

OVERVIEW of the Daf

1) A married woman's excess wages (cont.)

The Gemara concludes its explanation of the dispute of Rav and Shmuel versus R' Ada bar Ahava concerning the question of when a woman's excess wages become sanctified.

R' Ada bar Ahava's position is unsuccessfully challenged.

Rav and Shmuel's position is unsuccessfully challenged.

Shmuel rules in accordance with R' Yochanan Sandler that a man cannot sanctify his wife's wages.

The Gemara challenges whether this is, indeed, Shmuel's position.

A resolution is suggested but rejected.

R' Yosef suggests a resolution that is successfully challenged by Abaye.

R' Huna the son of R' Yehoshua offers another resolution.

2) Consecrating for a later date

R' Huna the son of R' Yehoshua's explanation leads to a tangential discussion of whether it is possible to consecrate something for a later date which ultimately ends with a successful challenge to R' Huna the son of R' Yehoshua.

3) A married woman's excess wages (cont.)

R' Ashi offers a final resolution to the seemingly contradictory rulings of Shmuel.

4) **MISHNAH:** The Mishnah enumerates the tasks that a wife does for her husband and conditions that will exempt a wife from these responsibilities.

5) Clarifying the Mishnah

The Gemara suggests two explanations for the Mishnah's reference to a woman grinding grain.

It is noted that the Mishnah that enumerates a wife's domestic responsibilities is inconsistent with R' Chiya who has a different understanding of a wife's function.

6) Nursing

The Gemara notes that the Mishnah's ruling that a wife must nurse her child is seemingly inconsistent with Bais Shammai who rule that a woman may take a vow to stop nursing.

It is explained how the Mishnah could be consistent with Bais Shammai.

This explanation is challenged and the Gemara concludes that it makes more sense that the Mishnah does not follow Bais Shammai. ■

Distinctive INSIGHT

The oath which the husband should nullify

ואמר שמואל הלכה כרבי יוחנן בן נורי. כי אמר שמואל הלכה כרבי יוחנן בן נורי להעדפה

The Mishnah in Nedarim (85a) discusses a wife who prohibits the benefit of the productivity of her efforts (שאני עושה) from her husband. The Tanna Kamma holds that the husband need not nullify this oath. This means that the oath has no validity at all, as the labor of the wife belongs to the husband, and the wife has no right to restrict or prohibit this from the husband, the rightful owner. Rabbi Akiva states that the husband should nullify the oath. He explains that although the oath has no validity vis-à-vis the woman's labor, however, the wife might earn or produce an amount greater than the value of the support provided by the husband. This "extra/העדפה" is not owned by the husband, and it remains the property of the woman. The oath would therefore apply to this extra amount. Therefore, Rabbi Akiva rules that the oath should be nullified, in order to avoid its applying to this additional amount. Rabbi Yochanan ben Nuri also rules that the husband should nullify the oath, but for a different reason than that stated by Rabbi Akiva. He is concerned that the husband might divorce his wife, and if the oath is in effect, it would then be prohibited for this couple to get remarried to each other.

Shmuel rules according to Rabbi Yochanan ben Nuri. The Gemara explains that Shmuel does rule that the husband should nullify the oath, but for a different reason than that given by Rabbi Yochanan ben Nuri. Rabbi Yochanan recommends that the oath be nullified in consideration of its possible affect on the basic earnings of the wife. Shmuel, however, holds that the הפרה need not be made regarding the basic earnings of the wife, but rather because the wife might earn an amount above the sum she must give to her husband in exchange for support. Tosafos (רבינו תם) explains that Shmuel agrees with Rabbi Yochanan ben Nuri that the extra/העדפה belongs to the husband, as opposed to Rabbi Akiva who holds that it belongs to the wife. ■

HALACHAH Highlight

A woman's beauty

דתני ר' חייא אין אשה אלא ליופי

As R' Chiya taught: A woman is only for beauty

The Gemara here expresses the value of a woman's beauty and Tosafos in Taanis¹ writes that concerning a woman it is not necessary to investigate her yichus, just her beauty. Along these lines Maharam of Rottenburg² wrote that a woman who is married and does not adorn herself should be cursed. Poskim question whether the value of a married woman adorning herself is limited to while she is in her home or perhaps she is allowed to adorn herself even in public. Rav Shlomo Zalman Braun³, the Shearim Hamitzuyanim B'Halacha, permits a married woman to adorn herself in public and cites as evidence the Gemara in Taanis (23b). The Gemara there relates that the wife of Abba Chilkiyah adorned herself when she went out to greet her husband and he explained that the rationale behind her practice was so that he should not be interested in other women. He also cites the explanation of Tosafos (Megilla 31a) why the parsha related to prohibited relations is read during Mincha on Yom Kippur. Tosafos writes that since the women would come to shul adorned, a reminder was needed to assure that no one would mistakenly violate a prohibition.

Rav Yosef Chaim of Baghdad⁴, the Ben Yehoyada, explained that the Gemara did not intend to teach that a man should marry a woman because of her beauty, rather that a woman should take precautions to maintain her beauty. The same principle applies to children and make-up, namely, she

REVIEW and Remember

1. What is the contradiction in Shmuel's position regarding consecrating one's wife's waes?

2. How can one effectively consecrate his future earnings?

3. What are the tasks that a woman must do for her husband?

4. According to R' Chiya, what is the function of a woman?

should avoid those activities that will detract from her beauty or her ability to have children or jewelry or make-up.

Rav Moshe Feinstein⁵ was asked whether it is permissible for a person to have plastic surgery. The primary thrust of his discussion related to whether a person is permitted to have elective surgery. After analyzing the relevant language of Rambam he mentions that even without his novel inference of Rambam's language it should be permitted for a woman to have plastic surgery based on our Gemara. Since the Gemara states that a wife is for beauty the surgery is considered something beneficial, rather than destructive, and therefore permitted. ■

1. תוסי' תענית ד. ד"ה יכול.
2. שו"ת מהר"ם מרוטנברג ח"ד סי' קצ"ט.
3. שערים המצוינים בהלכה סי' קנ"ג סי' ק"ד וקו"א שם.
4. בן יהוידע ד, ה, אשה.
5. שו"ת אג"מ חו"מ ח"ב סי' ס"ו. ■

STORIES Off the Daf

The Fire of Zerizus

"הבטלה מביא לידי שיעמום..."

Our Mishnah teaches that idleness leads to a kind of boredom that verges on insanity. In contrast, the Mesillas Yesharim writes that all the actions of the tzadikim are done with alacrity, the opposite of sitting around bored. Following the path of the Mesillas Yesharim, the Sfas Emes, zt"l, advised his son, the Imrei Emes, zt"l, to do everything with zerizus since this leads to chassidius.

The Chazon Ish, zt"l, once asked a

bochur to go Yerushalayim and do a chessed for a certain person.

The bochur said, "Since I will, in any case, have to travel to Yerushalayim tomorrow to attend a chasunah in Yerushalayim, I will be happy to do it then."

The gadol responded, "I don't understand you. When you have a chance to do a kindness for a fellow Jew you should do it with zeal. Tomorrow you can travel there again for the wedding!"

On another occasion the Chazon Ish said, "People's hearts are not stirred by the opportunity to do mitzvos because they don't appreciate how precious every mitzvah really is. If people were to inter-

nalize the preciousness of every mitzvah, they would run to do them with great alacrity!"

When the Chazon Ish once asked a family member to bring money to a certain person, he noticed that the young man seemed to be in an indolent mood.

He commented in a somewhat sharp manner, "When an opportunity for a mitzvah comes your way, you should not wait to carry it out. You should feel as though it is of top priority and do it with zerizus! You should feel as though a fire is burning until you have done the mitzvah!" ■

