

When the husband assumes she is a be'ulah

- Version 1 of Rabbah: A braitā says: If a woman had a previous marriage, then even with witnesses that nothing happened, her husband cannot later claim he thought she was a betulah.
 - (12a) Main Q: Rabbah: Can we generalize from this braitā to say that any time he marries with a chazakah of betulah, and she was a beulah, she still receives 100?
 - A: Rav Ashi: No; this case is different, because he knew she had been married.¹
 - Side Q2: Are we not concerned that it could have been znut after kiddushin?²
 - A: Rav Sheravya: Normally, we would be concerned; here, nothing could have happened.
- Version 2 of Rabbah: Our mishnah said: A betulah who has been married receives 100, no matter how that marriage ended.. And there is no claim of having thought she was a betulah.
 - Main Q1: Rabbah: Can we generalize from this mishnah to say that any time he marries with a chazakah of betulah, and she was a beulah, she still receives 100?
 - A: Rav Ashi: No; this case is different, because he knew she had been married.
 - Side Q2: Are we not concerned that it could have been znut after kiddushin?
 - A: Rav Sheravya: Normally, we would be concerned; here, nothing could have happened.
- If you have Version 1 (witnesses), you certainly accept that she gets 100 in Version 2
- But if you have Version 2, you might say that in Version 1 she receives nothing; he relied on witnesses.

Mishnah: The practice in Yehudah, which eliminated claims of betulim³

- If the chatan ate at his in-laws in Yehudah, he can't claim betulim, since there was yichud.⁴

Gemara: What did they actually do in Yehudah?

- Our mishnah said "If the chatan ate", so not everyone in Yehudah did this!
- Abbaye: We see that there were different practices in Yehudah, as per Rabbi Yehudah's braitā:
 - 1) Originally in Yehudah, unlike Galil, they did yichud before chuppah to encourage familiarity
 - 2) Originally in Yehudah, unlike Galil, they set up two intimates to make sure neither side would pull a trick re blood evidence.
 - 3) Originally in Yehudah, unlike Galil, the intimates actually slept in the house where the couple were
 - And if one didn't do "this", one could not claim besulim.
- Q on the braitā: What is "And if one didn't do this"?
 - If it's #1 – Then it should be "if one did do this"!
 - If it's #2-3 – Then it should be "if one didn't have watchers"!
- Three answers:
 - Abbaye: It's #1, and it should read "If one did do this"
 - Rava: It's global, "If one didn't act like Galil in Galil, but instead did Yehudah in Galil"
 - Rav Ashi: It's #2, and it should read, "if one didn't have watchers"

הר"ן על הרי"ף מסכת כתובות דף א עמוד א

ואחרים אומרים דחופה לאו היינו יחוד. וראיה לדבר מדאמרין לקמן [דף יב. ע"ש] דאלמנה מן הנשואין אין לה אלא מנה אף על פי שעדים מעידין עליה שלא נסתרה ולא נבעלה, אלמא חופה לאו היינו יחוד, אלא חופה היינו כל שהביאה הבעל מבית אביה לביתו לשם נשואין. וילפינן לה מדכתיב "ואם בית אישה נדרה," דמשמע דכל זמן שהיא בבית אישה הרי היא ברשותו.

¹ What about the witnesses? (Tosafot Ketuvot 12a שאני 12א)

² Rashi reads this as a challenge to the braitā; Tosafot reads it as a challenge to Rav Ashi.

³ Why did they do this? (Ritva, Ran, Talmidei Rabbeinu Yonah)

⁴ But didn't Rav Nachman say we aren't worried that the man would prepare everything and then ruin it? (Tosafot 10a אמר 10א)