

משום דרב זביד גברא רבה הוא אפכיתו ליה לדינא עילויה? האמר רב כהנא: מיבעיא בעי לה רבא ולא פשיט! השתא דלא אתמר לא הכי ולא הכי, תפסה – לא מפקין מינה, לא תפסה – לא יהבינן לה.

ומשהינן לה תריסר ירחי שתא אגיטא, ובתנך תריסר ירחי שתא לית לה מזוני מבעל.

אמר רב טובי בר קיסנא אמר שמואל: בותבין אגרת מרד על ארוסה, ואין בותבין אגרת מרד על שומרת יבם. מיתבי: אחת לי ארוסה ונשואה, אפילו נדה, אפילו חולה, ואפילו שומרת יבם!

לא קשיא: כאן – שתבעה הוא, כאן – שתבעה היא. דאמר רב תחליפא בר אבימי אמר שמואל: תבע הוא – נקקין לו, תבעה היא – אין נקקין לה.

במאי אוקימתא להא דשמואל – בשתבעה היא, האי בותבין אגרת מרד על ארוסה? לארוסה מיבעי ליה! הא לא קשיא, תני: לארוסה.

מאי שנא שומרת יבם דלא – דאמרין לה: זיל, לא מפקדת. ארוסה נמי – נמא לה: זיל, לא מפקדת! אלא בבאה מחמת טענה, דאמרה: בעינא חוטרא לידא ומרה לקבורה.

Because Rav Zevid is a great man, and due to his piety and humility he would not challenge the ruling, you twist the judgment against him? Didn't Rav Kahana say: Rava raises a dilemma with regard to this issue and did not resolve it, so how did you rule that she may retain her worn clothes? The Gemara summarizes: Now that it was not stated and concluded this way or that way, if she seized an item of her possessions, we do not take it away from her,<sup>h</sup> but if she did not seize it, we do not give it to her.

The Gemara adds another *halakha* with regard to a rebellious woman: And we delay her bill of divorce for twelve months<sup>n</sup> of the year<sup>h</sup> and do not give her a bill of divorce until then. And during those twelve months of the year she does not receive sustenance from her husband.

§ Rav Tuvi bar Kisna said that Shmuel said: The court writes a letter of rebellion about a betrothed woman who is rebelling against her husband. This letter is a court order to deduct value from the marriage contract. But it does not write a letter of rebellion about a widow awaiting her *yavam* who does not want to enter into levirate marriage. The Gemara raises an objection from a *baraita*: It is the same to me if she is a betrothed woman or a married woman, and even if she is a menstruating woman, and even if she is ill, and even if she is a widow awaiting her *yavam*.

The Gemara answers: This is not difficult, as the contradiction can be resolved in the following way: Here, where there is a distinction between a betrothed woman and a widow awaiting her *yavam*, it refers to a case where he asked to marry her and she is refusing; there, where there is no such distinction, the case is where she asked to marry him and he is refusing. As Rav Tahalifa bar Avimi said that Shmuel said: If he asked, the court responds to his request and gives her the status of a rebellious woman, but if she asked, it does not respond to her request and does not add to her marriage contract.

The Gemara inquires: In what manner did you establish that which Shmuel said, that one writes a letter of rebellion about a betrothed woman but not about a widow awaiting her *yavam*? If it is a situation where she asked to marry him and he did not want, then why phrase this: The court writes a letter of rebellion about a betrothed woman, which indicates that the bill is written against her. It should have said instead: Write a letter of rebellion for a betrothed woman, meaning it is written on her behalf against her husband. The Gemara answers: This is not difficult, as the text is imprecise. Teach the statement instead this way: For a betrothed woman.

The Gemara asks: What is different about a widow awaiting her *yavam*, for whom a letter of rebellion is not written against her husband? Because we say to her: Go away; you are not commanded to procreate. Therefore, although she cannot get married, he cannot be compelled to perform an act that the Torah does not specifically command him to perform. The Gemara challenges this answer: If this is the reasoning, then in the case of a betrothed woman, too, let us say to her: Go away; you are not commanded.<sup>n</sup> Rather, the case where a letter of rebellion is issued must be referring to a woman who comes with a claim, saying: I want a staff in my hand and a hoe for burial, i.e., I want children who will support me in my old age and attend to my burial after my death. This claim is valid, and therefore the court issues a letter of rebellion against the husband.

HALAKHA

**We do not take it away from her – לא מפקין מינה:** In an ordinary case of a rebellious woman, i.e., one who says she wishes to remain married to her husband but rebels in order to cause him anguish, she must return everything she received from her husband if he divorces her. However, guaranteed property that she brought into the marriage and that was recorded in her marriage contract as well as her worn clothes are not taken away from her if she seizes them, but if she did not seize them, they are not given to her. The Rema says that any real estate she brought into the marriage as guaranteed property is returned to her, since this property is viewed as if she had seized it, while her usufruct property always belongs to her. This ruling is in accordance with the interpretation of the Rambam that the Gemara is referring to an ordinary case of a rebellious woman. If she says that she is disgusted with her husband, there are differing opinions among the later authorities concerning the details of the *halakha* (Rambam *Sefer Nashim, Hilkhot Ishut* 14:13; *Shulhan Arukh, Even HaEzer* 77:3).

**We delay her bill of divorce for twelve months of the year – משהינן לה תריסר ירחי שתא:** A rebellious woman is not granted a bill of divorce immediately. Rather, she must wait twelve months. During this period she is not entitled to sustenance from her husband. However, her earnings belong to her. Her husband remains obligated to ransom her if she is taken captive and bury her if she dies. In the latter case, her husband inherits her property, in accordance with the ruling of the Rambam.

If, however, she is not rebelling in order to cause her husband anguish, but rather she says that she is disgusted by him, he may divorce her without delay, in accordance with the opinion of the Rambam. This is the accepted ruling, despite the fact that Rambam's ruling with regard to forcing the husband to divorce her in such a case is not accepted (Rambam *Sefer Nashim, Hilkhot Ishut* 14:10; *Shulhan Arukh, Even HaEzer* 77:2).

NOTES

**We delay her bill of divorce for twelve months – ומשהינן לה:** The commentaries dispute the interpretation of this *halakha*, in accordance with the general dispute concerning the meaning of this entire passage. According to Rashi, who maintains that the Gemara is discussing a wife who says that she is disgusted by her husband, the Sages decreed that she must be given time to change her mind. If she retracts her decision during this twelve-month period, she loses nothing. Accordingly, this enactment is primarily for her benefit.

Others, such as Rabbi Yosef Migash and the Rambam, maintain that this *halakha* is referring only to an ordinary case of a rebellious woman, who says that she wants to remain married to her husband but wants to cause him anguish. But if she says that she is disgusted by him he must divorce her without delay.

The Rosh says that this enactment was established by the later *amora'im*, who observed that women were making rash decisions and were too quick to claim that their husbands disgusted them. Consequently, they decreed that the husband should wait twelve months before granting her a divorce, in order to give her time to reconsider. The Rosh further claims that this enactment annulled the earlier one concerning the four weeks of public announcements.

**Let us say to her: Go away, you are not commanded – נמא לה: זיל, לא מפקדת:** The early commentaries ask: The same could be said to a married woman whose husband rebels against her, as she too is not commanded to procreate. They answer that in the case of a married woman, the claim is not based on the performance of the mitzva, but rather on the fact that by marrying her, her husband obligated himself to fulfill his duty of conjugal relations (Ramban; Rashba; Ritva).

He asks her to consummate the levirate marriage – **תבע הוא לייבם**: This *halakha* is the subject of a dispute among the ruling authorities. If the *yavam* wishes to consummate the levirate marriage and the *yevama* refuses to do so, some claim she is treated as a rebellious woman, in accordance with the first mishna. Others hold that she is not treated as a rebellious woman, in accordance with the ultimate version of the mishna. In any case, the custom in all Ashkenazic communities, as well as in many other communities, is that levirate marriage is not performed at all unless there are special reasons for doing so (Rambam *Sefer Nashim, Hilkhot Yibbum VaHalitza* 2:10; *Shulhan Arukh, Even HaEzer* 165:1; see *Pithei Teshuva* there).

**Asked her to perform halitza – תבע לחלוץ**: If the *yavam* requested to perform *halitza* and the *yevama* refuses both *halitza* and levirate marriage, she has the status of a rebellious woman. If she demands *halitza* and he refuses, he is not forced to comply. Some add that the custom is not to compel him to perform *halitza* at all, even in a situation where he is unable to enter levirate marriage. Rather, the court attempts to work out a compromise between them and persuade him verbally (Rambam *Sefer Nashim, Hilkhot Yibbum VaHalitza* 2:10; *Shulhan Arukh, Even HaEzer* 165:1, 3, and in the comment of Rema).

**Levirate marriage and halitza – בימים וחליצה**: The early commentaries dispute this matter. Some say that the mitzva of levirate marriage takes precedence over the mitzva of *halitza*, in accordance with the ruling of the first mishna (Rif; Rambam). In their opinion, the Gemara here and elsewhere rules in accordance with this opinion. Others maintain that the mitzva of *halitza* takes precedence, as stated in the unattributed mishna here (Rashi, and one opinion cited by the Rif). Both opinions are mentioned in the *Shulhan Arukh* (Rambam *Sefer Nashim, Hilkhot Yibbum VaHalitza* 1:2, 2:7; *Shulhan Arukh, Even HaEzer* 165:1, 3).

BACKGROUND

**To perform halitza – לחלוץ**: *Halitza* is the ceremony that frees a *yavama*, the widow of a childless man, from the obligation to marry one of her late husband's brothers and allows her to marry someone else (see Deuteronomy 25:7–10). The term *halitza*, meaning removal, is derived from the central element of this ceremony, which involves the widow removing a special sandal from the foot of one of the brothers. *Halitza* must be performed before a rabbinical court. The *halakhot* governing this ceremony are discussed in detail in tractate *Yevamot*.

**To consummate the levirate marriage – לייבם**: A man whose brother died without children is obliged by Torah law to marry his late brother's widow or to free her by means of a *halitza* ceremony (see Deuteronomy 25:5–10). As long as neither levirate marriage nor *halitza* has taken place, she is prohibited from marrying another man. According to the Torah, levirate marriage is effected by the act of sexual intercourse. The Sages, however, instituted the practice of *ma'amar*, in which the deceased husband's brother betroths the widow, although this betrothal is not effective by Torah law unless the couple engages in intercourse. Sexual relations consummate the marriage between the deceased's brother and the widow, and she is thereafter considered his wife in all respects. Today, in most Jewish communities the brother-in-law is required to free his brother's widow of her obligation through *halitza* and is not permitted to marry her through levirate marriage.

הכי נמי שומרת יבם – בבאה מחמת טענה! אלא, אידי ואידי שתבע הוא, ולא קשיא; כאן – לחלוץ, וכאן – לייבם. דאמר רבי פדת אמר רבי יוחנן: תבע לחלוץ – נוקזין לו, תבע לייבם – אין נוקזין לו.

מאי שנא לייבם דלא – דאמרין ליה: זיל ונסבי איתתא אחריתי. לחלוץ נמי, נמא ליה: זיל ונסבי איתתא אחריתי!

אלא, דאמר בין דאגידא בי – לא קא יהבו לי אחריתי.

הכא נמי בין דאגידא בי – לא קא יהבו לי אחריתי! אלא, אידי ואידי שתבע לייבם. ולא קשיא: כאן – במשנה ראשונה, כאן – במשנה אחרונה.

דתנן: מצות יבום קודמת למצות חליצה. בראשונה, שהיו מתכוונין לשום מצוה. עכשיו שאין מתכוונין לשום מצוה – אמרו: מצות חליצה קודמת למצות יבום.

”עד מתי הוא פוחת” וכו'. מאי טרפעיקין? אמר רב ששת: אסתירא, וכמה אסתירא? פלגא דזוזא. תניא נמי הכי, רבי יהודה אומר: שלשה טרפעיקין, שהן תשע מעין, מעה וחצי לכל יום.

The Gemara asks: **So too here**, if she is a widow awaiting her *yavam* who comes with a claim, why shouldn't the court listen to her? Rather, the Gemara retracts the explanation that she asked him to marry her. Instead, say that both **this and that** are discussing situations where he asks<sup>1</sup> her and she rebels, and the question from the *baraita* on Shmuel's statement is **not difficult**. Here, the *baraita* that said that the court writes a letter of rebellion about a widow awaiting her *yavam*, is referring to a case where the *yavam* asked her to perform *halitza*<sup>2</sup> and she refused. There, Shmuel's statement that the court does not write it, is referring to a case where he asked to consummate the levirate marriage,<sup>3</sup> as Rabbi Pedat said that Rabbi Yoḥanan said: If the *yavam* asked her to perform *halitza*<sup>4</sup> and she refused, the court responds to him. If he asked to perform levirate marriage, the court does not respond to him.

The Gemara asks: **What is different** with regard to the request to consummate the levirate marriage, that if a woman refuses the court does not write a letter of rebellion against her? **Because we say to him: Go and marry another woman**. He is not required to marry her specifically, if she does not agree to the marriage. Therefore, her refusal is not deemed rebellion. The Gemara challenges that answer: If so, with regard to a request to perform *halitza* also, **let us say to him: Go and marry another woman**. The difference between the two cases is still not clear.

Rather, it must be that the reason is because **he says: Since she is attached to me they will not give me another wife**. As long as he has not performed *halitza*, he may have a problem finding another wife, as a potential wife will be concerned that he has a woman attached to him and may eventually enter levirate marriage with him. This is a valid claim, and therefore the court writes a letter of rebellion against her if she refuses *halitza*.

The Gemara asks: If so, **here too**, when she refuses a request to consummate the levirate marriage, he may say: **Since she is attached to me they will not give me another**. Why then doesn't the court write a letter of rebellion in this case? **Rather**, one must say that **this and that** are both discussing a case where he asked to consummate the levirate marriage. **And it is not difficult**. Here, in Shmuel's statement, where the court writes a letter of rebellion, it is **in accordance with the first mishna**. There, in the *baraita*, where it doesn't write one, it is **in accordance with the ultimate version of the mishna**.

As we learned in a mishna (*Bekhorot* 13a): **The mitzva of levirate marriage precedes the mitzva of halitza**.<sup>5</sup> This *halakha* originally applied when people would intend to perform the levirate marriage for the sake of the mitzva. At that time, it was customary to compel a woman to enter levirate marriage. If she refused, the court wrote a letter of rebellion about her. However, **now that people do not intend to enter levirate marriage for the sake of the mitzva**, but may have other intentions, the Sages said: **The mitzva of halitza precedes the mitzva of levirate marriage**. Shmuel's statement that the court does not write a letter of rebellion about a widow awaiting her *yavam* is in accordance with the ultimate version of the mishna.

**S** The mishna asks: **Until when does he reduce** her marriage contract? And in that context it states that, according to the opinion of Rabbi Yehuda, the sums involved are calculated in *terapa'ikin* and not in dinars. The Gemara asks: **What are terapa'ikin?** Rav Sheshet said: **An asteira**,<sup>6</sup> a small coin. **And how much is an asteira?** A half of a dinar. **This is also taught in a baraita: Rabbi Yehuda says: Three terapa'ikin, which are nine ma'as, a ma'a and a half for each day, multiplied by six for the six days of the week.**

LANGUAGE

**Asteira** – אסתירא: The name of a Greek coin, *στατήρ*, *statēr*. an *asteira* of lesser value, which was worth one-eighth of the larger Tyrian coins, i.e., half a dinar. When made of gold, these coins were worth a *sela*, or four dinars. However, in this case the reference is to the currency of the state,

It is reduced and it does not appear to be Shabbat wages – דְּמִיפְחָת קָא פְּחִית לָא מִיחֻי בְּשֹׁכֵר שַׁבָּת: The Sages prohibited receiving wages for work performed on Shabbat, even if no prohibited labors are involved in the work. This is a rabbinic law designed to prevent people from engaging in prohibited commerce on Shabbat (Rashi).

## NOTES

What is the difference between a rebellious man and a rebellious woman – מַה בֵּין מוֹרֵד לְמוֹרֶדֶת: The commentaries infer from this passage that the *halakha* pertaining to a rebellious woman is in accordance with the opinion of Rav Huna, who maintains that the rebellion refers to the denial of sexual relations. According to the opinion of Rabbi Yosei bar Rabbi Hanina, that the rebellion concerns the tasks she is obligated to perform, this discussion does not make sense at all.

And he must give her a bed – וְנוֹתֵן לָהּ מִטָּה: The early commentaries note that the mishna lists only those items of food and clothing required for her physical needs. However, it does not mention other articles needed for the preparation of her food. These additional objects, which include a lamp and a wick, are listed in the *Tosefta*.

## BACKGROUND

*Maneh* – מָנֶה: In this context, *maneh* is referring to a weight that is not identical to the coin of the same name, although they were likely of the same weight. There is a difference in weight between the Greek and the Italian *maneh*, and the Gemara is probably referring to the Italian *maneh*, which weighed roughly 327 g.

Soft mat – מַפֵּץ: This refers to a type of mat woven out of reeds. The difference between a soft and a hard mat is probably that a hard mat was woven out of whole reeds, whereas a soft mat was comprised of parts of reeds, perhaps their soft inner sections.

Cap – כִּפָּה: Women would cover their hair with a large cap made from wool or some other material. This cap would cover most of their hair. Usually, a woman would not venture into the street wearing only a cap. Rather, she would add a scarf, a kerchief, or some other kind of head covering or ornamentation.



Bust of a Roman woman, with head covering of several layers

אמר ליה רבי חייה בר יוסף ל שמואל: מאי שנא איהו דיהבין ליה דשבת, ומאי שנא איהי דלא יהבין לה דשבת? איהי דמיפחת קא פחית – לא מיחוי בשכר שבת, איהו דאוספי קא מוספא,

Rabbi Hiyya bar Yosef said to Shmuel: What is different when she is the one rebelling against him, that we give him compensation for Shabbat, as her marriage contract is reduced by seven dinars a week, which is one dinar per day including Shabbat, and what is different for her that we do not give her compensation for Shabbat but rather only for six days? The Gemara explains: When it is she who is fined and her marriage contract is reduced, it does not appear to be Shabbat wages,<sup>N</sup> money paid for services rendered on Shabbat, which is prohibited. Whereas when it is he who is fined and compelled to add additional money every day to her marriage contract,

Perek V  
Daf 64 Amud b

מיחוי בשכר שבת.

אמר ליה רבי חייה בר יוסף ל שמואל: מה בין מורד למורדת? אמר ליה: צא ולמד משוק של זונות. מי שוכר את מי? דבר אחר: זה – יצרו מבחוג, וזו – יצרה מבפנים.

it does appear to be Shabbat wages. Consequently, the Sages decreed that he should not give her money for Shabbat.

On the same issue, Rabbi Hiyya bar Yosef said to Shmuel: What is the reason for the difference in *halakha* between a rebellious man and a rebellious woman?<sup>N</sup> According to all opinions, a rebellious wife's fine is greater than that of a rebellious husband. He said to him: Go and learn from the market of prostitutes. Who hires whose services? Clearly, a man suffers more from lack of sexual intercourse, and therefore the penalty for a rebellious wife is greater. Alternatively, when he desires sexual relations, his inclination is noticeable on the outside, and therefore he feels shame as well as pain. But for her, her inclination is on the inside, and is not obvious.

**MISHNA** If someone feeds his wife by means of a third party serving as a trustee, while the husband himself is not living with her for some reason, he may not give her less than two *kav*<sup>H</sup> of wheat or four *kav* of barley a week for her sustenance. Rabbi Yosei said: Only Rabbi Yishmael, who was near Edom, allotted her barley. And he must give her half a *kav* of legumes, and half a *log* of oil, and a *kav* of dried figs or the weight of a *maneh*<sup>B</sup> of fig cakes. And if he does not have these fruits, he must apportion for her a corresponding amount of fruit from elsewhere.

מתני' המשרה את אשתו על ידי שלישי – לא יפחות לה משני קבין חטין, או מארבעה קבין שעורין. אמר רבי יוסי: לא פסק לה שעורין אלא רבי ישמעאל, שהיה סמוך לאדום. ונותן לה חצי קב קטנית, וחצי לוג שמן, וקב גרוגרות, או מנה דבילה. ואם אין לו – פוסק לעומתן פירות ממקום אחר.

And he must give her a bed,<sup>N</sup> a soft mat,<sup>B</sup> and a hard mat. And he must give her a cap<sup>B</sup> for her head, and a belt for her waist, and new shoes from Festival to Festival, i.e., he must buy her new shoes each Festival. And he must purchase garments<sup>H</sup> for her with a value of fifty dinars from year to year. The mishna comments: And he may not give her new clothes, which tend to be thick and warm, in the summer, nor worn garments in the rainy season, as these are too thin and she will be cold. Rather, he should give her clothes at a value of fifty dinars in the rainy season, and she covers herself with these same worn garments in the summer as well. And the leftover, worn clothes belong to her.

ונותן לה מטה, מפץ ומחצלת, ונותן לה כפה לראשה ורחגור למתנה, ומנעלים ממועד למועד, וכלים של חמשים וזו משנה לשנה. ואין נותנין לה לא חדשים בימות החמה, ולא שחקים בימות הגשמים. אלא נותן לה בלים של חמשים זו בימות הגשמים, והיא מתכסה בבלאותיהן בימות החמה, והשחקים שלה.

## HALAKHA

Two *kav* – שני קבין: How much food must a husband provide for his wife? He must give her bread for two meals a day and a minor dish to go with it. For Shabbat, he must give her food for three meals. The Rambam writes that he must provide her with the type of food eaten by the residents of their place, either wheat or barley, or even rice or millet, if these are the staple grains (Rambam *Sefer Nashim, Hilkhot Ishut* 12:10; *Shulhan Arukh, Even HaEzer* 70:3).

And garments – כְּלִיִּים: A husband must provide his wife with clothes worth fifty dinars every year. He buys her new clothes

in the rainy season, which she wears through the summer. The worn clothes belong to her. Furthermore, he must provide her with a garment for her waist, a cap for her head, and new shoes every Festival. His obligation to clothe her includes also the provision of household vessels, i.e., a ready bed and a soft or hard mat. The Rambam writes that this list is referring to Eretz Yisrael at that time. In other locations, the details vary. The principle is that he must give her suitable attire for the summer and the rainy season, which consists of the simplest of garments customarily worn in that time and place (Rambam *Sefer Nashim, Hilkhot Ishut* 13:1–3; *Shulhan Arukh, Even HaEzer* 73:1).

**BACKGROUND**

**The warp and the woof – שְׂתֵי יָעֵב:** The act of weaving was performed using the threads of the warp, which were mainly fixed in the loom. In certain cases, these threads could be lifted up, but generally they were firmly attached. The threads of the warp form the basis of the woven material, while the threads of the woof are passed through those of the warp by various means. Since the threads of the warp hold the woven material together, they must be far stronger than those of the woof, despite the fact that they are often significantly thinner. Consequently, the spinning of the warp must be very precise and much stronger than that of the woof. Therefore, the Sages determined that twice as much work is required to manufacture an equal weight of threads suitable for warp as for threads to be used for woof.

**Pundeyon – פּוּנְדֵיּוֹן:** A *pundeyon* is a coin worth two *issar*. There are twelve *pundeyon* in a *dinar* and forty-eight *pundeyon* in a *sela*. The source of the word is the Latin *dupondius*, meaning two *assarii*, which were Roman coins.



Dupondius coin struck in Rome for the emperor Augustus

**The se'a and the kav – סָאָה וְקָב:** The *se'a* is a basic measure of volume in the Bible and the Talmud. A *se'a* is six *kav*. Accordingly, four *se'a* equal twenty-four *kav*. The loaf referred to here, which is one forty-eighth of this amount, is therefore half a *kav* in volume.

וְנָתַן לָהּ מִעֵהָ כֶּסֶף לְצוּרָהּ, וְאוֹכֵלֶת עִמּוֹ מִלֵּילֵי שַׁבָּת לְלֵילֵי שַׁבָּת. וְאִם אֵין נֹתֵן לָהּ מִעֵהָ כֶּסֶף לְצוּרָהּ – מִעֵשָׂה יְדִיהָ שְׂלָהּ.

וּמָה הִיא עוֹשָׂה לוֹ – מִשְׁקָל חֲמִשָּׁה סֵלָעִים שְׁתֵּי בֵיהוּדָה, שֶׁהֵן עֶשְׂרֵי סֵלָעִים בְּגָלִיל. אוֹ מִשְׁקָל עֶשְׂרֵי סֵלָעִים עָרֵב בֵּיהוּדָה, שֶׁהֵן עֶשְׂרִים סֵלָעִים בְּגָלִיל. וְאִם הִיתָה מְנִיקָה – פּוֹחֲתִין לָהּ מִמִּעֵשָׂה יְדִיהָ, וּמוֹסִיפִין לָהּ עַל מְזוֹנוֹתֶיהָ. בְּמָה דְבָרִים אֲמוּרִים – בְּעֵנֵי שְׁבִישָׁרְאֵל, אֲבָל בְּמִכּוּבָד – הַכֹּל לְפִי כְּבוֹדוֹ.

**גַּמ' מִנֵּי מִתְּנִיתִין?** לֹא רַבִּי יוֹחָנָן בֶּן בְּרוּקָא, וְלֹא רַבִּי שִׁמְעוֹן. דְּתַנּוּ: וְכַמְּהָ שִׁיעוּרוֹ – מְזוֹן שְׁתֵּי סְעוּדוֹת לְכָל אֶחָד וְאֶחָד, מְזוֹנוֹ לְחוּל וְלֹא לְשַׁבָּת, דְּבַרֵּי רַבִּי מֵאִיר. רַבִּי יְהוּדָה אוֹמֵר: לְשַׁבָּת וְלֹא לְחוּל, וְזֶה וְזֶה מִתְּכַוְּנִין לְהַקְלֹת.

רַבִּי יוֹחָנָן בֶּן בְּרוּקָא אוֹמֵר: כְּכֹר הַלְקוּחַ בְּפוּנְדֵיּוֹן. מֵאַרְבַּע סָאִין לְסָלַע. רַבִּי שִׁמְעוֹן אוֹמֵר: שְׁתֵּי יָדוֹת לְכַכָּר, מִשְׁלֹשׁ כְּכָרוֹת לְקָב.

In addition to the above, he must give her another silver *ma'a*<sup>H</sup> coin for the rest of her needs. And she eats with him<sup>H</sup> from Shabbat evening to Shabbat evening. Although he may provide for her sustenance via a third party throughout the week, on Shabbat evening she has the right to eat together with him. And if he does not give her a silver *ma'a* coin for her needs, her earnings belong to her.

And what is the fixed amount that she must earn for him? She must spin wool in the weight of five *sela* of threads of the warp in Judea, which are equivalent to ten *sela* according to the measurements of the Galilee, or the weight of ten *sela* of the threads of the woof,<sup>B</sup> which are easier to prepare, in Judea, which are equivalent to twenty *sela* according to the measurements used in the Galilee. And if she is nursing<sup>H</sup> at the time, the required amount is reduced from her earnings and is added to the sum she receives for her sustenance. In what case is this statement, i.e., all these amounts and measurements, said? With regard to the poorest<sup>H</sup> of Jews, i.e., these are the minimum requirements. However, in the case of a financially prominent man, all the amounts are increased according to his prominence.

**GEMARA** Whose opinion is expressed in the mishna? It is not Rabbi Yohanan ben Beroka and it is not Rabbi Shimon, as we learned in a mishna (*Eiruv* 82b): What is the measure for a joining of Shabbat boundaries [*eiruv*]? It consists of a quantity of food sufficient for two meals for each and every one of those included in the *eiruv*. The *tanna'im* disagree with regard to the definition of these two meals: It is referring to one's food that he eats on a weekday and not on Shabbat; this is the statement of Rabbi Meir. Rabbi Yehuda says: It is referring to the amount he eats on Shabbat and not on a weekday. And both this Sage, Rabbi Meir, and that Sage, Rabbi Yehuda, intend to be lenient, as Rabbi Meir maintains that people eat more food on Shabbat, whereas Rabbi Yehuda believes that they consume more on a weekday.

Rabbi Yohanan ben Beroka says:<sup>H</sup> Food for two meals is the size of a loaf bought with a *pundeyon*,<sup>B</sup> which is one forty-eighth of a *sela*, when four *se'a* of wheat are sold for a *sela*. According to this calculation, a *pundeyon* can purchase one-twelfth of a *se'a* of wheat, which is equivalent to half of a *kav*, as there are six *kav* in a *se'a*. Therefore, according to Rabbi Yohanan ben Beroka, one quarter of a *kav* is sufficient for a single meal. Rabbi Shimon says: Food for two meals is two of three parts of a loaf, when three loaves are prepared from a *kav*<sup>B</sup> of wheat. According to Rabbi Shimon, therefore, one-ninth of a *kav* of wheat is sufficient for a meal.

**HALAKHA**

A silver *ma'a* – מִעֵהָ כֶּסֶף: The husband must give his wife a silver *ma'a* every week for the rest of her requirements (Rambam *Sefer Nashim*, *Hilkhot Ishut* 12:10; *Shulhan Arukh*, *Even HaEzer* 70:3).

And she eats with him – וְאוֹכֵלֶת עִמּוֹ: If a husband wants to give his wife the food she requires while she eats her meals by herself, he is permitted to do so. However, he must dine with her on Shabbat evening, in accordance with the explanation of Rav Nahman. Some claim that he may not require his wife to eat alone without her acquiescence (Rambam *Sefer Nashim*, *Hilkhot Ishut* 12:12; *Shulhan Arukh*, *Even HaEzer* 70:2, and in the comment of Rema).

If she is nursing – אִם הִיתָה מְנִיקָה: During the period when a wife is nursing her child, the amount of the earnings she must provide for her husband is reduced while her sustenance is increased (Rambam *Sefer Nashim*, *Hilkhot Ishut* 21:11; *Shulhan Arukh*, *Even HaEzer* 80:11).

In what case is this statement said, with regard to the poorest – בְּעֵנֵי דְבָרִים אֲמוּרִים: All these amounts of food and clothing that a husband must give his wife were stated with regard to the poorest of Jews. However, a wealthy man must provide for his wife in accordance with his means (Rambam *Sefer Nashim*, *Hilkhot Ishut* 12:11, 13:5; *Shulhan Arukh*, *Even HaEzer* 70:3, 73:4).

Rabbi Yohanan ben Beroka says – רַבִּי יוֹחָנָן בֶּן בְּרוּקָא אוֹמֵר: The size of a joining of boundaries on Shabbat [*eiruv*] must be two meals for each member of the *eiruv*, which is roughly the volume of six medium eggs. The *halakha* is in accordance with the opinion of Rabbi Yohanan ben Beroka, as in tractate *Eiruv* his ruling is attributed to the Rabbis (Rambam *Sefer Zemanim*, *Hilkhot Eiruv* 1:9, 6:7, and *Maggid Mishne* there; *Shulhan Arukh*, *Orah Hayyim* 386:6, 409:7).

**Half for a leprous house – וְחֵצֵה לְבֵית הַמְּנוּנָע**: If someone enters a leprous house, his body is immediately rendered ritually impure. However, his clothes and shoes remain pure until he has stayed there long enough for one to recline and eat a half-loaf of wheat bread together with condiments. This amount is roughly the volume of six eggs, in accordance with the opinion of Rabbi Yoḥanan ben Beroka (Rambam *Sefer Tahara, Hilkhot Tumat Tzara'at* 16:6).

**And half of its half renders the body unfit – וְחֵצֵה חֵצֵה**: One who eats ritually impure food is disqualified from partaking of *teruma* if he eats an amount equivalent to the volume of an egg and a half, which is equivalent to half of a half-loaf of bread, in accordance with the opinion of Rabbi Yoḥanan ben Beroka (Rambam *Sefer Tahara, Hilkhot Tumat Okhalin* 4:1).

**And half of one half of its half is susceptible to ritual impurity as food – וְחֵצֵה חֵצֵה חֵצֵה לְטוּמְאַת אוֹכְלִין**: Food imparts ritual impurity to other food or drink or to the hands, only if it contains the volume of an egg without its shell (Rambam *Sefer Tahara, Hilkhot Tumat Okhalin* 4:1, and *Kesef Mishneh* there).

BACKGROUND

**A leprous house – בֵּית הַמְּנוּנָע**: By Torah law (see Leviticus 14:33–57), if leprous spots appear in a house, all the objects in the house must be removed in order to prevent them from becoming ritually impure, after which a priest is brought to examine the house. If the priest confirms that there is evidence of leprosy, the house is quarantined for a week, after which it is reexamined by the priest. If the leprous spots darkened or disappeared, the house is declared ritually pure. If the spots remained unchanged, the house is quarantined for a second week. If, after the second week, the spots have then darkened, the house is declared ritually pure after it undergoes the purification process described below. However, if the spots remain unchanged or have spread, the affected parts of the house are removed and replaced with new materials, after which the house is quarantined for a third week. If the spots reappear, the entire house must be destroyed, and its stones are disposed of in a ritually impure place.

A leprous house renders people and objects inside it ritually impure, with the exception of objects in hermetically sealed earthenware containers. If the house is declared free of leprosy, it is purified by a process involving birds, cedar wood, and red thread, parallel to the purification process of a leper. There are many halakhic restrictions with regard to the applicability of the *halakhot* pertaining to leprous houses, including the restriction that they apply only to structures at least four by four cubits in size.

חֵצֵה – לְבֵית הַמְּנוּנָע, וְחֵצֵה חֵצֵה – לְפָסוּל אֶת הַגּוֹיִיהָ, וְחֵצֵה חֵצֵה חֵצֵה – לְקַבֵּל טוּמְאַת אוֹכְלִין.

Having discussed the various opinions with regard to the size of a loaf of bread sufficient for a meal, the mishna states that **half** of this loaf is the amount called a half [*peras*], a measure relevant for the *halakhot* of a leprous house.<sup>4B</sup> If one enters a house afflicted with leprosy and remains there long enough to eat this amount of food, the clothes he is wearing become ritually impure. **And half of its half**, one quarter of a loaf this size, is the amount of ritually impure food that **renders the body unfit**.<sup>4</sup> In other words, impure food of this amount imparts ritual impurity to the body of the eater and disqualifies him by rabbinic law from eating *teruma*. **And half of one half of its half**, one-eighth of this loaf, is the minimum measure of food that is **susceptible to ritual impurity as food**.<sup>4</sup>

מִנִּי? אִי רַבִּי יוֹחָנָן בֶּן בְּרוּקָא – תַּמְנֵי הַוַּיִן, וְאִי רַבִּי שִׁמְעוֹן – תַּמְנֵי סְרִי הַוַּיִן!

After the citing the mishna, the Gemara returns to its question: **Who is the author of the mishna** here, which says a husband must provide two *kav* of wheat per week for his wife's sustenance? If it is **Rabbi Yoḥanan ben Beroka**, who maintains that one quarter of a *kav* is sufficient for a single meal, there are only **eight** meals in two *kav*, and the wife requires at least fourteen meals for a week, as it was customary to eat two meals each day. **And if it is Rabbi Shimon**, who holds that one-ninth of a *kav* is sufficient for a meal, two *kav* are enough for **eighteen** meals, and therefore the mishna requires more than she actually needs.

לְעוֹלָם רַבִּי יוֹחָנָן בֶּן בְּרוּקָא, וְכֵן דָּאֲמַר רַב חֲסִידָא: צֵא מִהֶן שְׁלִישׁ לְחַנוּנִי. הֲכֵא נָמִי – אֵינִי תִּילְתָא שְׂדֵי עֲלִייהוּ. אֲבַתִּי תַרְתֵּי סְרִי הַוַּיִן! אוֹכְלַת עַמּוּ לִילֵי שַׁבָּת.

The Gemara answers: **Actually**, the mishna is in accordance with the opinion of **Rabbi Yoḥanan ben Beroka**, and this is as **Rav Ḥisda** said in explanation of Rabbi Yoḥanan ben Beroka's opinion: **Deduct one-third for the grocer's markup**, as he takes one-third as profit. This adds one half to the total cost. **Here, too, bring one-third and add it to the total amount of meals that can be provided by two kav of wheat**. The Gemara raises a difficulty: **Still**, after adjusting the calculation by adding an additional half, a measurement known by the term: **Outside third**, to the amount of meals that can be eaten from two *kav* of wheat, **they are equal to twelve meals**. This is still not sufficient, as the wife requires fourteen. The Gemara answers: **She eats with him on Shabbat evening**. Consequently, this meal is not included in the amount that must be provided through the third party.

הַנִּתְחַא לְמֵאן דָּאֲמַר אֲכִילָה מִמֶּשׁ, אֲלֵא לְמֵאן דָּאֲמַר אֲכִילָה תַשְׁמִישׁ – מֵאִי אִיבָא לְמִימְרֵי? וְעוֹד: תַּלְיִסְרַ הַוַּיִן! אֲלֵא, כִּדְאֲמַר רַב חֲסִידָא: צֵא מִהֶן מְחֻצָּה לְחַנוּנִי, הֲכֵי נָמִי אֲתֵיָא פְּלָגָא שְׂדֵי עֲלִייהוּ.

The Gemara asks: **This works out well according to the one who says that when the mishna is referring to eating, it means literal eating**. However, according to the one who says that this eating on Shabbat evening is a euphemism, and it is actually referring to **conjugal relations, what can be said? And furthermore**, even if the meal on Shabbat evening is omitted, **they are still thirteen meals** that she requires but she has enough for only twelve. **Rather**, this is as **Rav Ḥisda** said, with regard to Rabbi Yoḥanan ben Beroka's opinion: **Deduct one-half for the grocer's markup**. **So too here, bring a half and add it to the total amount**, which means she has enough for sixteen meals, not eight.

קָשְׁיָא דְרַב חֲסִידָא אֲדָרַב חֲסִידָא! לָא קָשְׁיָא; הָא – בְּאַתְרָא דִּיהִבֵי צִיבִי, הָא – בְּאַתְרָא דִּלָּא יְהִבֵי צִיבִי.

The Gemara asks: This is **difficult** with regard to one statement of **Rav Ḥisda**, which seemingly contradicts the other statement of **Rav Ḥisda**. The Gemara answers: This is **not difficult**. This statement, that the grocer's markup adds one-third to the price, is referring to a **place where they also give money as a separate payment for the wood required to bake bread**. That statement, that the grocer's markup adds half, is referring to a **place where they do not give money for wood**, and therefore the markup must be higher to cover those costs.

אִי הֲכֵי שְׂתִיקְרֵי הַוַּיִן? כִּמָּאן – כְּרַבִּי חִידְקָא, דָּאֲמַר: אַרְבַּע סְעוּדוֹת חֵיבִי אֲדָם לְאֹכוֹל בְּשַׁבָּת?

After reconciling the apparent contradiction between the two statements of **Rav Ḥisda**, the Gemara returns to the opinion of **Rabbi Yoḥanan ben Beroka**. **If so**, according to the above calculation, there are **sixteen** meals, which is more than a woman requires in a week. The Gemara suggests: In that case, **who is the author of the mishna? Is it in accordance with the opinion of Rabbi Ḥidka, who said that a person is obligated to eat four meals on Shabbat?** Since two meals are eaten on an ordinary weekday, this results in a total of sixteen meals a week.

HALAKHA

You can even say the Rabbis – אפילו תימא רבנן – One must eat three meals on Shabbat, in the evening, morning, and afternoon. The halakha is in accordance with the opinion of the Rabbis, not the minority opinion of Rabbi Hīdka (Rambam *Sefer Zemanim, Hilkhot Shabbat* 30:9; *Shulḥan Arukh, Oraḥ Ḥayyim* 291:1).

BACKGROUND

Edomite barley – שעורין אדומיות: Since barley can withstand extreme weather conditions better than wheat, it can be cultivated in hot regions. Generally speaking, in a place where there is less water, the barley harvest will yield less grain and the kernels will be smaller. This is probably why barley in the south of Judea, near Edom, was worse than that of other areas. It is also possible that farmers in that region used a particular species of barley, one that was suitable for the arid climate but was inferior in taste and nutritional value.

אפילו תימא רבנן, דל חדא לארחי ופרחי.

The Gemara rejects this suggestion: **You can even say that the mishna is in accordance with the opinion of the Rabbis,<sup>1</sup> who maintain that one is obligated to eat only three meals on Shabbat, as you should remove one meal for guests and wayfarers.** In other words, the husband cannot give his wife the absolute minimum amount she requires for herself and no more. He must give her enough to provide for the occasional visitor. Consequently, the total sum is somewhat more than was originally assumed.

השתא דאתית להכי – אפילו תימא רבי שמעון. לרבנן – דל תלת לארחי ופרחי, לרבי חידקא – דל תרתי לארחי ופרחי.

The Gemara adds: **Now that you have arrived at this answer, you can even say that the mishna is in accordance with the opinion of Rabbi Shimon, who maintains that two kav is sufficient for eighteen meals.** This can be explained either by saying that Rabbi Shimon agrees with the opinion of the Rabbis, that one eats three meals on Shabbat, if you **remove three meals for guests and wayfarers**, or that Rabbi Shimon agrees with the opinion of Rabbi Hīdka, that four meals are eaten on Shabbat, in which case you must **remove two meals for guests and wayfarers**. In this manner, the mishna can be reconciled with all opinions.

”אמר רבי יוסי לא פסק שעורין” וכו'. אלא באדום הוא דאכלין שעורין, בכולי עלמא לא אכלי! הכי קאמר: לא פסק שעורין בפלים בחטין אלא רבי ישמעאל, שהיה סמוך לאדום, מפני ששעורין אדומיות רעות הן.

§ The mishna teaches that Rabbi Yosei said: **Only Rabbi Yishmael, who was near Edom, allotted her barley.** The Gemara asks: **But does this indicate that it is only in Edom that they eat barley, whereas in the rest of the world they do not eat barley?** This cannot be the case, as barley was eaten by the poor everywhere. The Gemara explains: **This is what Rabbi Yosei is saying: Only Rabbi Yishmael, who was near Edom, allotted her a double amount of barley to that of wheat, since Edomite barley<sup>8</sup> is bad, whereas elsewhere the barley is of a higher quality, and therefore the difference between barley and wheat is less marked.**

”ונותן לה חצי קב קיטנית” ואילו יין – לא קתני. מסייע ליה לרבי אלעזר, דאמר רבי אלעזר:

§ The mishna further taught: **And he must give her half a kav of legumes as well as oil and fruit.** The Gemara comments: **And yet wine is not taught in the mishna. This supports the opinion of Rabbi Elazar, as Rabbi Elazar said:**

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BACKGROUND

Neviraya – נביריא: Apparently, this village of Neviraya, or Nevuraya, was also called Nevor Ḥayil, Nefor Ḥayil, or, according to some versions of the text, Gevuraya or Gevor Ḥayil. This village was probably located north of Safed, but only its ruins remain nowadays, including the ruins of its ancient synagogue.

אין פוסקין יינות לאשה. ואם תאמר “אכלה אחרי מאהבי נותני לחמי ומימי צמרי ופשתי שמני ושקויי” – דברים שהאשה מושתקקת עליהן, ומאי נבנה – תכשיטין.

**Wines are not allotted to a wife. And if you say that in the verse: “I will go after my lovers who give me my bread and my water, my wool and my flax, my oil and my drink” (Hosea 2:7), “drink [shikkuyai]” is apparently a reference to wine, which indicates that it is usual for a woman to receive wine, this is invalid, since actually shikkuyai is not referring to wine but rather to items that a woman desires [mishtokeket]. And what are these? Jewelry or other ornaments, not wine.**

דרש רבי יהודה איש כפר נביריא, ואמרי לה איש כפר נפור חיל: מנין שאין פוסקין יינות לאשה – שנאמר “ותקם חנה אחרי אכלה בשילה ואחרי שתה”. “שתה” ולא שתת.

**Rabbi Yehuda of the village of Neviraya,<sup>8</sup> and some say of the village of Nefor Ḥayil, interpreted a verse: From where is it derived that one does not allot wines for a woman? As it is stated: “So Hannah rose up after she had eaten in Shiloh and after he had drunk” (1 Samuel 1:9). It states: “He had drunk,” and not: She had drunk. This teaches that although she ate, she did not drink wine.**

אלא מעתה “אכלה” ולא אכל הכי נמי! אנן מדשני קרא בדבוריה קאמרין, מכדי בגוה קא עסיק ואתי, מאי טעמא שני? שמע מינה: “שתה” – ולא שתת.

The Gemara asks: **However, if that is so, by the same reasoning, should the phrase “she had eaten,” which is in the feminine, indeed be interpreted to mean that only she ate, and that he did not eat?** The Gemara answers: **We say this interpretation from the fact that the verse changed its language. Since the verse was already dealing with her, what is the reason that it changed the terminology and did not state: And had drunk, in the feminine? One can learn from this that “he had drunk” means that he drank, but she did not drink.**