

Daf Notes is currently being dedicated to the neshamot of

**Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h**

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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

### **Revoking for That Woman**

The *Mishna* had stated: If his wife made a *neder* and he thought that his daughter had made the *neder*, or if his daughter had made a *neder* and he thought that his wife had made the *neder*, or if she made a *neder* to become a *nazir* and he thought that she had made a *neder* to bring a *korban*, or if she made a *neder* to bring a *korban* and he thought that she had made a *neder* to become a *nazir*, or she made a *neder* to abstain from figs and he thought she had made a *neder* abstaining from grapes, or if she made a *neder* to abstain from grapes and he thought she had made a *neder* abstaining from figs, he must revoke the *neder* again.

The *Gemora* notes: This would seem to indicate that when the Torah wrote, *he restrains her*, it was meant precisely (*his revocation is valid only if he revoked the neder knowing the identity of the vower; otherwise, it will not be valid*).

The *Gemora* asks: But in regards to the *halachah* of tearing one’s clothing (*upon hearing of a close relative’s death*), where it is written, *over, over*, as it is written [Shmuel II 1: 11-12]: *Dovid took hold of his garments and tore them over the death of Shaul and over the death of Yonason his son. (It would seem from here that one is required to rend his garments*

*with intent for the specific person who died.*) But we learned in a *braisa*: If they told him that his father died and he tore his garments, and then we found out that it was his son who died, he has fulfilled his obligation! (*Just as the words “over, over” are not meant precisely, so too, the word “her,” in regards to revoking her neder, should not be taken precisely; why then does our Mishna rule that his revocation is invalid if he mistook her identity?*)

The *Gemora* answers: The *braisa* is referring to a case where they did not specify to him who died (*he assumed that it was his father, but he wasn’t certain about it; therefore, he fulfilled his obligation*). The *Mishna* is referring to a case where they specifically told him who made the *neder* (*and therefore, his revocation is invalid*).

The *Gemora* cites the following *braisa* which supports this distinction: If they told him that his father died and he tore his garments, and then we found out that it was his son who died, he has not fulfilled his obligation. If they told him that his close relative died and he tore his garments thinking that it was his father who died, and then we found out that it was his son who died, he has fulfilled his obligation.

Rav Ashi offers an alternative answer: The *braisa* is referring to a case where he realized who had died within the period of an utterance (*the time it would take for a student to greet his teacher, by saying Shalom alecha, Rebbe*). The *Mishna* is referring to a case where he realized who made the *neder* after the period of utterance (*and therefore, his revocation is invalid*).

The *Gemora* cites the following *braisa* which supports this distinction: If there is a sick person who fainted in someone's house, and it appeared that he died, and he (the other fellow) tore his garments for him, and afterwards he (the sick person) actually died, he has not fulfilled his obligation. Rabbi Shimon ben Pazi said in the name of Rabbi Yehoshua ben Levi: He does not fulfill his obligation only if he died after the period of utterance, but if he died within the period of utterance, he has fulfilled his obligation (*and he is not required to rend his garments again*).

The *Gemora* issues a halachic ruling: The *halachah* is that a statement which follows another statement within the period of an utterance is regarded as if it were made together with the first one except in the case of blasphemy, idolatry, betrothal and divorce. (*If one commits blasphemy or practices idolatry, and immediately, within the period of utterance, retracts, his retraction is unavailing, and he will still incur the death penalty. If a man betroths a woman or divorces her, and immediately thereafter changes his mind, such withdrawal is invalid.*) (86b – 87a)

### **Mishna**

If she made a *neder* saying, “*Konam, my tasting these figs and grapes,*” and he (*the father or the husband*) confirmed the *neder* with respect to the figs, the entire *neder* is confirmed. If he revoked the *neder* with respect to figs, it is not revoked until he revokes it with respect to grapes as well.

### **The Ra”n Elucidated**

[*It is not revoked for the grapes until he revokes the neder for them explicitly, but for the figs that he revoked, it is revoked. Another interpretation: It is not revoked at all - even for the figs, because he doesn't have the power to make a partial revocation.*]

If she says, “*Konam, my tasting this fig, and my tasting this grape,*” they are regarded as two separate *nedarim*. (*Even if one neder is revoked or confirmed, he is able to revoke or confirm the other.*) (87a)

### **Confirming or Revoking Part of her Neder**

The *Gemora* states: The *Tanna* of our *Mishna* is Rabbi Yishmael. For we learned in a *braisa*: The Torah writes: *Her husband confirms it or her husband revokes it*. This teaches us that if she made a *neder* saying, “*Konam, my tasting these figs and grapes,*” and he (*the father or the husband*) confirmed the *neder* with respect to the figs, the entire *neder* is confirmed. If he revoked the *neder* with respect to figs, it is not revoked until he revokes it with respect to grapes as well; these are the words of Rabbi

Yishmael. Rabbi Akiva says: It is written: *Her husband confirms it or her husband revokes it.* We derive from here that just like a confirmation of part of her *neder* confirms the entire *neder*, so too, a revocation of part of her *neder* revokes the entire *neder*.

Rabbi Chiya bar Abba said in the name of Rabbi Yochanan: These are the words of Rabbi Yishmael and Rabbi Akiva, but the *Chachamim* say: We compare confirmation to revocation. Just like the *halachah* is that when he revokes a part of the *neder*, only that part is revoked, so too, if he confirms part of the *neder*, only that part is confirmed. (87a – 87b)

### **Two Separate Nedarim**

The *Mishna* had stated: If she says, “*Konam*, my tasting this fig, and my tasting this grape,” they are regarded as two separate *nedarim*. (Even if one *neder* is revoked or confirmed, he is able to revoke or confirm the other.)

Rava said: This *Tanna* reflects the opinion of Rabbi Shimon. For Rabbi Shimon says (regarding one who falsely swears to a group of depositors) that it is regarded as one oath unless he states that he swears to each and every one of them. (87b)

### **Mishna**

If the husband says, “I know that she had *nedarim*, but I did not know that they could be revoked,” he may still revoke them (the day that he learned this *halachah* is regarded as the day that he heard about the *neder*). If he says, “I knew that *nedarim* could be revoked, but I didn’t know that this classified as a

*neder*,” Rabbi Meir says: He cannot revoke the *neder*. The *Chachamim* say: He may revoke the *neder*. (87b)

## **INSIGHTS TO THE DAF**

### ***Within the Period of an Utterance***

The *Gemora* issues a halachic ruling: The *halachah* is that a statement which follows another statement within the period of an utterance is regarded as if it were made together with the first one except in the case of blasphemy, idolatry, betrothal and divorce. (If one commits blasphemy or practices idolatry, and immediately, within the period of utterance, retracts, his retraction is unavailing, and he will still incur the death penalty. If a man betroths a woman or divorces her, and immediately thereafter changes his mind, such withdrawal is invalid.)

The Ra”n comments that he doesn’t know why these cases are different and from where did the Rabbis derive this. It would seem, he says, that in regards to other things that are not as serious, when a person does them, he doesn’t do them with absolute intent. Rather, his intention is that he will be able to retract them within the time it takes for an utterance. But these, since they are so serious, a person will not proceed unless he has made up his mind completely, and for this reason, retraction, even within the period of time it takes for an utterance, is not effective.

The Ramban in Meseches Bava Basra quotes Rabbeinu Tam who says that the *halachah* that within the time it takes for an utterance is regarded



as a single utterance is a decree that the Rabbis made because of a student who is purchasing something and his teacher comes, so that he will be able to greet him. They issued this ruling for all things except for these.

The Ra"n asks: How could they make a decree in respect to *nedarim* which will permanently uproot something from the Torah in a manner that involves actively doing something?

The Imrei Binah answers according to the Radvaz, who says that we are more lenient with respect to *nedarim* because they can be annulled by a sage. Therefore, the Torah gave the power to the *Chachamim* to permit a Biblical prohibition, even when it involves actively uprooting it.

Reb Shimon Shkop asks on the Ra"n: If the logic that enables one to retract within the period of an utterance is because he lacks absolute intent, how can this apply to the *halachah* of rending one's garments over a death? There is no intention required!

They explain as follows: The principle of "within the time required for an utterance" accomplishes that any act performed can be viewed as continuing for a further amount of time (*"the period of an utterance"*). Therefore, when he rends his garments and then, within the time required for an utterance, discovers who died, it may be regarded as if he tore his clothes at that time.

## DAILY MASHAL

### *Greeting Another*

One Yom Kippur eve, Rabbi Salanter met a person on the way to synagogue for the Kol Nidrei prayers. Rabbi Salanter warmly greeted him, but this person was so absorbed with the solemnity and awesomeness of the Day of Atonement that he did not return the greeting. In fact, he had a gloomy expression on his face, as he contemplated the seriousness of the Divine judgement. Rabbi Salanter then remarked to his disciple, Rabbi Itzele of Petersburg, "Why must I need to suffer because of his preoccupation with the Divine judgement?" Rabbi Salanter was teaching his disciple that regardless of our mood, we have a responsibility to greet everyone with a cheerful and pleasant countenance.

Rabbi Yechiel Gordon, a sage of the 20th century who was the Dean of the Lomza Yeshiva, was stricken with cancer. Those who visited this sage during the last months of his life describe how he would tell stories and try to bring cheer to his visitors, despite his great pain. He knew that they were saddened to witness his deteriorated state, and he therefore greeted each visitor with a cheerful countenance.