

One prohibited by a vow, etc. – **הַמְוָדָר הַנָּאָה וְכוּ** – In the case of one who is prohibited by a vow from deriving benefit from another person, the one who made the vow may say to a storekeeper: So-and-so is prohibited by vow from deriving benefit from me, and I do not know what I can do for him. The storekeeper may proceed to give that person food and claim the money from the one who vowed. The latter, however, is not legally obligated to pay for his expenses (*Ba'al Halakhot Gedolot*, citing Rosh and Ran). Likewise, if he wants to perform work for the one subjected to the vow, he can make a similar offer to workers (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 7:13–14; *Shulhan Arukh*, *Yoreh De'a* 221:8).

If the two were walking along the way, etc. – **הָיוּ מְהַלְכִין בַּדֶּרֶךְ** – **וְכוּ**: If the one who vowed and the subject of his vow were walking along the way together and the latter had nothing to eat, his colleague may give him food by means of a third party. However, it is prohibited for him to tell the third party that he is giving him the food for this purpose, or to say anything that makes it clear that he is handing it to him only so that the other person can eat. If no third party is present, the one who vowed may place the food down and declare it ownerless, and the other may take it and eat it (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 7:14–15; *Shulhan Arukh*, *Yoreh De'a* 221:9).

NOTES

Rabbi Yosei prohibits – **רַבִּי יוֹסֵי אוֹסֵר** – The Rashba explains Rabbi Yosei's ruling in light of each case. The first, the gift to a third party, is based on the incident of Beit Horon, as explained below (71a). As for the second case, placing the objects on a rock and declaring them ownerless, it is possible that if only two people are present the concept of rendering property ownerless is meaningless, and it is as though the item were given directly to the other party.

גופא, המוֹדָר הַנָּאָה מִחֲבִירוֹ וְאֵין לוֹ מַה יֵאָכֵל – הוֹלֵךְ אֶצֶל חֲנוּנֵי הָרְגֵל אֶצְלוֹ, וְאוֹמֵר לוֹ: "אִישׁ פְּלוֹנִי מוֹדָר הַנָּאָה מִמֶּנִּי, וְאֵין יוֹדֵעַ מַה אֶעֱשֶׂה לוֹ." הוּא נוֹתֵן לוֹ, וְבֹא וְנוֹטֵל מִזֶּה בֵּיתוֹ לְבָנוֹת, וְגִדְרוֹ לְגִדּוֹר, וְשָׂדֵהוּ לְקָצוֹר – הוֹלֵךְ אֶצֶל פּוֹעֲלֵי הָרְגֵל אֶצְלוֹ, וְאוֹמֵר לָהֶן: "אִישׁ פְּלוֹנִי מוֹדָר הַנָּאָה מִמֶּנִּי, וְאֵין יוֹדֵעַ מַה אֶעֱשֶׂה לוֹ." הֵן עוֹשִׂין עִמּוֹ, וְבֹאִין וְנוֹטְלִים שְׂכָרָן מִזֶּה.

§ Since it mentioned the above case, the Gemara returns to discuss the matter itself: In the case of one prohibited by a vow^H from deriving benefit from another because of a vow the other took, and he does not have anything to eat, the one who took the vow may go to a storekeeper with whom he is familiar and say to him: So-and-so is prohibited by a vow from deriving benefit from me, and I do not know what I can do for him. The storekeeper gives food to him, and later comes and takes payment from this one who approached him. Similarly, if the subject of the vow needed someone to build his house, or to erect his fence, or to reap his field, and the one who took the vow wants to help him, he should go to workers with whom he is familiar and say to them: So-and-so is prohibited by a vow from deriving benefit from me, and I do not know what I can do for him. They subsequently perform work for the subject of the vow, and they come and take their wages from this person who spoke to them.

הָיוּ מְהַלְכִין בַּדֶּרֶךְ וְאֵין עִמּוֹ מַה יֵאָכֵל – נוֹתֵן לְאַחֵר לְשׂוּם מִתְּנָה, וְהֵלָה נוֹטֵל וְאוֹכֵל, וְמוֹתֵר. וְאֵם אֵין שֵׁם אַחֵר – מְנִיחַ עַל גְּבִי הַסֵּלַע אוֹ עַל גְּבִי הַגֶּדֶר, וְאוֹמֵר: הֲרֵי הֵן מוֹפְקָרִין לְכָל מִי שִׁיחָפוּץ. וְהֵלָה נוֹטֵל וְאוֹכֵל, וְמוֹתֵר. וְרַבִּי יוֹסֵי אוֹסֵר. אָמַר רַבָּא: מֵאִי טַעְמָא דְרַבִּי יוֹסֵי – גְזִירָה מְשׁוּם

If the two were walking along the way,^H and the one prohibited from benefiting from the other does not have anything with him to eat, the one who took the vow may give food to a different person as a gift, and this one takes it and eats, and this arrangement is permitted, as he did not give the food directly to him. And if there is no other person there apart from the two of them, he should place the items on a rock or on a fence and say: They are hereby declared ownerless for anyone who wants them, and this one takes the food items and eats them, and this too is permitted. But Rabbi Yosei prohibits^N this practice. Rava said: What is the reason for this ruling of Rabbi Yosei? It is a rabbinic decree due to

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the incident of Beit Horon,^{NB} where an individual had vowed to prohibit his father from deriving benefit from him, and then in order to allow his father to come to the celebration of his son's wedding, he gave all of his property to someone else as a gift. The recipient of the property was concerned that the vow would be transgressed by the father, so he consecrated the son's property and declared that if he was not empowered to do so, then the original transfer of property as a gift would not be valid. Consequently, in the present case, the Sages are unconcerned by the artifice performed, while Rabbi Yosei is concerned with such artifice and therefore prohibits it.

NOTES

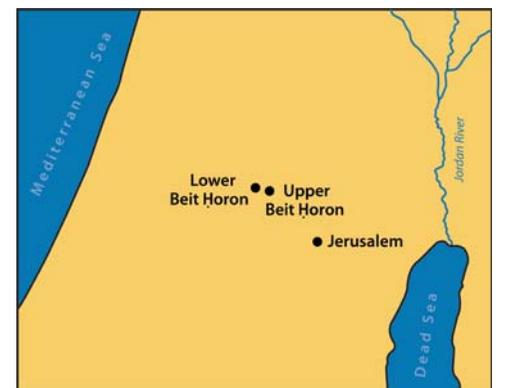
The incident of Beit Horon – **מַעֲשֵׂה דְבֵית חוֹרוֹן**: This incident that occurred in Beit Horon serves as a precedent for the definition of a gift in the context of the *halakhot* of vows: Any gift that is not a complete gift to the extent that the recipient can consecrate it is not considered to have entirely left the possession of the benefactor. But Rabbi Shimshon of Saens raises a difficulty: For many purposes, including vows, a gift given on condition that it be returned is still treated as a valid gift, despite the fact that it cannot be consecrated. He answers that although the recipient must return this type of gift in the near future, during the time it remains in his possession he

can use it as he pleases. But in the incident at Beit Horon, the condition limited the actual usage of the gifts to create a situation enabling the father to benefit from them. Some suggest that the primary problem there was that the donor indicated explicitly that he desired for his father to come enjoy the meal, and that this was the purpose of the transfer. And even though he did not expressly condition the gift on the fulfillment of this purpose, the conclusion of the story proves that this was the intention. And whenever this type of explicit statement is lacking, there is no problem with it, at least according to the first *tanna*.

BACKGROUND

Beit Horon – **בֵּית חוֹרוֹן**: Beit Horon was divided into two neighboring cities, Upper Beit Horon and Lower Beit Horon. They were located near the northern border of the tribe of Judah's territory, and are mentioned in the Bible. Due to their proximity to the main road leading to Jerusalem, a number of important battles took place in their vicinity, including one of the victories of Judah the Maccabee and one of the battles of the Great Revolt.

Both the upper and lower cities were among the ancient settlements that were resettled at the time of the return of the exiles from Babylonia. In towns like these there was generally a strong community deeply committed to halakhic observance. The incident of Beit Horon recorded here demonstrates the sensitivity of the local residents to observing the mitzvot of the Torah with great care.



Location of Upper Beit Horon and Lower Beit Horon

They taught this only where he specifies – לא שנו אלא – במפרש: Rashi interprets this phrase to mean that the length of the vow is thirty days. It is clear that according to this interpretation, if he vowed for more than thirty days he must divorce her, just as if he did not specify a time limit. See also the Rashba, who discusses Rashi's comments and supports them. However, the Ra'ah has a different interpretation. He says that even if he specified that the vow will remain in force for an extended period of time, he still need not divorce her. According to this interpretation, the reason he must immediately divorce her when the vow is unspecified is that the wife believes her husband hates her, and she therefore does not wish to be with him. But when he explicitly states that the vow is limited to a certain amount of time, this demonstrates that he wants to live with her, and his vow is motivated only by a temporary concern.

HALAKHA

One who vows and obligates his wife, prohibiting her from engaging in marital relations with him – המדיר הפדיר – את אשתו מתשמיש המטה: With regard to one who vows to prohibit his wife from engaging in sexual intercourse, after seven days he must divorce her and give her the payment of her marriage contract. This is the *halakha* whether he took the vow for an unspecified length of time or for seven days or more, and it applies even if he is a sailor, whose conjugal obligation requires him to be with his wife only once every six months. This is in accordance with the opinion of Beit Hillel (Rambam *Sefer Nashim, Hilkhot Ishut* 14:6; *Shulhan Arukh, Even HaEzer* 76:9).

One who vows and obligates his wife – המדיר את אשתו – With regard to one who declares a vow prohibiting his wife from deriving benefit from him, there is a thirty-day waiting period before he is instructed to divorce her. That is the case regardless of whether he specifies that the vow take effect only until a set time or not. This is in accordance with the opinion of Shmuel, whom the *halakha* follows in matters of civil law, against the opinion of Rav (Rambam *Sefer Nashim, Hilkhot Ishut* 12:23; *Shulhan Arukh, Yoreh De'a* 235:2).

”רבי יהודה אומר: בישראל חדש אחד”
וכו'. היינו תנא קמא! אמר אביי: בהנת
אתא לאשמועינן. רבא אמר: חדש מלא
וחדש חסר איכא בינייהו.

אמר רב: לא שנו אלא במפרש, אבל
בסתם – יוציא לאלתר, ויתן בתובה.
ושמואל אמר: אפילו בסתם לא יוציא,
שמוא ימצא פתח לנדרו.

והא אפילו ביה חדא זימנא, דתנן:
המדיר את אשתו מתשמיש המטה,
בית שמאי אומרים: שתי שבתות, ובית
הלל אומרים: שבת אחת, ואמר רב:
מחלוקת במפרש, אבל בסתם – יוציא
לאלתר ויתן בתובה. ושמואל אמר:
אפילו בסתם נמי לא יוציא, שמוא ימצא
פתח לנדרו!

צריכא; דאי איתמר בההיא – בההיא
קאמר רב, משום דלא אפשר בפרנס.
אבל בהא, דאפשר בפרנס, אימא מודה
ליה לשמואל. ואי אתמר בהא – בהא
קאמר שמואל: משום דאפשר בפרנס,
אבל בההיא – אימא מודה ליה לרב,
צריכא.

תנן: המדיר את אשתו שלא תטעום
אחד מכל הפירות – יוציא ויתן בתובה.
בשלמא לרב, כאן – בסתם, כאן –
במפרש. אלא לשמואל קשיא!

It was taught in the mishna: **Rabbi Yehuda says: If the husband is an Israelite, then if his vow will remain in effect for up to one month, he may maintain her as his wife; and if it will be two months, he must divorce her and give her the payment of her marriage contract. But if he is a priest, then he is given extra time: If the vow will remain in effect for up to two months, he may maintain her, and if it will be three months, he must divorce her and give her the payment of her marriage contract.** The Gemara is puzzled by Rabbi Yehuda's statement with regard to an Israelite: **This is the same as the opinion of the first tanna. Abaye said:** Concerning an Israelite, Rabbi Yehuda in fact does not disagree with the first tanna, but **he comes to teach us** that the *halakha* is different for the wife of a priest. **Rava said:** The practical difference between them is a full thirty-day month and a deficient month with twenty-nine days: The first tanna requires exactly thirty days, while Rabbi Yehuda requires one month, whether it is a full month or a deficient one.

Rav said: With regard to the thirty-day time frame, where the Sages established that a husband supports his wife through a trustee, they taught this only with regard to a case where he specifies^N a limited time during which the vow will be in effect. **But if he vows without specification of an end point, he must divorce her immediately and give her the payment of her marriage contract. And Shmuel said:** Even if he vowed without specification, he should not divorce her immediately, as perhaps he will discover an opening enabling the dissolution of his vow.

The Gemara asks: **But they have already disagreed about this issue one time** with regard to a similar situation, as we learned in a mishna (61b): With regard to one who vows and obligates his wife, prohibiting her from engaging in marital relations^H with him, **Beit Shammai say:** If the vow will remain in effect for up to two weeks, he may maintain her as a wife, and **Beit Hillel say** the limit is one week. **And with regard to this dispute, Rav said:** The dispute is in a case where he specifies, but in the case of an unspecified vow, he must divorce her immediately and give her the payment of her marriage contract. **And Shmuel said:** Even in the case of an unspecified vow he also should not divorce her immediately, as perhaps he will discover an opening enabling the dissolution of his vow. If so, why does this dispute need to be repeated?

The Gemara answers: It is necessary to state it twice, as, if it was stated only in that case, i.e., that of a vow rendering it prohibited for her to engage in sexual intercourse with him, then one may have said that in that case Rav says he must divorce her immediately, because it is impossible to compensate for the vow through a trustee. **But in this case,** where the vow rendered it prohibited for her to benefit from his property, for which it is possible to compensate through a trustee, we would say that he concedes to Shmuel that he should not divorce her immediately. **And conversely, if it were stated in this case,** i.e., that of a vow concerning sustenance, then one may have said in this case that Shmuel says he should not divorce her because it is possible to compensate for the vow through a trustee, but in that case, where he vows to prohibit her from engaging in marital relations with him, one would say he concedes to Rav that he must divorce her immediately. Therefore, it is necessary to record the dispute twice.

We learned in the continuation of the mishna: **One who vows and obligates his wife,^H requiring her not to taste a particular type of produce, must divorce her and give her the payment of her marriage contract. Granted that according to Rav, there is no contradiction between the two clauses of the mishna. It can be said that here it is referring to an unspecified vow, so he must divorce her immediately, and there, in the first clause, it is referring to a case where he specifies a time limit. But according to Shmuel, it is difficult.**

נדרה היא וקיים לה – She vowed and he ratified it for her – **איהו**: A woman vowed not to eat a particular type of produce, or vowed to abstain from items forbidden to a nazirite, and her husband heard the vow and ratified it or at least did not nullify it. In such a case, he must divorce her immediately and deliver the payment of her marriage contract to her. This follows the opinion of the unattributed mishna, according to the opinion that he is putting his finger between her teeth, i.e., the opinion of Rabbi Meir in the first explanation and that of Rabbi Yosei in the second. See the *Taz* and the *Shakh*, who discuss the details of the reason for the ruling.

Concerning the Rambam's opinion on this topic, some authorities argue that since he rules that if the husband wants his wife to remain with him he is allowed to maintain her, while conversely ruling that if the man says he does not want a vowing wife, he may divorce her. See also *Mishne LaMelekh* and the *Ran* (Rambam *Sefer Nashim, Hilkhot Ishut* 12:24; *Shulhan Arukh, Yoreh De'a* 235:3).

הכא במאי עסקינן – כגון שנדרה היא, וקיים לה איהו. וקסבר רבי מאיר: הוא נותן אצבע בין שיניה.

The Gemara answers: **Here we are dealing with a case where she vowed to prohibit herself from tasting the produce, and he ratified it for her^H and did not dissolve the vow.** Since she made the vow, she certainly will not search for a way to dissolve it. Therefore, he must divorce her immediately. **And Rabbi Meir**, who is presumed to be the author of an unattributed opinion in a mishna, **holds** that when he ratifies her vow, **he is putting his finger between her teeth**, causing her to bite him, i.e., he is causing the vow to be in effect. If so, it is his responsibility, and he therefore must give her the payment of her marriage contract when he divorces her.

וסבר רבי מאיר הוא נותן אצבע בין שיניה? והתנא: האשה שנדרה בניור, ושמע בעלה, ולא הפר לה, רבי מאיר ורבי יהודה אומרים: היא נתנה אצבע בין שיניה, לפיכך, אם רצה הבעל להפר – יפר, ואם אמר אי אפשר באשה נדרנית – תצא שלא בכתובה.

The Gemara asks: **And does Rabbi Meir hold that in this case he is putting his finger between her teeth**, i.e., he is causing the vow to be in effect? **But isn't it taught in a baraita: A woman who vowed, prohibiting herself from benefiting from items that are prohibited to a nazirite, and her husband heard and did not nullify it, Rabbi Meir and Rabbi Yehuda say: She already put her finger between her own teeth**, i.e., she caused the vow to remain in effect. **Therefore, if the husband wishes to nullify this vow, he may nullify it. And if he said: I do not want a vowing wife,^N she can be divorced^N without the payment of the marriage contract.**

רבי יוסי ורבי אלעזר אומרים: הוא נותן אצבע בין שיניה, לפיכך אם רצה הבעל להפר – יפר, ואם אמר אי אפשר באשה נדרנית – יוציא ויתן כתובה! איפוך: רבי מאיר ורבי יהודה אומרים: הוא נותן, רבי יוסי ורבי אלעזר אומרים: היא נתנה.

Rabbi Yosei and Rabbi Elazar say: By deciding not to nullify the vow, **he is putting his finger between her teeth**, i.e., he is causing the vow to be in effect, and **therefore if the husband wishes to nullify the vow, he may nullify it. And if he said: I do not want a vowing wife, he must divorce her and give her the payment of her marriage contract.** The Gemara answers: **Reverse the opinions. Rabbi Meir and Rabbi Yehuda say: He is putting his finger between her teeth. Rabbi Yosei and Rabbi Elazar say: She put her finger between her own teeth.**

וסבר רבי יוסי היא נתנה? והתנן, רבי יוסי אומר: בעניות – שלא נתן קצבה!

The Gemara asks: **And does Rabbi Yosei hold that she put her finger between her own teeth? But didn't we learn in the mishna: One who vows and obligates his wife, requiring her not to adorn herself with a particular type of perfume, and Rabbi Yosei says: For poor women, when he did not establish a set amount of time for the vow, he must divorce her and give her the payment of her marriage contract?** According to the final explanation given by Shmuel, the mishna is referring to a case where the wife vowed and the husband ratified it, indicating that Rabbi Yosei also agrees that it is the husband's responsibility, and therefore he must give her the payment of her marriage contract.

NOTES

I do not want a vowing wife – אי אפשר באשה נדרנית – The Ra'ah and the Rivash explain that these words are the explanation of why he ratified the vow, i.e., that he does not desire a vowing wife. Therefore, he does not care if she vows and leaves him. This opinion can be extrapolated from Rashi's commentary as well.

A woman who vowed... can be divorced, etc. – אשה שנדרה... Rashi explains that if she is the one who vowed, there is no reason to wait thirty days, since in any case she will not look for an opening to dissolve her vow during that time. Other commentaries question this opinion. The Ra'ah asks: Perhaps she is

presently angry but will later regret it and attempt to dissolve the vow. See also *Tosafot* and the Ramban, who question Rashi's interpretation for other reasons, and consequently offer another explanation for this ruling: When she vows to prohibit herself from benefiting from his property, she can receive support through a trustee, while in this case that option does not exist, since she cannot eat from that which is prohibited to a nazirite at all. Consequently, there is no reason to let her remain. The Ra'avad explains that the primary reason is as explained below, that if she vows and he ratifies it, she will conclude from this that he despises her, and she will not want to live with a person who despises her.

אימא רבי מאיר ורבי יוסי אומרים: הוא נותן, רבי יהודה ורבי אלעזר אומרים: היא נתנה. וסבר רבי יהודה: היא נתנה? והתנן, רבי יהודה אומר: בישראל, יום אחד – יקיים!

The Gemara answers: Say that the text of the *baraita* should read as follows: **Rabbi Meir and Rabbi Yosei say: He is putting** his finger between her teeth; **Rabbi Yehuda and Rabbi Elazar say: She put** her finger between her own teeth. This way, there is no contradiction between statements attributed to either Rabbi Meir or Rabbi Yosei. The Gemara asks further: **And does Rabbi Yehuda hold that she put** her finger between her own teeth? **But didn't we learn** in the mishna that **Rabbi Yehuda says: For an Israelite**, if the vow is in effect for **one day he may maintain** her as his wife, but if the vow is in effect for two days he must divorce her and give her the payment of the marriage contract? According to the explanation that the mishna is referring to a case where she vowed and he ratified it, it would appear that Rabbi Yehuda also agrees that he is putting his finger between her teeth.

אימא: רבי מאיר ורבי יהודה ורבי יוסי אומרים: הוא נותן, ורבי אלעזר אומר: היא נתנה. ואם תמצא לומר: זוגי זוגי קתני! אימא: רבי מאיר ורבי אלעזר אומרים: היא נתנה, רבי יהודה ורבי יוסי אומרים: הוא נותן. והא סתמא דלא ברבי מאיר.

The Gemara answers: Say the text of the dispute should read as follows: **Rabbi Meir and Rabbi Yehuda and Rabbi Yosei say he is putting** his finger between her teeth, **and Rabbi Elazar says she put** her finger between her own teeth. **And if you say** the opinions of the *tanna'im* listed in the *baraita* **are taught in pairs**, and therefore it cannot be that three of them share the same opinion, say: **Rabbi Meir and Rabbi Elazar say she put** her finger between her own teeth, while **Rabbi Yehuda and Rabbi Yosei say he is putting** his finger between her teeth. **And this particular unattributed opinion is not in accordance with** the opinion of Rabbi Meir.

וסבר רבי יוסי בעניות שלא נתן קצבה, אלמא: בעל מצוי מיפר. ורמינהו: אלו דברים שהבעל מיפר: דברים שיש בהן עינוי נפש: "אם ארחץ" "אם לא ארחץ" "אם אתקשט" "אם לא אתקשט". אמר רבי יוסי: אין אלו נדרי עינוי נפש, ואלו הן נדרי עינוי נפש: "שלא אוכל בשר, ושלא אשתה יין, ושלא אתקשט"

Since the mishna has been explained as a case where the wife vowed and her husband ratified it, the Gemara asks about a different issue: **And does Rabbi Yosei hold, for poor women, that when he did not establish a set amount of time** for the vow he must divorce her? This means that **apparently, a husband can nullify^b** a wife's vow not to adorn herself. **And the Gemara raises a contradiction** from a different mishna (*Nedarim* 79a): **These are the cases of a wife's vow that the husband may nullify: Cases of vows that involve affliction**, such as when the woman says: **If I bathe**, I forbid myself to benefit from it; or if she says: **If I do not bathe**, i.e., she vows not to bathe at all; or she vows: **If I adorn** myself; or vows: **If I do not adorn** myself, all of which cause her to suffer. **Rabbi Yosei said: These are not vows of affliction,^h** which the husband may nullify, **but rather, these, i.e., the following, are vows of affliction:** Such as when she vows that **I will not eat meat, or that I will not drink wine, or even that I will not adorn myself**

BACKGROUND

A husband can nullify – בעל מצוי מיפר: The *halakhot* of vows and their nullification are stated in the Torah (Numbers, chapter 30) and explained in tractate *Nedarim*. In essence, when either a young woman still under her father's authority or a married woman takes a vow, her father or her husband can nullify the vow on the day that he hears of it if he does not approve of it.

The Sages explained based on the verses in Numbers that this is permitted only in certain situations. Only vows taken with regard to matters between the woman and her husband or between the young woman and her father can be nullified. Vows that do not affect the woman's relationship with her husband or father cannot be nullified.

HALAKHA

Vows of affliction – נדרי עינוי נפש: The husband is permitted to nullify his wife's vows if they involve affliction. Included in the category of affliction are cases where she vows not to bathe or adorn herself, even for only one day. This follows the opinion of the first *tanna*. Some commentators, such as the Ramban, say that bathing and adornment qualify as matters that are

between him and her. It seems that the Rambam's opinion is that preventing oneself from bathing is considered affliction, but adornment is classified as being a matter between him and her (Rambam *Sefer Hafl'a'a, Hilkhot Nedarim* 12:4 and *Kesef Mishne* and *Lehem Mishne* there; *Shulhan Arukh, Yoreh De'a* 234:55, 59).

בבגדי צבעונין. הָכָא בְּמַאי עָסְקִינָּן –
בְּדָבָרִים שְׂבִינּוּ לְבִינָה.

הַנִּיחָא לְמַאן דְּאָמַר דְּבָרִים שְׂבִינּוּ לְבִינָה
הַבְּעֵל מִיפֵר, אֲלֵא לְמַאן דְּאָמַר אֵין הַבְּעֵל
מִיפֵר – מַאי אִיכָא לְמִימַר? דְּאָתְמַר: דְּבָרִים
שְׂבִינּוּ לְבִינָה. רַב הוֹנָא אָמַר: הַבְּעֵל מִיפֵר,
רַב אֲדָא בַר אֲהָבָה אָמַר: אֵין הַבְּעֵל מִיפֵר,
שְׂלָא מְצִינּוּ שׁוּעַל שְׂמַת בְּעַפְר פִּיר!

אֲלֵא הָכָא בְּמַאי עָסְקִינָּן – כְּגוֹן דְּתִלְיָנָהוּ
לְקִישׁוּטִיָּה בְּתַשְׂמִישׁ הַמְשָׂה. דְּאָמַרְהּ: יֵאָסֵר
הַנָּאָת תַּשְׂמִישְׁךָ עָלַי אִם אֶתְקַשְׁטֵ. בְּדָאָמַר
רַב כְּהָנָא.

דְּאָמַר רַב כְּהָנָא: "הַנָּאָת תַּשְׂמִישְׁךָ עָלַיךְ" –
כּוֹפָה וּמְשַׁבְּשָׁתוּ: "הַנָּאָת תַּשְׂמִישְׁךָ עָלַי" –
יִפֵר, לְפִי שְׂאִין מֵאֲכִילִין לְאָדָם דְּבַר הָאָסוּר
לָא.

with colored garments, as not wearing colored garments can cause shame to her as well as to her husband. But vows that affect her alone are not considered vows of affliction. The Gemara answers: **Here we are dealing with a case where she vowed not to adorn herself with regard to matters that are between him and her,**^{NH} meaning that she vowed not to use a substance that removes her pubic hair. This is considered a matter between him and her, since the hair could interfere with sexual intercourse.

The Gemara asks: **This works out well according to the one who said^N the husband can nullify his wife's vow if it relates to matters that are between him and her, i.e., that disrupt normal, intimate relations between them. But according to the one who said the husband cannot nullify such vows, what can be said?** The *amora'im* had a dispute concerning this question, as it is stated: With regard to vows related to matters that are between him and her, such as the example above, Rav Huna said that the husband can nullify his wife's vow, while Rav Adda bar Ahava said the husband cannot nullify his wife's vow, since it does not interfere with sexual intercourse between them. Rav Adda bar Ahava explains his opinion with an analogy: **Since we have not found a fox^N that died in the dirt of a hole^B** where it lives, so too here, although she grows her pubic hair, he will not be harmed by it, since he is familiar with her body.

Rather, with what are we dealing here? With a case where through her vow she made sexual intercourse^H contingent upon her adornment, as she said: **The pleasure of intercourse with you is forbidden to me if I adorn myself, as Rav Kahana said that such language qualifies as matters between him and her, and a husband can nullify such a vow.**

As Rav Kahana said: If the woman says to her husband: **The pleasure of intercourse with me is forbidden to you,**^H he may nevertheless **compel her** through legal and financial measures to fulfill her marital obligations and **have sexual intercourse with him**, since she does not have the power to render herself forbidden to him by a vow, due to her prior marital obligations. But if she says: **The pleasure of intercourse with you is forbidden to me**, this vow is valid but **he may nullify it**. Although she is obligated by the terms of the marriage to cohabit with him, she does not directly contravene her obligation but rather prohibits herself from deriving pleasure from sexual intercourse. Therefore, her husband may not compel her to engage in intercourse in violation of her vow, **since one cannot feed a person an object which is forbidden to him**. Instead, he may nullify it if he wishes.

HALAKHA

With regard to matters that are between him and her – בְּדָבָרִים שְׂבִינּוּ לְבִינָה: The husband may nullify his wife's vows, both vows of affliction as well as vows with regard to matters between him and her, in accordance with Rav Huna's opinion, as explained by Rashi (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 12:1; *Shulhan Arukh*, *Yoreh De'a* 234:55).

Where she made sexual intercourse contingent upon her adornment – כְּגוֹן דְּתִלְיָנָהוּ לְקִישׁוּטִיָּה בְּתַשְׂמִישׁ הַמְשָׂה: If a woman vows not to adorn herself, or she says: Intercourse with you is forbidden like an offering [*konam*] to me if I adorn myself, and her husband hears and does not nullify the vow, he must divorce her and give her the payment of her marriage contract. This is in accordance with the ruling of the Gemara (*Shulhan Arukh*, *Yoreh De'a* 235:3, *Even HaEzer* 74:2).

הַנָּאָת תַּשְׂמִישְׁךָ עָלַיךְ – תַּשְׂמִישְׁךָ עָלַיךְ: If a woman says to her husband: The pleasure of intercourse with me is forbidden to you, this is not a valid vow, and the husband does not need to nullify it. But if she says: The pleasure of intercourse with you is forbidden to me, this is a valid vow that he must nullify, since one may not feed a person an object that is forbidden to him. This is in accordance with the statement of Rav Kahana (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 12:9; *Shulhan Arukh*, *Yoreh De'a* 234:67).

NOTES

With regard to matters that are between him and her – בְּדָבָרִים שְׂבִינּוּ לְבִינָה: The conclusion of the *halakha* is that a husband may nullify both vows of affliction, i.e., those that pertain to matters that cause his wife to suffer, as well as those concerning matters between him and her, meaning vows that can disrupt relations between them. The difference between the two types is that when the husband nullifies a vow of affliction the vow is nullified permanently, even when she no longer lives with him. With regard to vows about matters between him and her, however, the nullification is effective only while she still lives with him, but once they are no longer married the vow is no longer null.

This works out well according to the one who said – הַנִּיחָא לְמַאן דְּאָמַר: Most commentaries that discuss this passage (see *Tosafot*, Rabbi Shimshon of Saens, and Rashba) agree that one cannot explain it according to the straightforward reading that the dispute is about whether a husband may nullify vows with regard to matters that are between him and her. It is clear that according to all opinions he is able to do so, as is apparent from the verse "Between a man and his wife" (Numbers 30:17). Rather, the discussion revolves around whether Rabbi Yosei holds that a vow concerning the removal of pubic hair, as explained by Rashi, or any general adornment, as the Ra'ah and the Ritva understand the Gemara (see the following note) is considered a vow concerning matters between him and her that the husband can nullify. However, according to this explanation, the Gemara's language is not entirely precise, and one must say that the language employed here is not exactly parallel to that in other places. Some suggest slightly emending the text of the Gemara (see also *Sefer HaYashar*). On the other hand, the Rivan, who presumably follows Rashi, explains that here the Gemara is referring specifically to removal of pubic hair, but adds that even according to Rabbi Yosei, withholding this particular adornment is considered a vow of affliction since it involves the withholding of sexual intercourse.

We have not found a fox – לֹא מְצִינּוּ שׁוּעַל: Rashi explains this expression in a manner that is consistent with his opinion. But the Ritva, who holds that the discussion in the Gemara refers to any general adornment and not specifically to the removal of pubic hair, explains that the intention of this saying is that just as a fox slowly accustoms itself to living in its foxhole, so too, the husband accustoms himself to living with his wife. Therefore, even if she does not adorn herself, this is not treated as a matter between him and her.

BACKGROUND

We have not found a fox that died in the dirt of a hole – לֹא מְצִינּוּ שׁוּעַל שְׂמַת בְּעַפְר פִּיר: In general, foxes dwell in long burrows with single entrance holes, which they dig themselves. See 110b, where it is explained that sometimes the fox will dig a burrow for itself also in other places, if this will help it. The fox's lengthy and curved finger nails make it particularly good at digging, which it does with great enthusiasm. Therefore, it is clear that if a fox lives in a burrow, it will not be damaged by the dirt there. The *ge'onim* write that the Sages did not elaborate upon the analogy here, as its meaning is fairly obvious and it would be immodest to discuss it in detail. However the content is clear enough from both the content and the comparison.

They will call her repulsive – קרו לה מנוולת – Rashi as well as the Rivan explain that since people will call her repulsive she will not be able to endure the situation, and therefore it is not possible to suggest that she will not adorn herself at all. But the Ritva explains the Gemara in a different way: Since people will call her repulsive if she does not adorn herself, she will feel embarrassed. Therefore it is possible to dissolve the vow as a vow of affliction.

He despises me – מיסנא הוא דסני לי – A person normally takes a vow like this when he is angry. Consequently, when the husband vows, the wife can assume that he will calm down later and regret his actions. But when the woman becomes angry and vows, and the husband, who is not angry, does not nullify it, she concludes that her pain does not matter to him at all because he despises her.

ולא תתקשט ולא תאסר! אם בן קרו לה מנוולת.

ותתקשט ותאסר, אי לבית שמאי – שתי שבתות, אי לבית הלל – שבת אחת! הני מילי – היכא דאדרה איהו, דסברה: מירתח רתח עילואי, והשתא מותיב דעתיה. אבל הכא דנדרה איהו, ושתיק לה – סברה: מדאישתק – מיסנא הוא דסני לי.

”רבי יוסי אומר בעניות שלא נתן קצבה.” וכמה קצבה? אומר רב יהודה אומר שמואל: שנים עשר חדש. רבה בר בר חנה אומר רבי יוחנן: עשר שנים. רב חסדא אומר אבימי: רגל – שכן בנות ישראל מתקשטות ברגל.

”ובעשירות שלשים יום.” מאי שנא שלשים יום? אומר אבימי: שכן אשה חשובה נהנית מריח קשטייה שלשים יום.

The Gemara asks: **And** even if she creates this contingency by vowing that the pleasure of sexual intercourse will be forbidden to her if she adorns herself, **let her not adorn herself and she will not be forbidden**. Since the prohibition against intercourse created through her vow may never go into effect, the husband should not be able to nullify the vow, because a vow against adornment alone is not subject to the husband’s nullification. The Gemara answers: **If so, they will call her repulsive^N** when she does not adorn herself, and she cannot endure the embarrassment of such a situation. Therefore, it is assumed that she will eventually adorn herself at some point.^H

The Gemara asks: **And let her adorn herself and be prohibited** from engaging in sexual intercourse, and he can still maintain her. As was stated concerning one who prohibits himself from cohabiting with his wife, **if according to the opinion of Beit Shammai, he may maintain her for two weeks; if according to the opinion of Beit Hillel, for one week**. Why then did they require him to divorce her immediately? The Gemara answers: **This applies only where he took a vow** to render intercourse with her prohibited, **as she thinks: He vowed because he is angry with me, but now he will calm down** and dissolve the vow. **But here**, as the mishna is explained as a case **where she vows and he is silent** and does not nullify it, **she thinks: Since he is silent, this means he despises me,^N** and consequently she desires a divorce.

§ The mishna states that Rabbi Yosei says: **For poor women, he must divorce her when he did not establish a set amount of time** for the vow to remain in effect. The Gemara asks: **And how long is this set amount of time?** He is allowed to maintain her as a wife if he did set a time, but certainly there is a limit. This *halakha* would not apply in a case of a long period of time. **Rav Yehuda said that Shmuel said: Twelve months. Rabba bar bar Hanna said that Rabbi Yohanan said: Ten years. Rav Hisda said that Avimi said: A pilgrim Festival, meaning until the next one of the three Festivals, since Jewish women adorn themselves on the pilgrim Festival.** If his vow remains in effect beyond the Festival, it is considered as if he did not set a time limit, and he must divorce her.

And for wealthy women, Rabbi Yosei said the limit is thirty days. The Gemara asks: **What is different about thirty days specifically?** **Abaye said: Because an important and wealthy woman enjoys the scent of her adornments that she put on previously for up to thirty days, and after that time she feels that she is repulsive.**

HALAKHA

He vowed to prohibit her from adorning herself – הדירה שלא – תתקשט: One who vowed and obligated his wife not to adorn herself, and made sexual intercourse contingent on her fulfilling the conditions of the vow by saying: Intercourse with you is forbidden like an offering [*konam*] to me if you adorn yourself, the *halakha* is: She may adorn herself immediately, she is forbidden to engage in sexual intercourse, and he may maintain her as a wife for seven more days, after which he must divorce her and give her the payment of her marriage contract. This is in accordance with the unattributed opinion in the mishna (Rosh). The Rambam says that if he vows that she may not adorn herself, then if she is a poor woman he may maintain her for one year, and more than that he must dissolve his vow or divorce her, and if she is a wealthy woman he may maintain her for thirty days, but for a longer time

he must dissolve his vow or divorce her and give her the payment of the marriage contract. This is in accordance with the opinion of Rabbi Yosei, as the Gemara discussed his opinion at some length, indicating that the *halakha* follows it.

The *Maggid Mishne* explains that the Rambam rules in accordance with the opinion of Shmuel, as he and Rav Hisda take the same position against Rabbi Yohanan. They did not rule in accordance with the opinion of Rav Hisda, because with regard to such a small amount of time, Shmuel and Rabbi Yohanan disagreed with him. But some do rule in accordance with the opinion of Rabbi Yohanan, whom the *halakha* generally follows when he disagrees with Shmuel (Rambam *Sefer Nashim, Hilkhhot Ishut* 13:8; *Shulhan Arukh, Even HaEzer* 74:1).

הַמְדִיר אֶת – One who vows and obligates his wife, etc. – אֶתְּוֹ וְכוּ: The difficulty here is similar to that of the previous mishna: How can a husband prohibit to his wife items or activities that are not in his possession? Most commentaries consequently interpret this to mean that he renders an item prohibited to her and, through a vow, makes sexual intercourse or some other form of benefit contingent on her fulfilling the conditions of the vow. Ri Migash brings additional explanations as well. First, he suggests that the case concerns a situation where he did not vow himself, but rather she vowed and he ratified it, in accordance with the opinion of Shmuel earlier (71a). Another possibility is that even if the vow is not valid, nevertheless, the husband is disobeying the Sages by not allowing her to go to these places, and therefore he is obligated to divorce her.

שְׁלֵא תֵלֵךְ לְבֵית הָאָבִל – Not to go to a house of mourning – Ri Migash asks: Why did they not impose a time limit for this like other matters? He answers that since mourning or a wedding can occur at any time, if she refrains from going, others will refrain from inviting her and visiting her in the future.

כִּי אֵין בְּרִדּוּפָה – Here it is referring to a woman who is eager – Rashi as well as the Rivan explain this to mean that she is accustomed to go to her father's house and eagerly anticipates these visits. But *Tosafot* note that the comment of Rabbi Yohanan cited in the continuation of the Gemara does not fit well with this interpretation, despite the possibility that Rabbi Yohanan's words were cited simply due to the similarity of the term eager, albeit in a different context. However, most commentaries (see *Tosafot*) accept the explanation of Rabbeinu Hananel that an eager bride is specifically one who yearns to return to her father's house during the first Festival after her marriage, in order to relate to her family the praises she received in her husband's house. This opinion appears to be supported by other sources as well, and also seems to be confirmed by the formulation of this discussion in the Jerusalem Talmud.

מִתְנִי הַמְדִיר אֶת אִשְׁתּוֹ שְׁלֵא תֵלֵךְ לְבֵית אָבִיהָ, בְּזִמְנָן שֶׁהוּא עִמָּה בְּעִיר, חֹדֶשׁ אֶחָד – יָקִיִּים, שְׁנַיִם – יוֹצִיא וְיִתֵּן כְּתוּבָה, וּבְזִמְנָן שֶׁהוּא בְּעִיר אַחֶרֶת, רְגַל אֶחָד יָקִיִּים שְׁלֹשָׁה יוֹצִיא וְיִתֵּן כְּתוּבָה.

MISHNA With regard to one who vows and obligates his wifeⁿ not to go to her father's house,^h when her father is with her in the same city, if the vow is to be in effect up to one month, he may maintain her as his wife. If the vow is for two months, he must divorce her and give her the payment of her marriage contract. And when her father is in a different city, if the vow is to be in effect until at most one pilgrim Festival, i.e., until the next pilgrim Festival, he may maintain her as his wife. Although the wife often visits her parents during the Festival, she is capable of refraining one time. For three Festivals, however, he must divorce her and give her the payment of her marriage contract.

הַמְדִיר אֶת אִשְׁתּוֹ שְׁלֵא תֵלֵךְ לְבֵית הָאָבִל אוֹ לְבֵית הַמְשָׁתָה – יוֹצִיא וְיִתֵּן כְּתוּבָה, מִפְּנֵי שְׁנוֹעַל בְּפִנְיָהּ. וְאִם הָיָה טוֹעֵן מִשּׁוּם דְּבַר אַחֶר – רִשְׁאִי.

Additionally, one who vows and obligates his wife not to go to a house of mourning^{hh} to console the mourners, or to a house of feasting for a wedding, must divorce her and give her the payment of her marriage contract. Why is this so? Because it is as if he were locking a door in front of her. And if he claimed he did so due to something else, meaning he is concerned about inappropriate conduct there, he is permitted to do so.

אָמַר לָהּ: עַל מְנַת שְׁתֵּאמְרֵי לְפָלוּגִי מִה שְׁאֶמְרַתִּי לִי אוֹ מִה שְׁאֶמְרַתִּי לָךְ, אוֹ שְׁתֵּהָא מִמְּלֵאָה וּמַעֲרָה לֹא שָׁפָה – יוֹצִיא וְיִתֵּן כְּתוּבָה.

If he said to her: The vow will be void on condition that you tell so-and-so what you told me, or what I told you, or on condition that she fill something up and pour it into the refuse, he must divorce her and give her the payment of her marriage contract. The Gemara will explain all of these cases thoroughly.

גַּמְ' הָא גּוֹפָא קִשְׁיָא; אָמַרְתּ: רְגַל אֶחָד יָקִיִּים, הָא שְׁנַיִם – יוֹצִיא וְיִתֵּן כְּתוּבָה, אִימָא סִיפָא: שְׁלֹשָׁה יוֹצִיא וְיִתֵּן כְּתוּבָה, הָא שְׁנַיִם – יָקִיִּים!

GEMARA Concerning the first clause in the mishna, the Gemara asks: This mishna itself is difficult: You said on one hand that if the vow will be in effect for one pilgrim Festival he may maintain her as his wife, from which it may be deduced that if he forbade her from going to her father's house for two Festivals, he must divorce her and give her the payment of her marriage contract. But say the latter clause: For three Festivals he must divorce her and give her the payment of her marriage contract, from which it may be deduced that if the vow will be in effect for two Festivals, he may maintain her as his wife. Thus, the inferences from the first and latter clauses are contradictory.

אָמַר אַבְיִי: סִיפָא אֶתְּאֵן לְכַהֲנָת, וְרַבִּי יְהוּדָה הִיא. רַבָּה בַר עוּלָא אָמַר: לֹא קִשְׁיָא; כָּאן – בְּרִדּוּפָה, כָּאן – בְּשִׂאִינָה רְדוּפָה.

Abaye said: In the latter clause, we have come to a case concerning the wife of a priest, with regard to whom more time is allowed before a divorce is required, since her husband may not remarry her afterward. And this is the opinion of Rabbi Yehuda, who distinguished in the previous mishna between the wives of an Israelite and those of a priest. Rabba bar Ulla said: It is not difficult, and can be explained in a different way: Here, in the first clause, it is referring to a woman who is eagerⁿ and enthusiastic to return regularly to her father's home, and if her husband prohibits her from doing so for more than one Festival it will cause her significant distress; while there, in the latter clause, it is referring to a woman who is not eager. Consequently, he must divorce her only if the vow will last for three Festivals.

HALAKHA

One who vows and obligates his wife not to go to her father's house – הַמְדִיר אֶת אִשְׁתּוֹ שְׁלֵא תֵלֵךְ לְבֵית אָבִיהָ – A man prohibits his wife by vow from going to her father's house, and makes sexual intercourse contingent on her fulfilling the conditions of this vow. In such a case, if the father lives in the same city and the husband prohibited his wife from going to her father's house for more than one month, or if they are in different cities and he prohibited her from going for more than one Festival, she may go and he may maintain her for seven days, and then he must divorce her and give her the payment of her marriage contract. The *Maggid Mishne* notes that there is no distinction between the wife of an Israelite, Levite, or priest (Rambam *Sefer Nashim, Hilkhhot Ishut* 13:12; *Shulḥan Arukh, Even HaEzer* 74:4, *Yoreh De'a* 235:6).

One who vows and obligates his wife not to go to a house of mourning, etc. – הַמְדִיר אֶת אִשְׁתּוֹ שְׁלֵא תֵלֵךְ לְבֵית הָאָבִל וְכוּ' – If one who prohibits his wife by vow from going to a house of mourning or a house of feasting, and makes sexual intercourse contingent on her fulfilling the conditions of the vow, he must divorce her after the vow has been in effect for seven days and give her the payment of her marriage contract. And if he claims that he vowed due to promiscuous men who frequent the area, and the location has a presumption of containing such individuals, his vow is heeded, and she may not go. This is in accordance with the mishna (Rambam *Sefer Nashim, Hilkhhot Ishut* 13:13; *Shulḥan Arukh, Even HaEzer* 74:4, *Yoreh De'a* 235:6).

“אז הייתי בעיניו כמוצאת שלום.” אמר רבי יוחנן: ככלה שנמצאת שלמה בבית חמיה, ורדופה לילך ולהגיד שבחה בבית אביה.

Once the Gemara has mentioned the idea of a woman who is eager to return to her father's house, it discusses another context where a similar idea is mentioned. Concerning the verse “Then I was in his eyes as one that found peace” (Song of Songs 8:10), Rabbi Yohanan said: The meaning is: Like a bride who is considered perfect in her father-in-law's house, and is eager to go and relate her praise in her father's house, to tell how many complimentary things were said about her by her husband's family.

“והיה ביום ההוא נאום ה' תקראי אישי ולא תקראי לי עוד בעלי.” אמר רבי יוחנן: ככלה בבית חמיה, ולא ככלה בבית אביה.

Similarly, concerning the verse “And it shall be on that day, says the Lord, that you will call Me: My Husband [Ishi], and you will no longer call Me: My Master [Ba'ali]” (Hosea 2:18), Rabbi Yohanan said: The meaning is: Like a bride in her father-in-law's house after she has already lived with her husband, whom she is consequently not ashamed to call her marriage partner, and not like a betrothed bride still in her father's house, who simply refers to her groom as: My master.

“המדיר את אשתו” וכו'. בשלמא לבית המשתה

§ The mishna states: One who vows and obligates his wife not to go to a house of mourning or to a house of feasting for a wedding, must divorce her and give her the payment of her marriage contract, because it is as if he were locking a door in front of her. The Gemara asks: Granted, when he forbids her from going to a house of feasting,

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HALAKHA

He who eulogizes others, people will eulogize him – דקפד יקפדינהו: Every woman has the right to go out to her father's house to visit, or to a house of mourning or feasting, in order to perform acts of kindness for her friends and relatives so that they will do the same for her, in accordance with the Gemara here (Rambam *Sefer Nashim, Hilkhot Ishut* 13:11).

We said so only with regard to a case where a presumption has been established – ללא אמרו אלא דאיתחוק – A man vows and obligates his wife not to go to a house of mourning or feasting and claims that he did so because there are promiscuous individuals there. If there is a presumption that such individuals are found there, his claim is accepted; if not, then he is not believed (Rambam *Sefer Nashim, Hilkhot Ishut* 13:13; *Shulhan Arukh, Even HaEzer* 74:6).

איכא נועל בפניה. אלא לבית האכל – מאי נועל בפניה איכא? תנא: למחר היא מתה ואין כל בריה סופרה. ואיכא דאמרי: אין כל בריה סופנה.

there is effectively an act of locking a door in front of her by withholding from her any possibility of rejoicing, but when he forbids her from going to a house of mourning, what locking of a door in front of her is there? He taught: In the future she too will die, and no person will eulogize her or take care of her, just as she did not do so for others. And some say: No person will value her or pay attention to her, since a person who does not visit the sick or console mourners cuts himself off from others.

תנא, היה רבי מאיר אומר: מאי דכתיב “טוב ללכת אל בית אכל מלכת אל בית משתה באשר הוא סוף כל האדם והחי יתן אל לבו” – מאי “והחי יתן אל לבו” – דברים של מיתה; דספד – יקפדינהו, דקבר – יקפדינהו, דידל – ידלוינהו, דלויא – ילוינהו, דטען – יטענוניה.

Similarly, it is taught in a *baraita*: Rabbi Meir used to say: What is the meaning of that which is written: “It is better to go to a house of mourning than to go to a house of feasting, since that is the end of all men, and the living will take it to heart” (Ecclesiastes 7:2)? What does “and the living will take it to heart” mean? It means that they will take matters relating to death to heart, realizing that they too will eventually die. He who eulogizes others, people will eulogize him;^h he who buries someone, people will bury him; he who lifts others to bring them to burial, people will similarly lift him to bring him to burial; he who escorts others out for burial, people will similarly escort him; he who carries others, others will carry him. Therefore, one who does not come to a house of mourning to comfort the bereaved will himself not be treated with proper dignity when he dies.

“ואם היה טוען משום דבר אחר רשאי.” מאי דבר אחר? אמר רב יהודה אמר שמואל: משום בני אדם פרוצין שמצויין שם. אמר רב אשי: לא אמרו אלא דאיתחוק, אבל לא איתחוק – לא כל כמיניה.

§ The mishna stated: And if he claimed he forbade her due to something else, he is permitted to do so. The Gemara asks: What is meant by something else? Rav Yehuda said that Shmuel said: He claims he did so due to promiscuous individuals that are commonly found there, and he does not want his wife to be among them. Rav Ashi said: We said that he may forbid her only with regard to a case where a presumption has been established^h that promiscuous people frequent this location, but if no such presumption has been established, it is not in his power to say he is concerned about it.