with his in-laws in Yehudah, he loses the right to claim betulim because they are alone together³
 - The deduction:
 - That's only in Yehudah – so in Galil, he can claim betulim!
 - And if we are talking about prohibiting to each other, that should be in Yehudah too!
 - So it must be about costing her the ketubah of a betulah – and it works!
 - A: The Yehudah discussion is re claiming lack of blood, not lack of betulim
- (10a) Is the ketubah biblical or rabbinic?⁴
 - View 1: Rav Nachman – It's rabbinic, and we believe him, as Rava explains, because we have a chazakah that he wouldn't work for the wedding meal and then ruin everything.⁵
 - And it's only collected from land of the worst quality, since it's a rabbinic enactment.
 - View 2: Rabban Shimon ben Gamliel – It's biblical
 - Q: Does Rabban Shimon ben Gamliel really believe that it's biblical? In a braisa re setting the knas for seduction, we link it to the 50 shekel paid after rape, and:
 - The tanna kama adds that the 50 shekel there is also what is used for ketubah, as seen in the Torah's text,
 - And then Rabban Shimon ben Gamliel says ketubah is rabbinic!⁶
 - A1: Flip the views in that braita. Since on 110b Rabban Gamliel says to pay the ketubah with valuable Kaputkiya currency, we know he believes this is a biblically binding debt.
 - A2: The entire braita is Rabban Shimon ben Gamliel. The reisha is re betulah/biblical, and the seifa is almanah/rabbinic.⁷
- Rav Nachman had a fellow whipped when he claimed there were no betulim⁸
 - Q: But Rav Nachman said he is believed!
 - A1: Yes – believe him, but whip him for how he learned to tell whether there are betulim
 - A2 from Rav Achai: We believe a man who has been married before.

א. תוספות מסכת סוטה דף כז עמוד א

"איש איש" לרבות אשת חרש וכו' - נראה דעיקר קרא לא איצטריך אלא לאוסרה לבעל ולבועל ע"י קינוי זה, אבל משום לפוסלה מכתובתה לא צריך קרא, דהא אפילו רבן שמעון בן גמליאל דאמר בפרק בתרא דכתובות (דף ק:): "כתובת אשה דאורייתא" לאו ממש דאורייתא אלא אית ליה סמך מדאורייתא, כדאמרין התם בפ"ק (דף י.) "מכאן סמכו חכמים לכתובת אשה מן התורה."

ב. רא"ש כתובות א"יט

וראיתי מפרשים דאפילו הרגילו לכתוב "דחזו ליכי מדאורייתא" מודו דכתובת אשה דרבנן, וחכמים תקנו "חמשים כסף מדאורייתא" פלי משקלים האמורים בתורה, משום שלא תהא קלה בעיניו להוציאה, ואסמכוה אקרא ד'כמוהר הבתולות'. משום הכי נהיגי למיכתב "דחזו ליכי מדאורייתא" שלא יטעה אדם לומר כיון דמדרבנן היא לא תגבה אלא נ' סלע מדינה. ודברים של טעם הם. והכותב "כסף זוזי מאתן דחזי ליכי" לא הפסיד:

¹ As well as to prohibit them to each other (Tosafot)

² But why, if there is no evidence? (Rashi, based on Rava 10a; and Tosafot למיתב)

³ See above 7b

⁴ If it is the latter, what is the point of the ketubah?

⁵ Meaning, lose the marriage (Tosafot)

⁶ Note: Tosafot Sotah 27a reads מכאן סמכו differently

⁷ What is the halachah? (Tosafot 10a נחמן רב אמר, Rosh Ketuvot 1:19, Rama Even haEzer 66:6, Ketuvot 82a)

⁸ He must have been with zonot (Rashi); He is lying (Tosafot)