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Daf Notes is currently being dedicated to the neshamot of

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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

If a woman makes a vow while she was an arusah (betrothed), and then proceeded to get divorced on that very same day, and then became betrothed to someone else on that very same day - even if this happens one hundred times, her father and current husband can revoke her vows of that day (for they can revoke vows made prior to her betrothal). This is the rule: As long as she did not enter into her own domain (as a bogeres or a nesuah) for any amount of time, her father and current husband can revoke any vows. (71a1)

The Source of the Mishna’s Law

The *Gemora* asks: How do we know that the latest husband can revoke vows that were already extant during her betrothal to a previous husband?

Shmuel said: The verse states: *And if she will be (married) to a man and her vows are upon her.* This refers to any vows that were upon her already.

The *Gemora* asks: Perhaps this is only referring to vows that were not fit (for revocation) by the first arus (husband; as he did not hear about them – and it is those vows that the current arus can revoke), but

vows that were fit (for revocation) by the first arus, the last arus may not revoke?

The *Gemora* answers: The extra word “*aleha*” – “*upon her*” (teaches us that all vows which were upon her may be revoked by the last arus).

The *Gemora* quotes a *braisa* that is a proof to Shmuel. In the case of a betrothed na’arah, her father and her husband jointly revoke her vows. What is the case? If her father heard she made a vow and revoked it for her, and the husband did not have time to hear (about the vow) before he died, and she then became betrothed to someone else on that very same day - even if this happened one hundred times, her father and her last husband can revoke her vows. If her husband heard she made a vow and revoked it for her, and the father did not have time to hear (about the vow) before the husband died, the father repeats and revokes the portion of the husband. [*Ra”n* – *The father is able to revoke by himself even though she became an arusah to someone else, for the reason that will be explained later. And when it says that he revokes the portion of the husband, indeed, the father revokes his own portion as well. But the Tanna did not need to inform us of this, for it is obvious that his portion does not go away without revocation. It is the husband’s portion that is the novelty, for even though the husband already*

revoked his portion, the father must nonetheless again revoke even the very portion of the husband itself, because when the husband died his revocation becomes null.]

Rabbi Nassan said: These (the last ruling of the braisa) are the words of Beis Shammai. Beis Hillel, however, say: He (the father) cannot revoke (the vow by himself).

The *Gemora* asks: What point are they arguing about?

The *Gemora* answers: Beis Shammai reasons that even vows that were fit (for revocation) by the first arus are transferred to the father (*once the husband dies*). And they also hold (that once the arus revokes the vow) he cuts it off. [*Ra"n – When the first husband revoked it, half of the vow was completely nullified; his act has been completed and he has gone away completely. Although when he dies his revocation has become null, since he has gone away, the vow is not fit for the arus at all, and the father arises without the arus.*]

Beis Hillel, however, hold that her father and her last husband must revoke her vows together, and (when the first arus revoked the vow) he does not cut it off [*They hold that her father and the last arus revoke her vows, because the father is not able to revoke by himself since it has not been cut off. For when the first husband revoked her vow, half the vow was not taken away, but rather, it was the entire vow that was weakened, and the weakening is not a complete act. For this reason it doesn't take effect at all until the weakening of the other one is joined to it.*

Therefore, as long as the father hasn't revoked, the arus has not gone away from his vow, and for this reason, the last arus obtains the right to it.] (71a1 – 71b1)

Divorce and Vows

The *Gemora* inquires: What does divorce do for any extant vows? Is it as if the husband merely said nothing, or is it as if the husband explicitly confirmed the vows? [The wife pronounced a vow, and the husband heard about it and divorced her. Do we say that since the arus knew that after the divorce he will not be able to revoke her vow, and he did not revoke it before the divorce, it is as if he upheld her vow – just as we say that if he didn't revoke it on the day that he heard it, it is as if he upheld it, or is tantamount to silence?]

The *Gemora* asks: What is the practical difference? Between the two options?

The *Gemora* answers: The difference would be in a case where she vowed, and her husband heard and divorced her, and then he proceeded to remarry her on that very day. If the master said that the divorce was akin to silence, he could still revoke the vow for her. If, however, the master said that it is akin to confirming the vow, he cannot revoke the vow for her. (71b2)



INSIGHTS TO THE DAF

Confirmation through Divorce

The *Gemora* wonders if a divorce constitutes a confirmation of the *neder*. The Ra"n explains: The husband knows that after the divorce, he will not be able to revoke her *nedarim* any longer. And from the fact that he did not revoke her *neder* beforehand; this indicates that he is, indeed, confirming it. This, the Ra"n says, is comparable to when he is he remains quiet on the day that he heard the *neder*. Keeping quiet on the day that he heard the *neder* is regarded as a confirmation. This is because he knows that he will not be able to revoke the *neder* on the following day, and nevertheless, he chooses to be quiet. This is regarded as a confirmation.

The Reshash notes that the comparison is not a precise one. For here, the husband may think that that the father will still be able to revoke the vow after he divorces her. The husband thinks that his authority will pass over to her father. It is for this reason that he remained quiet. It might not be a true indicator that he wishes to confirm her *neder*.

DAILY MASHAL

Power of Speech

It is written: *If a man vows a neder to Hashem, or swears an oath, to forbid a prohibition upon himself,*

he shall not (yachel) desecrate his word; according to whatever comes from his mouth shall he do.

Rashi writes (explaining the word 'yachel'): He shall not make his words chullin – non-sacred.

The Sfas Emes explains: It is evident from Rashi that the power of speech is sacred, and a person is warned not to desecrate his words, for throughout the forty years in the Wilderness, Moshe attempted to instill into the Jewish people the power of their voice and tongue, and that is why they were commanded here on guarding their speech. And this is the reason why the passages dealing with vows immediately follow the passages dealing with the sacrifices (that were offered on the Festivals). For prayers which are recited with the mouth are in place of the sacrifices, and it is written: *and let our lips substitute our bulls.*

This also explains why these passages are always read during the three weeks – the time which is called "bein hametzarim" – "between the narrow straits." For it is through the sound of prayer and Torah that we are able to exit these boundaries, as it is written: *From the straits did I call upon God, answer me with expansiveness did God.*