

LANGUAGE

Garden cress [tahlei] – תַּחְלֵי: This is the Aramaic term for *Lepidium sativum*, the vegetable known in Hebrew as *halim*. It is a garden vegetable used in salads.

Brine [moninei] – מוֹנֵינֵי: The *Arukh* explains that *moninei* is brine, particularly fish brine, but the term can also be used to refer to locust brine. It appears to be Aramaic, a shortened form of *mei nunei*, meaning fish water.

NOTES

Soil – גִּרְגוּשָׁא: The word is of Aramaic origin and it generally refers to the earth used for making seals. It was a type of quality clay used for seals on letters or parcels.

לֹא תֹאכַל עִמּוֹ דְּבָרִים הָרְעִים. מֵאֵי מִינְהוּ? אָמַר רַב כְּהֵנָּא: כְּגוֹן בְּשׂוֹת, וְחֲזוּי, וְדָגִים קְטַנִּים, וְאֲדָמָה. אַבְיֵי אָמַר: אֶפְיִלוּ קָרָא וְחֲבוּשָׂא. רַב פַּפָּא אָמַר: אֶפְיִלוּ קָרָא וְכוּפְרָא. רַב אֲשִׁי אָמַר: אֶפְיִלוּ כַּמְכָּא וְהֶרְסָנָא. מִינְיֵיהוּ פְּסְקֵי חֲלָבָא, מִינְיֵיהוּ עֲבָרֵי חֲלָבָא.

The *baraita* said: She may not eat together with him things that are bad for her milk. The Gemara asks: What are these foods that are detrimental for milk?<sup>b</sup> Rav Kahana said: For example, hops; and young, green grain sprouts; small fish; and soil. Abaye said: Even pumpkin and quince. Rav Pappa said: Even pumpkin and palm branches with small, unripe dates. Rav Ashi said: Even *kutah* [*kamka*] and small fried fish. All these items are bad, as some cause milk to dry up and some cause milk to spoil.

דְּמִשְׁמֵשָׂא בֵּי רִיחָא – הוּוּ לָהּ בְּנֵי נֶכְפִי, דְּמִשְׁמֵשָׂא עַל אֲרֵעָא – הוּוּ לָהּ בְּנֵי שְׂמוּטֵי, דְּדַרְכָּא עַל רְמָא דְּחֶמְרָא – הוּוּ לָהּ בְּנֵי גִירְדֵי, דְּאֶכְלָה חֶרְדְּלָא – הוּוּ לָהּ בְּנֵי זִלְזִלֵי, דְּאֶכְלָה תַּחְלֵי – הוּוּ לָהּ בְּנֵי דוּלְפָנֵי, דְּאֶכְלָה מוֹנֵינֵי – הוּוּ לָהּ בְּנֵי מְצִינֵי עֵינָא, דְּאֶכְלָה גִּרְגוּשָׁא – הוּוּ לָהּ בְּנֵי מְכוּעְרֵי, דְּשִׁתֵּי שִׁיכָרָא – הוּוּ לָהּ בְּנֵי אוֹכְמֵי, דְּאֶכְלָה בִּישָׂא וְשִׁתֵּי חֶמְרָא – הוּוּ לָהּ בְּנֵי

The Gemara cites other possible consequences of a mother's behavior that could affect her children: A woman who engages in intercourse in a mill will have epileptic children; one who engages in intercourse on the ground will have long-necked children; one who steps on a donkey's dung when pregnant will have bald children; one who eats mustard during pregnancy will have<sup>b</sup> gluttonous children; one who eats garden cress [*tahlei*]<sup>c</sup> will have tearful children; one who eats fish brine [*moninei*]<sup>d</sup> will have children with blinking eyes; one who eats soil<sup>nb</sup> will have ugly children; one who drinks intoxicating liquor will have black children; one who eats meat and drinks wine during pregnancy will have children who are

BACKGROUND

Foods that are detrimental for milk – דְּבָרִים הָרְעִים לְחָלָב: A woman's diet in general as well as certain specific foods that she eats can affect the quality of her milk and even have an effect on the taste of the milk.

Eating soil – אֶכְלִית אֲדָמָה: Eating soil during pregnancy is a known phenomenon, as pregnant women sometimes experience cravings for strange foods. At times, they can also suffer from a compulsion to consume non-food items, a psychological disorder known as pica. Cases have been reported of pregnant women eating earth, clay, sand, and other inedible substances. However, certain types of earth may also be eaten for medicinal purposes. The type mentioned in the Gemara may serve to ease heartburn experienced during pregnancy.

One who eats... will have – דְּאֶכְלָה... הוּוּ לָהּ בְּנֵי: There is no specific scientific knowledge with regard to this subject, although it seems clear that a woman's diet during pregnancy has an effect on the fetus. Other factors, such as alcohol and drugs, certainly have a significant influence on the development of a fetus, including its color and complexion.

Perek V

Daf 61 Amud a

BACKGROUND

Celery – כִּרְפָסָא: This is *Apium graveolens*, a garden vegetable used for flavoring and salads.

LANGUAGE

Coriander [*kusbarta*] – כּוּסְבָרְתָא: This is a plant used as a spice, with characteristic flavor and aroma. It is known in biblical Hebrew as *gad* and in Modern Hebrew as *kusbar*.

בְּרִישֵׁי דְּאֶכְלָה בֵּיעֵי – הוּוּ לָהּ בְּנֵי עֵינָנֵי, דְּאֶכְלָה כְּוִרֵי – הוּוּ לָהּ בְּנֵי חִינָנֵי, דְּאֶכְלָה כִּרְפָסָא – הוּוּ לָהּ בְּנֵי זִוְתָנֵי, דְּאֶכְלָה כּוּסְבָרְתָא – הוּוּ לָהּ בְּנֵי בִישְׁרֵי, דְּאֶכְלָה אֲתְרוּגָא – הוּוּ לָהּ בְּנֵי רִיחָנֵי. בְּרִיתֵיהּ דְּשָׁבוֹר מְלָכָא אֶכְלָה בַּהּ אִמָּה אֲתְרוּגָא, וְהוּוּ מְפָקֵי לָהּ לְקַמֵּיהּ אַבּוּהּ בְּרִישֵׁי רִיחָנֵי.

healthy; one who eats eggs will have large-eyed children; one who eats fish will have graceful children; one who eats celery<sup>b</sup> will have beautiful children; one who eats coriander [*kusbarta*]<sup>c</sup> will have corpulent children; and one who eats *etrogim* will have sweet-smelling children. It is related with regard to the daughter of King Shapur<sup>d</sup> of Persia, that her mother ate *etrogim* while pregnant with her and they used to place her in front of her father on top of all the spices, as she was so fragrant.

PERSONALITIES

King Shapur – שָׁבוֹר מְלָכָא: King Shapur, or Shavor Malka, was the name of several Persian kings. King Shapur I, the second king of the Sassanid dynasty, who lived from 241–272 CE, was tolerant of other faiths. There are many incidents related in the Talmud that reflect his close relationship with the Jewish people, as well as his love and appreciation for Jewish customs. In several places, the Gemara describes his friendship with the *amora* Shmuel.

King Shapur II, who lived from 303–380, was a zealous supporter of Zoroastrianism, a religion he tried to impose on the minorities under his rule, especially Christians. During his reign, the Jewish community suffered from oppressive taxes, levies, and various decrees.

She wants to nurse – היא אומרת להניק – If the woman wishes to nurse and her husband does not want her to, the halakha rules in her favor (Rambam Sefer Nashim, Hilkhhot Ishut 21:13; Shulhan Arukh, Even HaEzer 82:2).

He wants her to nurse – הוא אומר להניק – Nursing is like any other task that a woman is required to perform if the women in both her family and his are accustomed to it. If she is from a poor family who usually nurse their children, but he is from a wealthy family, then he must hire a wet nurse if she does not want to nurse the baby herself (Rambam Sefer Nashim, Hilkhhot Ishut 21:14; Shulhan Arukh, Even HaEzer 80:6, 10 and 82:3).

NOTES

She is the one suffering – צערא דידה הוא – Rashi understands this to mean that the woman suffers due to engorgement of her breasts, whereas the Rambam explains that she suffers from the baby being taken away from her. The Ri Migash interprets the idea differently: Since the woman alone suffers from nursing, the husband should not have any say in the matter.

She is accustomed to nursing and he is not accustomed – היא אורחה והוא לא אורחה – The Rosh writes that this principle applies to all the tasks that a woman is obligated to perform. If it is not the custom of her family or of his family, she is not obligated to perform them. This is also the halakha as quoted in the Shulhan Arukh. This case is singled out for discussion because sometimes a woman specifically wants to nurse her child while her husband does not want her to do so.

LANGUAGE

In my place [baharikai] – בחריקאי – The Arukh and other sources cite a variant text that reads baharikai. This term probably derives from the Iranian vihrig and the Middle Persian guhrig, which mean equivalent, although in the Babylonian Jewish dialect of Aramaic it means instead of.

אמר רב הונא: בדיק לן רב הונא בר חנינא: היא אומרת להניק והוא אומר שלא להניק – שומעין לה, צערא דידה הוא. הוא אומר להניק והיא אומרת שלא להניק – מהו? כל היכא דלאו אורחה – שומעין לה, היא אורחה והוא לא אורחה – מאי? בתר דידיה אולינן או בתר דידיה אולינן?

**S** Rav Huna said: Rav Huna bar Hinnana tested us, by asking: If she says that she wants to nurse<sup>h</sup> and he says that he does not want her to nurse but rather to give the child to a wet nurse, we accede to her desires, as she is the one suffering<sup>n</sup> from engorgement of her breasts. However, if he says that he wants her to nurse<sup>h</sup> and she says that she does not want to nurse, what is the halakha? He then narrowed the scope of the question: Anywhere that she is not accustomed, as the women of her family generally do not nurse their children but give them to wet nurses instead, we accede to her desires. However, if she is accustomed to nursing and he is not accustomed,<sup>n</sup> i.e., the women of her family generally nurse their babies but the women in his family do not, what is the halakha: Do we follow his wishes to follow her family custom or do we follow her wishes to follow his family custom?

ופשיטנא ליה מהא: עולה עמו ואינה יורדת עמו. אמר רב הונא: מאי קראה – והיא בעולת בעל – בעלייתו של בעל, ולא בירידתו של בעל. רבי אלעזר אמר מהכא: "כי היא היתה אם כל חי" – לחיים ניתנה, ולא לצער ניתנה.

And we answered his question from this amoraic statement: When a woman marries a man, she ascends with him to his socioeconomic status, if it is higher than hers, but she does not descend with him if his status is lower. Consequently, if his family is not accustomed to nurse, she is not obligated to nurse either. Rav Huna said: What is the verse from which this is derived? It is derived from: "She is a man's wife" (Genesis 20:3). The Gemara explains: The word used here for "wife [be'ula]" hints through similar spelling that she ascends in status with the ascension [aliya] of her husband but does not descend with the descent of her husband. Rabbi Elazar said: There is a hint to this principle from here: "As she was the mother of all living" (Genesis 3:20), which indicates that she was given to her husband for living with him, but was not given to suffer pain with him.

"הכניסה לו שפחה" וכו'. הא שארא – עבדא. ותימא ליה: עיילית לך איתתא בחריקאי! משום דאמר לה: הא טרחה לדידי ולדידה, קמי דידיך מאן טרחה?

**S** The mishna states that if she brought him one maidservant into the marriage with her, she does not need to grind wheat, bake, or wash clothes. The Gemara infers from this statement that she must nevertheless perform the other tasks. The Gemara asks: Let the wife say to him: I brought you a woman in my place [baharikai]<sup>l</sup> who can perform all the tasks I am supposed to do, and the wife should be completely exempt. The Gemara answers: This is not a valid argument because the husband can say to her: This maidservant toils for me and for herself like any other woman, but who will toil for you? It is necessary for the wife to do some work in order to cover some of her own expenses.

"שתיים אינה מבשלת ואינה מניקה" וכו'. הא שארא – עבדא. ותימא ליה: עיילית לך איתתא אחריתי דטרחה לדידי ולדידה, וחדא לדידיך ולדידה! משום דאמר לה: קמי אורחי ופרחי מאן טרחה?

The mishna further said that if she brought him two maidservants, she does not need to cook and does not need to nurse her child. The Gemara infers: She must nevertheless perform the other tasks. The Gemara asks: Let the wife say to him: I brought you another woman who can toil for me and for herself, and one who can toil for you and for herself. Consequently, I do not need to do any work at all. The Gemara answers: This is also not a valid argument because he can say to her: Who is going to toil for the guests and wayfarers who will come because we are a large household? There are still other tasks that need to be performed.

"שלוש אינה מצעת המטה." הא שארא – עבדא. ותימא ליה: עיילית לך אחריתי לאורחי ופרחי משום דאמר לה: נפיש בני ביתא – נפיש אורחי ופרחי.

The mishna further said that if she brought him three maidservants, she does not need to make his bed or make thread from wool. The Gemara infers: She must nevertheless perform the other tasks. The Gemara asks: Let her say to him: I brought you another woman to toil for the guests and wayfarers, in addition to one to toil for herself and for me, and another to toil for herself and for you. Therefore, I do not need to do any work at all. The Gemara answers: This is also not a valid argument because he can say to her: When the members of the house increase, the number of guests and wayfarers also increases and therefore there is still more work to be done.

אי הכי, אפילו ארבע נמי! ארבע, בין דנפישו להו מסייען אהדדי.

The Gemara asks: If so, then even if she brought him four maidservants as well, she should also have to work, as there will be many more guests. But the mishna says that if she brought four maidservants she does not need to do anything. The Gemara answers: When there are four, since there are many of them, they assist one another and can complete all the necessary tasks.

Once she is able to bring – **בְּיָוֵן שְׂרָאוּיָהּ לְהַכְנִים** – According to Rashi, this means that this *halakha* applies not only when she actually brought him maidservants, but also if there were assets in her dowry that were equal in value to the price of a maidservant. The expression: She reduced her own needs, means that she saved some of the money he gave her, in order to buy a maidservant.

However, the Rif and others have a different version that reads: She found [*matza*] among his possessions, as opposed to: She reduced [*tzimtzema*] her own needs. According to this reading, even if her assets were not sufficient to buy a maidservant, but she determined that he was wealthy and could afford it on his own, she also does not need to perform these tasks. The Ramban and his disciples have a more extreme opinion. They maintain that if the women in the wife's family are not accustomed to doing work themselves but rather to using maidservants, she does not need to perform any task. This interpretation appears to correspond to the idea that she is not obligated to perform tasks to which she is not accustomed.

And make his bed – **וּמְצַעֵת לוֹ אֶת הַמִּטָּה** – The Rivan does not accept this version, since this is one of the tasks from which the wife is exempt if she brought her husband three maidservants. However, Rashi and *Tosafot* explain that there are two types of bed preparations, one involving heavy work that can be done by a maidservant and another type that is an act of intimacy, and therefore it is not proper for another person to do it.

אָמַר רַב חֲנַנְיָא וְאִתְּיָמָא רַבִּי שְׁמוּאֵל בְּרַחֲמֵי לָא הִכְנִיסָהּ לוֹ מִמּוֹשׁ, אֶלְא בְּיָוֵן שְׂרָאוּיָהּ לְהַכְנִים, אִף עַל פִּי שְׂלָא הִכְנִיסָהּ. תַּנְא: אַחַד שְׂהַכְנִיסָהּ לוֹ, וְאַחַד שְׂצַמְצָמָהּ לוֹ מִשְׁלָהּ.

“אָרְבַּע יוֹשֶׁבֶת בְּקֵתְדָרָא.” אָמַר רַב יִצְחָק בְּרַחֲמֵי אָמַר רַב הוֹנָא: אִף עַל פִּי שְׂאִמְרוּ יוֹשֶׁבֶת בְּקֵתְדָרָא – אֶבֶל מוֹזֵגָת לוֹ בּוֹס, וּמְצַעֵת לוֹ אֶת הַמִּטָּה, וּמְרַחֶצֶת לוֹ פָּנָיו וְרַגְלָיו.

אָמַר רַב יִצְחָק בְּרַחֲמֵי אָמַר רַב הוֹנָא: כָּל מְלָאכּוֹת שְׂהַאֲשָׁה עוֹשֶׂה לְבַעֲלָהּ – נִדָּה עוֹשֶׂה לְבַעֲלָהּ, חוּץ מְמוֹזֵגָת הַבּוֹס, וְהַצַּעֵת הַמִּטָּה, וְהַרְחֶצֶת פָּנָיו וְרַגְלָיו.

וְהַצַּעֵת הַמִּטָּה – אָמַר רַבָּא: לָא אֶמְרֵן אֶלְא בְּפָנָיו, אֶבֶל שְׂלָא בְּפָנָיו לִית לֵן בָּהּ. וּמוֹזֵגָת הַבּוֹס – שְׂמוּאֵל מְחַלְפָּא לִיָּה דְבִיתָהּ בִּידָא דְשְׂמָא לָא, אֲבִי מְנַחָא לִיָּה אַפּוּמָא דְכוּבָא. רַבָּא אֲבִי סְדִיא, רַב פְּפָא אֲשֶׁר־שִׁיפָא.

Rav Hana, and some say Rav Shmuel bar Nahmani, said: This does not necessarily mean that she actually brought him maidservants. Rather, once she is able to bring<sup>n</sup> him<sup>h</sup> maidservants, i.e., once her dowry is sufficiently large to buy maidservants, then she is exempt from performing the tasks, although she did not actually bring him maidservants. The Sages taught: Whether she brought him actual maidservants or whether she reduced her own needs in order to release enough money to bring a maidservant to work, she is exempt from the tasks.

§ The mishna says that if she brought him four maidservants, she may sit in a chair and not do anything. Rav Yitzhak bar Hananya said that Rav Huna said: Although they said that she may sit in a chair and does not need to work, she should still pour<sup>h</sup> his cup; and make his bed;<sup>n</sup> and wash his face, hands, and feet, as these responsibilities are not household tasks that can be delegated to a maidservant. Rather, they are gestures of affection toward her husband.

Rav Yitzhak bar Hananya also said that Rav Huna said a similar *halakha*: All tasks that a wife performs for her husband, a menstruating woman may similarly perform for her husband,<sup>h</sup> except for: Pouring his cup;<sup>h</sup> and making his bed;<sup>h</sup> and washing his face, hands, and feet. As explained above, these are acts of affection. If she is menstruating she should not perform them, so as not to lead to forbidden intercourse.

And With regard to the prohibition against making the husband's bed, Rava said: We said this only if she made the bed in front of him, but if it was not in front of him, we have no problem with it. With regard to the prohibition against pouring his cup, the Gemara comments: Shmuel's wife would change her practice toward him during her menstruation period and pour with her left hand, since if she made some change in the manner of pouring, this would serve as a reminder of her status and mitigate the concern that it might lead to intimacy. Abaye's wife would place his cup on top of a barrel, Rava's wife would place it on his pillow, and Rav Pappa's wife would place it on the bench to create a change.

## HALAKHA

Once she is able to bring him – **בְּיָוֵן שְׂרָאוּיָהּ לְהַכְנִים** – The *halakha* with regard to a woman who brought maidservants with her into the marriage applies even if she did not actually bring maidservants with her but either her dowry was large enough to purchase maidservants or, in accordance with the version of the text accepted by the Rif and the Rosh, her husband was wealthy enough to purchase maidservants (Rambam *Sefer Nashim*, *Hilkhot Ishut* 21:6; *Shulḥan Arukh*, *Even HaEzer* 80:8).

She should still pour his cup – **מוֹזֵגָת לוֹ בּוֹס** – Even a woman who is not required to do any work at all must still wash her husband's face, hands, and feet, as well as pour his cup and make his bed, as these are intimate acts that only a wife should perform for her husband (Rambam *Sefer Nashim*, *Hilkhot Ishut* 21:3; *Shulḥan Arukh*, *Even HaEzer* 80:4–5).

A menstruating woman may perform for her husband – **נִדָּה – עוֹשֶׂה לְבַעֲלָהּ** – All the tasks that a woman must perform for her husband can also be done when she is a menstruating woman, apart from pouring his cup; making his bed; and washing his face, hands, and feet. She is not only prohibited from actually washing him, as she may not touch him, but she is also prohibited from

pouring the water for him (Rambam *Sefer Nashim*, *Hilkhot Ishut* 21:8; *Sefer Kedusha*, *Hilkhot Issurei Bia* 11:19; *Shulḥan Arukh*, *Yoreh De'a* 195:10).

Pouring his cup – **מוֹזֵגָת הַבּוֹס** – A menstruating woman is prohibited from pouring her husband's cup and placing it on the table in the usual matter. She must do so using some sort of conspicuous sign, e.g., pouring with her left hand or placing the cup on the pillow or the blanket, as related in the Gemara (Rambam *Sefer Nashim*, *Hilkhot Ishut* 21:8; *Shulḥan Arukh*, *Yoreh De'a* 195:11).

Making his bed – **הַצַּעֵת הַמִּטָּה** – A menstruating woman is prohibited from making her husband's bed in his presence. The commentaries explain that this is referring only to spreading the sheets and other acts of intimacy, but arranging mattresses and other acts that involve exertion are not acts of intimacy and are therefore permitted. If her husband is not present, although he knows that his wife is the one who made the bed, all the actions involved in making the bed are permitted (Rambam *Sefer Nashim*, *Hilkhot Ishut* 21:8; *Sefer Kedusha*, *Hilkhot Issurei Bia* 11:19; *Shulḥan Arukh*, *Yoreh De'a* 195:11).

May be withheld from before the waiter – **מְשָׂהוּן בְּפָנָי** – **הַשְּׂמֶשֶׁשׁ**: If a waiter is serving a meal and the foods have a fragrant aroma that causes people to crave them, one must give him some of that food immediately. It is an act of piety to give the waiter some of every food served (Rambam *Sefer Ahava, Hilkhot Berakhot* 7:7; *Sefer Kinyan, Hilkhot Avadim* 9:8; *Shulhan Arukh, Orah Hayyim* 169:1 and *Yoreh De'a* 267:17).

NOTES

Mushrooms – **אַרְדִּי**: It is known that Shmuel was particularly fond of mushrooms and enjoyed eating them for dessert at the conclusion of his meal.

BACKGROUND

I would have been endangered – **אִיסְתַּכְּבֵּן**: The sight of food, and even more so foods with an appealing scent or taste, can have an effect, both physiologically and psychologically, on one who is not eating. Among other things, it can cause secretion of saliva and digestive acids and can cause significant discomfort to the person. It is also possible, under specific conditions, for the experience to cause more serious damage. For example, excessive secretion of digestive acids in a person who has an ulcer can cause extreme pain, a change of complexion, and even fainting.

LANGUAGE

Slices [*gargelidei*] – **גַּרְגְּלִידֵי**: From the Greek γογγυλίδιον, *goggulidion*, meaning a small turnip.

אָמַר רַב יִצְחָק בֶּן חֲנַנְיָא אָמַר רַב הוּנָא: הַכֹּל מְשָׂהוּן בְּפָנָי הַשְּׂמֶשֶׁשׁ, חוּץ מִבֶּשֶׂר וַיִּזְן. אָמַר רַב חֲסָדָא: בֶּשֶׂר שָׁמֵן וַיִּזְן וְשֵׁן. אָמַר רַבָּא: בֶּשֶׂר שָׁמֵן – כָּל הַשְּׂנֵה כּוֹלֵה, וַיִּזְן וְשֵׁן – בְּתַקּוּפַת תַּמּוּז.

§ Apropos statements by Rav Yitzhak ben Hananya, the Gemara cites other statements in his name. **Rav Yitzhak bar Hananya said that Rav Huna said: All foods may be withheld from before the waiter,**<sup>14</sup> as one who is a waiter at the meal must wait until the guests have eaten from every food and only then may he eat, **except for meat and wine**, as these foods arouse the appetite more and the waiter would suffer if he could not eat them together with the other participants. **Rav Hisda said: This is referring only to fatty meat and aged wine. Rava said: It applies to fatty meat all year round but aged wine only during the season of Tammuz**, in the summer. Due to the heat, the aroma of the wine is more pervasive at that time.

אָמַר רַב עֲנַן בֶּר תַּחְלִיפָא: הוּהוּ קְאִימְנָא קְמִיָּה דְמַר שְׁמוּאֵל, וְאִימְתוּ לֵיהּ תַּבְּשִׁילָא דְאַרְדִּי, וְאִי לָאוּ דִּיהֵב לִי – אִיסְתַּכְּבֵּן. אָמַר רַב אֲשִׁי: הוּהוּ קְאִימְנָא קְמִיָּה דְרַב כְּהֲנָנָא, וְאִימְתוּ לֵיהּ גַּרְגְּלִידֵי דְלִיפְתָא בְּחֵלָא, וְאִי לָאוּ דִּיהֵב לִי – אִיסְתַּכְּבֵּן. רַב פַּפָּא אָמַר: אִפִּילוּ תַמְרוּתָא דְהַנּוּמִתָא. כָּלֵלָא דְמִלְתָּא: כָּל דְאִית לֵיהּ רִיחָא וְאִית לֵיהּ קְוִיָּהָ.

**Rav Anan bar Tahalifa said: I was once standing before Mar Shmuel, and they brought him a cooked dish of mushrooms,**<sup>15</sup> and if he had not given me some, I would have been endangered<sup>16</sup> due to the craving that I suffered. **Rav Ashi said: I was once standing before Rav Kahana, and they brought him slices [*gargelidei*]<sup>17</sup> of turnip in vinegar, and if he had not given me some, I would have been endangered. Rav Pappa said: Even a fragrant date should be offered to the waiter. The Gemara concludes: The principle of the matter is: One should offer some of everything that either has an aroma or that has a sharp taste to whomever is present when it is served, so that no one suffer by being unable to partake of these foods.**

אַבוּהוּ בֶר אֵיהִי, וּמִנְיָמִין בֶּר אֵיהִי, חַד סְפִי מִכָּל מִינָא וּמִינָא, וְחַד סְפִי מִחַד מִינָא. מַר – מְשִׁתְּעֵי אֱלִיהוּ בְּהַדְרִיָּה, וּמַר – לֹא מְשִׁתְּעֵי אֱלִיהוּ בְּהַדְרִיָּה.

It is related about two Sages, **Avuh bar Ihi and Minyamin bar Ihi**, that **one of them** was accustomed to give his waiter from every type of food that he ate, while the other **one** would give him only **one of the types** of food that he ate. The Gemara says: **Elijah spoke with this Sage, but Elijah did not speak with that Sage**, since he did not act with piety and caused his waiter to suffer.

הָנְהוּ תַרְתֵּינִין חֲסִידֵי, וְאִמְרֵי לֵה רַב מַרִּי וְרַב פִּנְחָס בְּנֵי רַב חֲסָדָא. מַר קָדִים סְפִי וּמַר מְאַחַר סְפִי, דְקָדִים סְפִי – אֱלִיהוּ מְשִׁתְּעֵי בְּהַדְרִיָּה, דְמְאַחַר סְפִי – לֹא מְשִׁתְּעֵי אֱלִיהוּ בְּהַדְרִיָּה.

Similarly, the Gemara relates an incident with regard to **two pious men**, and some say they were **Rav Mari and Rav Pinehas, the sons of Rav Hisda**: **One Sage would give the waiter something to eat before the meal**, and the other **Sage would give the waiter something to eat after the guests had eaten**. With regard to the one who gave it to him earlier, **Elijah spoke with him. But with regard to the one who gave it to him later, Elijah did not speak with him.**

אֲמַיְמַר וּמַר זוּטְרָא וְרַב אֲשִׁי הוּוּ קָא יְתַבֵּי אִפִּיתְחָא דְבֵי אֲזוּרָא מִלְכָּא, חֲלִיף וְאֲזוּל אֲטוּרְנָנָא דְמִלְכָּא. חֲזוּיָה רַב אֲשִׁי לְמַר זוּטְרָא

The Gemara relates another incident with regard to this matter: **Ameimar and Mar Zutra and Rav Ashi were sitting at the entrance to the house of King Izgur.**<sup>18</sup> **The king's chief butler was passing by with various foods. Rav Ashi saw Mar Zutra's**<sup>19</sup>

PERSONALITIES

**King Izgur – אֲזוּרָא מִלְכָּא**: This is one of the names of the Persian monarch Yazdegerd I, who ruled from 399–420 CE. He was a peaceable king, and during his reign there were positive relations between Persia and Rome. He also showed great tolerance toward the adherents of other religions among his subjects, for which he was criticized as a sinner by the Persian priests. The favorable conditions extended to the Jews during King Izgur's reign were apparently one of the factors that enabled the beginning of the compilation of the Babylonian Talmud.

disciple-colleague of his teachers, Rav Pappa and Rav Nahman bar Yitzhak. Beyond his greatness in *halakha* and *aggada*, Mar Zutra was noted as a preacher, and his homiletic interpretations are cited throughout the Talmud. He apparently held an official opinion as the scholar and preacher of the House of the Exilarch. Late in his life, he was appointed head of the yeshiva of Pumbedita.

**Mar Zutra – מַר זוּטְרָא**: A colleague of Rav Ashi, Mar Zutra was one of the most prominent Sages of his generation and was a

Meetings between Mar Zutra, Ameimar, and Rav Ashi are frequently mentioned in the Talmud, and some of these meetings may well have been at formal conferences of the leaders of Babylonian Jewry of that generation.

NOTES

I saw a leprous spirit – **הואי רוח צרעת** – Rashi and the Rivan explain that Rav Ashi saw a leprous spirit hovering over Mar Zutra. Some commentaries understand this to mean that he therefore understood that Mar Zutra was in an extremely dangerous situation that required him to taste of the food, and this danger outweighed the great risk Rav Ashi took upon himself (Maharsha). However, it is also possible to explain that since he saw a spirit of leprosy over Mar Zutra, he understood that this defect was present in the food as well, and therefore he did not rely on a miracle at all.

His animals and his cattle – **בהמתו ובקרו** – There are two conflicting versions of the text of this Gemara. The version here is similar to that of French manuscripts, whereas the Spanish manuscripts have an alternative version that is the exact opposite: He cannot compel her to place straw before his cattle but he can compel her to place straw before his animals.

Rashi and the Rivan explain the logic of this *halakha* according to the French version: The term animals is referring to horses and donkeys, which are easily aroused when they are in heat and may injure a woman, whereas this is less common among cattle. Other commentaries offer a different rationale: Since cattle are required for plowing or for milk, their care is part of household maintenance, and it is therefore appropriate to delegate this responsibility to the wife; however the husband's horses or donkeys, which he uses for riding, are not her responsibility (*Talmidei Rabbeinu Yona*; see Ritva). Parallel, opposite logic is used by the commentaries to explain the Spanish version: She is obligated to take care of his horse or donkey, as this is one of the personal tasks she performs for her husband, but she is not obligated to feed the cattle used for plowing, as this is categorized as part of the agricultural work, and it would be difficult and demeaning for her (Rid; *Talmidei Rabbeinu Yona*).

BACKGROUND

Flax causes the mouth to smell foul and the lips to stiffen – **פשתן מסריח את הפה ומשרבט את השפתים** – People who spin thread typically moisten the fibers with their mouths in order to make the twisting more effective. The fibers of the flax may damage the lips, and excessive spinning of this type of thread causes an enlargement of the lower lip, upon which the spinning thread is usually rested. Additionally, since the method of preparing the tufts of flax for spinning involves causing the stem to begin to rot, a foul odor is caused by the bacteria. Spinning the flax and placing it in one's mouth causes this foul odor to enter the mouth of the spinner as well.

דחור אפיה, שקל באצבעתיה, אנוח ליה בפומיה. אמר ליה: אפסדת לסעודתך דמלכא. אמרו ליה: אמאי תיעביד הכי? אמר להו: מאן דעביד הכי – פסיל למאכל דמלכא. אמרו ליה: אמאי? אמר להו: דבר אחר תזאי ביה. בדקו ולא אשכחו. שקל אצבעתיה אנוח עליה אמר להו: הכא מי בדקיתו? בדקו אשכחו. אמרו ליה רבנן: מאי טעמא סמכת אנוסא? אמר להו: תזאי רוח צרעת דקא פרחא עילויה.

ההוא רומאה דאמר לה להיא איתתא: מינסבת לי? אמרה ליה: לא. אויל אייתי רימני, פלי ואכל קמה, כל מיא דצערי לה – בלעתיה, ולא הב לה, עד דוג לה. לסוף אמר לה: אי מסינא לך מינסבת לי? אמרה ליה: אין. אויל אייתי רימני, פלי ואכל קמה. אמר לה: כל מיא דצערי לך – תוף שדאי, תוף שדאי. עד דנפקא מינה כי הוצא ירקא, ואתסיאת.

“ועושה בצמר” בצמר – אין בפשתים – לא מתניתין מני – רבי יהודה היא. דתניא: אינו בופה לא לעמוד לפני אביו, ולא לעמוד לפני בנו, ולא ליתן תבן לקרו. בהמתו. אבל בופה ליתן תבן לפני בקרו. רבי יהודה אומר: אף אינו בופה לעשות בפשתן, מפני שפשתן מסריח את הפה ומשרבט את השפתים. והני מילי – בכיתנא רומאה.

רבי אליעזר אומר: אפילו הכניסה לו מיא שפחות. אמר רב מלכו אמר רב אדא בר אבהו: הלכה כרבי אליעזר.

face blanch because he craved the food, so he took some of the food with his finger and put it in Mar Zutra's mouth. The chief butler said to him: You have spoiled the king's meal, as now he will not eat from it. The king's soldiers who were there said to him: Why did you do this? He said to them: The one who makes such awful dishes is the one who actually spoiled the king's food. They said to him: Why do you say this? He said to them: I saw something else, i.e., a leprous infection, in this meat. They checked and didn't find anything. He took his finger and placed it on the food and said to them: Did you check here? They then checked that spot and found the infection. The Sages said to Rav Ashi: What is the reason that you relied on a miracle and assumed that leprosy would in fact be found there? He said to them: I saw a leprous spirit<sup>N</sup> hovering over the food and realized that it had this defect.

The Gemara relates another incident with regard to a similar subject: A certain Roman said to a certain woman: Will you marry me? She said to him: No. In order to convince her, he went and brought pomegranates and peeled them and ate them in front of her and did not give her any of them. The aroma of the pomegranates caused her mouth to water, so she swallowed all of the saliva that caused her anguish, but he did not give her any until she became ill and bloated. Ultimately, he said to her: If I cure you, will you marry me? She said to him: Yes. He went and brought pomegranates, peeled them and ate them in front of her. He said to her: All of the saliva that causes you anguish, spit it out, spit it out. She did this until something like a green leaf came out of her, and then she was cured.

§ The mishna says that a wife must make thread from wool. The Gemara infers: She must make thread from wool, but she is not obligated to do so from flax.<sup>H</sup> The Gemara explains: Whose opinion is expressed in the mishna? It is in accordance with the opinion of Rabbi Yehuda, as it is taught in a *baraita*: A husband may not compel his wife to stand before his father<sup>H</sup> and serve him, or to stand before his son and serve him, or to place straw before his animals,<sup>H</sup> i.e., horses and donkeys, but he can compel her to place straw before his cattle,<sup>N</sup> i.e., cows and bulls. Rabbi Yehuda said: He also cannot compel her to make thread from flax, because flax, while it is being spun, causes the mouth to smell foul and the lips to stiffen.<sup>B</sup> The Gemara comments: This applies only to Roman flax, which causes the most damage.

§ The mishna continues: Rabbi Eliezer says: Even if she brought him a hundred maidservants, he may compel her to make thread from wool, since idleness leads to licentiousness. Rav Malkiyyu said that Rav Adda bar Ahava said: The *halakha* is in accordance with the opinion of Rabbi Eliezer.

HALAKHA

From wool but not from flax – **בצמר אין בפשתים לא** – If it is the custom of women in a certain country to spin wool or flax, the wife must do this and all other tasks. If it is not their custom to do this kind of work, he may compel her to spin only wool but not flax, since the latter causes damage to the mouth and lips, as the Gemara deduces from the mishna and as explained by Rabbi Yehuda (Rambam *Sefer Nashim, Hilkhot Ishut* 21:1; *Shulhan Arukh, Even HaEzer* 80:1).

To stand before his father – **לעמוד לפני אביו** – Although a woman must attend to her husband's various needs, she is not obligated to attend to his father or his son. The Rema quotes the Ran, who

says that this applies only if the father and son are not being sustained by her husband (Rambam *Sefer Nashim, Hilkhot Ishut* 21:3; *Shulhan Arukh, Even HaEzer* 80:4).

To place straw before his animals – **ליתן תבן לפני בהמתו** – One of the tasks that a woman must perform for her husband is placing straw before his animals. Some say that this applies only to the animals he uses for riding purposes (*Helkat Meḥokek*, citing Rosh). She is not, however, obligated to feed his cattle. This follows the version quoted by the Rif, which is the opposite of the version appearing here (Rambam *Sefer Nashim, Hilkhot Ishut* 21:5; *Shulhan Arukh, Even HaEzer* 80:6).

One who vows that his wife is prohibited from doing work – **הַמְדִיר אֶת אִשְׁתּוֹ מִמְלָאכָה** – One who vows to prohibit his wife from doing work must divorce her and give her the payment for her marriage contract, as idleness leads to licentiousness. This ruling is in accordance with Rabbi Eliezer, according to the Gemara's conclusion. For this reason, even if he allows her to occupy herself with other matters so that she not become insane, there is still a concern that she may become licentious (Rambam *Hilkhot Ishut* 21:2; *Shulḥan Arukh, Even HaEzer* 80:2–3).

One who vows that his wife may not benefit from marital relations – **הַמְדִיר אֶת אִשְׁתּוֹ**: One who vows to prohibit his wife from conjugal relations for more than seven days must divorce her and give her the payment for her marriage contract, in accordance with the opinion of Beit Hillel. This is true even if his profession allows for a much longer period of abstinence, as the Gemara (63b) later concludes (Rambam *Sefer Nashim, Hilkhot Ishut* 14:6; *Shulḥan Arukh, Even HaEzer* 76:9).

The set interval defining the husband's conjugal obligation stated in the Torah – **הָעוֹנָה הָאֲמֹרָה בְּתוֹרָה** – A husband is obligated to engage in marital relations with his wife according to a frequency dependent upon his virility and occupation. If the couple did not stipulate an agreed-upon frequency between themselves, then a man of leisure must fulfill his conjugal obligation every night, laborers who are employed in the town of their residence must fulfill their obligations twice a week, donkey drivers once a week, camel drivers once every thirty days, and sailors once every six months, in accordance with the opinion of Rabbi Eliezer (Rambam *Sefer Nashim, Hilkhot Ishut* 14:1; *Shulḥan Arukh, Even HaEzer* 76:1–2).

LANGUAGE

Small dogs [*guriyyata kitanyata*] – **גּוּרֵי־יָטָא קִיטָנֵי־יָטָא**: This version of the text, which appears in the *Arukḥ* as well, is understood to be a term for a specific species of small dogs, which function as pets. However, the exact derivation of the term, and even what language it is from, are unclear.

Games [*nadrashir*] – **נִדְרָשִׁיר**: The better reading of this term, which appears in some versions, is *nardashir*. It derives from the Middle Persian *nēw-ardaxšīr*, a term for a backgammon-like game that was named after the first Sasanian king, Ardashir I.

NOTES

One who vows that his wife may not derive benefit – **הַמְדִיר אֶת אִשְׁתּוֹ** – Rashi and a number of other early authorities explain that this cannot mean that he literally prohibited his wife from experiencing the pleasure of relations with him, since such a vow would not take effect. This is because he is obligated to fulfill her conjugal rights, which according to most of the *tanna'im* is an obligation by Torah law. It must therefore be explained that he phrases the vow in such a way that he prohibits himself from deriving benefit from marital relations with her, and such a vow can take effect.

אָמַר רַבִּי חֲנִינָא בְּרִיהַ דְּרַב אִיקָא: שְׂפָחוֹת וְגוֹמוֹת – רַב מַלְכִּיָּא.

Rabbi Ḥanina, son of Rav Ika, said: The *halakha* discussed in tractate *Beitza* (28b) that a skewer that had been used for roasting meat but no longer has an olive-bulk of meat on it may be moved to a corner on a Festival; the *halakha* with regard to maidservants in the mishna here; and the *halakha* discussed in tractate *Nidda* (52a) that if a girl has two hair follicles in her pubic region, even if there are no hairs growing from them, she is considered to have reached majority and may perform *ḥalitza*; these three *halakhot* were all stated by Rav Malkiyyu.

בְּלוֹרִית, אִפְרַר מְקַלָּה וְגַבִּינָה – רַב מַלְכִּיָּא.

However, the *halakha* discussed in tractate *Avoda Zara* (29a) that a Jew who cuts the hair of a pagan must stop at a distance of three fingerbreadths on every side before he reaches his forelock, as the pagans would grow their forelocks for idolatry and the Jew must not appear as if he were dressing the forelock for idolatrous purposes; and the *halakha* discussed in tractate *Makkot* (21a) that one may not place burnt ashes on a wound, as it looks like a tattoo; and the *halakha* discussed in tractate *Avoda Zara* (35b) that cheese made by a gentile is forbidden, because gentiles smooth the surface of their cheese with lard; these three *halakhot* were all stated by a different Sage named Rav Malkiya.

רַב פָּפָא אָמַר: מִתְּנִיתִין וּמִתְּנִיתָא – רַב מַלְכִּיָּא, שְׂמַעְתָּתָא – רַב מַלְכִּיָּא. וְסִימְנָן: מִתְּנִיתָא מַלְכִּיתָא. מֵאֵי בִינְיָהוּ? אִיקָא בִּינְיָהוּ שְׂפָחוֹת.

Rav Pappa said: The *halakhot* mentioned above that relate to a mishna or a *baraita* were stated by Rav Malkiya, whereas amoraic statements of *halakhot* that are not related to a mishna or *baraita* were taught by Rav Malkiyyu. And your mnemonic to remember this is: **The mishna is a queen [malketa]**, indicating that the comments that are referring to a mishna were made by Rav Malkiya, whose name is similar to the Aramaic term for queen. The Gemara asks: **What is the difference between Rabbi Ḥanina, son of Rav Ika, and Rav Pappa?** The Gemara answers: **There is a practical difference between them** with regard to the *halakha* concerning maidservants. According to Rabbi Ḥanina, this *halakha* was stated by Rav Malkiyyu, whereas Rav Pappa holds that it was taught by Rav Malkiya, since it is referring to a dispute in a mishna.

”רַבִּין שְׂמַעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר” וְכוּ'. הֵיִינוּ תַנָּא קַמָּא! אִיקָא בִּינְיָהוּ דְּמִיטְלָלָא בְּגוֹרֵי־יָטָא קִיטָנֵי־יָטָא וְנִדְרָשִׁיר.

§ The mishna says: **Rabban Shimon ben Gamliel says:** Even one who vows that his wife is prohibited from doing any work<sup>H</sup> must divorce her and give her the payment for her marriage contract, since idleness leads to idiocy. The Gemara asks: **This is essentially the same as the opinion of the first tanna**, Rabbi Eliezer, who said that idleness leads to licentiousness. The Gemara answers: **The practical difference between them is in a case when she plays with small dogs [guriyyata kitanyata]<sup>1</sup> or with games [nadrashir]<sup>1</sup> like chess.** Since there is something occupying her she is not in danger of idiocy, but occupying oneself with diversions of this type may still lead to licentiousness.

מִתְּנִי הַמְדִיר אֶת אִשְׁתּוֹ מִתְּשִׁמִּישׁ הַמְטָה, בֵּית שְׁמַאי אוֹמְרִים: שְׁתֵּי שַׁבָּתוֹת, בֵּית הִלֵּל אוֹמְרִים: שַׁבַּת אַחַת.

**MISHNA** With regard to one who vows that his wife<sup>N</sup> may not derive benefit from marital relations<sup>H</sup> with him, **Beit Shammai say:** He may maintain this situation for up to **two weeks**, but beyond that he must divorce her and give her the payment for her marriage contract. **Beit Hillel say:** He must divorce her if it continues beyond **one week**.

הַתְּלַמִּידִים יוֹצְאִין לְתַלְמוּד תּוֹרָה שְׂלֵא בְּרִשׁוֹת שְׁלֹשִׁים יוֹם, הַפּוֹעֲלִים שַׁבַּת אַחַת. הָעוֹנָה הָאֲמֹרָה בְּתוֹרָה: הַטַּיִלִין – בְּכָל יוֹם, הַפּוֹעֲלִים – שְׁתֵּים בְּשַׁבָּת, הַחֲמֻרִים – אַחַת בְּשַׁבָּת, הַגְּמֻלִים – אַחַת לְשָׁלֹשִׁים יוֹם, הַסְּפָנִים – אַחַת לְשָׁשָׁה חֳדָשִׁים, דְּבָרֵי רַבִּי אֱלִיעֶזֶר.

Apropos the husband's obligation to his wife regarding marital relations, the Gemara mentions other aspects of this issue: **Students may leave their homes and travel in order to learn Torah without their wives' permission** for up to **thirty days**, and **laborers may leave their homes without their wives' permission** for up to **one week**. **The set interval defining the frequency of a husband's conjugal obligation to his wife stated in the Torah** (see Exodus 21:10),<sup>H</sup> unless the couple stipulated otherwise, varies according to the man's occupation and proximity to his home: **Men of leisure**, who do not work, must engage in marital relations every day, **laborers must do so twice a week**, **donkey drivers once a week**, **camel drivers once every thirty days**, and **sailors once every six months**. This is the statement of Rabbi Eliezer.

אפילו – Even with regard to an unspecified vow – **בְּסֵתָם**: The time frame established by the Sages for one who vowed to prohibit his wife from marital relations applies whether or not he specified the period of time, in accordance with the opinion of Shmuel. Although generally the *halakha* is in accordance with Rav in matters relating to prohibitions, all of the authorities ruled in accordance with Shmuel in this case in order not to increase the number of divorces (Rambam *Sefer Nashim*, *Hilkhot Ishut* 14:6; *Shulhan Arukh*, *Even HaEzer* 76:9).

**גמ' מאי טעמא דבית שמאי? גמרי מיולדת נקבה. ובית הלל? גמרי מיולדת זכר.**

**GEMARA** The Gemara asks: **What is the reason that Beit Shammai say a husband may force abstinence on his wife by a vow for a period of up to two weeks without being compelled to divorce her? They derive this from the *halakha* that a woman who gave birth to a female is ritually impure and prohibited from engaging in conjugal relations with her husband for two weeks after childbirth (see Leviticus 12:5). From this they derive that a period of up to two weeks of abstinence is not deemed undue suffering. And from where do Beit Hillel derive their opinion? They derive it from a woman who gave birth to a male, as she is ritually impure for one week (see Leviticus 12:1–4).**

**ובית הלל נמי נגמרו מיולדת נקבה! אי מיולדת גמרי לה – הכי נמי, אלא בית הלל מנדה גמרי לה.**

The Gemara asks: **And if this is so, Beit Hillel should also derive the *halakha* from a woman who gave birth to a female, since it is clear that the Torah does at times mandate a period of abstinence longer than one week. The Gemara answers: If they derived it from a woman who gave birth, this is indeed how they would have derived it. Rather, Beit Hillel derived it from the *halakha* with regard to a menstruating woman, who is prohibited from marital relations for seven days according to Torah law.**

**במאי קמיפלגי? מר סבר: מידי דשכיח ממדי דשכיח, ומר סבר: מידי דהוא גרים לה ממדי דהוא גרים לה.**

The Gemara explains: **With regard to what do they disagree? One Sage, Beit Hillel, holds that one should derive a common matter from a common matter. Consequently, they derive the *halakha* of a permitted abstinence by a husband who vowed not to engage in marital relations with his wife from the *halakha* of a menstruating woman, since both are common cases. And one Sage, Beit Shammai, holds that one should derive a matter that one caused, such as a vow, from a different matter that he caused, i.e., childbirth, and not from menstruation, which was not caused by him at all.**

**אמר רב: מחלוקת במפרש. אבל בסתם – דברי הכל יוציא לאלתר, ויתן כתובה. ושמואל אמר: אפילו בסתם נמי ימתין, שמא ימצא פתח לנדור.**

**Rav said:** The dispute between Beit Hillel and Beit Shammai concerns one who specifies the given period of time in his vow, but if he vowed not to engage in marital relations with her for an unspecified period of time, all agree that he must divorce her immediately and give her the payment for her marriage contract. The reason is that since he did not indicate how long he intended to keep the vow, her suffering begins immediately. **And Shmuel said:** Even with regard to an unspecified vow<sup>41</sup> he should also wait for the same period of time, as perhaps he will find an extenuation enabling the dissolution of his vow and then he will not need to divorce her.

**הא פליגי בה תדא זימנא, דתנן: המדיר את אשתו מליהנות לו, עד שלשים יום – יעמיד פרנס, יותר מכאן – יוציא ויתן כתובה. ואמר רב: לא שנו אלא במפרש, אבל בסתם – יוציא לאלתר ויתן כתובה. ושמואל אמר: אפילו בסתם נמי ימתין, שמא ימצא פתח לנדור!**

The Gemara asks: **Didn't they disagree about this issue once already? As we learned in a mishna (70a):** In the case of one who vows that his wife is prohibited from benefiting from him or his property, if his vow will remain in effect for up to thirty days, he must appoint a trustee to support her. But if the vow will remain in effect for more than that amount of time, he must divorce her and give her the payment for her marriage contract. **And Rav said there:** They taught this only with regard to a case where he specifies a limited time during which the vow would be in effect, but if he vows without specification, he must divorce her immediately and give her the payment for her marriage contract. **And Shmuel said:** Even when he vowed without specification, he should also wait, as perhaps he will discover an extenuation enabling the dissolution of his vow.

**צריכא, דאי איתמר בהא – בהא קאמר רב, משום דלא אפשר בפרנס. אבל בהיא, דאפשר בפרנס – אימא מודי ליה לשמואל. ואי איתמר בהיא – בהא קאמר שמואל, אבל בהא – אימא מודי ליה לרב, צריכא.**

The Gemara answers: **It is necessary to cite the dispute in both cases, as if it were stated only with regard to this case, of one who vows not to engage in marital relations, one might think that in this case Rav says he must divorce her because there is no possibility of appointing a trustee, but that with regard to that *halakha*, in the case when he vows not to provide sustenance, which can be provided by a trustee, one would say that Rav concedes to Shmuel that he should wait. Conversely, if the dispute was stated with regard to that case, where a trustee can be appointed, one might think that in that case Shmuel said to wait, but in this case of one who vows not to engage in marital relations, one might say that Shmuel concedes to Rav. Therefore, it is necessary to cite the dispute in both cases.**

”התלמידים יוצאים לתלמוד” וכו’.  
ברשות כמה? כמה דבעי.

§ The mishna said that **students may leave** their homes and travel for up to thirty days in order to **learn Torah**, without their wives’ permission. The Gemara asks: If they went **with permission**, for **how long** can they go? The Gemara expresses wonderment at this question: If they went with the permission of their wives, they can go for **as long as they want**. If the husband and wife agree on this, why is there any reason for the court to intervene?

Perek V  
Daf 62 Amud a

אורחא דמילתא כמה? אמר רב: חדש כאן וחדש בבית, שנאמר “לכל דבר המחלקות הבאה והיוצאת חדש בחדש לכל חדשי השנה”. ורבי יוחנן אמר: חדש כאן ושנים בביתו, שנאמר “חדש יהיו בלבנון שנים חדשים בביתו”.

The Gemara explains its query: Although a man can legally make any agreement with his wife to limit her conjugal rights, **how much** is an acceptable manner for this matter?<sup>14</sup> Rav said: The husband may spend a month here, in the study hall, and then must spend a month at home. The allusion to this is as it is stated with regard to reserve units serving in King David’s army: “In any matter of the courses, which came in and went out month by month throughout all the months of the year” (1 Chronicles 27:1). And Rabbi Yohanan said: He may spend one month here, in the study hall, and then two months in his home, as it is stated with regard to workers who worked in the construction of the Temple: “A month they were in Lebanon, and two months at home” (1 Kings 5:28).

ורב נמי: מאי טעמא לא אמר מההיא? שאני בגין בית המקדש, דאפשר על ידי אחרים. ורבי יוחנן, מאי טעמא לא אמר מההיא? שאני התם, דאית ליה הרותחה.

The Gemara asks: And what is the reason that Rav did not also say a proof from that source that Rabbi Yohanan quoted? The Gemara answers: The construction of the Temple is different, since it is possible for this work to be performed by others, as there were many people involved in it, but with regard to Torah study, which cannot be performed by others, he is given permission to spend a month here and a month there. The Gemara further questions: And what is the reason that Rabbi Yohanan did not say a proof from that source that Rav quoted? The Gemara answers: There, with regard to King David, it is different, since he gains profit from working for the king; since there is profit involved, his wife might be willing to forgo his staying with her. However, in general a woman wants her husband to spend most of his time at home, so with regard to Torah study, where there is no monetary profit, she will not waive her right for as long.

אמר רב: אנהה שוברת חצי גופו של אדם, שנאמר “ואתה בן אדם האנח בשברון מתנים ובמרוות תאנח”. ורבי יוחנן אמר: אף כל גופו של אדם, שנאמר “והיה כי יאמרו אליך על מה אתה נאנח ואמרת אל שמועה כי באה ונמס כל לב ורפו כל ידים וכהתה כל רוח וכל ברבים תלכנה מים”.

§ Apropos a dispute between Rav and Rabbi Yohanan with regard to the construction of the Temple, the Gemara cites another dispute between them. Rav said: Groaning breaks half of a person’s body, as it is stated: “Groan, therefore, you son of man, with the breaking of your loins, groan so bitterly” (Ezekiel 21:11), which indicates that groaning breaks half of a one’s body, down to his loins. And Rabbi Yohanan said that groaning breaks even a person’s entire body, as it is stated: “And it shall be, when they say to you: Why are you groaning? That you shall say: Due to the tiding, for it comes, and every heart shall melt, and all hands shall be slack, and every spirit shall be faint, and all knees shall drip with water” (Ezekiel 21:12).

ורבי יוחנן נמי, הכתיב “בשברון מתנים!” ההיא דכי מתחילא – ממתנים מתחילא. ורב נמי הכתיב “ונמס כל לב ורפו כל ידים וכהתה כל רוח”! שאני שמועה דבית המקדש, דתקיפא טובא.

The Gemara asks: And why doesn’t Rabbi Yohanan also say that it breaks half of one’s body? Isn’t it written: “With the breaking of your loins,” implying that it does not break the entire body? The Gemara answers: This does not mean that the breakage only reaches the loins, but rather that when the sigh begins to affect a person, it begins from his loins. The Gemara asks: And why doesn’t Rav also say that it breaks the entire body? Isn’t it written: “And every heart shall melt, and all hands shall be slack, and every spirit shall be faint,” which indicates that groaning causes the entire body to break? The Gemara answers: The news with regard to the destruction of the Temple is different, as it is extremely crushing and causes great anguish, but in general a sigh causes only half of the body to break.

NOTES

How much is an acceptable manner for this matter – אורחא דמילתא כמה: Rashi explains that this question indicates that although one may succeed in persuading his wife to give him permission to leave for an extended period, there is still a concern that she may not have agreed wholeheartedly. Consequently, the Gemara asks about the amount of time for which it can be assumed that a wife would not resent her husband’s absence. Rabbi Aharon HaLevi offers an alternative explanation, that the question is referring to a wife who gave her husband permission to leave without specifying a period of time and the Gemara is asking what she meant in doing so.