



## (6a) Psak

- Rav and Shemuel – Their constituents said each one was the permissive one<sup>1</sup>
- Challenge 1 to Rav: The barrel stopper
  - Q: Rav prohibited putting a rag stopper in a barrel on Yom Tov,<sup>2</sup> even though the melachah<sup>3</sup> is unintentional!
  - A: That's a guaranteed melachah; even Rabbi Shimon agrees this is prohibited.
- Challenge 2 to Rav: Is unintended melachah permitted?
  - Q: We've learned that Rav follows Rabbi Yehudah to prohibit unintended melachah!
  - A: This is true, but Rav permits because he takes one of the permitting branches that exempt because the act is destructive.
- Challenge 3 to anyone who prohibits first relations on Shabbat, by Rav Chisda: Beit Hillel permits!
  - Mishnah Niddah 10:1 discusses the presumption that blood is from relations:<sup>4</sup>
    - If a woman who is underage for menstruation marries:<sup>5</sup>
      - Beit Shammai – We assume any blood from the first four nights is not niddah
      - Beit Hillel – We assume it's not niddah until relations stop producing blood
    - If a woman is of age for menstruation but she has never menstruated and she marries:
      - Beit Shammai – We assume any blood from the first night is not niddah
      - Beit Hillel – We give four nights, to Motzaei Shabbat
  - Q: Doesn't this mention of Motzaei Shabbat show that Friday night is ok even if it is the first time?
    - (6b) A1: Rava – It means other than Friday night
      - Abbaye – Count the nights!
    - A2: Rava – It means where first relations were before Friday night<sup>6</sup>
      - Q: But then why single out Motzaei Shabbat?
      - A: To teach that relations which are not the first, but might cause bleeding, are ok<sup>7</sup>
- Challenge 3 to anyone who prohibits first relations on Shabbat, by Rav Yosef: A Stam mishnah permits!
  - Mishnah Berachot 2:6 – A chasan is exempt from Shema until Motzaei Shabbat,<sup>8</sup> pre-consummation<sup>9</sup>
  - Q: Doesn't this mean he is exempt Friday night, because he could have relations then?
  - A by Abbaye: No; there is stress over the lack of relations yet.
    - Rava asks: But even if stress for a mitzvah exempts, this is just general angst!
      - Then what about if his ship capsizes?
      - And then why does Rav say a mourner is obligated to say Shema?<sup>10</sup>
  - Rava concludes that the law regarding relations on first night is debated among tannaim

א. קידושין מא ע"א

אמר רב יהודה אמר רב ואיתימא רבי אלעזר אסור לאדם שיקדש את בתו כשהיא קטנה עד שתגדל ותאמר "בפלוגי אני רוצה."

<sup>1</sup> Note Chatam Sofer re Rashi's language; these are Rav's students, and Shemuel's fellow Neherda'ites. Practical difference: If a new posek comes to Neherdaa.

<sup>2</sup> And Shabbat

<sup>3</sup> Rashi thinks this is sechitah. Rabbeinu Tam disagrees; the liquid drawn out is destroyed, so the melachah is not desired, and one should be exempt even though it is guaranteed. Like pouring wine on the mizbeiach and removing berries from a hadas to eat them

<sup>4</sup> The fact that the mishnah mentions Shabbat suggests that is also teaching Hilchot Shabbat, not just Hilchot Niddah

<sup>5</sup> Note Kiddushin 41a and Tosafot there that marrying off minors is wrong, but it did happen due to financial necessity

<sup>6</sup> And it is speaking of blood from further relations

<sup>7</sup> As a practical matter, Yoreh Deah 193:1 follows Rav and Shemuel on Niddah 65b, that all blood is presumed to be niddah blood

<sup>8</sup> Again, mentioning Shabbat suggests that is also teaching Hilchot Shabbat, not just Hilchot Keriat Shema

<sup>9</sup> This is about not stress, not about המצוה פטור מן המצוה (Rambam to the Mishnah)

<sup>10</sup> Interestingly, an avel doesn't learn Torah, like Yechezkel, but also doesn't wear tefillin, unlike Yechezkel. See Tosafot.

**ב. תוספות מסכת קידושין דף מא עמוד א**

קטנה שמתקדשת ע"י אביה איכא למיחש שמא אם היתה גדולה לא היתה מתרצית. ועכשיו שאנו נוהגים לקדש בנותינו אפי' קטנות היינו משום שבכל יום ויום הגלות מתגבר עלינו, ואם יש סיפק ביד אדם עכשיו לתת לבתו נדוניא שמא לאחר זמן לא יהיה סיפק בידו ותשב בתו עגונה לעולם.

**ג. גדה סה ע"ב**

רב ושמואל דאמרי תרוייהו הלכה בועל בעילת מצוה ופורש.

מתיב רב חסדא: "מעשה ונתן לה רבי ד' לילות מתוך י"ב חדש!"

- א"ל רבא הדורי אפירכא למה לי? אותיב ממתני! הוא סבר מעשה רב.
- מ"מ לרב ושמואל קשיא! אינהו דעבדו כרבתינו דתניא "רבתינו חזרו ונמנו בועל בעילת מצוה ופורש."

**ד. יחזקאל כד, טו-יז**

(טו) וַיְהִי דְבַר ד' אֵלַי לֵאמֹר: (טז) בֶּן אָדָם הַנִּנְי לָקַח מִמֶּנּוּ אֶת מִחְמַד עֵינָיו בְּמַגָּפָה וְלֹא תִסְפֹּד וְלֹא תִבְכֶּה וְלֹא תִבּוֹא דְמַעְתָּהּ: (יז) הֲאֵנֶק דָּם מֵתִים אֲכָל לֹא תַעֲשֶׂה פֶּאֶרְךָ תִּבּוֹשׁ עָלֶיךָ וְנִעְלִיךָ תֵּשִׁים בְּרִגְלֶיךָ וְלֹא תַעֲטֶה עַל שָׁפָם וְלָקַחְם אֲנָשִׁים לֹא תֹאכַל: