

CURRENT TALMUD PASSAGE

Posted May 6, 1999 by Rabbi Judy Abrams. Please refer to Maqom's home page for information about previous passages.

BH

Two Mishnahs that Relate to Rabbi Akiba

Study Materials 6 May, 1999

The Texts:

The one who vows [not to eat] what is cooked is permitted [to eat] what is roasted or seethed. [If] he said, "Konam! I shall not taste [any] cooked dish!", then he is prohibited [from eating] a thinly cooked dish but is permitted thickly and he is permitted a hard boiled egg and [to eat] a gourd cooked in hot ashes. The one who vows [not to eat] what is cooked in a dish is not prohibited [from eating anything] except a boiled dish. [If] he said, "Konam! I shall not taste anything that goes into this pot!" [then] he is prohibited from eating anything cooked in a pot. (M. Nedarim 6:1)

[Regarding] the one who vows not to have intercourse with his wife, Beit Shammai says: [She must wait] two weeks [and then we compel him to divorce her]. Beit Hillel says: [She must only wait] one week [before we compel him to divorce her]. The students [of the sages] may leave to study Torah without [their wives'] permission [for up to] thirty days [but] workers [may leave without their wives' permission for only] one week.

The time [intervals for intercourse during marriage] as stated in the Torah [are as follows]: men of independent means [must offer to have intercourse with their wives] every day, workers twice a week, ass drivers once a week, camel drivers once every thirty days, sailors once every six months. [These are] the words of Rabbi Eliezer. (M. Ketubot 5:6, 61b)

Background

First, what is a konam? It is "a type of vow (neder). A konam is a specific type of vow whereby a person forbids himself to eat something or derive benefit from something or someone by saying: "that person is to me a konam." The word konam is a substitute for the word korban- "sacrifice"-and is used in order to avoid using the word korban itself. (Adin Steinsaltz, Talmud Reference Guide, New York: Random House, p. 251)

Second, the sages were opposed to people taking vows but apparently they did it all the time. The first and second mishnahs both concern persons whom took vows. In the first, the exact wording of the person's vow determines how wide-ranging or restricting it is. It all depends on how the impetuous vow came out of his mouth.

In the second, the man is vowing not to have marital relations with his wife, which is a violation of the wedding contract. If the man takes such a vow he is violating his contract and the court can force him to divorce his wife: she need not live this way. Beit Shammai, the richer and more conservative of the two great houses of study, says that she must put up with this situation for two weeks. This is because the men of Beit Shammai could actually afford to pay off the divorce price. The men of Beit Hillel, which represented the poorer classes, could probably not afford to pay off the divorce price and so can be more quickly brought into line, as it were.

Discussion Questions:

1. What would the modern day equivalent of "konam" be? What lets you know a vow is truly serious?
2. What do these mishnahs have in common? What differentiates them?