

OVERVIEW of the Daf

1) Clarifying a Mishnah in Nedarim (cont.)

Rava explains the rationale behind R' Yosi's opinion.

2) Clarifying the dispute in our Mishnah

It is noted that R' Yehudah and Tanna Kamma seem to express the same position.

Abaye and Rava offer alternative explanations regarding the dispute.

Rav asserts that the discussion of the Mishnah applies when a husband is explicit regarding the duration of his vow, but if the vow is for an unspecified amount of time they must divorce immediately.

Shmuel disagrees and maintains that even if the vow was for an unspecified amount of time they do not divorce immediately.

It is noted that Rav and Shmuel argued the same issue in a different context and the Gemara explains the necessity for them to disagree in both cases.

Shmuel's position is challenged.

A resolution is suggested but that resolution leads to a difficulty pertaining to R' Meir's position.

The difficulty with R' Meir's position is clarified but that leads to a difficulty concerning R' Yosi's position.

In order to resolve R' Yosi's position the Gemara is led into a difficulty regarding R' Yehudah's position.

The positions of the different Tannaim is finalized.

A difficulty with Shmuel's understanding of R' Yosi is raised.

A resolution is suggested and rejected.

Another resolution is offered.

The Gemara proceeds to explain why, according to R' Yosi, the husband can annul this vow and why according to Tanna Kamma they must divorce immediately.

3) Clarifying R' Yosi's position

R' Yosi ruled in the Mishnah that if a poor husband took a vow prohibiting cosmetics to his wife he must divorce her immediately unless it was for a specified period of time. The Gemara inquires how long is that specified amount of time.

Three suggestions are offered.

Abaye explains why wealthy women are given a different time frame than poor women.

4) **MISHNAH:** The Mishnah presents additional cases that are grounds for divorce, depending on how the vow is phrased.

5) Clarifying the Mishnah's first case

A contradiction of inferences is noted pertaining to the Mishnah's first case.

Abaye and Rabbah bar Ulla offer different resolutions to the Mishnah.

Two aggadaic teachings are cited. ■

Distinctive INSIGHT

Who is at fault when the wife takes an oath?

והתניא האשה שנדרה בנזיר ושמע בעלה ולא הפר לה רבי מאיר ורבי יהודה אומרים היא נתנה אצבע בין שיניה

The Gemara seems to be noting an inconsistency between the opinion of Rabbi Meir in the Mishnah in Nazir as opposed to his opinion in our Mishnah. In Nazir (Tosefta, Ch. 3), Rabbi Meir states that if a wife declares an oath that she be a nazerite, and the husband does not nullify it, the woman is ultimately held responsible for the oath. The husband could then say that he cannot tolerate a woman who takes vows, and he can divorce her and not pay her a kesubah. The Gemara had just explained that in our Mishnah, Rabbi Meir says that if a woman declares that she will not taste a certain type of fruit, and the husband confirmed the vow to be valid, the husband is responsible for the vow, and the wife has grounds to demand a divorce and collect her kesubah. These two rulings of Rabbi Meir are apparently inconsistent, and this seems to be the question of the Gemara.

Shita Mikubetzes notes that the solution to these two sources should be quite obvious. In our Mishnah, the husband directly sustained the oath. He declared it valid, and now there is no possibility that the oath will be annulled. This is why the husband is considered accountable for the situation. However, in the case of Nazir, after hearing his wife take an oath the husband was only silent. As a result of his silence, the oath then became official. Of course, the woman should be held responsible for her commitment. The husband could even claim that the reason he was silent was that he was busy or occupied with other matters, and he was not able to alleviate the condition the woman assumed upon herself. With this clear distinction between the cases, why, then, does the Gemara confront us with a contradiction in the words of Rabbi Meir?

The Shita Mikubetzes therefore explains that the Gemara realizes that the words of Rabbi Meir are not necessarily inconsistent at all. Rather, the Gemara is questioning whether the interpretation of Shmuel of our Mishnah is accurate. Shmuel understood that the case of "מדיר את אשתו" is not where the man declared an oath, but rather where the woman took the oath and the husband sustained it. This view of Shmuel leads us to the contrast of Rabbi Meir's statements. Although there is a resolution, as we explained, yet the problem might not even surface if the Mishnah could be understood other than did Shmuel. ■

HALACHAH Highlight

Foolish behavior

או שתהא ממלאה ומערה לאשפה

[On condition] that you fill up [a bucket] and pour it out into the garbage.

Rav Yosef Chaim of Baghdad¹, the Ben Ish Chai, was asked whether a wife is obligated to listen to her husband's instructions when he demands that she behave foolishly. For example, if a husband pressures his wife his to ride around on a stick like a child, bark like a dog or bray like a donkey is she obligated to listen? The wife obviously does not wish to behave in this way since it is embarrassing, and perhaps he cannot force her to behave in an embarrassing manner. On the other hand, she is obligated to honor and listen to her husband and if this will bring her husband joy perhaps she must comply.

Ben Ish Chai responded that a wife is not obligated to obey these types of instructions from her husband, and he cites our Mishnah as proof. The Gemara, in explanation of our Mishnah, teaches that the reason a wife is not obligated to fill buckets and dump out their contents into a garbage heap is that it makes her look foolish. This teaches that a husband cannot demand behavior which appears foolish from his wife.

Ben Ish Chai² addresses a similar question pertaining to a parent who instructs his child to behave foolishly. The child obviously does not want to behave foolishly, but perhaps the mitzvah of honoring a parent demands that he should listen to his parent even if he looks foolish in the process. He answered that a child is also not obligated to behave foolishly to fulfill the mitz-

REVIEW and Remember

1. Why do Rav and Shmuel disagree on the same point in two different contexts?

2. What types of vows is a husband able to annul?

3. How long did perfume continue to be fragrant?

4. Is a husband permitted to restrict his wife from attending weddings?

vah of honoring a parent and cites precedent for his ruling from our Gemara. Clearly, if honoring a husband is a Biblical obligation one could derive the halacha of honoring a parent from honoring a husband. And even if honoring a husband is only a Rabbinic obligation it is still a valid source to teach that a child does not have to embarrass himself to fulfill the mitzvah of honoring his parent. The logic is that Rabbinic enactments are patterned after Biblical law and if a child was obligated to embarrass himself to fulfill the mitzvah of honoring a parent there would also be a requirement for a wife to embarrass herself to honor her husband. Since that is not the case, we must conclude that there is no requirement even for a child to embarrass himself to honor his parent. ■

1. שו"ת תורה לשמה ס"י ש"ט.
2. שם ס"י ר"ע. ■

STORIES Off the Daf

Food Fights

"מהדיר את אשתו שלא תטעום אחד מכל הפירות יוציא ויתן כתובה..."

Our Mishnah delineates a situation where a husband either made or enforced a vow forbidding his wife to eat from any type of produce. In such a case, they should divorce and she receives her kesubah. How do matters come to such a pass that food can be grounds for the dissolution of a marriage?

Years ago, a certain friend of Rav Tzvi Kovalsky, zt"l, approached him privately.

"As you know, I'm not married that long, but I'm already having terrible problems with my wife. We have different

tastes. What I want her to prepare she doesn't enjoy and doesn't want to cook, and all of the 'delicacies' she prepares aren't to my liking at all. We keep getting into arguments, and I don't know what to do."

Rav Kovalsky answered, "Let me tell you a little story. Once upon a time, when I was a young bochur, I came home one day from yeshiva and my mother served me vegetable soup. It was so horrible, I thought that I would have to vomit. Somehow I got it down, and when my mother asked me how I liked it, what could I say? How could I upset her after she had gone through the trouble to cook it for me? So I praised it to the skies, and when I saw how pleased she was, the awful taste didn't bother me a bit. I even managed to accept seconds! To my dismay, I found that since

my mother thought I had enjoyed it so much, the same soup was waiting for me every single day. I ate it despite all, and prayed that I would be released from the torment when I got married. Lo and behold—my devoted mother had shared my 'favorite' recipe with my kallah, and sure enough, the soup followed me into marriage. And so it is until today—I can barely swallow the soup, but she always is so happy when I eat it, I keep up the pretense."

He concluded, "And you are telling me that you have problems because your tastes don't match exactly???"

Years later, after Rav Kovalsky passed away, that same young man told the Rav's widow, "Rav Kovalsky's words saved my marriage!" ■

