

One who drains an abscess – **המפיק מורקא**: Rashi explains that creating a permanent opening in the abscess falls under the rubric of the prohibited labor of building, which is applicable to human bodies as well. The Rambam explains that creating this opening is included in the category of striking with a hammer, i.e., completing production of a vessel. The purpose of this opening is to facilitate the exit of the pus and the entry of air (*Tosafot*). Others, citing *Tosafot*, explain that the opening facilitates exit of the pus and the introduction of medicine.

HALAKHA

One who drains an abscess – **המפיק מורקא**: One who lances a pus-filled abscess on Shabbat in order to create a permanent opening to facilitate healing is liable to receive punishment for performing the prohibited labor of striking with a hammer, i.e., completing production of a vessel. However, it is permitted for one to lance the abscess if his intention is to drain the pus (Rambam *Sefer Zemanim, Hilkhos Shabbat* 10:17; *Shulhan Arukh, Orach Hayyim* 328:28).

BACKGROUND

Drains an abscess – **מפיק מורקא**: An abscess is a wound filled with pus that is drained by means of squeezing. The continued drainage of the pus is a necessary step in healing the abscess. The accumulation of pus in a closed abscess causes significant pain, and lancing the abscess and draining the pus temporarily relieves that pain.

HALAKHA

Have her seize her husband's movable property – **אתפסיה מטלטלין**: If a man neglected to or is unable to write a marriage contract for his wife, e.g., on Shabbat, he may give her movable property corresponding to the value of the marriage contract accompanied by a guarantee that he will compensate her for any loss of value. He may then engage in intercourse with his wife until he has the opportunity to draft a marriage contract, at which point he is obligated to do so (Rambam *Sefer Nashim, Hilkhos Ishut* 10:9; *Shulhan Arukh, Even HaEzer* 66:2).

אמר ליה רבא בר רב חנן לאבוי: אלא מעתה שושבינין למה? מפה למה? אמר ליה: התם שמוא יראה ויאבד.

Rava bar Rav Hanan said to Abaye: If that is so, and most people are able to engage in intercourse with a virgin without rupturing the hymen, **why are groomsmen stationed to ensure that no deceit is employed by the groom with regard to the bride's virginity?** And **why is a sheet necessary to determine whether there was blood?** The absence of blood proves nothing if intercourse is possible without blood. Abaye said to him: **There**, the groomsmen and the sheet are necessary **lest the groom see blood and seek to destroy it intentionally**. Certainly, if he seeks to engage in intercourse and keep the hymen intact he can do so. However, if he engages in full-fledged intercourse and the hymen is ruptured, the Sages sought to ensure that the facts are clear.

מתניב רבי אמי: המפיק מורקא בשבת, אם לעשות לה פה – חייב. ואם להוציא ממנה ליחה,

Rav Ami raised an objection from a mishna (*Eduyyot* 2:5): With regard to **one who drains an abscess^{NHB} on Shabbat**, if his intent is **to create a permanent opening** so that the abscess will dry, **he is liable** to receive punishment for performing an action similar to the prohibited labor of building on Shabbat. **However, if he created the opening to remove pus,**

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פטור! התם פקיד ועקיר, הכא – פקיד ולא עקיר.

he is exempt. In this case, exempt means permitted *ab initio*. Ostensibly, intercourse with a virgin is comparable to creating an opening in an abscess. Why then, would intercourse with a virgin be forbidden on Shabbat? The Gemara rejects the proof: **There**, the pus in the abscess is **pooled in one place and completely removed** from the vessels in the flesh. In creating the opening, he creates nothing enduring. **Here**, however, in the case of the ruptured hymen, even according to the opinion that the blood is **pooled, it is not completely removed** from the blood vessels in the flesh. Through intercourse, the blood is removed from its place, which constitutes an aspect of a prohibited labor.

רבי אמי שרא למיבעל בתחלה בשבת. אמרי ליה רבנן: והא לא כתיבא בתובתה! אמר להו: אתפסיה מטלטלין.

The Gemara relates: **Rav Ami permitted one to engage in intercourse with his virgin wife for the first time on Shabbat. The Sages said to him: But her marriage contract is not yet written.** Engaging in conjugal relations with one's wife without a marriage contract is considered an act of promiscuity. **He said to them: Have her seize a portion of her husband's movable property^H** equivalent to the value of her marriage contract, and that will serve as a deposit until he writes the marriage contract. He may then engage in sexual relations with her.

רב זביד שרא למיבעל בתחלה בשבת. איבא דאמרי: רב זביד גופיה בעל בתחלה בשבת.

The Gemara relates: **Rav Zevid permitted one to engage in intercourse with his virgin wife for the first time on Shabbat. There are those who say: Rav Zevid himself engaged in intercourse with his virgin wife for the first time on Shabbat.**

רב יהודה שרא למיבעל בתחלה ביום טוב. אמר רב פפי משמיה דרבא: לא תימא ביום טוב דשרי, הא בשבת אסור – דהוא הדין דאפילו בשבת נמי שרי ומעשה שהיה כך היה.

It was further related: **Rav Yehuda permitted one to engage in intercourse with his virgin wife for the first time on a Festival. Rav Pappi said in the name of Rava: Do not infer and say: It is on a Festival that it is permitted, but on Shabbat it is prohibited,** similar to actions involving food preparation, which are permitted on Festivals and prohibited on Shabbat, **as the same is true that even on Shabbat it is permitted. And the reason Rav Yehuda issued his ruling with regard to a Festival is due to the fact that the incident that took place, took place in this way.**

NOTES

Since... was permitted – מתוך שהותרה – There is a dispute between Beit Shammai and Beit Hillel in tractate *Beitza* with regard to the principle: Since it was permitted for the purpose of food preparation, it was also permitted when not performed for the purpose of food preparation. According to Beit Hillel, since certain actions were permitted for the purpose of food preparation, they are permitted for other purposes as well. *Tosafot* and the Rashba note that this is not blanket permission to perform these activities for any purpose. These activities are permitted only when performed for the purpose of that day, even if it is not for food preparation.

And is there a ruling issued to prohibit – ומי איכא – Apparently, the question arises from the use of the term: Issued a ruling, which typically connotes a novel element. A Sage may rule that a matter is prohibited merely to avoid entering a situation of uncertainty, not due to any novel understanding. However, in order to rule that a matter is permitted, it must be based on a clear-cut, often novel understanding (see Rashi). In the *Shita Mekubbetzet*, an explanation is cited that the question of the Gemara is: Perhaps Rabbi Ya'akov bar Idi was mistaken, and based on the fact that he heard that Rabbi Yohanan issued a ruling, he assumed that he had ruled that it is permitted.

LANGUAGE

Incense [*mugmar*] – מוגמר – From the Aramaic *gomra* or *gomarta*, meaning coal. Incense consisted of various spices placed on hot coals that would fill the home with a pleasant fragrance.

רב פפא משמיה דרבא אמר: ביום טוב – שרי, בשבת – אסור. אמר ליה רב פפי לרב פפא: מאי דעתך, מתוך שהותרה חבורה לצורך הותרה נמי שלא לצורך? אלא מעתה מותר לעשות מוגמר ביום טוב, דמתוך שהותרה הבערה לצורך – הותרה נמי שלא לצורך!

אמר ליה: עליך אמר קרא "אך אשר יאכל לכל נפש" דבר השיה לכל נפש.

אמר ליה רב אחא בריה דרבא לרב אשי: אלא מעתה, נודמן לו צבי ביום טוב, הואיל ואינו שיה לכל נפש – הכי נמי דאסור למשחטיה?! אמר ליה: אלא דבר הצורך לכל נפש קאמנא. צבי צריך לכל נפש הוא.

אמר רבי יעקב בר אידי: הורה רבי יוחנן בצידן: אסור לבעול בתחלה בשבת. ומי איכא הוראה לאיסור?

Rav Pappa said in the name of Rava: According to Rav Yehuda, on a Festival it is permitted, on Shabbat it is prohibited. Rav Pappi said to Rav Pappa: What is your thinking? Is it: Since causing a wound was permitted^N on a Festival when performed for the purpose of food preparation, it was also permitted when not performed for the purpose of food preparation? If that is so, it would be permitted to prepare incense [*mugmar*]^{LB} on a Festival due to the following reason: Since kindling a fire was permitted on a Festival when performed for the purpose of food preparation, it was also permitted when not performed for the purpose of food preparation.

Rav Pappa said to him: It is about your assertion that the verse states with regard to a Festival: "Save that which every person must eat, that alone may be done by you" (Exodus 12:16), indicating a matter that is equal for every person. Incense is burned only by those who are particularly delicate. It is not equally utilized by everyone, and therefore it is not permitted. Intercourse, on the other hand, is universally practiced.

Rav Aha, son of Rava, said to Rav Ashi: If that is so, if a deer happened to come into his possession on a Festival, since it is not a food that is equal for every person, would the ruling also be that it is prohibited to slaughter it? Rav Ashi said to him: I said a matter that is a need for every person, and deer meat is a matter that although difficult to acquire, is a need for every person. Incense, even when available, is not universally utilized.

Rabbi Ya'akov bar Idi said: Rabbi Yohanan issued a ruling in the city of Tzaidan:^B It is prohibited to engage in intercourse with one's virgin wife for the first time on Shabbat. The Gemara asks: And is there a ruling issued to prohibit^N an action? Typically, that language is utilized in reference to a firmly established ruling. A stringent ruling can be issued even based on uncertainty. In contrast, a lenient ruling can be issued only if the matter is clearly established by means of tradition or the reasoning of the Sage issuing the ruling.

BACKGROUND

Incense – מוגמר: Incense vessels, also called censers, were at times fashioned with a perforated cover in order to allow the fragrance to diffuse. Others were sealed, and the cover was removed only when one wanted the fragrance to diffuse throughout the house or to perfume one's garments. The use of various types of incense was customary among well-to-do families.

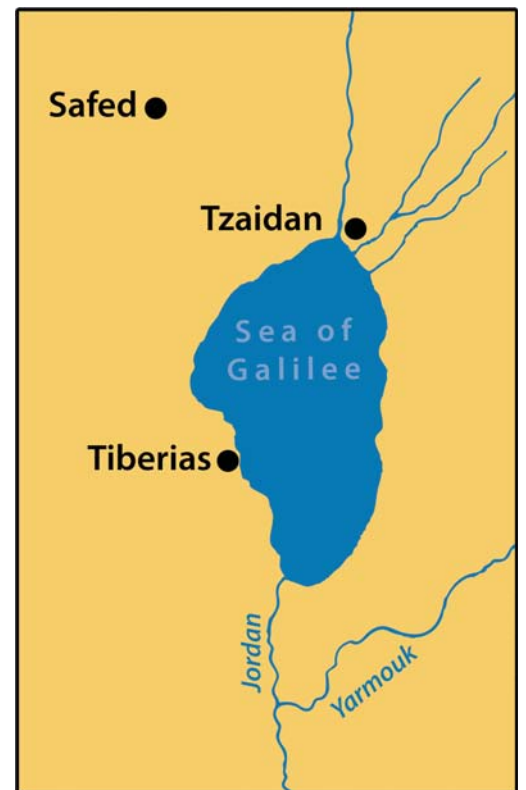
Tzaidan – צידן: Tzaidan was a town on the northern bank of the Sea of Galilee, adjacent to the place where the Jordan River flows into the Sea of Galilee. It is also called Beit Tzaida in other sources, and Josephus used its Roman name, Julias. The Sages of Tiberias frequently visited there and issued various rulings.



Censer from Eretz Yisrael dating back to the period of the *ge'onim*



Ruins of Tzaidan



Location of Tzaidan

אין. והתנן: הורוה בית הלל שתהא נזירה עוד שבע שנים אחרות.

The Gemara answers: Yes, that language is used with regard to a stringent ruling, as **didn't we learn** the following in a mishna (*Nazir* 19b): When Queen Helene's son went to war, she took a vow to be a nazirite for seven years, and she fulfilled that vow for the duration of her stay in the Diaspora? When she immigrated to Eretz Yisrael, **Beit Hillel issued a ruling that she shall be a nazirite for seven additional years.**^{HN} Apparently, rulings are issued to prohibit an action as well.

ואי נמי כי הא, דתנא: חוט השדרה שנספק – ברובו, דברי רבי. רבי יעקב אומר: אפילו נקב. הורה רבי כרבי יעקב. אומר רב הונא: אין הלכה כרבי יעקב.

And alternatively, this is similar to that which is taught in a *baraita*: **If a majority of the spinal cord of an animal is severed,**^H the animal is a *tereifa*; **this is the statement of Rabbi Yehuda HaNasi. Rabbi Ya'akov says:** Even if the spinal cord is perforated but otherwise intact, the animal is a *tereifa*. The *baraita* continues: **Rabbi Yehuda HaNasi issued a ruling in accordance with the opinion of Rabbi Ya'akov.** Here too, the term: Issue a ruling, is employed with regard to a stringent ruling. **Rav Huna said:** Despite the fact that Rabbi Yehuda HaNasi ruled in accordance with his opinion, **the halakha is not in accordance with the opinion of Rabbi Ya'akov,** but rather it is in accordance with the opinion of Rabbi Yehuda HaNasi. This is one version of this discussion.

רב נחמן בר יצחק מתני הכי: אומר רבי אבהו שאל רבי ישמעאל בן יעקב דמן צור את רבי יוחנן בעידין, ואנא שמעתי: מהו לבעול בתחלה בשבת? ואמר ליה: אסור. והלכתא: מותר לבעול בתחלה בשבת.

Rav Nahman bar Yitzhak taught this alternative version of the ruling of Rabbi Yoḥanan. **Rav Abbahu said:** Rabbi Yishmael ben Ya'akov, who is from Tyre, asked Rabbi Yoḥanan in Tzaidan, and I heard the exchange: **What is the halakha with regard to engaging in intercourse with one's virgin wife for the first time on Shabbat? And he said to him:** It is prohibited. The Gemara concludes: **And the halakha is that it is permitted to engage in intercourse with one's virgin wife for the first time on Shabbat,**^H and one need not be concerned lest he cause a wound, create an opening, or initiate bleeding.

אמר רבי חלבו אמר רב הונא אמר רבי אבא בר זבדא אמר רב: אחת בתולה ואחת אלמנה טעונה ברכה. ומי אמר רב הונא הכי? והאמר רב הונא: אלמנה אינה טעונה ברכה! לא קשיא: כאן – בבחור שנשא אלמנה, כאן – באלמן שנשא אלמנה.

§ **Rabbi Helbo said that Rav Huna said that Rabbi Abba bar Rav Zavda said that Rav said:** Both a virgin and a widow who marry require that the **benediction**^N of the grooms be recited. The Gemara asks: **Did Rav Huna say that? But didn't Rav Huna say: A widow does not require that a benediction be recited?** The Gemara answers: This is **not difficult.** Here, where Rav Huna said that a widow requires a benediction, it is **with regard to a bachelor who married a widow.** There, where Rav Huna said she does not require a benediction, it is **with regard to a widower who married a widow.**^H

ואלמן שנשא אלמנה לא? והאמר רב נחמן, אמר לי הונא בר נתן, תנא: מנין לברכת חתנים בעשרה? שנאמר "ויקח עשרה אנשים מזקני העיר ויאמר שבו פה וישבו", ובועו אלמן שנשא אלמנה הוה!

The Gemara asks: **And does a widower who married a widow not require a benediction to be recited? But didn't Rav Nahman say: Huna bar Natan said to me that it was taught: From where is it derived that the benediction of the grooms is recited in a quorum of ten men?**^H It is as it is stated with regard to Boaz, who married Ruth: **"And he took ten men of the Elders of the city and said: Sit you here, and they sat"** (Ruth 4:2). **And when Boaz married Ruth, he was a widower marrying a widow.**^N As that is the primary source for the obligation to recite the benediction, apparently the benediction is recited even in that case.

Beit Hillel issued a ruling that she shall be a nazirite for seven additional years – **הורוה בית הלל שתהא נזירה עוד שבע שנים אחרות**: The vows of a nazirite can be fulfilled only in Eretz Yisrael. If one takes a nazirite vow outside of Eretz Israel, he is obligated to go to Eretz Yisrael and observe the entire period of the vow, and the period that he observed outside of Eretz Yisrael is discounted. According to the Rambam, even today he is obligated to go to Eretz Yisrael and observe the vow there until he dies or until the Temple is rebuilt, at which point he can sacrifice the requisite offerings and conclude his tenure as a nazirite. The Ra'avad disagrees, contending that today there is no point in the nazirite going to Eretz Yisrael, as there is no way for him to purify himself from impurity imparted by a corpse (Rambam *Sefer Hafl'a'a, Hilkhot Nezirut* 2:21; see Radbaz).

חוט – If a majority of the spinal cord of an animal is severed – **השדרה שנספק ברובו**: If more than half the sheath enveloping an animal's spinal cord is severed, it is a *tereifa* and may not be eaten, in accordance with the ruling of Rabbi Yehuda HaNasi (Rambam *Sefer Kedusha, Hilkhot Shehita* 9:1; *Shulhan Arukh, Yoreh De'a* 32:1).

It is permitted to engage in intercourse with one's virgin wife for the first time on Shabbat – מותר לבעול בתחלה בשבת: It is permitted to engage in intercourse with one's virgin wife for the first time on Shabbat, and there is no concern that causing a wound or pain entail desecration of Shabbat. Some (Rosh) rule that in places where the custom is to rule stringently and to refrain from engaging in intercourse with a virgin for the first time on Shabbat, one may not rule leniently unless there are compelling circumstances (*Pithei Teshuva*; Rambam *Sefer Zemanim, Hilkhot Shabbat* 30:14; *Shulhan Arukh, Even HaEzer* 63:1).

A widower who married a widow – אלמן שנשא אלמנה: If a widower marries a widow, the benediction of the grooms is recited only on the day of the wedding. However, whenever a virgin is married, whether the groom is marrying for the first time or has been married before, the benediction of the grooms is recited on all seven days of the wedding celebration (Rambam *Sefer Ahava, Hilkhot Berakhot* 2:9; *Shulhan Arukh, Even HaEzer* 62:6).

The benediction of the grooms is recited in a quorum of ten men – ברכת חתנים בעשרה: The benediction of the grooms is recited only if there is a quorum of ten adult, free males present. Therefore, the wedding should not be held without a quorum. However, if there is no alternative, the wedding may be held without the benediction, and the benediction is recited later (Rashba; *Helkat Meḥokek*). Others maintain that the presence of ten men is not critical after the fact, and so in cases where assembling the quorum would require a major effort, one need not insist on the presence of the quorum (*Darkhei Moshé; Beit Shmuel; Be'er Heitev*; Rambam *Sefer Ahava, Hilkhot Berakhot* 2:10; *Shulhan Arukh, Even HaEzer* 62:4).

NOTES

שתהא – **That she shall be a nazirite for seven additional years** – **הורוה בית הלל שתהא נזירה עוד שבע שנים**: The essential reason was that a decree of ritual impurity was issued with regard to the land of the gentiles, and since it is prohibited for a nazirite to become impure with impurity imparted by a corpse, the naziriteship observed outside of Eretz Yisrael is disregarded.

A bride requires the benediction – טעונה ברכה כלה: In tractate *Kalla*, it states more forcefully that a bride without a blessing is forbidden to her husband like a menstruating woman. See *Tosafot* and Rav Yoshiya Pinto, who note that an additional source for the wedding benediction is cited there,

from the verse "And they blessed Rebecca, and said to her: Our sister, may you be the mother of thousands of ten thousands" (Genesis 24:60).

He was a widower marrying a widow – אלמן שנשא אלמנה – הוה: Some derive that Boaz was a widower from the fact that he is identified with Ibzan, one of the judges from Bethlehem, about whom it is written that he had many children. In the Jerusalem Talmud, a midrash is cited with regard to the verse that describes Naomi and Ruth's arrival: "All the city was astir" (Ruth 1:22). It wasn't astir due to their arrival; rather, it was astir due to the funeral of Boaz's wife.

NOTES

However that which is taught in a *baraita* that the Sages were assiduous – אָלָא הָא דְתַנְיָא שְׁקִדוּ – The connection between rejoicing at a wedding and the blessing is underscored by the *halakha* cited later in the Gemara, that the wedding benediction is recited at occasions celebrating the wedding and not specifically on the days of the wedding feast itself.

HALAKHA

The marriage celebration – שְׂמֵחַת נִשׂוּאִין – If a man marries a virgin, he must rejoice with her for a period of seven days. However, if he marries a woman who was previously married, he must rejoice with her for a period of three days. According to most authorities, who consider the two versions of the Gemara not mutually exclusive, this applies whether or not the groom was married before. However, the Rashba and others maintain that in the case of a widow marrying a man who was never married, he must also rejoice with her for seven days. In their opinion, the two versions are mutually exclusive, and the *halakha* is in accordance with the latter version, and that is the custom (*Be'er HaGola*; Rambam *Sefer Nashim*, *Hilkhot Ishut* 10:12; *Shulḥan Arukh*, *Even HaEzer* 64:2).

מאי אינה טעונה ברכה דאמר רב הונא – אינה טעונה ברכה כל שבועה – אבל יום אחד טעונה ברכה.

אָלָא הָא דְתַנְיָא: שְׁקִדוּ חַכְמִים עַל תְּקִנַּת בְּנוֹת יִשְׂרָאֵל שְׂיֵהָא שְׂמֵחַ עִמָּה שְׁלֹשָׁה יָמִים, בְּמַאי? אִי בְּבַחֲוֹר – הָאֲמַרְתָּ שְׁבַעַה, אִי בְּאַלְמוֹן – הָאֲמַרְתָּ יוֹם אֶחָד!

איבעיית אימא: באלמון – יום אחד לברכה ושלשה לשמחה, ואיבעיית אימא: בבחור – שבועה לברכה ושלשה לשמחה.

The Gemara answers: **What is the meaning of: Does not require a benediction, that Rav Huna stated?** It means that she does not require a benediction all seven days of the wedding celebration, but everyone agrees that for one day, she requires that a benediction be recited.

The Gemara asks: **However, that which is taught in a *baraita*, that the Sages were assiduousⁿ in seeing to the well-being of Jewish women, ensuring that the groom will rejoice with her three days, and that is why they established that a widow is married on Thursday, with regard to what circumstance is the *baraita* speaking? If it is with regard to a bachelor who marries a widow, didn't you say he celebrates seven days; why then did the Sages see to a mere three-day celebration? If it is with regard to a widower who marries a widow, didn't you say he celebrates for one day? Why then did the Sages see to a three-day celebration?**

The Gemara answers that this can be resolved in several manners. **If you wish, say: In the case of a widower marrying a widow, there is one day for benediction and three days for celebration.** The wedding is scheduled on Thursday to facilitate a three-day celebration. **And if you wish, say instead: In the case of a bachelor marrying a widow, there are seven days for benediction and there are three days for celebration, during which he must refrain from going to work.**^h

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מיתבי: מברכין לבתולה שבועה ולא למנה יום אחד. מאי לאו – אפילו אלמנה שגשאת לבחור! לא, לאלמון. אבל לבחור מאי – שבועה, אי הכי ליתני: מברכין לבתולה שבועה, ולא למנה שגשאת לבחור שבועה, ולא למנה יום אחד!

מילתא פסיקתא קתני, דליכא בתולה דבצרה משבועה, וליכא אלמנה דבצרה מיום אחד.

גופא, אמר רב נחמן: אמר לי הונא בר נתן, תנא: מנין לברכת חתנים בעשרה – שנאמר "ויקח עשרה אנשים מזקני העיר ויאמר שבו פה". ורבי אבהו אמר מהכא: "במקהלות ברכו אלהים ה' ממקור ישראל".

The Gemara raises an objection from a *baraita*: **One recites a benediction for a virgin who marries for seven days and for a widow who marries for one day. What, is it not even in the case of a widow who is married to a bachelor, that one recites the benediction for one day?** The Gemara answers: **No, it is only in the case of a widow who is married to a widower that the benediction is recited for one day.** The Gemara asks: **However, one may then infer that in the case of a widow who is married to a bachelor, what is the *halakha*?** The blessing is recited seven days? **If so, let the *tanna* teach the *baraita*: One recites a benediction for a virgin who marries for seven days, and for a widow who marries a bachelor seven days, and for a widow marrying a widower for one day.** Why was the middle case omitted?

Although the *tanna* could have included that case in the *baraita*, he taught categorical matters. He preferred to avoid entering into detail, as there is no virgin for whom the benediction is recited fewer than seven days, and there is no widow for whom the benediction is recited for less than one day. However, there are circumstances where even for a widow the benediction is recited for more than one day.

§ Apropos the source for the benediction of the grooms, the Gemara discusses the matter itself. **Rav Nahman said: Huna bar Natan said to me that it was taught: From where is it derived that the benediction of the grooms is recited in a quorum of ten men?** It is as it is stated: **"And he took ten men of the Elders of the city and said: Sit you here, and they sat" (Ruth 4:2).** **And Rabbi Abbahu said that the source is from here: "In assemblies [mak'helot], bless God, the Lord, from the source of Israel" (Psalms 68:27).** This verse indicates that a congregation [*kahal*], which contains at least ten men, blesses God when reciting a benediction related to the source of Israel, i.e., conjugal relations, which will lead to the birth of Jewish children.

To matters related to the source – על עסקי מקור – The early commentaries disagree whether a quorum of ten is required not only for the wedding blessing but for the betrothal blessing as well (see Rabbi Shmuel HaNagid and Rosh). Support for those who maintain that it is required can be cited from this Gemara, as betrothal is also a matter relating to the source of Israel.

Would it not have been sufficient if they were not Elders – לָא סְגִיָא דְלָאוּ זְקֵנִים – The Ritva writes that although it is not derived from here that the quorum must be Elders, it is derived that the ten must have reached the age of majority, as the verse employs the term men.

And the *halakha* is: With regard to one who transfers ownership of an object to a fetus, the fetus does not acquire it – וְהִלְכְתָּא, הַמּוֹבֵה לְעוֹבֵר לֹא קָנָה – This ruling was stated explicitly to ensure that one does not rule in accordance with Shmuel, who issued his ruling publicly.

ורב נחמן בהאי קרא דרבי אבהו מאי דריש ביה? מביעי ליה לכדתנא: היה רבי מאיר אומר: מנין שאפילו עוברים שבמעו אמן אמרו שירה על הים? שנאמר "במקהלות ברכו אלהים ה' ממקור ישראל". ואיך – אם בן לימא קרא "מבטן", מאי "ממקור" על עסקי מקור.

And what does Rav Nahman derive from this verse from which Rabbi Abbahu derived that *halakha*? He requires the verse to derive that which is taught in a *baraita*: Rabbi Meir would say: From where is it derived that even fetuses in their mother's womb recited the song at the Red Sea? It is as it is stated in the chapter of Psalms that describes the exodus from Egypt: "In assemblies, bless God, the Lord, from the source of Israel." Even those fetuses that were still in the source, i.e., the womb, joined the assemblies in blessing God. And the other Sage, Rabbi Abbahu says: If that is the meaning, let the verse say: From the belly of Israel. What is the meaning of the term "source"? Clearly, it is referring to matters related to the source^N of Israel, i.e., the benediction of the grooms, which must be recited in a congregation, a quorum of ten.

ורבי אבהו בהאי קרא דרב נחמן מאי דריש ביה? ההוא מביעי ליה למידרש: "עמוני ולא עמונית, מואבי ולא מואבית". דאי סלקא דעתך לברכה – לא סגי דלאו זקנים?

And what does Rabbi Abbahu derive from this verse from which Rav Nahman derived his *halakha*? He requires the verse stating that Boaz assembled ten men in order to teach that the Torah prohibition with regard to marrying members of the nations of Ammon and Moab is limited to a male Ammonite and not a female Ammonite,^H and to a male Moabite and not a female Moabite, as, if it would enter your mind that Boaz gathered the men only to recite a benediction, would it not have been sufficient if they were not Elders?^N From the fact that he convened a quorum of Elders, apparently it was to engage in halakhic discourse and to issue a halakhic ruling.

ואיך: אי סלקא דעתך למידרש – לא סגי דלאו עשרה? אין, לפרסומי מילתא. וכדאמר ליה שמואל לרב חנא בגדתא: פוק ואיתי לי בי עשרה, ואימא לך באנפיהו: המובה לעובר – קנה. והלכתא: המובה לעובר – לא קנה.

And the other Sage, Rav Nahman, would reject that proof. If it would enter your mind that he gathered the men in order to teach a *halakha*, would it not have been sufficient if they were not ten? The Gemara answers: Yes, in fact a quorum of ten is not necessary to issue a halakhic ruling. Nevertheless, Boaz convened ten Elders to publicize the matter, as Shmuel said to Rav Hana of Baghdad: Go and bring me an assembly of ten men and I will say to you before them a *halakha* that I seek to disseminate: With regard to one who transfers ownership of an object to a fetus, the fetus acquires it, although it has not yet entered the world. Boaz too assembled ten Elders to publicize the matter. Apropos the *halakha* that Shmuel publicized, the Gemara rules: And the *halakha* is: With regard to one who transfers ownership of an object to a fetus, the fetus does not acquire it.^{NH}

תנו רבנן: מברכין ברבת חתנים בבית חתנים. רבי יהודה אומר: אף בבית הארוסין מברכין אותה.

The Sages taught in a *baraita*: One recites the benediction of the grooms in the house of the grooms, when the bride enters into the wedding canopy. Rabbi Yehuda said: One recites it even in the house of the betrothal, at the time of the betrothal.

אמר אביי: וביהודה שנו, מפני שמתייחד עמה.

Abaye said: And the Sages taught the statement of Rabbi Yehuda in Judea because there the custom was that the groom be secluded with his betrothed,^H leading to the concern lest he engage in conjugal relations with her. Therefore, the blessing is recited already at that stage.

HALAKHA

עמוני ולא – א male Ammonite and not a female Ammonite – *עמוני*: An Ammonite or Moabite who converted to Judaism may not marry a Jewish woman, nor may male descendants of those converts marry Jewish women, regardless of the number of generations that have passed since the conversion of their ancestor. However, a female Ammonite or Moabite who converted to Judaism may marry a Jewish man, like any other convert (Rambam *Sefer Kedusha*, *Hilkhot Issurei Bia* 12:18; *Shulhan Arukh*, *Even HaEzer* 4:2).

One who transfers ownership of an object to a fetus, the fetus does not acquire it – *המובה לעובר לא קנה*: If one consigns a gift to a fetus, the latter does not acquire it. However, if one consigns a gift to a fetus that he fathered, the fetus does acquire it (*Bava Batra* 142b). Some maintain that the fetus acquires a gift from its father only if it is a gift bequeathed on his deathbed (*Sefer Halitut*,

citing Rav Hai Gaon), but most authorities disagree (see *Shakh*; Rambam *Sefer Kinyan*, *Hilkhot Mekhira* 22:10, *Hilkhot Zekhiya* 8:5; *Shulhan Arukh*, *Hoshen Mishpat* 210:1).

Because the custom was that the groom be secluded with his betrothed – *מפני שמתייחד עמה*: In places where it is customary for a betrothed couple to be secluded together, the wedding benediction is recited at the betrothal, as in that case everyone agrees that it is permitted for the bride to engage in relations with the groom, in accordance with the statements of Rabbi Yehuda and Abaye. Even those authorities who do not rule in accordance with the statement of Rabbi Yehuda infer from this statement that if the groom does not enter into seclusion with his betrothed, the wedding benediction is not recited then (Rambam *Sefer Nashim*, *Hilkhot Ishut* 10:6; *Shulhan Arukh*, *Even HaEzer* 55:1–2).

The time for reciting the benediction of the grooms – זמן ברכת התנים: The wedding benediction is recited for the first time when the bride enters the wedding canopy. It is subsequently recited at each of the wedding meals in the groom's house (Rambam *Sefer Ahava*, *Hilkhot Berakhot* 2:9 and *Sefer Nashim*, *Hilkhot Ishut* 10:3; *Shulḥan Arukh*, *Even HaEzer* 62:1).

The formula for the benediction of the betrothal – נוסח ברכת הארוסין: Today the formula for the benediction of the betrothal is consistent with the formula that appears in the Gemara, with minor variations, based on variant readings and divergent halakhic rulings. The formula of the benediction according to the Ashkenazic custom is: Blessed are You, Lord our God, King of the universe, Who sanctified us through His mitzvot, and commanded us concerning the forbidden relations, and has prohibited to us those women who are betrothed, and has permitted to us those women who are married to us by the rite of the wedding canopy and betrothal. The added phrase: Married to us, is an emendation by Rabbeinu Tam. According to the Sephardic custom, the benediction concludes: By the rite of the wedding canopy with betrothal (*Beit Yosef*, based on *Sefer Hattur*). The Yemenite custom, based on the Rambam, is: Who has sanctified us through His mitzvot, and distanced us from the forbidden relations, and prohibited to us those women who are betrothed, and permitted to us those women who are married by the rite of the wedding canopy and betrothal (see *Maggid Mishne*; Rambam *Sefer Nashim*, *Hilkhot Ishut* 3:24; *Shulḥan Arukh*, *Even HaEzer* 34:1).

The conclusion of the benediction of the grooms – התיבת ברכת התנים: The prevalent custom is to end the betrothal benediction with a concluding blessing, in accordance with the statement of Rav Aḥa. According to both the Ashkenazic and the Sephardic customs, based on the text in the Gemara and the prayer book of Rav Amram Gaon and the Maḥzor Vitri, the benediction concludes: Blessed are You, Lord, Who sanctifies Israel by means of the wedding canopy and betrothal. Alternatively, it concludes as follows: With betrothal, according to the Sephardic custom. The Yemenite custom concludes with: Who sanctifies Israel (Rav Hai Gaon; Rif; Rambam; Rambam *Sefer Nashim*, *Hilkhot Ishut* 3:24; *Shulḥan Arukh*, *Even HaEzer* 34:1).

תנא אידך: מברכין ברכת התנים בבית התנים, ובברכת ארוסין בבית הארוסין, ברכת הארוסין מאי מברך? רבין בר רב אדא ורבה בר רב אדא, תרונהו משמיה דרב יהודה אמרי: ברוך אתה ה' אלהינו מלך העולם אשר קדשנו במצוותיו וצונו על העריות ואסר לנו את הארוסות והתיר לנו את הנשואות על ידי חופה וקדושין. רב אחא בריה דרבא מסיים בה משמיה דרב יהודה: ברוך אתה ה' מקדש ישראל על ידי חופה וקדושין.

מאן דלא חתים – מידי דהוה אברכת פרות ואברכת מצות, ומאן דחתים – מידי דהוה אקידושא.

It is taught in another *baraita*: One recites the benediction of the grooms^H in the house of the grooms, and the benediction of the betrothal in the house of the betrothal. With regard to the benediction of the betrothal,^N what formula does one recite?^H Ravin bar Rav Adda and Rabba bar Rav Adda both said in the name of Rav Yehuda: Blessed are You, Lord our God, King of the universe, Who sanctified us through His mitzvot, and commanded us concerning the forbidden relatives,^N and prohibited to us those women who are betrothed,^N and permitted to us those women who are married^N by means of the wedding canopy and betrothal. Rav Aḥa, son of Rava, concludes the blessing in the name of Rav Yehuda: Blessed are You, Lord, Who sanctifies Israel by means of the wedding canopy and betrothal.^{HN}

One who does not conclude the benediction of the betrothal in accordance with the opinion of Rav Aḥa, but instead recites it without a concluding blessing, deems the formula of this blessing just as the formula is in the blessing recited over fruits and the blessing recited over mitzvot, in which the words: Blessed are You, Lord, appear only at the beginning of the blessing. And one who concludes the benediction of the betrothal in accordance with the opinion of Rav Aḥa, deems the formula of this blessing just as the formula is in the blessing of *kiddush*, in which the words: Blessed are You, Lord, appears both at the beginning and the conclusion of the blessing.

NOTES

The benediction of the betrothal – ברכת הארוסין: The early commentaries (Ramban) note that this blessing is anomalous, as there are no blessings on prohibitions, and the formula of this blessing refers to the prohibitions governing sexual relations between a man and woman. They explain that the blessing is not recited over observance of those prohibitions. Rather, it is a blessing of thanksgiving to God for sanctifying the Jewish people by commanding them to fulfill mitzvot. Analysis of Rashi's commentary reveals that he alluded to this as well. In the *Roke'ah*, it is explained that because these prohibitions are unique to the Jewish people, there is room to recite a blessing over them. The Meiri writes that the blessing is recited not over the prohibitions. Rather, it is recited over the mitzva of betrothal.

And commanded us concerning the forbidden relations – וצונו על העריות: The use of the term: And commanded us, is difficult in this context, as it does not indicate what the command is. The Rambam has a variant reading: And distanced us from the forbidden relatives (see *Maggid Mishne*). The term: Commanded us, is more easily understood in light of the explanation of the Ramban cited above, that this is not a blessing over performance of a mitzva, but a blessing of thanksgiving. Others write that in this context the term: Forbidden relatives, is referring not only to illicit sexual intercourse, but to sexual relations in the broader sense. Therefore, the blessing means: Who commanded us, both with regard to the prohibition against relations with those who are forbidden and with regard to the positive mitzva to betroth those who are permitted (*Hatam Sofer*).

And prohibited to us those women who are betrothed – ואסר לנו את הארוסות: Rashi explains that although the prohibition against engaging in relations with one's betrothed

is by rabbinic law, the expression: Who commanded us, is appropriate even for rabbinic mitzvot, e.g., kindling Hanukkah lights. Others write that since the Gemara proves that the obligation to enter into the wedding canopy is by Torah law, then the bride is forbidden to him by Torah law (see Rosh). With regard to the reason for the blessing, the Ramban explains that since it was customary for the betrothal to take place up to a year before the wedding, it was necessary to remind the groom that the betrothed woman was forbidden to him until marriage.

And permitted to us those women who are married – והתיר לנו את הנשואות: The prevalent custom is in accordance with the opinion of Rabbeinu Tam, who says that although the intention is clear, the formula of a blessing must nevertheless be unambiguous. Therefore, he emended the blessing and added: Those women who are married to us. In the opinion of Rav Hai Gaon, the phrase: And permitted to us those who are married, is omitted. Rather, the formula is: And permitted them to us, referring to the aforementioned betrothed women. This was the custom in the Babylonian academies. The early commentaries approve of that formula. However, that custom never became prevalent elsewhere.

Who sanctifies Israel by means of the wedding canopy and betrothal – מקדש ישראל על ידי חופה וקדושין: According to Rav Hai Gaon, the blessing concludes merely: Who sanctifies Israel, as it is inappropriate to attribute the sanctity of Israel to the wedding canopy and betrothal. However, according to the understanding that this is a blessing of thanksgiving, it can be explained as thanksgiving for this additional element of sanctity, similar to the Sages' interpretation of the verse "You shall be sacred" (Leviticus 19:2) as: You shall be separate.

New faces – פְּנִיִּים חֲדָשׁוֹת – Some learn from the fact that this term is in the plural that at least two new people are required. In the *Shita Mekubbetzet*, that conclusion is rejected, as the plural refers to all the guests who will participate in the festivities throughout the seven days.

The order of the wedding blessings – סֵדֵר בְּרִכּוֹת נְשׂוּאִין – Rashi explains the order of the wedding blessings as follows: The first was instituted in deference to the congregation attending the wedding, followed by a blessing over the creation of man and his union with his spouse in the Garden of Eden. Before proceeding to blessing the couple upon their entry beneath the wedding canopy, there is a blessing over the solace of Jerusalem, to fulfill the verse “If I set not Jerusalem above my greatest joy” (Psalms 137:6). That is followed by the blessing wishing the couple happiness together for the rest of their lives, followed by the final blessing wishing them joy at the wedding. That is the approach adopted by most early commentaries (see Ritva).

The Maharsha explains the order as follows: First comes God, then the creation of man, followed by the creation of woman, and subsequently God’s providence in the world, including celebration of the wedding.

תְּנוּ רַבְנֵי: מִבְּרִיךְ בְּרִכַּת חֲתָנִים בְּעֶשְׂרֵה כָּל שַׁבָּעָה. אָמַר רַב יְהוּדָה: וְהוּא שָׁבָאוּ פְּנִיִּים חֲדָשׁוֹת.

The Sages taught: One recites the benediction of the grooms in a quorum of ten men all seven days of the wedding celebration. Rav Yehuda said: And that is the case only when new faces^{HN} who did not previously participate in the festivities came to join the celebration.

מֵאֵי מִבְּרִךְ? אָמַר רַב יְהוּדָה: בְּרוּךְ אַתָּה ה' אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם.

The Gemara asks: **What blessings does one recite?**^N Rav Yehuda said that these are the seven blessings: **Blessed are You, Lord our God, King of the universe,**

HALAKHA

New faces – פְּנִיִּים חֲדָשׁוֹת – For the seven days of the celebration following the wedding, the wedding benedictions are recited at each meal where new faces are present. There are various opinions as to who qualifies as a new face. Some maintain that people who did not hear the wedding benedictions at the wedding are considered new faces (Rambam). Others maintain that even people who attended the wedding may be considered new faces if they did not yet participate in one of the wedding meals. The *Shulhan Arukh* notes that this is the prevalent custom. The Rema writes that even if the new guests

do not actually partake of the meal that they attend, the wedding benedictions may be recited on that night and the following day. According to *Tosafot*, only new guests whose presence enhances the festive nature of the occasion qualify as new faces. Some maintain that Shabbat and Festivals are also considered new faces, so that the benedictions are recited on Friday and Festival nights and the following day. The Rema adds that the Ashkenazic custom is to recite the benediction even at the third Shabbat meal (Rambam *Sefer Ahava, Hilkhot Berakhot* 2:10; *Shulhan Arukh, Even HaEzer* 62:7–8).

Perek I

Daf 8 Amud a

שֶׁהֵכֵל בָּרָא לְכַבּוֹדוֹ,

Who has created all for His glory.

וְיֹצֵר הָאָדָם,

And the second blessing is: Blessed are You ... Creator of mankind.

וְיֹאשֵׁר יֵצֵר אֶת הָאָדָם בְּצַלְמוֹ בְּצֶלֶם דְּמוּת תְּבַנִּיתוֹ וְהִתְקִין לוֹ מִמֶּנּוּ בְּנֵי עֵדִי עַד. בְּרוּךְ אַתָּה ה' יוֹצֵר הָאָדָם,

And the third blessing is: Blessed are You ... Who made humanity^N in His image, in the image of the likeness of His form, and out of His very self formed a building (see Genesis 2:22) for eternity. Blessed are You, Lord, Creator of mankind.

שׁוֹשׁ תְּשִׁישׁ וְתִגַּל הַעֲקֵרָה בְּקִבוּץ בְּנֵיהָ לְתוֹכָהּ בְּשִׂמְחָהּ. בְּרוּךְ אַתָּה ה' מְשַׂמַּח צִיּוֹן בְּבָנֶיהָ,

The fourth blessing is: May the barren city of Jerusalem greatly rejoice and delight^N with the ingathering of her children within her in joy. Blessed are You, Lord, Who gladdens Zion through her children.

שִׂמְחַת תְּשַׂמַּח רֵיעִים הָאֵהוּבִים כְּשִׂמְחַתְךָ יְצִירְךָ בְּגֵן עֵדֶן מִקְדָּם. בְּרוּךְ אַתָּה ה' מְשַׂמַּח חַתָּן וְכַלָּה,

The fifth blessing is: Bring great joy to these loving friends, as You gave joy to Your creations^N in Eden in ancient times. Blessed are You, Lord, Who brings joy to the groom and bride.

בְּרוּךְ אַתָּה ה' אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם אֲשֶׁר בָּרָא שָׂשׂוֹן וְשִׂמְחָה חֲתָן וְכַלָּה גִּילָה רִינָה דִּיצָה חֲדוּה אֲהָבָה וְאַחֻוּה וְשִׁלוֹם וְרִיעוּת. מִהֲרָה ה' אֱלֹהֵינוּ יִשְׁמַע בְּעָרֵי יְהוּדָה וּבְחֻצוֹת יְרוּשָׁלַיִם קוֹל שָׂשׂוֹן וְקוֹל שִׂמְחָה קוֹל חֲתָן וְקוֹל כַּלָּה קוֹל מְצַהֲלוֹת חֲתָנִים מְחוּפְתִים וְנַעֲרִים מְשֻׂמְחִים נְגִינָתָם. בְּרוּךְ אַתָּה ה' מְשַׂמַּח חַתָּן עִם הַכַּלָּה.

The sixth blessing is: Blessed are You, Lord our God, King of the universe, Who has created joy and gladness, groom and bride, delight, exultation, happiness, jubilation, love and brotherhood, and peace and friendship. Soon, Lord our God, may there be heard in the cities of Judea and in the streets of Jerusalem the sound of joy and the sound of gladness, the sound of the groom and the sound of the bride, the joyous sound of grooms from their wedding canopy and of young people from their feast of song (see Jeremiah 33:11). Blessed are You, Lord, Who makes the groom rejoice with the bride. Together with the blessing over the wine, these are the seven wedding blessings.

NOTES

Who made humanity – יֹצֵר אֶת הָאָדָם – Many commentaries are of the opinion that the first blessing: Creator of mankind, refers to the creation of Adam, and the second refers to the creation of Eve. Despite the fact that the formula of the second blessing also employs the term *adam*, in the Bible that term refers to women as well (see Numbers 31:35 and Isaiah 44:13).

May the barren city of Jerusalem greatly rejoice and delight – שׁוֹשׁ תְּשִׁישׁ וְתִגַּל הַעֲקֵרָה – In addition to the primary reason for this blessing, i.e., to fulfill the verse “If I set not Jerusalem above my greatest joy” (Psalms 137:6), the Meiri cites an additional reason: In many places in the Bible, the relationship between God and the Jewish people is likened to the relationship between a man and woman, or a bride and groom, e.g., “And as the bridegroom rejoices over the bride, so shall your God rejoice over you” (Isaiah 62:5). Therefore, while reciting blessings over the marriage of a man and a woman, it is appropriate to mention the relationship of God and His people.

As You gave joy to Your creations – כְּשִׂמְחַתְךָ יְצִירְךָ – In the midrash there is a description of how God prepared the wedding celebration for Adam and Eve, and the angels were the wedding guests (see *Eiruvim* 18a).