

15.11.2

81a (א'ר יוסי) → 82b (שבינו לבינה)

1. איש פי ידר נדר לה' או השבע שבעה לאסור אסור על נפשו לא יחל דברו ככל היצא מפיו יעשה: במדבר ל, ג

I Analysis of ר' יוסי's position

- a Question: does ר' יוסי consider bathing rejectable based on שבינו לבינה?
- i Answer: apparently so, as per ברייתא in which he shifts category from ענוי נפש to בינו לבינה
- 1 Rejection: perhaps he's responding to disputants, his own position being that it is unrejectable, arguing that they should categorize it as בינו לבינה
- ii Ruling: dispute between ר' הונא (it isn't) (his argument) and ר' אדא בר אהבה (it is available for rejection)
- 1 Support for ברייתא רב אדא בר אהבה ruling that if she bans makeup and bathing, he can reject it as per ענוי נפש – דברים שבינו לבינה – this must be authored by ר' יוסי, else it would fall under the category of ענוי נפש
- b Analysis of ברייתא quoted above:
- i If she bans תשמיש with her husband, he can reject it as covered under שבינו לבינה
- 1 Note: she must have said "I ban getting pleasure from you (via תשמיש)"
- (a) Reason: the inverse doesn't take any effect; she's משועבד and it isn't in her purview to ban מלאכות v. 1 – ר"ג rules that he must reject (מדרבנו) vows against doing her מלאכות
- 1 Additionally: this verse teaches that a חכם cannot release his own vows
- (a) Note: this means that ר"ג is the author of another ברייתא which cites this and another ruling:
- (i) Additional ruling: if some treat a practice as ritually forbidden (though permitted), you are not allowed to practice leniency in their presence – based on v. 1
- iii Related question: do רבנן consider תשמיש under the category of ענוי נפש or בינו לבינה?
- 1 Proof: later משנה (יא:יב) rules that if she bans relations with all Jews, he rejects his portion and she remains banned with others (even after divorce) → it is under the category of בינו לבינה
- (a) Clarification: assumption that our entire chapter (after משנה א') is authored by ר' יוסי, based on extra identification at end of משנה ב; → final משנה is יוסי ר' and question asked as per רבנן
- c Ruling of שמואל (quoting לוי): husband can reject any vows except "I ban X (an outsider) from benefiting from me"
- i Note: however, if she bans herself from benefiting from X, he may reject it
- 1 Reason: she may end up needing X's help and the restriction will be an ענוי נפש
- 2 Challenge: in our משנה, if she bans fruit from a region, he may not reject – but brings her from elsewhere
- (a) Answer: only if she added "that you bring"
- (b) Note: if so, 2nd clause, where she bans the storekeeper, must also be a case of שתביא
- (c) Challenge: if so, why does last clause (if not other storekeeper around) allow for rejection?
- (d) Rather: the ban she takes includes all circumstances – even if she brings them herself
- 3 answer: the chapter is authored by ר' יוסי (as above) – and the limitation is only vis-à-vis ענוי נפש, but he may reject it on grounds of בינו לבינה
- (a) note: רבנן's position that any of these vows (fruit of some region, one of the local storekeepers) may be rejected on grounds of ענוי נפש