

Naarah Betulah (Girl who was Seduced or Raped)

Ref: *Sefer Nashim, Hilchot Naarah Betulah, Chapter 1*



To fine i.e. give *knas* for the seducer¹,

The rapist should marry her²,

The rapist should not divorce her³.

When a man seduces a virgin (between ages of 3 to 12½) he is fined 50 *se'la* of pure silver – This is called the *knas* (fine).

Same law applies if he rapes her (*anas*).

Reminder:

Age Definitions. Ref: *Sefer Nashim, Hilchot Ishut, Chapter 2*
Pack on Fines



In all following cases, due to age of girl (3 – 12½), father is also involved.

| | Acceptable | Explanation |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------------------------------------------------------------------------------------------------------------------|
| Girl who was <i>seduced</i> does not want to marry | ✓ | Not forced to marry |
| <i>Seducer</i> does not want to marry girl | ✓ | Must pay fine and depart |
| Seducer and seduced wish to marry | ✓ | No fine needed |
| <i>Raped</i> woman does not desire to marry rapist | ✓ | He must pay fine and depart |
| Raped woman wants to marry but he does not. | ✗ | Forced to pay fine and marry her and may never divorce her. Therefore he does not need to give her a <i>ketubah</i> . |
| <div data-bbox="227 1197 397 1249" data-label="Section-Header"> <h3>Reminder:</h3> </div> <div data-bbox="227 1249 747 1333" data-label="Text"> <p>Definitions Related to Marriage. Ref: <i>Sefer Nashim, Hilchot Ishut, Chapter 10.</i></p> </div> <div data-bbox="771 1197 836 1260" data-label="Image"> </div> | | |
| Raped girl forbidden to man by positive command, negative command or Rabbinic prohibition | | He should not marry her |
| After marrying, the wife acts in adulterous manner | ✗ | She can then be divorced |
| Rapist divorces wife but then remarries her | ✓ | |
| To be culpable for fine, rape must be observed by witnesses. | ✓ | For fines, one's own admitting is unacceptable |
| <div data-bbox="998 1669 1177 1722" data-label="Section-Header"> <h3>Reminder:</h3> </div> <div data-bbox="998 1722 1242 1764" data-label="Text"> <p>Pack on Witnesses</p> </div> <div data-bbox="1323 1690 1388 1753" data-label="Image"> </div> | | |

| | | |
|-------------------------------------------------------|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Girls age is from 3-12½ when she can receive fine | ✓ | Because Torah says <i>naarah betulah</i> and at age 12½ she becomes known as a <i>bogeret</i> . (but this age could extend to 20 or 35 if she is barren (<i>aylonit</i>)) |
| Fine disallowed for girl (10 cases) | | |
| • <i>Bogeret</i> | ✗ | Must be <i>naarah</i> |
| • <i>Aylonit</i> | ✗ | Categorised as <i>ketanah</i> |
| • Imbecile | ✗ | Could have been raped previously |
| • Deaf mute | ✗ | Could have been raped previously |
| • Convert | ✗ | Unlikely to be virgin |
| • Captive | ✗ | Unlikely to be virgin |
| • Freed maidservant | ✗ | Unlikely to be virgin |
| • A girl who has left her husband through <i>miun</i> | ✗ | When a young <i>girl</i> dissolves her marriage, this is done through a procedure called <i>miun</i> |
| • Divorcee | ✗ | |
| • Girl with bad reputation | ✗ | |
| • Rapist was due to get <i>malkot</i> | ✗ | Does <i>not</i> get both fine and <i>malkot</i> |