

THE OBLIGATIONS BETWEEN HUSBAND AND WIFE: KETUBOT 46B-77B

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Abstract

This text immersion focused on a study of the obligations within the marital relationship between husbands and wives as understood by the rabbis. My study focused on two primary text sources: 1) Mishnah Ketubot chapters 4-7, and 2) Bavli Ketubot 46b-77b. In addition, I studied secondary sources including Judith Hauptman's *Rereading the Rabbis: A Woman's Voice*, Gail Labovitz's *Marriage and Metaphor: Constructions of Gender in Rabbinic Literature*, Judith Romney Wegner's *Chattel or Person: The Status of Women in the Mishnah*, and Paul Virgil McCracken Flesher's *Oxen, Women, or Citizens? Slaves in the System of the Mishnah*. The written portion of this text immersion consists of two papers and a three lesson curriculum. The two papers compare marriage in the rabbinic era to contemporary marriage, through the lenses of the household economy and the discussion of breastfeeding. The curriculum is intended for engaged couples as part of their premarital counseling, and uses these texts to address issues of financial, emotional, and sexual obligation within marriage.

My study of Masechet Ketubot was greatly influenced by its concurrence with my first year of motherhood. As I analyzed these texts and wrote these papers, I did so with new firsthand knowledge of the reality of breastfeeding and the challenges of navigating work and parenthood. I often joked that my completion of this capstone project was a race against my son, Shai, learning to crawl. Shai won that race, but I am confident that my study and analysis of these texts would not have been as rich and meaningful had I not been simultaneously learning how to be a mother.

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Comparing Rabbinic Marriage to 21st Century Marriage: The Role of Women in the Household Economy

In Masechet Ketubot, the rabbis of the Talmud lay out their image of the ideal relationship between a husband and wife. This relationship is tightly governed by a legal system that addresses the obligations upon each party in the relationship, as well as recourse if those obligations are not met or if the marriage ends. The rabbis' system makes sense for its time, and indeed, aspects of it could be seen in marital relationships within the past century. However, the rabbis' imagined relationship is rooted in a world in which women had considerably less power, both economic and political, than men. In the world of 21st century Jewry, this is no longer the case, as men and women both participate in the public sphere through their careers and participation in the Jewish community and civic life. We no longer assume the same division of responsibilities between husbands and wives, yet recent research reveals that domestic responsibilities have not been successfully reallocated as women have entered the workplace in the past several decades. Further, the heteronormative assumptions of the Talmud no longer apply to many families. Although at face value, the assumptions of the Talmud render the discussions of marriage and family life archaic, modern families may still be able to derive meaning and instruction from the ancient model of family life.

The mishnaic and talmudic discussion in Masechet Ketubot lays out the obligations between husbands and wives. Many of these obligations are delineated in the marriage document (*ketubah*), and are monetary, related to how the husband provides for his wife during marriage, and after divorce or death. Mishnah Ketubot 5:5 goes beyond the monetary

realm and enters the domestic sphere, the women's realm. This mishnah lists a wife's domestic responsibilities to her husband, לבעלה. These responsibilities include grinding, baking, laundry, cooking, nursing children, making the bed, and working with wool. If the wife enters her marriage with maidservants, her obligations decrease. The Gemara records a statement by either Rav Hana or Rabbi Shmuel bar Nachmani clarifying that the wife does not need to enter the marriage with actual maidservants, but with the means to acquire them - לא הכניסה לו ממש, אלא כיון שראויה להכניס, אף על פי שלא הכניסה.¹ By explicitly delineating the tasks that a wife and her maidservants complete, the Mishnah recognizes the importance and necessity of women's work in maintaining a household. However, women do not labor for themselves in the home; they labor for their husbands.

The Gemara includes additional responsibilities laid upon the wife that do not fit as neatly into the category of domestic responsibilities. These responsibilities, mentioned by Rav Yitzhak bar Hananya, do not require the qualifier לבעלה, for whom else could they be? Even if a woman brings four servants with her into the marriage, she still must mix her husband's cup, make his bed, and wash his face, hands, and feet.² Steinsaltz notes that these are not obligations of work, but are done out of affection, and therefore cannot be discharged by a slave. Rav Yitzhak bar Hananya's additional obligations do not contribute to the household economy in the same way that the Mishnah's obligations do, and might be more parallel to the discussion in the Mishnah regarding the husband's obligations to have marital

¹ B. Ketubot 61a.

² B. Ketubot 61a.

relations with his wife.³ Gail Labovitz, however, notes that no parallel tasks are assigned to the husband. “The very intimacy of these tasks and the lack of any reciprocal obligations for the husband emphasizes the wife’s subordinate role; wifehood is defined by being ever ready to meet even the most personal needs of the husband.”⁴

The Gemara expands on one of these duties in particular: nursing (מניקה את בנה). Because of the physical nature of nursing a child, the rabbis understood that in order for a wife to fulfill this obligation, other rights and obligations would have to be adjusted. The Mishnah explains that a nursing mother is required to do less work (מעשה ידיה) and receives a greater sum towards maintenance (מזונות).⁵ The Gemara records an argument between Beit Hillel and Beit Shammai about whether or not a husband can compel his wife to nurse her child. Beit Shammai argues that a woman who vows not to nurse her child can uphold that vow, and Beit Hillel argues that a husband can compel her to nurse, thereby annulling her vow. In the discussion of whether or not a woman can be compelled to nurse, the Gemara debates whether or not a divorced woman can be compelled to nurse her child. At first it states that she cannot be compelled. But if the child knows its mother (and would know the difference between its mother and a hired wet nurse), a divorced mother can be compelled to nurse her child. However, this compulsion comes with a price; the husband must pay his ex-wife for her “work” since the obligation to provide for the children is his: ואם היה מכירה, נותן

³ M. Ketubot 5:6.

⁴ Gail Labovitz, *Marriage and Metaphor: Constructions of Gender in Rabbinic Literature*, (Lanham, MD: Lexington Books, 2009), 170.

⁵ M. Ketubot 5:9.

לה שכרה, וכופה מניקתו.⁶ The Gemara acknowledges that if the wife is not nursing the child, for whatever reason, someone else, a wet nurse, must be hired to fulfill this obligation. This provision reflects a basic understanding about the household economy and the obligations upon wives. Work needs to get done in order for the household to continue running smoothly and effectively. In order for that work to be accomplished, someone must be designated to do the work - and if that person does not do it, someone else must.

The wife's domestic responsibilities are only a small piece of the equation of obligations between husbands and wives. Judith Romney Wegner argues that the rights, duties, and powers assigned to a wife give her legal personhood, although to a 21st century reader, it might appear that the wife has a lowered status. "Most important of all, a wife has a right to maintenance by her husband, who must supply food, clothing, and rights of conjugal cohabitation...The wife's personhood also emerges from her legal duties. She must perform prescribed household and other economic tasks in return for her maintenance."⁷ The husband is obligated to pay his wife's maintenance, which could be understood as a payment for her work in the home.⁸

The system established by the rabbis in Ketubot allows for both men and women to participate in the household economy. Judith Romney Wegner notes that, "Such a division of labor between spouses suggests a view of the family as an economic unit in which husband and wife play complementary roles, he supplying the raw material for food and clothing..."

⁶ B. Ketubot 59b.

⁷ Judith Romney Wegner, *Chattel or Person?: The Status of Women in the Mishnah* (New York: Oxford University Press, 1988), 70-71.

⁸ *Ibid.*, 40.

she processing the at home. This economic interdependence...reflects an equivalence between the roles of husband and wife necessarily implying a view of the wife as a person.”⁹ Despite the interdependence and equivalence seen by Wegner, there is a strict division of labor at play in the rabbinic family. Women’s work is relegated to the domestic sphere, while men maintain control over the public sphere. Although women’s weaving or work with wool, for example, might be sold in public and bring in outside income to the household, women completed their work within the home. Wegner notes that “her prescribed duties confine her largely to the home, setting bounds to her personal freedom.” Wegner describes the division of labor in the agricultural and pastoral economy of rabbinic society. “The wife is specifically required only to process the grain and wool (tasks that can be performed in the home), but not to plant, harvest, or tend sheep.”¹⁰ Although women played an important role in the economy by working with the raw materials of wheat and wool, they were expected to do so from within the walls of their own homes. In the rabbinic imagination, men are in control of both spheres, although one might imagine a subversive understanding of this division of labor, in which women are able to exert power through their roles in the home. Wegner takes a broader look at the status of women in the Mishnah as a whole, noting that “participation in activities of the public domain...was not available to women.”¹¹ Women were excluded from public life, whether economic, political, or religious.

⁹ *Ibid.*, 77.

¹⁰ *Ibid.*, 77.

¹¹ *Ibid.*, 77.

As always, however, boundaries are permeable. Yet even beyond the domestic sphere, the husband controls a woman's work (מעשה ידיה) and the profits from it. The profit from this work, whether weaving, working with wool, midwifery, or other work outside the home, ultimately belongs to her husband, not to herself. The wife is obligated by the Mishnah to weave, and her work contributes to the household economy.¹² The rabbis permit the husband to use the income from his wife's weaving to provide for her maintenance, and the wife herself only controls the surplus. The rabbinic discussion raises questions about who controls women's work and whether a wife ever has authority over her own production.¹³ Rav Huna quotes Rav, saying that a wife can refuse to work, but this refusal is accompanied by a rejection of maintenance payments. This refusal is only possible because the primary obligation in the Mishnah are the maintenance payments themselves. "כי תקינו רבנן מזוני - עיקר, ומעשה ידיה - משום איבה." The Mishnah established the requirement that a woman's handiwork is her husband's in order to prevent loathing in the relationship. Steinsaltz clarifies that since the מזונות payments are for the woman's benefit, she has the authority to reject them by refusing to work for her husband. Rav Huna's position gives women some power and authority in their marriages, "הרשות בידה." However, the Gemara rejects this position, instead arguing that a woman's work on behalf of her husband is the primary obligation, and the maintenance payments are in return for her work. According to this view, the wife does not have the authority to refuse to work or receive maintenance. Labovitz notes that the term "מעשה ידיה" is "applied almost exclusively to female labor," which, by definition, belongs to

¹² M. Ketubot 5:9.

¹³ B. Ketubot 58b.

someone else.¹⁴ Labovitz argues that the economic relationship between husband and wife is most closely comparable to the relationship between a master and a slave, and that the work done by wives in the home is similar to the types of work done by slaves.¹⁵ In B. Ketubot 58b, the rabbis argue whether the payment of maintenance, מזונות, is directly in exchange for מעשה ידיה. Rav Huna argues that a wife can refuse to receive maintenance and to work on her husband's behalf. Resh Lakish refutes this argument, saying that Rabbi Meir's mishnaic statement that the surplus of a wife's handiwork is הקדש, is because a husband has the right to compel his wife to work and consecrate the profits as he sees fit. Labovitz summarizes Resh Lakish's explanation of Rabbi Meir's reasoning, saying, "The husband owns his wife's labor in its entirety. Indeed, it may be said that in Resh Lakish's reading, Rabbi Meir holds that the husband has control over not just his wife's earnings, but her laboring body, since 'he can force her to do the work of her hands.'"¹⁶ According to the rabbinic imagination, women had very little agency over their lives, their bodies, and their production.

Judith Hauptman and Labovitz both argue that a woman does not own her work, time, or body. Although Hauptman argues that Mishnah Ketubot allows for an improved status for women, she notes that "the arrangement is rather uneven. He controls her time, her activities, and her money; she does not control his."¹⁷ The Gemara's discussion of the wife's responsibilities towards her husband is rife with examples that support Hauptman's statement. One of the responsibilities delineated in M. Ketubot 5:5 is the responsibility to

¹⁴ Labovitz, 171-172.

¹⁵ *Ibid.*, 167.

¹⁶ *Ibid.*, 177.

¹⁷ Hauptman, 62.

nurse their children, מניקה את בנה. The Gemara elaborates on this responsibility, discussing at what point a widowed nursing mother may remarry. In a baraita, the חכמים, Rabbi Meir, and Beit Shammai prohibit her from marrying until the child is two years old, in concurrence with their earlier statement that a child must be breastfed for 24 months.¹⁸ Rav Judah and Hillel take a more lenient position, allowing remarriage after the child is 18 months old.¹⁹ These restrictions are intended to prevent a nursing mother from conceiving a child with her new husband before she has completed her obligation to her deceased husband. The Mishnah is clear that the obligation to nurse is an obligation to her husband, not to her children. However, that obligation continues even after the husband dies, until the child has weaned at the appropriate time, most likely in order to protect the child from an abrupt and early weaning. When closely examining this particular obligation, it seems that a widowed wife controls neither her body nor her time, as she must discharge her obligation to her deceased husband before remarrying.

In comparing wives to slaves in the rabbinic mindset, Labovitz highlights the many ways in which a married woman does not control her own work. Married women “labor on behalf of their husbands.”²⁰ Labovitz goes further, arguing that “work becomes essential to who a wife is.”²¹ A married woman loses her agency and her personhood in exchange for laboring on her husband’s behalf.

¹⁸ B. Ketubot 60a-b.

¹⁹ B. Ketubot 60b.

²⁰ Labovitz, 167.

²¹ *Ibid.*, 170.

Other modern scholars take more optimistic views of the status of women in the rabbinic mind. Both Hauptman and Wegner argue that the duties, rights, and obligations afforded to woman in the ketubah are an indicator of her elevated status in society. Hauptman writes, “We learn from it [the ketubah] that a married woman is dependent upon her husband and needs to have her rights protected. No *ketubah* is written for him, not because he had fewer rights, but because he had, in the past, *all* the rights and resources. He alone makes promises to her, whereas she makes none to him.”²² Wegner argues that the wife's ability, albeit contested on Ketubot 58b, to withhold the proceeds from her labor “demonstrates the perceived reciprocity of the wife's duty to work for her husband and his duty to maintain her...This mutual arrangement, by highlighting the interdependence of the spouses, explicitly recognizes husband and wife as persons of an equivalent order though not of equal status.”²³ The wife's confinement to the domestic sphere and her literal laundry list of household obligations do not themselves reflect a subordinate status for women in rabbinic society. Rather, they are part of an intricate system of rights and obligations between husbands and wives, meant to preserve family life and protect women who would otherwise live incredibly vulnerable lives. Labovitz, who primarily argues that wives are similar to slaves with respect to their economic relationship to their husbands, points out that a husband's rights to “his wife's productive labor...are rooted in an exchange of her labor and his financial support of her.”²⁴ Although the emphasis on marriage as a financial arrangement

²² Judith Hauptman, *Rereading the Rabbis: A Woman's Voice* (Boulder, CO: Westview Press, 1998), 67.

²³ Wegner, 75.

²⁴ Labovitz, 173.

based on an exchange of labor and money may seem base to contemporary eyes, this element of marriage can still be found in families today, even though it is not as explicit. Marriages in the United States come with tax benefits, a joining of financial resources, and a shared commitment to establishing a household together. Just as marriages today are not solely about romantic love, marriages in the rabbinic era were not solely about financial benefits, as Rav Yitzhak bar Hananya's statement in B. Ketubot 61a reveals.

Conversations about modern courtship and marriage often focus on the emotional obligations between partners, a response to the prevalence of the romantic ideal presented in pop culture. The practical economic obligations have the potential to be ignored.

Contrastingly, as discussed above, the rabbis emphasized the financial obligations of marriage while almost entirely disregarding the emotional aspects. However, the Talmud does not ignore this aspect of marriage completely. The Talmud acknowledges the presence of *חֵיבָה*, affection, within the marital relationship.²⁵ The rabbis argue about the source of this affection. Does *חֵיבָה* originate under the *chuppah*, the marital canopy, at the same moment as the marriage originates? Or is it the result of consummating the marriage? Regardless, even emotional attachment between two spouses comes with a price. This argument arises in the midst of a conversation about the *תוספת כתובה*, the additional money that the husband might want to add to the marital contract as a result of this feeling of *חֵיבָה*.

The Mishnah includes two statements that contradict the seemingly dominant opinion that all of a woman's work is for her husband's benefit. Rabbi Eliezer and Rabban Shimon ben Gamliel each make moral arguments for a woman's need to work, in order to prevent

²⁵ B. Ketubot 56a.

unchaste behavior or boredom respectively.²⁶ Should a husband forbid his wife from working, he must divorce her. Women's work seems to be about more than her obligation to her husband; it is also about her essential need to work. "These rulings implicitly acknowledge that a woman, like a man, has a mind that needs to be occupied (if only with mundane tasks) as much for her psychological health as to protect the husband's interests."²⁷ Wegner argues further that a woman's personhood is derived from her work and her duties. Although her duties are to her husband, it is through the marital relationship that she gains legal status. Although the wife's autonomy is limited, she is able to withhold proceeds from her labor if her husband does not fulfill his responsibilities to support her.²⁸ Rav Huna gives women the agency to control their own work, time, and body by refusing to work for their husbands, in exchange for not receiving maintenance payments. However, Rav Huna's position is ultimately refuted; even attempts to give women agency are unsuccessful.²⁹

Women's voices and stories from the rabbinic era have not been preserved, so it is impossible to ascertain how well this system worked, or whether it was implemented in part or in whole. The Talmud is not a descriptor of how things actually were, but a record of the rabbinic ideal. The system had built-in safeguards for when it did not work, establishing procedures to protect wives in the case of divorce and death. Although it can be debated how well this system served women, by explicitly assigning household responsibilities to married women, the system ensured that those responsibilities got done. Rabbinic society relied on

²⁶ M. Ketubot 5:5.

²⁷ Wegner, 77.

²⁸ *Ibid.*, 75.

²⁹ B. Ketubot 58b

rigidly defined roles for men and women. These defined gender roles ensured that the household economic unit functioned and that society as a whole maintained its economic and social status quo. However, in the past 100 years, as society has rejected the impermeable division between men and women, roles have become less explicitly defined. As women have joined their male counterparts in the public sphere, there has been little to no redistribution of labor within the home.

Sheryl Sandberg documents this trend in *Lean In*. “When a husband and wife both are employed full-time, the mother does 40 percent more child care and about 30 percent more housework than the father. A 2009 survey found that only 9 percent of people in dual-earner marriages said that they shared housework, child care, and breadwinning evenly. So while men are taking on more household responsibilities, this increase is happening very slowly, and we are still far from parity.”³⁰ Perhaps there was a benefit to explicitly assigning even the most seemingly insignificant of household tasks, ensuring that they got done. Popular media, from *The New York Times*³¹ to the wedding planning blog *A Practical Wedding*³², highlights how women still maintain responsibility for the duties detailed in m. Ketubot 5:5, despite increasing their responsibilities outside of the home. Sandberg calls for a corrective measure, in order to enable women to successfully lean in to their careers: “As women must be more

³⁰ Sheryl Sandberg, *Lean In: Women, Work, and the Will to Lead* (New York: Alfred A. Knopf, 2013), 106-107.

³¹ Judith Shulevitz, “Mom: The Designated Worrier,” in *The New York Times*, 8 May 2015: <http://www.nytimes.com/2015/05/10/opinion/sunday/judith-shulevitz-mom-the-designated-worrier.html>.

³² *A Practical Wedding*, “Demanding Careers and Equality in Marriage,” April 2012: <http://apracticalwedding.com/2012/04/how-to-keep-things-equal-in-a-marriage-when-you-are-both-dedicated-to-job-and-family/>.

empowered at work, men must be more empowered at home.”³³ Women took on responsibilities outside the home, but men have not on a large scale taken on the grinding, baking, laundry, cooking, childcare, bed-making, and wool-working of today. Judith Shulevitz points out that the distribution of domestic work has been evening out over the past 40 years, but qualifies that point by noting that “for housework, this is more because women have sloughed it off than because men have taken it on.”³⁴ The explicit assignment of roles ensures that certain less appealing tasks are accomplished, and as those tasks become less and less valued, it is less and less likely that they will be done. The Pew Research Center notes a significant change in the distribution of household labor from 1965 to 2013. “Fathers’ time spent doing household chores has more than double since 1965 (from an average of about four hours per week to about 10 hours). Mothers’ time doing housework has gone down significantly over the same period (from 32 hours per week to 18).”³⁵ Yet the total time spent doing housework has decreased. Either household tasks are not being completed, or it has become more efficient to do housework. Hiring someone else to fulfill the wife’s responsibilities if she was unable or refused to complete them is one solution that the Talmud turns to, through the hiring of maidservants and wet-nurses. Outsourcing domestic work to someone else is still an option today, but is limited by the family’s economic means.

³³ Sandberg, 108.

³⁴ Shulevitz.

³⁵ Kim Parker and Wendy Wang, Pew Research Center, “Modern Parenthood: Roles of Moms and Dads Converge as They Balance Work and Family,” 14 March 2013, <http://www.pewsocialtrends.org/2013/03/14/modern-parenthood-roles-of-moms-and-dads-converge-as-they-balance-work-and-family/>.

Some of the principles behind the division of labor in Ketubot can be applied to the modern family home as a response to the unequal division of labor lifted up by Sandberg. The discussion of this topic in the Talmud values a clear division of labor, by gender and by sphere - public or domestic. Even though dividing household labor strictly by gender may be unappealing and inappropriate for today's families, having a clear division of labor and being explicit about who in the family is responsible for which tasks could help redistribute household chores more evenly. Paying someone else to do tasks is another option available to some families. Acknowledging the unpaid work that occurs in the home, whether it is childcare, food preparation, or cleaning does not shift the distribution of labor, but does shift how work is valued. In 2015, it would not be a politically correct move to say that a wife works inside the home in order to earn her maintenance payments from her husband. However, by acknowledging the real, hard, and time-consuming work in the home, most often done by women, and the role that work plays in the household economy, women's work (both paid and unpaid) rises in value, along with the status of women themselves.

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Breast Is Best: Rabbinic and Contemporary Cultural Assumptions

“Breast is best.” This statement is proudly trumpeted by parenting blogs, doctors, the La Leche League, and even the Talmud. Bavli Ketubot goes beyond obligating a mother to nurse her child, and presents a series of rabbinic opinions on breastfeeding, many of which ring familiar to modern parents. The rabbis have opinions on when to wean a child, what a nursing mother should and should not eat, and the impact of breastfeeding on both mother and child. In many ways, the discussion of breastfeeding from b. Ketubot 60a-61a is no different from the wealth of advice and opinions given about breastfeeding today. However, there is a critical voice missing from the talmudic discussion - the mother’s voice. The rabbis’ opinions are based mostly on their observations and assumptions. It is impossible to determine definitively whether or not the rabbis spoke to women or heard their views about breastfeeding. Despite the rabbis’ presumed distance from breastfeeding, some of their observations and arguments ring true today.

The rabbinic discussion of breastfeeding begins with a statement of basic obligation. The wife’s obligation to nurse her child, מניקה את בנה, is included in the mishnaic list of a wife’s responsibilities in marriage, most of which are household chores.³⁶ The Mishnah allows for the possibility of hiring a wet nurse, if the wife brings enough money into the marriage to hire two maidservants. “שתיים - אין מבשלת ואין מניקה את בנה.”³⁷ Hiring a wet nurse, according to this Mishnah and to the later discussion in the Gemara, is a privilege for the wealthy, one that women can choose to avail themselves of if it is the custom in their

³⁶ Mishnah Ketubot 5:5.

³⁷ *Ibid.*

family.³⁸ Although a wife is obligated by the Mishnah to nurse, the woman's voice and opinions regarding nursing hold greater weight than her husband's:

Rav Huna said: Rav Huna bar Hinana tested us. If she wants to nurse, and her husband does not want her to nurse, we listen to her, because she would suffer. But what if the husband wants her to nurse, and the wife says that she will not nurse? If it is not the custom in her family to nurse [and rather to send the children to wet nurses], we listen to her. And what if it her custom to nurse, and his custom not to [and instead to send the children to wet nurses]? Do we follow his custom or hers? We solve the problem with, "She rises with him and does not descend with him."³⁹

The wife only follows her husband's family's customs with regards to nursing when it benefits her. This discussion also reveals the rabbis' understanding of the physical and emotional repercussions of not nursing on the mother. With the statement, "שומעין לה, צערה, דידיה הוא," the rabbis acknowledge that not nursing can cause a mother both physical and emotional pain. Although women's voices and experiences are omitted from the recorded discussion, the rabbis' ruling in this matter allows for a woman's desires and needs not only to be heard, but also to be the deciding factor in a legal decision about whether or not she will be compelled to nurse or permitted to hire a wet nurse.

The rabbis also acknowledge that breastfeeding has a positive impact on both mother *and* child. Beit Shammai and Beit Hillel debate whether or not a husband can compel his wife to nurse their child. Beit Hillel argues that a husband can compel his wife, but if they are divorced, he cannot. However, Beit Hillel suggests that a husband can pay his divorced wife and then compel her to nurse in order to protect the child from danger, מפני הסכנה.⁴⁰ Through

³⁸ b. Ketubot 61a.

³⁹ *Ibid.*

⁴⁰ b. Ketubot 59b.

this argument, the rabbis also reveal their understanding of the nuances of the breastfeeding relationship between mother and child. Beit Hillel conditions its statement regarding endangering the child with the phrase, “ואם היא מכירה” - and if the child knows her.” If the baby is already familiar with its mother and her milk, that is, if the breastfeeding relationship has already been established, the child could be endangered by the cessation of that particular relationship, even if there was a substitute source of nutrition. The rabbis argue about when exactly this relationship is formed.⁴¹ Does the child recognize its mother at 30 days, three months, or 50 days? The Gemara concludes that the child knows its mother at 50 days, following the opinion of Rabbi Yitzhak in the name of Rabbi Yohanan. The rabbis even show an understanding of how an infant is able to know its mother, by questioning how a blind child would be able to recognize his mother. The answer, which applies to all babies, not only those without sight, is given by Rav Ashi. “בריהא ובטעמא” - by her smell and her taste.”⁴² The rabbis understand that each mother’s milk is distinct, that even the youngest newborns can recognize their mothers, and therefore there is something special in the relationship between mother and child that cannot entirely be substituted for by hiring a wet nurse.

Despite the preference given to the mother’s family customs, physical comfort, and emotional needs, the rabbis still express a strong bias towards a mother breastfeeding her own child until the child is weaned at an appropriate age. The rabbis do not agree on what that appropriate age is, and this discussion has ramifications later on in the Gemara. A tannaitic statement attributed to Rabbi Eliezer suggests that a child should be weaned at 24

⁴¹ b. Ketubot 60a.

⁴² *Ibid.*

months.⁴³ A child who nurses any longer than that is considered “כיונק שקץ,” like one who sucks an abominable thing, referring to the categories of *kashrut*.⁴⁴ Rabbi Yehoshua offers the opinion that a child does not need to be weaned until four or five years old, but with the understanding that if the child stops nursing and resumes, the child is again considered כיונק שקץ. The rabbis’ revulsion towards the idea of a child nursing after it is no longer seen as age-appropriate is connected to the rabbinic perspective on dietary restrictions. Their reaction bears similarities to contemporary cultural discourse towards children nursing past the perceived appropriate age.

The Talmud expresses an expectation that mothers will prioritize their breastfeeding relationship, forbidding a widowed mother from betrothal or remarriage until the child has weaned. The concern behind this prohibition was the fear that the mother might conceive another child with her new husband, thus preventing her from weaning her older child at the appropriate time. Curiously, there is no mention in this discussion of women conceiving more children with the same husband before weaning an older child at 24 months.

The rabbis also offer dietary advice to nursing mothers, which may or may not reflect folk knowledge among women at the time. Every culture advises nursing mothers what to eat and what to avoid, for their own health, their milk supply, and the health of their babies. The rabbis caution against eating “דברים רעים,”⁴⁵ bad things. Within this category, they include small fish, earth, cuscuta (a type of plant), lichen, pumpkin, quince, palm fronds, curdled

⁴³ *Ibid.*

⁴⁴ *Ibid.*

⁴⁵ b. Ketubot 60b.

milk, and fish hash. The rabbis claim that eating these assorted foods can either diminish a mother's milk supply or spoil her milk. Today, doctors, grandmothers, and lactation consultants urge women to refrain from an equally wide assortment of foods. Some of these restrictions arise from evidence-based research; others are the product of cultural taboos. Alcohol and caffeine can harm an infant. A diet too high in fish with high concentrations of mercury can have deleterious effects. Dairy and cruciferous vegetables may cause colic. Eating peanuts might transmit a peanut allergy. Parsley can diminish a mother's supply. Even though many of these recommendations, from both the rabbinic era and today, are based on folk knowledge rather than medical evidence, they all reflect the understanding that what a mother eats is passed to her child through breastmilk. Surprisingly, there is no talmudic discussion of what a mother *should* eat while breastfeeding for the health of her infant and to increase her milk supply. This topic is a favorite conversation among nursing mothers in parenting groups and online forums. Oatmeal, brewer's yeast, flaxseed, and fenugreek are all considered galactagogues, substances that increase milk supply.⁴⁶ The omission of galactagogues from the talmudic discussion does not mean that there were no recognized foods or herbs that had the power to increase milk supply in the rabbinic era. Rather, by omitting women's voices and experiences from the written record, it is impossible to know what women advised each other to eat while nursing. The advice given by the rabbis on b. Ketubot 60b only reflects the male rabbinic understanding of what women should avoid while nursing.

⁴⁶ Kelly Bonyata, "What is a galactagogue? Do I need one?" on *Kelly Mom*, http://kellymom.com/bf/can-i-breastfeed/herbs/herbal_galactagogue/.

The Mishnah reflects a rabbinic understanding of the physical toll that nursing takes on a mother. “ואם היתה מניקה, פוחתים לה ממעשה ידיה, ומוסיפין לה על מזונותיה.” “And when she is nursing, we decrease her handiwork and increase her maintenance.”⁴⁷ This statement acknowledges that a nursing mother will not be able to complete the same amount of weaving work as she would be able to if she were not nursing. Further, the Mishnah acknowledges that a nursing mother has increased nutritional needs. Although the rabbis argue about whether מעשה ידיה and מזונות are in a quid pro quo relationship, this claim becomes irrelevant when dealing with a case of a nursing mother. The immediate recognition of the shift in a nursing mother’s work capabilities and physical needs was obvious to the rabbis, yet is still sorely lacking in the United States in 2015. Without a sufficiently long enough paid maternity leave, many mothers return to work and resume a full workload weeks after delivering. Their energies and priorities are divided. Society as a whole does not reduce a nursing mother’s workload and increase her salary, as the rabbis obligated husbands to do. Rabbinic policy took into account the rabbis’ limited knowledge of the physical toll that nursing could take on a mother, in a way that American legislation and corporate policies rarely do.

Although some of the discussions and statements about breastfeeding in the Talmud seem archaic and not rooted in reality or women’s lived experiences, in other ways, the rabbis reflect an understanding of the breastfeeding relationship and the impact of nursing on a woman’s body and life. Overall, the rabbis seem to deeply value breastfeeding and they acknowledge its importance for both mother and child. In an unrelated discussion in Y.

⁴⁷ Mishnah Ketubot 5:9.

Berachot 9:5, Rabbi Eleazar states, “מה התינוק הזה צריך לינק בכל שעה שביום כך כל אדם שבישראל” “צריך ליגע בתורה בכל שעות שביום.” Just as a baby needs to nurse every hour of the day, so too does every person in Israel need to engage in Torah study every hour of the day. With this statement, Rabbi Eleazar both acknowledges the reality of constant nursing, and draws an equivalency between Torah study, the most valued activity by the rabbis, and nursing. The rabbis are much less equivocal about nursing than contemporary society. Today, mothers hear “breast is best” from many sources, yet society is not prepared to support families in prioritizing breastfeeding.

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Sex, Chores, and Money: A Curriculum for Engaged Couples

Rationale and Target Audience

This three lesson curriculum is intended for learners who are engaged couples. Both partners in the couple should participate. This curriculum might be used within the context of a longer premarital course (for example, “Making Marriage Work,” at the American Jewish University) or as a complement to premarital counseling offered by a rabbi. The curriculum uses texts from Masechet Ketubot and other sources to guide couples in thinking about their own relationships in the present and future. This curriculum focuses on the idea of obligation, and discusses this idea through both emotional and domestic lenses. As an authentic assessment, learners will develop a *ketubah* in which they outline their obligations to each other. Learners do not need any prior Jewish knowledge to participate in these discussions, but they must be open and ready to have difficult conversations with their partners. The teacher for this curriculum is ideally a rabbi, with a strong foundation in Jewish text as well as pastoral counseling skills.

Enduring Understandings

- The rabbinic ideal of marriage presented in Masechet Ketubot has relevance for contemporary egalitarian marriages.
- Jewish marriage entails obligations beyond emotional commitment.

Essential Questions

- To whom are we obligated?
- How might Jewish traditions about marriage help us think about our own expectations of marriage?
- How can my partner and I develop an equitable relationship as we enter our marriage?
- How can my partner and I strengthen our marriage?

Lesson 1: Obligation

Objectives

Learners will define “obligation” based on rabbinic texts.

Learners will compare rabbinic marriage to contemporary marriage.

Learners will develop a preliminary list of marital obligations, in collaboration with their partner.

Materials

chalkboard/white board, markers/chalk, pens, photocopies of Source Sheet #1, photocopies of Worksheet #1, index cards

Timetable

0:00-0:10 Set Induction

0:10-0:40 Rabbinic Obligations

0:40-1:10 Now and Then

1:10-1:15 Conclusion

Set Induction (10 minutes)

Ask learners to go around the room and introduce themselves and their partners. Each learner will also share one person (*not* their partner) to whom they are currently obligated - and how.

Rabbinic Obligations (30 minutes)

The teacher will introduce the term, “כתובה - *ketubah*,” and ask learners if they know what it is and what it contains. (*Expected answers include marriage license/contract, pretty artwork to hang on the living room wall*)

Judith Hauptman defines the *ketubah* as a “social contract entered into by a man and a woman, albeit with him dominant and her subordinate.”⁴⁸ What do you think the rabbis of the Mishnah (200 CE) would have included in their ketubah? (*Take answers, then distribute source sheet.*)

Study the source sheet in *chevruta* (a traditional Jewish model of studying sacred texts with a partner) with your partner, and discuss the questions on the sheet.

Now and Then (30 minutes)

In the rabbinic imagination, a husband and wife often did not even have the chance to meet before marriage. We know that is not the reality for most couples today. You are already in relationship, and were in a relationship before you were engaged.

⁴⁸ Judith Hauptman, *Rereading the Rabbis: A Woman's Voice* (Boulder, CO: Westview Press, 1998), 60.

Full group discussion:

What are some reasons people get married? Many couples already live together, may even have children together!

Why are *you* getting married? What does marriage add to your relationship/life?

How did your relationship change when you became engaged?

How do you imagine your relationship will change after you are married?

Individually, complete the worksheet, indicating what obligations you had to each other when you were dating, what obligations you have to each other now, and what obligations you will have after you are married.

After you have finished completing the sheet individually, compare your answers with your partner's. Where did you agree? What points of disagreement are there?

Conclusion (5 minutes)

On an index card, write down one thing you will do between now and next class that you are obligated to do for your partner.

Source Sheet #1: Rabbinic Obligations

Mishnah Ketubot 4:7

If he [the husband] did not write a ketubah for her [his wife]: a virgin collects 200 *zuz*, a widow collects 100 *zuz*, because it is a condition of the court.

Mishnah Ketubot 4:8

If the husband did not write the clause “If you are captured, I will redeem you and you shall return as my wife...,” he is obligated, because it is a condition of the court.

Mishnah Ketubot 4:9

...If she becomes ill, he is obligated to heal her [by paying for medical care].

Mishnah Ketubot 5:8

One who supports his wife through a messenger may not give her less than 2 *kavin* (a unit of measure) of wheat, or less than four *kavin* of barley...And he gives her half a *kav* of beans, half a *log* (a unit of measure) of oil, and a *kav* of dried figs, or a *maneh* (a unit of measure) of pressed figs...And he gives her a bed, a mattress, and a mat. And he gives her a covering for her head, a belt for her hips, shoes from festival to festival, and apparel worth 50 *zuz* each year.

Mishnah Ketubot 5:9

He gives her a silver *ma'ah* (currency) for her needs...and if he does not give her a silver *ma'ah* for her needs, the work of her hands (the profit from her handiwork) belongs to her.

Mishnah Ketubot 5:7

The woman who rebels against her husband [by refusing to fulfill the obligations to her husband] - seven *dinarin* (unit of money) are removed from her *ketubah* each week that she rebels (decreasing the total amount she would receive in a divorce). Rabbi Yehudah says: Seven *tarpa'ikin* (unit of money that equals half a *dinar*)...And the husband who rebels against his wife, three *dinarin* are added to her ketubah each week [that he rebels]. Rabbi Yehudah says: Three *tarpa'ikin*.

Bavli Ketubot 63a

What does it mean for the wife to rebel? Rav Huna says, “That she refuses to have sex with her husband.” Rabbi Yossi says in the name of Rabbi Hanina, “That she refuses to do work.” And what about a husband who rebels against his wife? If “rebellious” refers to sexual relations (like Rav Huna said), it applies to the husband as well, but if “rebellious” refers to work (like Rabbi Yossi argued), how can that apply to the husband since he does not work for his wife?

Note: Other texts discuss other obligations in the marital relationship, including the obligation of the woman to do housework. We will discuss these texts in later sessions of the class.

Discussion Questions

- How would you characterize the obligations that a husband has to his wife?
- What obligations do you have towards your partner that parallel to these obligations from the Mishnah?
- To what extent are obligations within marriage quid pro quo? In the ideal? In reality?
- How might the notion of obligation within marriage be applied if both partners work and bring significant financial income to the family?
- Why do you think the rabbis thought it necessary to legislate a consequence for husbands and wives not fulfilling their obligations to each other?
 - What impact do you think these consequences might have on a marital relationship?
- What consequences, if any, exist within your relationship if one partner does not fulfill their obligations?

Judith Hauptman, in *Rereading the Rabbis: A Woman's Voice* (pp. 67-68)

Marriage became a relationship into which two people entered. Even though the man and woman were not on equal footing, they worked out the details between themselves.

- In this quote, Judith Hauptman is describing the innovation of the *ketubah* and how it impacted marriage in the rabbinic era. To what extent does it apply to marriages today?

Worksheet #1: Now and Then

	When We Were Dating	When We Are Engaged	After We Get Married
Obligations I have to my partner			
Obligations my partner has to me			

Lesson 2: Household Responsibilities

Objectives

Learners will compare the rabbinic division of household responsibilities with their own division of labor.

Learners will assess how they share household responsibilities.

Materials

computer, speakers, photocopies of Source Sheet #2, chalk/white board, chalk/markers, paper, pens (in at least 3 colors)

Timetable

0:00-0:10 Set Induction

0:10-0:30 Rabbinic Chores

0:30-1:00 Modernity

1:00-1:15 Rewriting the Mishnah

Set Induction (10 minutes)

Listen to “Housework,” from *Free to Be You and Me*. (<https://www.youtube.com/watch?v=1Y7dJrGnEYI>).

Ask learners to go around and share their least favorite chores.

Rabbinic Chores (20 minutes)

As a class, read Mishnah Ketubot 5:5 (on Source Sheet #2).

What are your initial reactions to this text?

Check for understanding - do learners understand what it means for a wife to enter the marriage with servants?

Did anything in this text surprise you? Why?

Is there anything you might have expected that was omitted?

Put Rabbi Eliezer and Rabban Shimon ben Gamliel’s arguments into your own words. What value do they see in a wife working?

What parts, if any, of this text, are applicable in modernity? How? (*Ask learners how they might apply the middle part, about the wife bringing in money/servants to exempt herself from chores, to modernity? Suggest the modern parallel of using income to hire a housekeeper, cleaning service, gardener, childcare, etc.*)

Modernity (30 minutes)

As a class, list all of the household tasks they can think of (unless a couple in the class already has children, omit childcare-related tasks for now) and write the answers on the board. (*Sample answers: cooking, food shopping, meal planning, washing dishes, preparing lunches, cleaning, laundry, making the bed, coordinating with cleaning service, picking up dry cleaning, car repairs, snow shoveling, gardening/landscaping, taking out the trash/recycling*)

Ask each learner to write down on a piece of paper what percentage of household tasks they complete, and what percentage their partners complete. Learners will share these answers with their partners.

Read this excerpt from Sheryl Sandberg's *Lean In*:

“According to the most recent analysis, when a husband and a wife both are employed full-time, the mother does 40 percent more child care and about 30 percent more housework than the father. A 2009 survey found that only 9 percent of people in dual-earner marriages said that they shared housework, child care, and breadwinning evenly. So while men are taking on more household responsibilities, this increase is happening very slowly, and we are still far from parity.”⁴⁹

Ask for reactions from learners.

A 50/50 split might not make sense in every family, depending on each partner's work hours, take home work, commute time, and personal skills and preferences. With your partner, write out each and every household task that applies to *your* family. Put your initials in blue next to each task/responsibility that you each complete now. If there are tasks that you both do, put both of your initials there.

After each pair has finished, ask: What was that process like? Were there any surprises? If you feel comfortable sharing, how are your household responsibilities split?

Are you both satisfied with the current split? Go back to the split with your partner and discuss what, if any, changes you might want to make. Using a green pen, write your initials next to the tasks that you will each take on in the future.

Rewriting the Mishnah (15 minutes)

We are going to rewrite our original text in pairs, for contemporary Jews.

⁴⁹ Sheryl Sandberg, *Lean In: Women, Work, and the Will to Lead* (New York: Alfred A. Knopf 2013), 106-107.

The text opens by saying that these are tasks that a wife does **for her husband**. How might you rewrite the opening statement to apply in your family? (Instruct learners to write their answers to this question on a fresh sheet of paper.)

Which tasks would you include in rewriting this mishnah for your family?

How will you indicate that both partners have domestic responsibilities?

How would you rewrite the lines about bringing maidservants into the marriage? Which household tasks will you pay someone else to do? How will you budget for that?

Allow couples time to write out their new mishnah. Invite couples to read their texts out loud.

Source Sheet #2: Household Responsibilities

Mishnah Ketubot 5:5

These are the tasks that the wife does for her husband: grinding, baking, and laundry; cooking, nursing the children, making the bed for him, and working with wool. If she brings [the money to hire] one maidservant into the marriage - she does not grind, bake, nor do laundry. [If she brings the money to hire] two maidservants into the marriage - she does not cook, nor nurse the children. [If she brings the money to hire] three maidservants, she does not make the bed for him, nor does she work with wool. If she brings four maidservants into the marriage - she sits on a throne. Rabbi Eliezer says, "Even if she enters the marriage with 100 maidservants - he compels her to work with wool, for idleness leads to lack of chastity." Rabban Shimon ben Gamliel says, "Even a husband who vows that his wife cannot work, he must divorce her and give her her *ketubah*, because idleness leads to dullness."

Lesson 3: Emotional Obligations

Objectives

Learners will analyze the talmudic understanding of emotional affection in marriage.

Learners will identify their emotional obligations to each other.

Learners will create a ketubah based on their learning in the class.

Materials

photocopies of Source Sheet #3, paper, pens, heavy drawing paper, art supplies (colored pencils, pastels, colored pens, markers, watercolors)

Timetable

0:00-0:10 Set Induction

0:10-0:45 Emotions in Rabbinic Marriage

0:45-1:15 Create Your Own Ketubah

Set Induction (10 minutes)

Ask learners to go on a 5 minute walk around the building with their partners, and *only* talk about their feelings for each other - no wedding planning, no “how was your day?,” no “what are we going to order for dinner?”

When learners return, ask them what that experience was like. Was it challenging? Rewarding? Awkward?

Emotions in Rabbinic Marriage (35 minutes)

Ask learners: “What role do you think the rabbis imagined for emotions in the ideal marriage?”

Distribute Source Sheet #3 and ask couples to study it in chevruta.

Create Your Own Ketubah (30 minutes)

Explain that as the closing activity for this class, each couple will create their own ketubah that outlines the obligations they have to each other. Distribute paper and pens. Ask each couple to come up with a list of their obligations to each other. Encourage them to think of the categories discussed in class (emotional and household responsibilities), as well as other categories: financial, familial, physical, etc.

After each couple has completed their list, distribute heavy paper and art supplies. Instruct the couples to transcribe their list of obligations (they can change the wording if they’d like) onto the heavy paper, and to decorate it with symbols and images that have meaning to them.

In closing, share the following teaching, found in Anita Diamant’s *The New Jewish Wedding*:

“The Baal Shem Tov said that if a couple was fighting, they should read the *ketubah* aloud to each other because this would help them remember the day of their marriage, when they affirmed their covenant with each other, when they were surrounded with love and good wishes, and when God entered their relationship.”⁵⁰

⁵⁰ Anita Diamant, *The New Jewish Wedding* (New York: Fireside, 2001), 89.

Source Sheet #3: Emotional Obligations

Mishnah Ketubot 5:6

The one who vows not to have sex with his wife - Beit Shammai says, "Only for 2 weeks!" Beit Hillel says, "Only for one week." Students may leave to study Torah without their wives' permission for 30 days. Workers may leave for one week. The times stated in the Torah for sexual relations: for men of leisure, every day. For workers, twice a week. For donkey drivers, once a week. For camel drivers, once a month. For sailors, once every six months, these are the words of Rabbi Eliezer...

Discussion Questions

- Which partner is obligated to have sex? Why?
- Why do you think the rabbis of the Mishnah legislated how often men should have sex with their wives?
- For the rabbis, what role does physical intimacy play in causing affection and giving a marriage legitimacy?
- Within the context of your own relationship: what role does physical intimacy play in your emotional attachments to each other? In what ways do you feel obligated to be physically intimate with your partner?

Bavli Ketubot 61a

"If she brings four maidservants into the marriage - she sits on a throne." Rav Yitzhak bar Hananya said in the name of Rav Huna: Even though the Mishnah said she sits on a throne, she still pours his wine, prepares his bed, and washes his face, hands, and feet.

Steinsaltz (a modern commentator): These things are not like obligations of work, rather they are things done out of affection, that the wife does for her husband, and these tasks cannot be given to a maidservant.

Discussion Questions

- How are the tasks that Rav Yitzhak bar Hananya lists different from those in the Mishnah?
- What obligations out of affection do you each do for the other?
- How do your feelings for your partner lead to obligation?