

Marriage: Giving It Your All

Deuteronomy 24:1

כִּי יִקַּח אִישׁ אִשָּׁה וּבָעִלָּהּ...

When a man takes a wife and is intimate with her...

Maimonides: Positive Commandment #213

The 213th *mitzvah* is that we are commanded to acquire [by *kiddushin*] a woman before marrying her [*n'suin*]: either by giving her something [of sufficient value]; by giving her a document [of marriage]; or by having marital relations [for the purpose of *kiddushin*]. This is the *mitzvah* of *kiddushin*.

This *mitzvah* is hinted to in the Torah in the verse, "When a man acquires a woman and has relations with her...." This implies that he can acquire her through having relations.

[That a document may be used is alluded to in the verse which states that after receiving a writ of divorce,] "She leaves...and may marry another man." [Since the divorce and the marriage are described together, they can be compared:] just as she leaves by means of a document, so too she may marry by means of a document.

So too, the use of money may be derived from the verse regarding a Jewish maidservant, [that upon reaching puberty, she goes free,] "without money." Our Sages explain, "There is no money received by **this** master, but another master does receive money. Who is this? The girl's father [who receives money when his daughter gets married]."

However, only *kiddushin* by means of relations has the validity of a law *m'dioraysa*, as explained in many places in *Kesuvos*, *Kiddushin*, and *Niddah*. All the details of this law have been thoroughly explained in the designated tractate, i.e. *Kiddushin*.

Our Sages stated explicitly that *kiddushin* by means of relations is a Torah law. This statement proves that *kiddushin* counts as a law of the Torah.