



Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamot of

Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h

Tzvi Gershon ben Yoel (Harvey Felsen) o”h

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

Mishnah

Rabbi Eliezer says: We find an opening for a person (we suggest a permissible reason for the sage to release him from his vow) based upon the honor of his father and mother. [The Ran explains that we tell the person: “If you knew that people would denigrate your parents because their son is someone who carelessly makes vows, would you have made the vow?”] The Sages forbid (a release based on this concern).

Rabbi Tzadok said: Just as we would permit finding an opening based upon the honor of his father and mother, we also would permit finding an opening based upon the honor of the Omnipresent.

[They said to him:] If this would be so (that the honor of the Omnipresent may be used as a valid opening), there would never be a valid vow!

The Sages, however, admit to Rabbi Eliezer that if the vow relates to matters that are between him and his father and mother, we would then find an opening for him based upon the honor of his father and mother.

Rabbi Eliezer also said: We find an opening with a new development (new situations that arose after the making of the vow). The Sages forbid (a release based upon a new development).

What is a case (of a new development)? If a person said, “That which I will benefit from a certain person shall be konam,” and the person then became a Torah scholar (and the one who pronounced the vow wishes to make use of his services) or that person married off his son (and the one who pronounced the vow wishes to attend the wedding feast), and he (the person who made the vow) then said, “If I would have known that he would become a Torah scholar or that he was going to marry off his son in the near future, I would not have made this vow (this is an example of a case of release based upon a new development).

Similarly, if someone said, “This house for me to enter shall be konam,” and that house then became a synagogue (and the one who pronounced the vow wishes to pray there), and he then said, “If I would have known that it would become a synagogue, I would not have made this vow (this is another example of a case of release based upon a new development).

Rabbi Eliezer permits (the release based upon a new development), while the Sages forbid it. (64a1 – 64a2)

Nedarim will no longer be

The Gemora asks: What was meant (when the Sages said): If this would be so (that the honor of the Omnipresent may be used as a valid opening), there would never be a valid vow!?

Abaye answers: It means that if so, the process of permitting vows would be done shabbily. [*Ra"n – Even if in the beginning he would not have refrained because of the honor of God, he would not dare to admit that before a sage, so he would lie and say, "Had I known, I would not have made the vow." It would emerge that vows are not being annulled properly. For this reason, R' Eliezer agrees with the Sages that we do not find an opening for him on the basis of the honor of God. However, for the honor of his father and mother, he disagrees. The Sages forbid it, because they maintain that whether it is for the honor of God or the honor of his father and mother, a person would not dare. We therefore do not make such an opening. And R' Eliezer holds that it is for the honor of God that a person would not dare, but for the honor of his father and mother he would dare, therefore we do use that as an opening.*]

Rava answers: It means that if so, vows would no longer be brought before a sage for annulment. [*Ra"n – If we would use the honor of God as an opening, no vows would be brought before a sage, for everyone would use this opening for themselves, since this is an opening which would be appropriate for all vows.*]

The Gemora cites our Mishnah (as proof to Abaye): The Sages, however, admit to Rabbi Eliezer that if the vow relates to matters that are between him and his father and mother, we would then find an opening for him based upon the honor of his father and mother. Now, this is understandable according to Abaye who said: If so, the process of permitting vows would be done shabbily; for being that in this case the son was audacious enough to make such a vow (forbidding his parents), he is audacious enough (to admit before a sage that he would have made the vow regardless). [There is therefore no reason to suspect him of lying,

and therefore, the opening is valid.] However, according to Rava who said: If so, vows would no longer be brought before a sage for annulment; here (when the vow is against his parents), why do we find an opening for him (because we are concerned about the honor of his parents; we should prohibit this type of opening, for otherwise, he would annul this by himself – without consulting a sage)?

The Gemora answers: They say: Since all other vows cannot be annulled without petitioning a sage (and therefore, one is accustomed to doing that), here (when he made a vow against his parents) too, we find an opening here as well (based upon the honor of his parents, and we are not concerned that he will annul these vows by himself). (64a3 – 64b2)

The Mishnah had stated: Rabbi Eliezer also said: We find an opening with a new development (*new situations that arose after the making of the vow*). [The Sages forbid (a release based upon a new development).]

The Gemora asks: What is the reason of Rabbi Eliezer?

Rav Chisda said: For Scripture states (regarding the annulment of Moshe's vow that he would not leave Midian without asking the permission of his father-in-law, Yisro): [*Hashem said to Moshe: Return to Egypt. For all of those (who have sought to kill you) have died.*] [*Ra"n - Now, Moshe only swore because he was afraid of Dasan and Avirah; therefore, Hashem found for him an opening: for all the men who sought your life have died.*] But 'death' is a new development! Here is a source that a new development can be used to permit a vow.

The Gemora asks: What is the reason of the Rabbis (who argue on Rabbi Eliezer)?

The Gemora answers: They hold: Did these people (the enemies of Moshe) actually die? But Rabbi Yochanan said in the name of Rabbi Shimon bar Yochai: Whenever the Torah says that certain people were “nitzim” – “fighting” or “nitzavim” – “standing erect,” it refers to Dasan and Aviram (*who were the ones who sought to kill Moshe*). [This means that they were still alive when Bnei Yisroel went out of Egypt.] Rather, Rish Lakish said: [that they died] means that they became bereft of their possessions (*and therefore lost their influence to be able to harm Moshe*). (64b2 – 64b3)

Rabbi Yehoshua ben Levi said: Whoever does not have children is considered as dead. This is apparent from that which is stated: [Rachel said to Yaakov] *Give me children, and if not, I am dead*. And it was taught in a *Baraisa*: There are four types of people who are considered dead. They are: a poor person, a *metzora*, a blind person, and one who has no children.

A poor person, for it is written: *for all of the people (who have sought you out) have died*.

A *metzora*, for it is written: [Aaron said the following prayer:] *Let her (Miriam) not be considered as a corpse*.

A blind person, for it is written: *he has placed me in darkness like the dead of the world*.

One who does not have children, for it is written: *Give me children, and if not, I am dead*. (64b2 – 64b3)

DAILY MASHAL

Four People are Considered as Dead

it was taught in a *Baraisa*: There are four types of people who are considered dead. They are: a poor person, a *metzora*, a blind person, and one who has no children.

Reb Chaim Shmulevitz explains that the common denominator among these four is that they do not feel someone else’s pain and that they cannot provide benefit for others.

A poor person is considered as dead not because he is lacking himself, but rather, it is because he cannot give to others.

A blind person cannot see others and therefore, he is unable to perceive their pain or suffering. He cannot join in his tribulation.

A *metzora* is banished from the camp and therefore, he is unable to offer assistance to others.

One who does not have children to nurture is lacking the ability to provide benefit to those that are dear and close to him. It is a natural instinct for a person to desire to give whatever he has to his children.

Only a life where one can share with others is worth living.