



בס"ד Intro

Today we will בע"ה begin the Seventh Perek, and learn דף of יע סכת כתובות

Some of the topics we will learn about include.

The case of

המדיר את אשתו מליהנות לו

A man who imposes a נדר, a vow, on his wife, in which she is prohibited to benefit from him.

The reasons why the husband's שיעבוד מזונות, commitment for support, does NOT prevent חלות הנדר, the effectiveness of the vow;

The reasons why the husband must appoint a פרנס, a person who will provide his wife with מזונות, support, until the נדר lapses.





Why the husband's שיעבוד מזונות does NOT prevent תלות הנדר



Why the husband must appoint a פרנס lapses

The reason why the פרנס is NOT considered the husband's שליח, agent.

The ways to assist המודר הנאה מחבירו ואין לו מה יאכל

Someone who is prohibited by a נדר to benefit from his friend, and he does NOT have food to eat;

Why the פרנם is NOT considered the husband's שליח



Ways to assist

המודר הנאה מחבירו ואין לו מה יאכל







So let's review ...

Zugt Di Mishnah:

המדיר את אשתו מליהנות לו עד ל' יום

עו ליום

יעמיד פרנס

יתר מיכן

יוציא ויתן כתובה

If a man imposed מ, נדכ a vow, on his wife, in which she is prohibited to benefit from him;

If the נדר was for 30 days, he appoints a פרנס, a person who will provide his wife with מאונות, support, until the נדר lapses. However, if the נדר was for more than 30 days, he must divorce his wife immediately, and pay the Kesubah.



The Gemara asks

היכי מצי מדיר לה

כל כמיניה דמפקע לה לשיעבודה

Why is this נדר effective? The נדר CANNOT override the husband's שיעבוד, obligation, to support his wife?

The Gemara gives two explanations.

One;

באומר לה

צאי מעשה ידיך במזונותיך

The Mishnah refers to a case in which the husband had told his wife to support herself through her wages, in which case he is NOT obligated to support her. Therefore, the נדר was ליח. Nevertheless,

מעמיד פרנס

He must appoint a פרנס, because the Mishnah refers to a case in which

במספקת לדברים גדולים

ואינה מספקת לדברים קטנים

Her מעשה ידים are sufficient for her primary needs only, but are NOT sufficient for the minor necessities.

Now, the question reappears:

הני דברים קטנים היכי דמי

אי דרגילה בהו

הא רגילה בהו

If she IS accustomed to these דברים קטנים, he is obligated to provide them. If so, why does the נדר take effect? ואי לא רגילה בהו

פרנס למה לי

If she is NOT accustomed to them, he is NOT obligated to provide them. If so, why must he appoint a פרנס?









Therefore, the Gemara explains further, that the Mishnah refers to a case in which

דרגילה בבית נשא

וקא מגלגלא בהדיה

HER family was accustomed to these דברים קטנים, but she absolved her husband from providing them.

דאמרה ליה

עד האידנא דלא אדרתן

גלגילנא בהדך

She claims that until you did not impose a ז, I was willing to go along with your lower standards. Therefore, at that point, he was NOT obligated, and the נדר CAN be . However,

השתא דאדרתן

לא מצינא דאיגלגל בהדך

But now, that you did impose a נדר, I am not willing to accept your lower standards. Therefore, at this point, he IS obligated, and he must appoint a פרנס.

דרגילה בבית נשא – וקא מגלגלא בהדיה

HER family was accustomed to these דברים קטנים but she absolved her husband from providing them

עד האידנא דלא אדרתן

גלגילנא בהדך

השתא דאדרתן

לא מצינא דאיגלגל בהדך

According to this understanding, the Gemara explains the difference between 30 days or more as follows:

עד ל' יום

יעמיד פרנס

Because,

עד ל' יום

לא שמעי בה אינשי

ולא זילא בה מילתא

Until 30 days people are NOT aware of the ז, and she does NOT suffer humiliation. Therefore, we wait. He does not divorce her, but provides for her through the פרנס.

However,

יתר מיכן

יוציא ויתן כתובה

Because,

טפי

שמעי בה אינשי

וזילא בה מילתא

After 30 days people become aware of the ידר, which causes her humiliation. Therefore, he must divorce her, and pay the Kesubah.

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The Gemara gives a second explanation of the Mishnah: The דור was אחל because the Mishnah refers to a case where

שהדירה כשהיא ארוסה

He made the נדר while she was a ארוסה, before נשואין, when he was NOT yet obligated in support מדאורייתא. However, יעמיד פרנס

Because, the Mishnah refers to a case of הגיע זמן ולא נשאו

When the preparation period ended and they did NOT get married, in which case he becomes obligated in support מדרבנן, as we learned earlier in this Masechta; הגיע זמן ולא נשאו אוכלות משלו



According to this understanding, the Gemara explains the difference between 30 days or more as follows:

עד ל' יום

יעמיד פרנס

Because.

עד שלשים יום

עביד שליח שליחותיה

An agent fulfills his mission for thirty days. Therefore, we wait, and he provides for her through the פרנס.

However,

יתר מיכן

יוציא ויתן כתובה

Because,

טפי

לא עביד שליח שליחותיה

An agent does NOT fulfill his mission after thirty days. Therefore, he must divorce her, and pay the Kesubah.

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Dedicated By: _

The Gemara explains the difference between 30 days or more:

ער ל' יום
יעמיר פרנם
יוציא ויתן כתובה
יעמיר פרנם
לא עביד שליח
שליחותיה
שליחותיה







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The Gemara asks

פרנס שליחותיה קא עביד

How can she be supported through a פרנס? The יפרנס is the husband's agent, which is considered as if she is being supported by her husband?

רב הונא answers;

באומר כל הזן אינו מפסיד

The husband proclaimed that whoever will support my wife will NOT suffer a loss. Therefore, the פרנס is NOT considered the husband's שליח, because כל הזן is NOT a direct request to do this.

As opposed to a case of

מי שהיה מושלך בבור

ואמר כל השומע קולו יכתוב גט לאשתו

הרי אלו יכתבו ויתנו

A man who was thrown in a pit, and he proclaimed that whoever hears my voice, should write and deliver a **G**et to my wife;

Whoever hears him IS considered the husband's שליח, and gives her the Get, because יכתוב IS a direct request to write and deliver the גט.

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The Gemara continues with a Braisa that discusses ways to aid a מודר הנאה:

המודר הנאה מחבירו

ואין לו מה יאכל

If someone is prohibited by a נדר to benefit from his friend, and he does NOT have food to eat;

הולך אצל חנוני הרגיל אצלו

ואומר לו איש פלוני מודר הנאה ממני

ואיני יודע מה אעשה לו

The friend informs a grocer he's acquainted with, that my friend is prohibited to benefit from me, and I do NOT know what to do for him.

The Halachah is;

הוא נותן לו

ובא ונוטל מזה

The grocer is permitted to provide food to the המודר, and he collects payment from the friend, because the friend did NOT directly request the grocer to do this.









9 Similarly,

היו מהלכין בדרך

ואין עמו מה יאכל

If they were traveling where there's no grocer, and the מודר does NOT have food;

נותן לאחר לשום מתנה

והלה נוטל ואוכל ומותר

His friend gives the food as a gift to a third person - and the מודר is permitted to take the food from that person and eat it.

ואם אין שם אחר מניח על גבי הסלע או על גבי הגדר ואומר הרי הן מופקרין לכל מי שיחפוץ והלה נוטל ואוכל ומותר

If there is no third person, the friend places the food on a stone or fence and states that this food is הפקר, ownerless, for all who want it. The מודר is then permitted to take the food and eat it.

ורבי יוסי אוסר

רבי יוסי disagrees in this last case, and says that the food does NOT become הפקר, because the Chachamim initiated that הפקר is NOT effective for a מודר הנאה;

משום מעשה דבית חורון

Because of a specific incident that occurred in the town of בית חורון.

The remainder of the Mishnah is included in the next review.





