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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

**Mishna**

The *Mishna* states: In the following cases, the vower is permitted: If he says, “*Chullin*, that which I eat of yours,” or “Like pig,” or “Like an idol,” or “Like skins perforated at the heart (*the skin was perforated opposite the heart, which was cut out from the living animal and offered to the idol*)”, “Like *neveilos* (*carcasses of animals that were not slaughtered properly*) and *tereifos* (*animals with physical defects that will cause their deaths; they are forbidden to be eaten even if they were slaughtered properly*)”, or “*Shekatzim* and *remasim* (*creatures that are forbidden for consumption*)”, or “Like Aaron’s *challah* (*a portion of dough which is separated and then given to a Kohen*) or his *terumah*.” In all of the cases mentioned above, he is permitted to eat from his friend’s food. (*All these declarations are ineffective because he has associated the food with objects that are intrinsically forbidden, and not with those that are prohibited because of a vow.*)

If he tells his wife, “You are hereby to me like my mother” (*you are forbidden to me just like I am prohibited from engaging in intimacy with my mother*), we must find an opening (*to annul the vow*) for him from elsewhere (*the Rabbi must find for him some grounds of regret to invalidate his vow, must not do so by pointing out that such a vow is derogatory to his mother’s honor*) in order that he should not become lax in these matters. (*This vow is actually ineffective because he has associated his wife with his mother, who is intrinsically forbidden to him; the*

*Gemora will discuss the necessity for having this vow annulled.*) (13b3 – 13b4)

**“La’chullin”**

The *Mishna* had stated: If one says, “*Chullin*, that which I eat of yours,” the food is permitted. The *Gemora* infers from there that if he would have said, “*La’Chullin*, that which I eat of yours,” the food would be forbidden. This is because we assume that the meaning of his vow is that he does not want his friend’s food to be considered *chullin* (*unconsecrated food*), but rather, like a *korban*.

The *Gemora* asks: According to which *Tanna* is the *Mishna* following? It cannot be Rabbi Meir, as he does not hold of the concept that if someone makes a negative statement, the positive is automatically implied (*it is not chullin means that it is like a korban*). If it is Rabbi Yehudah, why does the *Tanna* find it necessary to repeat the same *halachah* that he already taught in a previous *Mishna*?

The *Gemora* answers that since the *Tanna* taught the *halachos* of one who said, “Like pig,” or “Like an idol,” he taught in passing this *halachah* as well.

Ravina said: This is what the *Mishna* is teaching: In the following cases, the vower is permitted (to eat, and no annulment is required), as if he said, “*Chullin*, that which I eat of yours” (for he did not declare the food forbidden at all), or “Like pig,” or “Like an idol.”

The Gemora asks: And if chullin were not stated, I would have thought that asking a sage for annulment would be required; but could I possibly think like that? But the latter clause (of the Mishna) teaches: If he tells his wife, "You are hereby to me like my mother" (*you are forbidden to me just like I am prohibited from engaging in intimacy with my mother*), we must find an opening (*to annul the vow*) for him from elsewhere; it follows that in the first clause, annulment is unnecessary!?

Rather, it is clear that chullin is mentioned incidentally. (13b4 – 14a1)

### **Scriptural Sources**

The Gemora asks: From where do we know these words?

The Gemora answers: The Torah says: *If a man vows a neder to Hashem*: This teaches us that if one chooses to link the subject of the vow to an object that was previously forbidden, then the object that was linked to must be an object that was prohibited through a vow.

The Gemora asks: If so, even if one vows, and chooses to link the subject of the vow to an object that is intrinsically forbidden, it shall be forbidden as well, for the Torah says: *to forbid a prohibition upon himself?*

The Gemora answers: The verse '*to forbid a prohibition upon himself*' is necessary to teach that which was taught in a braisa: How does one make a *neder* through linkage etc.? [If he said, "I hereby accept that I will not eat meat or drink wine (*meaning to say that bread and wine are forbidden to him*), as on the day that his father had died."] (14a1 – 14a2)

### **"Like my Mother"**

The Mishna had stated: If one tells his wife, "You are hereby to me like my mother," we must find an opening

(*to annul the vow*) for him from elsewhere (*the Rabbi must find for him some grounds of regret to invalidate his vow, must not do so by pointing out that such a vow is derogatory to his mother's honor*) in order that he should not become lax in these matters.

The Gemora asks a contradiction from the following braisa: If a man tells his wife, "You are hereby to me like the flesh of my mother," or he says, "Like the flesh of my sister," or "Like *orlah*" (*the fruit that grows from a tree the first three years of its life is forbidden for all benefit*), or "Like *kilayim* of the vineyard" (*the prohibition against planting together different species of vegetables, fruit or seeds; kilayim of a vineyard is forbidden for all benefit*), he has not said anything. (*From this braisa, it would seem that no annulment is necessary!*)

Abaye answers: He has not said anything Biblically (*since he associated his wife with items that are intrinsically forbidden*); however, Rabbinically, he is required to request of a sage to have the vow annulled (*in order not to be lax regarding vows*).

Rava answers: The braisa is referring to a Torah scholar, whereas the Mishna is discussing a case where an ignorant person vowed. (*The Rabbis decreed that he is required to seek annulment for this vow because it was very common for them to make a vow forbidding their wives upon them (when they became angry), and the Rabbis were worried that if we would rule that the vow is void and their wives are permitted to them, they would think that their wives are permitted to them even in a case where they associated their wives to a vowed item. Therefore, it was decreed that they should go to a sage to annul this vow.*)

The Gemora cites support for Rava's explanation from the following braisa: If one vows by the Torah, he has not said anything. Rabbi Yochanan says that he, nevertheless, is required to seek a sage for annulment. (*This is applicable*

to all vows, no matter what the subject was. The ruling of the Mishna, however, only applies by a vow against his wife.) And Rav Nachman said: If he is a Torah scholar, he does not need any annulment. (14a2 – 14a3)

### **“By What is Written in it”**

The Gemora cites the complete text of the braisa mentioned above: If one vows by the Torah, he has not said anything. (The Gemora is discussing a case where a Torah scroll was before a person and he took an oath saying, “By this Torah, I will do or won’t do a certain action. The oath is not valid because we assume he is referring to the parchment of the scroll. Although, the Gemora states that he made a neder, we are dealing with an oath.) If one vows by what is written in the Torah, his words are valid. If one vows by the Torah and by what is written in it, his words are valid.

The Gemora asks: If his words are valid when he says, “By what is written in the Torah,” isn’t it obvious that his words will be valid when he says, “By the Torah and by what is written in it”?

Rav Nachman answers: This is not difficult, for the last ruling of the braisa is referring to a case where the scroll was not in his hand, whereas the other ruling is referring to a case where the scroll was in his hand.

The Gemora explains: If the scroll is not in his hand, we assume he is referring to the parchment that the words are written on (even when he says, “By what is written in it”) and his oath is ineffective (it will be valid if he says, “By the Torah and by what is written in it”). If, however, the scroll is in his hand, the oath is valid (even when he says, “By what is written in it”) because we assume he is referencing the Names written in the Torah scroll.

Alternatively, the Gemora answers that the entire braisa is referring to a case where he is not holding the Torah

scroll. The braisa is teaching us that even when the scroll is not in his hand, his oath is effective if he says, “By what is written in it.” The braisa is teaching us the rulings with the format of “This ruling, and it is not necessary to teach the latter ruling.”

Alternatively, the Gemora answers that the entire braisa is referring to a case where he is holding the Torah scroll. The novelty of the braisa’s rulings is that even if he only says, “By it,” it is as if he said, “By what is written in it,” and his oath is valid. (14b1 – 14b2)

### **Quick Summary**

\* Why is a neder not effective when he says, “Like an idol”?

It is because he has associated the food with an object that is intrinsically forbidden, and not with one that is prohibited because of a vow.

\* How is it derived that one must associate the subject of his vow with something that is prohibited because of a vow?

It is written: *If a man vows a neder to Hashem.*

\* In what case does this halacha apply: If one tells his wife, “You are hereby to me like my mother,” we must find an opening (to annul the vow) for him from elsewhere.?

According to Abaye, this will always apply Rabinically. According to Rava, only by an ignorant person.

\* If a man takes an oath and referring to a Torah scroll says, “By what is written in the Torah,” will it be effective?

According to Rav Nachman, only if the scroll is in his hand.