

OVERVIEW of the Daf

1) Positive mitzvos (cont.)

The Baraisa cites examples of positive mitzvos that are not time-bound.

2) Women's exemption from positive time-bound mitzvos

The Gemara challenges the rules set up by the Mishnah since there are positive time-bound mitzvos that women are obligated to fulfill and positive mitzvos that are not time-bound that women are exempt from fulfilling.

R' Yochanan answers that rules set up in Mishnayos have exceptions even when the language indicates that there is no exception.

Proof to R' Yochanan's assertion is cited.

The Gemara states that the precedent that women are exempt from positive time-bound mitzvos is the mitzvah of tefillin which is equated to Torah study from which women are exempt.

The comparison between Tefillin and Torah study is unsuccessfully challenged.

The Gemara notes that the necessity for the Torah to exclude women from the mitzvah of sukkah indicates that they are generally obligated in positive mitzvos that are time-bound.

Abaye explains why it is necessary for the Torah to exclude women from the mitzvah of sukkah and why that exposition is not an indication that women are generally obligated in positive time-bound mitzvos.

Rava offers an alternative explanation why it was necessary for the Torah to exclude women from the mitzvah of sukkah.

The reason the Torah excluded women from the mitzvah of appearing before Hashem on Yom Tov, despite the fact that it is a positive time-bound mitzvah, is explained.

The Gemara wonders why the mitzvah of tefillin is cited as the prototype to exempt women from mitzvos when the mitzvah of rejoicing on Yom Tov could have been cited to obligate women in mitzvos.

Abaye offers an explanation why the mitzvah of rejoicing on Yom Tov could not be cited as precedent that women are obligated in mitzvos.

It is suggested that the mitzvah of Hakhel should teach that women are obligated in mitzvos.

The Gemara explains why Hakhel could serve as the prototype to obligate women in mitzvos.

This explanation is challenged.

3) Women's obligation to fulfill positive mitzvos that are not time-bound

Another question posed by the Gemara is why the mitzvah of having awe for a parent is cited as the prototype for a woman's obligation to fulfill positive mitzvos that are not time-bound when the mitzvah of Torah study could be cited to exempt them from that category of mitzvos.

A resolution to the second question is suggested. ■

Gemara GEM

Women desire life!

ונקיש מזוזה לתלמוד תורה, לא סלקא דעתך, דכביב למען ירבו ימיכם—גברי בעי חיי נשי לא בעי חיי

The Gemara had established that women are exempt from the mitzvah of learning Torah. The verse associates tefillin to learning Torah, thus teaching us that women are exempt from the mitzvah of tefillin as well. When the Gemara suggests that women should perhaps be exempt from the mitzvah of mezuzah, as the verse associates this mitzvah to Torah learning, the Gemara immediately responds that it is unfathomable that women might not be obligated in the mitzvah of mezuzah. The verse specifically promises that mezuzah leads to the reward of long life (למען ירבו ימיכם), and women need life as do men.

Tosafos notes that the Gemara in Shabbos (32b) derives from the verse of למען ירבו ימיכם that one's children might die due to the sin of abandoning Torah learning. We see that the Gemara understands that the verse refers to the mitzvah of Torah learning, and that it leads to increased life for a person and his children. Accordingly, our Gemara should conclude that women are obligated to study Torah, as women desire life for themselves and their children as much as do men.

Tosafos answers that the verse actually refers directly to the mitzvah of mezuzah. This is the mitzvah which leads to long life which everyone wants. The discussion in the Gemara in Shabbos was conducted by Amoraim who knew that wasting opportunities to study Torah had catastrophic consequences, such as the demise of one's children, and they merely referred to the verse as an אסמכתא, but all agree that the verse dealt with mezuzah.

The א"ע answers that women are indeed required to study the halachos which apply to them and their observance. This is the aspect of Torah awareness to which the Gemara in Shabbos refers. The exemption for women to study Torah refers only to other topics of Torah which do not apply to them directly.

In his מרומי שדה, the Netzi"v explains that women earn life through the mitzvah of learning Torah as they assist their husbands and sons to learn. However, if they would be exempt from mezuzah, they would have no opportunity to earn life which is its reward. ■

Today's Daf Digest is dedicated
By Dr. and Mrs. Samuel Saltzberg
in loving memory of their father
ר' טובי' בן ר' נחום
Dr. Ted Saltzberg o.b.m.

HALACHAH Highlight

A woman who forgot to recite יעלה ויבא in Birkas Hamazon on Yom Tov

אמר אביי אשה בעלה משמחה

Abaye answers that it is the husband's obligation to cause his wife to rejoice

Rav Akiva Eiger¹ writes that a woman who forgot to say יעלה ויבא in Birkas Hamazon on Yom Tov is not required to repeat Birkas Hamazon. The reason is that Birkas Hamazon is repeated when one forgets יעלה ויבא only when there was an obligation to eat a meal. An example of this halacha is a person who forgot to recite יעלה ויבא in Birkas Hamazon on Rosh Chodesh. Since there is no obligation to eat a meal on Rosh Chodesh it is not necessary for Birkas Hamazon to be repeated in the event that one forgot יעלה ויבא. Women are not obligated to eat a meal on Yom Tov since eating is a subcategory of the mitzvah of oneg on Yom Tov which is itself a positive mitzvah that is time-bound. Accordingly, if a woman forgot to say יעלה ויבא in Birkas Hamazon on Yom Tov it is not necessary for her to repeat Birkas Hamazon since the meal was not obligatory for her.

Rav Akiva Eiger² goes on to explain that his position is not related to the dispute between Kesef Mishnah and Lechem Mishnah concerning the nature of a woman's obligation in simcha on Yom Tov. Kesef Mishnah³ maintains that it is the husband's obligation to provide his wife with simcha on Yom Tov whereas Lechem Mishnah⁴ holds that it is the woman's obligation to provide herself with simcha on Yom Tov. Rav

REVIEW and Remember

1. What are examples of positive time-bound mitzvos that women are obligated to perform?
2. What is the source that women are obligated in the mitzvah of mezuzah?
3. Who has an obligation to cause a widow to rejoice?
4. Why doesn't women's exemption from the mitzvah of Torah study indicate that women are exempt from positive mitzvos that are not time-bound?

Eiger notes that his position is consistent with both of their positions. In the framework of Kesef Mishnah's position, if a woman has no personal obligation in simcha it is easy to understand why if she forgot יעלה ויבא she is not required to repeat Birkas Hamazon. However, one could also assert that Lechem Mishnah would agree with Rav Eiger that a woman should not repeat Birkas Hamazon if she forgot to say יעלה ויבא. The reason is that even according to Lechem Mishnah the only requirement is for a woman to eat meat and wine but there is no obligation to have a meal with bread. Accordingly, even Lechem Mishnah would agree that a woman who forgot יעלה ויבא is not obligated to repeat Birkas Hamazon. ■

1. שו"ת רעק"א ח"א סי' א'.
2. שו"ת רעק"א בהשמטות על הסימן הני"ל.
3. כסף משנה פ"א מהל' חגיגה ה"א.
4. לחם משנה פ"ד מהל' מעשה הקרבנות הי"ד. ■

STORIES Off the Daf

"Women are exempt from Tefillin..."
"תפילין נשים פטורות..."

On today's daf we find that a woman is not obligated to wear tefillin.

One woman, after attending an Arachim seminar in Israel, was inspired to become observant. Her husband was not as interested. Although he was not overtly against religion, he was fairly indifferent. Since he seemed slightly interested in the mitzvah of tefillin, his wife asked him to put on tefillin every day.

He answered, "Tefillin are expensive and I am simply unwilling to spend that

much money just for a mitzvah."

The woman was very conflicted about this. On the one hand, she felt certain that if he only had a pair, he would comply and put them on each day without fail. She really wished to just take the money without his permission and purchase a pair of tefillin. After all, he did have an obligation. On the other hand, it wasn't as if she was obligated in the mitzvah of tefillin and he had to provide a pair for her. Could she purchase tefillin from his money for him?

When she asked this question of her rabbi he had no idea where to even start finding an answer. But he said, "I am not sure but I will ask this question of Rav Yosef Shalom Eliashiv, zt"l. I will let you

know the moment I get an answer."

When consulted, Rav Eliashiv immediately ruled, "She definitely may not purchase tefillin for him with his money against his will. First of all, it is regarding tzedakah that the Nodah B'yehudah states that a woman may not take money from her miserly husband to give charity when he doesn't allow her to do so. Although beis din forces one to give tzedakah, who appointed her to oversee this?"

Rav Eliashiv concluded, "Besides, in our times, she can procure tefillin free in a gemach and he can put these on. She has absolutely no right to pay for tefillin without his consent."¹ ■

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