

15.11.1; 79a (משנה א) → 81a (דערבוביתא)

1. אלה החקים אשר צוה ה' את משה בין איש לאשתו בין אב לבתו בנעריה בית אביה: במדבר פרק ל פסוק יז
 2. והיתה לכם לחקת עולם בחדש השביעי בעשור לחדש תענו את נפשתיכם וכל מלאכה לא תעשו האזרח והגר הגר בתוככם: ויקרא טז, כט
 3. כל נדר וכל שבועת אסר לענת נפש אישה יקימנו ואישה יפרנו: במדבר פרק ל פסוק יז
 4. וזל מים מדליו וזרעו במים רבים ויום מאנג מלכו ותנשא מלכתו: במדבר פרק כד פסוק ז
 5. מי האיש החכם ויבן את זאת ואשר דבר פי ה' אליו ויגדה על מה אבדה הארץ נצתה כמדבר מבלי עבר: ויאמר ה' על עונכם את תורתי אשר נתתי לפניכם ולא שמעו בקולי ולא הלכו בה: ירמיהו פרק ט פסוק יא-יב
 6. והיו הערים להם לשבת ומגרשיהם יהיו לבהמתם ולרכשם ולכל חיתם: במדבר פרק לה פסוק ג

- I משנה א: vows that a husband may reject
- a anything which involves affliction, such as wearing jewelry or bathing
 - b dissent: יוסי ר' does not regard these as vows involving ענוי נפש
 - c Challenge: v. 1 → he may reject any vows that are “between them”
 - i Answer #1: only vows that involve affliction, when rejected, remain rejected even after divorce
 - 1 Rejection: from משנה יא:ד where only vestige of a vow after divorce is if there is no rejection
 - ii Answer #2: he may reject ענוי נפש בהן ענוי נפש even vis-à-vis others; בינו לבינה only regarding them
 - d Question: what is the vow that she took – אם ארחץ or אם ארחץ –
 - i Answer1: “if I bathe today, all פירות are banned to me” (i.e. the bathing is a condition, not the vow)
 - 1 Rejection: this isn't ענוי נפש, since she can avoid bathing today and be “off the hook”
 - 2 Additional rejection: it could be full ענוי נפש if she bathes...then יוסי ר' should agree
 - ii Answer2: “if I bathe, all future bathing is banned” –
 - 1 Implication: יוסי ר' feels that not bathing isn't necessarily ניוול (degrading)
 - 2 Challenge: if so, he should state: “this condition (rather than “this ban”) has no ענוי נפש”
 - iii Answer3: “If I bathe today, all future bathing is banned”
 - 1 Challenge: that only explains the 1st clause – אם ארחץ – but not לא ארחץ
 - iv Answer4: “all future bathing is banned if I don't bathe today”
 - 1 Rejection: no need for rejection – let her bathe today and be done with it
 - v Answer5: “future bathing is banned if I don't bathe in sewage today”
 - 1 Challenge: the parallel with קישוט would be “adorning with naphtha” – which can't be called קישוט
 - vi Answer6: “future bathing is banned if I bathe today – and I take an oath (שבועה) not to bathe today”
 - 1 Challenge: משנה should then state – vows and oaths (נדרים ושבועות)
 - (a) Answer1: that's how it does read
 - (b) Answer2: שבועות are also called נדרים (as per משנה א:א)
 - e Challenge: why do רבנן consider not bathing an ענוי – they don't consider it a full violation of v. 2 (יוה"כ)
 - i Answer: each verse is interpreted contextually –
 - 1 V2: immediately sensed affliction (only hunger and thirst)
 - 2 V3: (vows) – “to afflict”: activities which will lead to affliction
 - f Challenge: יוסי ר' considers even laundry vital as per his ruling in re: personal vs. communal rights
 - i Answer: laundry is more critical as per שמואל's observations about the effects of dirt on head, clothes, body
 - 1 Support: v. 6 – as per explanation offered by יוסי ר' son
 - 2 Tangential advice from א"י:
 - (a) be careful about dirt (as per above),
 - (b) study with a partner
 - (c) treat the children of the poor well, as they are the future scholars (v. 4)
 - (d) reason that scholars don't successfully raise scholars:
 - (i) ר' יוסף: no one should think it is a legacy
 - (ii) ר' ששת, מר זוטרא, רב אשי: to prevent (or as a punishment for) haughtiness
 - (iii) רבינא: that they don't say a ברכה before studying
1. note: this is what led to the destruction, as per v. 5
- II יוסי ר' approach to ענוי נפש בהן ענוי נפש
- a If she bans all fruit on herself
 - i If, however, she bans fruit from a particular region, he should buy her fruit from elsewhere
 - ii If she bans benefit from a storekeeper
 - 1 If there are other stores around, he may not reject
 - 2 If there are no other stores around, he may reject