

OVERVIEW of the Daf

1) **MISHNAH:** The Mishnah discusses what is to be done to the animals or the money a woman set aside for her offerings after her husband revokes her vow.

2) Identifying the author of the Mishnah

R' Chisda asserts that the Mishnah that rules that a husband is not required to provide his wife with animals for her offerings follows the opinion of Rabanan rather than R' Yehudah.

The Baraisa that contains the dispute between Rabanan and R' Yehudah is cited.

Rava explains how the Mishnah could even fit with the opinion of R' Yehudah.

According to a second version of this discussion, R' Chisda asserts that the Mishnah follows R' Yehudah. Rava is the one who explains how the Mishnah fits even with Rabanan.

3) "If the animal was hers"

The Gemara wonders how the woman gets money to purchase her own animal.

R' Pappa suggests that she saves extra bread.

Alternatively, someone gave her money on condition that her husband would not take ownership of it.

4) Offering a Shelamim without bread

Shmuel asked Avuha bar Ihi to list the cases when a shelamim is offered without bread.

Avuha bar Ihi listed four cases and then explains the source for each of the four cases.

The Gemara suggests that another case should have been included in list.

It is explained why that case did not make the list. ■

REVIEW and Remember

1. What happens to the animals set aside for a woman's korbanos if her husband revokes her vow?

2. According to R' Chisda, what is the dispute between Rabanan and R' Yehudah?

3. How does a married woman obtain money to purchase animals for her own korbanos?

4. What are the four cases of a Korban Shelamim that is brought without bread?

Distinctive INSIGHT

The husband's funding of a wife's offering

אדם מביא קרבן עשיר על אשתו

The Baraisa teaches the halacha of a married woman who was obligated to bring an offering before she was married. This obligation was for the type of offering which varies depending upon the financial status of the owner. For example, the offerings following childbirth or the offerings which are part of the purification of a metzora are brought from sheep, if she can afford to do so. However, if she cannot afford these animals, she may bring less expensive combinations (two birds instead of two sheep for the woman who gave birth, and one sheep and two birds instead of three sheep for the metzora). If the woman was poor when she became obligated to bring the offerings, and she now marries, if her husband can afford it, our Gemara teaches that she cannot suffice with bringing the poor man's, scaled back offering. This is the way the מפרש understands our Gemara.

Tosafos explains that we are not speaking about a previous obligation the woman had from before she was married. Rather, we are dealing where the husband is financially capable, and his wife, while married, becomes obligated to bring one of these types of offerings. The lesson is that the husband must provide his wife from his (their) own assets. He cannot claim that his wife has no financial resources of her own, and that she should be eligible for the less expensive offerings.

Tosafos adds that the husband is obligated to provide the funds to pay for any offering his wife must bring. However, this is only regarding obligatory offerings. If, for example, the woman pledges to voluntarily bring a neder of nedava, the husband has no legal need to pay for it. Many Rishonim point out that if this would not be the case, a woman might pledge to bring thousands of dollars worth of animals, and the husband would have been required to redeem her pledge.

Rosh brings a proof to this from a Yerushalmi (Kesuvos 4:8) where we find that the husband must pay for an offering if his wife eats forbidden fats (חלב) or if she violates the Shabbos, as she needs atonement. This implies, writes Rosh, that if it is not a question of כפרה, the husband would not have to pay. ■

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 In honor of my aishes chayil

HALACHAH Highlight

The animals set aside for a woman's korbanos after her nezirus is revoked

האשה שנדרה בניזיר והפרישה את בהמתה וכו'

A woman who took a vow of nezirus and set aside animals for her korbanos

The Mishnah discusses a case of a woman who made a vow of nezirus and after she set aside animals for her offerings her husband revoked her vow. The status of the animals depends upon who owned the animals before they were set aside for her offerings. If the animals belonged to her husband they revert back to non-sacred status. The reason is that a husband is obligated to provide his wife with the resources necessary to bring her obligatory offerings. Thus, when the husband revokes her vow it turns out that she was never obligated to offer these animals as offerings and she has no right to use them. Accordingly, the animals revert back to the domain of the husband since the sanctification was done in error and a person does not have the authority to sanctify another's property without authorization. If, however, the animals belonged to her, the Chatas is left to die, the Olah is offered

as a voluntary Korban Olah and the Shelamim is offered as a voluntary Korban Shelamim without any of the unique halachos that apply to the Korban Shelamim of a Nazir.

The Gemara¹ addresses two possible ways that a married woman may have her own money to purchase animals for her offerings. One method is for someone to give her the animals as a gift on condition that her husband has no claim to the animals. Rambam² adds that the one giving her the gift must add that she has the right to do whatever she wants with the animals. The reason this clause is necessary³ is because without this added phrase the animal would be treated the same as any מלוג property that she acquires that the husband is authorized to use as long as he does not diminish the principal. The second method is for her to save up some of the money that she is allotted for her weekly needs. Rambam, however, does not mention this explanation and Sefer Pischei Nazir⁴ suggests that the reason is because Rambam maintains that the money she saves from her weekly stipend also belongs to the husband. ■

1. גמ' עמוד ב'.
2. רמב"ם פ"ט מהל' נזירות ה"ט.
3. ע' פתחי נזיר שם ס"ק ס"ג.
4. פתחי נזיר שם. ■

STORIES Off the Daf

A Wife's Vows

"דתניא ר' יהודה אומר אדם מביא..."

Acertain woman vowed to give a large sum to tzedakah. Since she did not work and had no money of her own, this presumably required her husband's assent. When her husband learned of her vow, he got very upset and protested, "I would never have agreed to give a single penny!" Clearly, now that the husband had warned her, she could not give away his money by making more than a small pledge without his permission. Yet he wondered if he needed to pay what she originally pledged before he lodged his protest. After all, he knew she had a very gener-

ous nature, and he should have informed her of his objections ahead of time. So he asked his Rav.

"Well, the Terumas Hadeshen, zt"l, was consulted regarding this question. He compared this to Rav Yehudah's opinion brought in Nazir 24 and Bava Metzia 104. He says a husband must pay for his wife's obligatory offering as he would pay for his own. If he is rich he has to provide a wealthy person's sacrifice for his wife. Rashi in Bava Metzia and Tosafos in both tractates state that a husband is only obligated to pay for sacrifices that his wife has a halachic obligation to bring, but for voluntary offerings he need not pay at all. Tosfos explains that we can't enable her to vow to bring a thousand voluntary offerings on his account. From these sources he is clearly not obligated

to pay her vows of tzedakah even before he protests this, just as he need not pay for her voluntary sacrifices."

Interestingly, although the Shulchan Aruch in Even Hae'zer 91:13 brings Terumas Hadeshen as the halachah, the Beis Shmuel there mentions that the Maharam Mintz, zt"l, held differently. "If the wife deals with the household expenses, her husband must pay his wife's vows to tzedakah until he protests. And even after he protests he must pay all she pledged before his protest."

The Rav concluded, "Since the Nodah B'Yehudah apparently didn't hold this Beis Shmuel is l'halachah, as the Pischei Teshuvah points out, you need not pay her pledge!" ■

