

And she will be found to be a stranger retroactively - ונמצאת זרה למפרע

Overview

מאמין that a קטנה who was אביה (כהן), but the חופה was תרומה,¹ for we are concerned that perhaps the father may return and protest the נישואין,² in which case the קטנה will be considered a זרה retroactively.³ תוספות qualifies the meaning of זרה.

נראה דזרה דנקט לא קאמר שתהא זרה דאורייתא שהרי מן התורה ארוסה אוכלת בתרומה - It seems to תוספות that the word 'זרה', which רב אסי mentioned, he did not mean to say that she is considered a זרה מה"ת, for an ארוסה מה"ת may eat תרומה - אלא זרה דרבנן קאמר⁴ -

But rather he meant a זרה מדרבנן -

anticipates a difficulty:⁵

ואף על גב דלא שייך הכא לא משום סימפון⁶ ולא משום שמא ימזגו⁷ - And even though the reasons for forbidding an ארוסה from eating תרומה are not applicable here; neither on account of סימפון, nor on account that perhaps they will pour her a cup of wine, etc.; the reason these two concerns are not applicable in our case is - דכיון דנכנסת לחופה דוכתא מייחד לה⁸ ומבדק בדיק לה⁹ -

For since she entered into the חופה he sets aside a place for her to live (not where her family lives), and he checked her out for any blemishes, so why should she be forbidden to eat תרומה -

responds:

¹ A who marries a כהן may eat תרומה מן התורה from the time she is מקודשת, however the חכמים forbade her to eat תרומה until the נישואין (when נכנסת לחופה [as will be shortly explained]).

² The קטנה of a נישואין must be מדעת אביה, just like her קידושין.

³ A זרה is forbidden to eat תרומה; therefore all the תרומה she ate would have been זרות באיסור.

⁴ The קטנה will not have transgressed any איסור דאורייתא by eating תרומה after her קידושין, rather she will be only עובר שתכנס לחופה, which forbids an ארוסה to eat תרומה until איסור דרבנן.

⁵ Seemingly she should not transgress even an איסור דרבנן, for the reasons the רבנן forbade an ארוסה to eat תרומה are not applicable to this situation.

⁶ See סימפון. רש"י י, ב ד"ה סימפון. Here it means a blemish. The husband may find an unacceptable blemish in the כלה after the קידושין, which may render the קידושין void retroactively. However after the נישואין there is no such concern.

⁷ There is the concern that perhaps the family of the חתן will pour a cup of תרומה wine for the כלה (in her father's house), and she in turn may give this cup to her brothers to drink, and they are not permitted to drink תרומה. Again, after the נישואין we do not have this concern (since she is no longer in her father's house).

⁸ This removes the concern of ימזגו.

⁹ This removes the concern of סימפון.

אפילו הכי לא חילקו חכמים בין ארוסה לארוסה -

**- ארוסה did not distinguish between one ארוסה to another ארוסה -
כלומר¹⁰ כיון שאין חופתה חופה גמורה שהאב יכול למחות -**

**Meaning that since her חופה is not a complete חופה, because the father can protest
and invalidate this חופה, therefore -**

לא פלוג רבנן¹¹ בין זו ללא נכנסה לחופה כלל:

**The רבנן did not differentiate between this case (where אביה מדעת אביה
to a case where she did not enter into a חופה at all, and in all cases she cannot eat תרומה.**

Summary

The איסור אכילת תרומה for an ארוסה applies even when the reasons for this prohibition do not apply, since her כניסה לחופה can be invalidated by the father; therefore she is still considered an ארוסה, and the חכמים apply their גזירה to all ארוסות.

Thinking it over

Previously¹² the גמרא stated that under certain circumstances (where the concerns of the חכמים do not apply¹³), an ארוסה can eat תרומה and we do not say לא פלוג. Why here does תוספות maintain¹⁴ that we say לא פלוג?¹⁵

¹⁰ Tosfos is explaining his statement (made in the previous line) that לא חילקו בין ארוסה לארוסה; however here she is not an ארוסה for she was נכנסה לחופה, therefore תוספות explains that she is still referred to as an ארוסה, for it is possible that the father will void the נישואין.

¹¹ See 'Thinking it over'.

¹² יא,א.

¹³ One case is where the חתן accepted on himself that he will marry her, regardless if he finds blemishes (so there is no חשש of סימפון). Another is where the father gave her over to the בעל to take her to the חופה (so there is no חשש of ימזגו).

¹⁴ See footnote # 11.

¹⁵ See אוצר מפרשי התלמוד # 137 onwards.