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The Chicago Center

This month's Daf Digest is dedicated
L'ilui Nishmas Yosef ben Chaim haKohen Weiss (8 Elul) & Mrs. Yenta Weiss, Rivke Yenta bas Asher Anshel (13 Elul)
Family Weiss, London

OVERVIEW of the Daf

1) R' Akiva (cont.)

The Gemara concludes the story of R' Akiva and his wife. One final related incident is recorded.

2) MISHNAH: The Mishnah teaches the consequences for a husband or wife who acts rebelliously against their spouse.

3) A rebellious wife

R' Huna and R' Yosi the son of R' Chanina offer different definitions of a rebellious wife.

R' Yosi the son of R' Chanina's explanation that a rebellious wife is one who refuses to work is unsuccessfully challenged.

R' Huna's explanation that a rebellious wife is one who refuses to have relations is unsuccessfully challenged.

According to an alternative version the second challenge was directed at R' Yosi the son of R' Chanina and proved successful.

The Gemara concedes that all opinions agree that refusing relations is rebellious and the dispute is whether refusing work is also rebellious.

A Baraisa regarding the consequences of a rebellious wife is presented.

Shmuel clarifies a point in the Baraisa to R' Chiya bar Yosef.

Rami bar Chama elaborates on how the public announcements about the rebellious wife are made.

R' Nachman bar R' Chisda rules like Raboseinu that an announcement is made about the rebellious wife on four consecutive Shabboses.

Rava declared this ruling to be incorrect.

R' Nachman bar Yitzchok defended R' Nachman bar R' Chisda's ruling and the Gemara explains Rava's position on this matter.

4) The intention of the rebellious wife

Ameimar and Mar Zutra disagree what intention qualifies a woman as a rebellious wife.

A related incident is recorded.

Another related incident is presented.

The Gemara begins to relate an alternative version of the second incident. ■

Today's Daf Digest is dedicated by Mr. and Mrs. Daveed Rine
In loving memory of their grandfather
הרב אהרן משה בן הרב דוד ז"ל
Rabbi Aaron M. Rine

Distinctive INSIGHT

A wife who refuses to fulfill her responsibilities

מיתיבי ..."ואפילו חולה", בשלמא למאן דאמר ממלאכה, חולה בת מלאכה היא

The Mishnah taught that a woman who "rebels" and does not fulfill her responsibilities in the marriage can be penalized until she again begins to honor her obligations. This penalty is assessed in terms of the value of her kesubah being diminished weekly. The Gemara brings two opinions regarding which duties that the wife refuses to fulfill are included in this law. Rav Huna understands that it refers to her physical relationship with her husband, while Rebbe Yose b. Chanina understands that we are discussing the fact that the woman refuses to perform the daily tasks and household chores incumbent upon a wife (see Mishnah 59b). Tosafos understands that our Mishnah refers to the seven primary chores listed in the Mishnah, but if the woman prefers not to "pour wine, arrange the beds and pillows and provide water for washing his face, hands and legs," she is not considered to be in defiance of her responsibilities.

A Baraisa is brought to resolve which is the correct understanding of the Mishnah. The Baraisa teaches that the case of "a rebellious wife" applies even to a woman who is ill. This seems to suggest that Rebbe Yose b. Chanina is incorrect, because a woman who is sick cannot be expected to maintain her regular routine of working around the house, and her refusal to do so would not result in a penalty against her. Accordingly, the Gemara concludes that all opinions are that the Mishnah refers to a woman who resists a physical relationship with her husband. The argument is whether refusal to do her household chores alone results in her being labeled as a "rebel." Here, only Rebbe Yose b. Chanina holds that this also is grounds for the woman

(Continued on page 2)

REVIEW and Remember

1. Why didn't R' Akiva's wife feel it was necessary to dress up to greet R' Akiva?
2. What is the defining behavior of a rebellious wife?
3. What are the consequences for a rebellious wife?
4. What intention qualifies a woman as rebellious?

HALACHAH Highlight

Is seclusion prohibited for a woman who refuses to immerse in the mikvah?

אינו דומה מי שיש לו פת בסלו למי שאין לו פת בסלו

One cannot compare one who has bread in his basket with one who does not have bread in his basket

There was once a woman who for a number of years refused to immerse in the mikvah and declared her intent never to immerse in the mikvah. The Maharsham[1] was asked whether this couple is permitted to be in seclusion with one another. The main issue of the inquiry was whether this case is similar to the case of a woman who becomes prohibited to her husband where seclusion is not permitted or perhaps the cases are not parallel. In the case of the woman who becomes prohibited to her husband the couple is going to be prohibited to one another for the rest of their lives, but in this case there is the possibility that she may change her mind and decide to immerse in the mikvah.

Maharsham answered that it is certainly prohibited for this couple to be in seclusion and amongst his proofs, he cites our Gemara. The reason the value of the kesubah of a rebellious wife is diminished is because it is similar to a case of a person who "does not have bread in his basket." We see from the Gemara that even though there is a possibility that the rebellious wife may cease her rebelliousness, nonetheless, for the moment it is considered as if he "does not have bread in his basket," so too in our case the possibility that they may reconcile does not take away from the fact that presently it is a circumstance where he "does not have bread in his basket," consequently, seclusion is prohibited.

The Shearim HaMetzuyanim B'Halacha[2] limits the Maharsham's ruling to a case where the woman refuses to immerse in the mikvah but is still interested in being together with her husband. Under such circumstances seclusion is prohibited, but if she refuses to immerse out of spite against her husband, seclusion is permitted. The rationale is that even regarding the rebellious wife mentioned in our Gemara there is no indication that she is prohibited from being in seclusion with her husband. The Shevet HaLevi[3] disagrees and maintains that Maharsham's ruling applies in all cases that a woman refuses to immerse, regardless of what reason she offers for not immersing. ■

1. שו"ת מהרש"ם ח"ב סי' קע"ח.
2. שערים המצוינים בהלכה סי' קס"ב קו"א סק"א.
3. שו"ת שבט הלוי ח"ח סי' רע"א. ■

(Insight. Continued from page 1)

to be penalized.

Tosafos explains that the underlying issue about which the Amoraim argue is whether a woman can initiate a request to not work and, consequently, not to be supported by her husband. Rav Huna is of the opinion that a woman has the right to take this position, and her refusal to work would therefore not be an indication of being rebellious. This explanation, however, is only reasonable if a woman's being employed exempts her from all forms of household work. However, ר"ן learned that even an employed woman can only exempt herself from "working with wool," which is done is exchange for the support she receives from her husband. Accordingly, the woman's refusal to work in the house would be rebellious even according to Rav Huna, unlike Tosafos. ■

STORIES Off the Daf

The Scholarly Son-in-Law

"הוא שמע אבוה דאתא גברא רבה למתא אמר איזיל לגביה אפשר דמפר נדראי..."

In the "old country" it was the custom of fathers with eligible daughters who found a suitable prospect to test the young hopeful's Torah knowledge. If the father was learned, he would conduct the interview himself. If he was unlearned, the father would meet the boy to see if he was suitable but he would send someone more erudite to test the boy.

One wealthy talmid chochom searched assiduously for an appropriate match for his accomplished daughter. He heard very good things about Rav Shmuel Abba of Zichlin, zt"l, so he decided to test his mettle. When they met, the young man made a very good impression so the father asked a difficult question: "In Kesuvos 63a there is a very difficult Tosafos. The Gemara on 62b states that Rabbi Akiva was a shepherd employed by Kalba Savua. The instant that the wealthy man heard that his daughter was engaged to an ignoramus, he immediately made a vow that his daughter and her husband could not have any benefit from his money. Later, when Rabbi Akiva returned from his studies, Kalba Savua didn't know it was him and tried to nullify the vow he had made earlier. Rabbi Akiva asked him if he would have made the vow if he had known that his son-in-law would become a great man? Kalba Savua responded that he would not have made the vow even if the chosson had only known one chapter. Rabbi Akiva then released the vow.

The prospective father-in-law then asked Rav Shmuel Abba, "Tosafos asks how Rabbi Akiva could have nullified a vow on the basis of נולד, a consideration that was not likely to have been the case at the time the vow was made? The answer given is that once he went to learn, he would certainly become an אדם גדול. But what does this mean? Many people go to learn and don't become sages?"

Rav Shmuel Abba answered without hesitation, "In Shabbos 22b we find that one who respects the sages will have sons-in-law who are sages. Kalba Savua was in this category—he would have been happy even if Rabbi Akiva had learned even one chapter. After the engagement, Rabbi Akiva went to learn. Since he was already in yeshiva and had such a father-in-law he was surely going to become a scholar. So we see that this was not נולד at all!" ■

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