



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

A Deaf Person

Rami bar Cham inquires: Can a deaf man revoke the *nedarim* of his wife? If you will say that a husband can revoke his wife’s *nedarim* even without hearing them, perhaps that is only because he is fit to hear about them, but a deaf person, who cannot hear, would not be able to revoke her *nedarim*, like Rabbi Zeira says in regards to a *korban minchah*: A flour-offering that is fit for mixing (*of the flour and the oil of the offering; with one log of oil for sixty esronim of flour, and a maximum of sixty esronim in one pan, perfect mixing is possible*), the mixing is not critical to it (*and the offering will be valid even without mixing*); whereas, a flour-offering that is not fit for mixing (*where, the proportions of the mixture were less than a log for sixty esronim or where more than sixty esronim were placed in one pan*), the mixing is critical (*and the offering will not be valid*). (So too here regarding revoking; *if the husband is capable of hearing, the revocation is valid even if he did not hear the vow. If he is not capable of hearing the vow, his revocation will be invalid.*) Or perhaps, when the Torah states: *And her husband heard*, it is not being specific (*and he may revoke his wife’s vows even if he cannot hear*).

Rava says: It was taught in the following *Baraisa*: *And her husband heard*. This excludes the wife of a deaf person. This proves that a deaf man cannot revoke his wife’s vows. (73a1)

Revoking Two Vows Simultaneously

The *Gemora* inquires: Can a husband revoke the vows of his two wives simultaneously? When the Torah states: *He shall restrain her (and he shall revoke her vow)*, is the “her” specific that he can only revoke one wife’s vow and not the other? Or perhaps, the Torah does not mean to be specific?

Ravina says: Let us resolve this inquiry from the following *Baraisa*: We do not give two *sotos* to drink simultaneously, for one’s heart will become emboldened by the other (*a married woman who is suspected of adultery is given bitter waters to drink; the Name of Hashem is erased into the waters and we try to convince the woman to admit; if we would allow two sotos to drink at the same time and one of them was innocent, this will encourage the guilty one to be persistent in her denial*). Rabbi Yehudah says: This is not the correct reason for this. It is because it is written: *And he shall give her to drink*. We give “her” to drink and not two wives. (*We see from here that when the Torah writes “her,” it is being specific, and therefore, a husband would not be able to revoke the vows of his two wives simultaneously.*) (73a1 – 73a2)

Mishnah

The *Mishnah* states: Concerning a *bogeres* who waited twelve months and a widow who waited thirty days; Rabbi Eliezer says that since the husband is required to feed her, it is he (*alone, and not together with her*

father) who annuls her vows. The *Chachamim* say: The husband may not revoke her vows until she enters into his jurisdiction. (73b1)

Treating an Arusah as a Nesuah

Rabbah said: Rabbi Eliezer and the “Initial teaching” are saying the same thing.

Ra”n Elucidated

[They both maintain that if her time comes to have nisuin and she doesn’t, since her husband is obligated to provide for her, she is considered like a nesuah with respect to some things, even though she is not in her husband’s house.]

For we learned in a *Mishnah* (Kesuvos 57a): *(In former times the betrothal (kiddushin) and the marriage (nisu’in) ceremonies were not performed at the same time as is our practice today. Rather it was customary for the bridegroom to first betroth his bride and make her his arusah (betrothed) and only later did he take her to the chupah (bridal canopy) for the marriage ceremony. They grant a virgin twelve months, from when her husband requested of her (to prepare for the wedding), to provide for herself (she may postpone the nisuin up until twelve months; after that, she is regarded as a rebellious wife). If the time arrived and they (the virgin or the widow) were not married by the husband, they eat from his food and they eat of the terumah. The yavam does not entitle his yevamah to eat terumah. If she spent six months with her husband and six months with her yavam, and even if all of them were with her husband, less one day that she was with her yavam, or all of them were with her yavam, less one day that she was with her husband, she does not eat terumah. This is the initial teaching of the Mishnah. The Beis Din following them said: She does not eat terumah until she enters the bridal canopy. (We see*

from the “initial teaching” that once the time comes to have nisuin, we treat as a nesuah in regards to eating terumah. This is the same as Rabbi Eliezer who treats her as a nesuah in regards to the husband alone revoking her vows.)

Abaye asked Rabbah: Perhaps the two *halachos* are not similar? The “initial teaching” only said that she can eat *terumah* because it is only a Rabbinical prohibition (for Biblically, an *arusah* is permitted to eat *terumah*; the Rabbis prohibited her from eating *terumah* lest they pour a cup of *terumah* for her in her father’s home, and she offer it to her brothers and sisters, or because of a blemish, i.e., if he found a physical defect in her, her *kiddushin* would be considered erroneous, and would be annulled retroactively and thus a non-Kohen will have partaken of *terumah*); however, *nedarim*, which is a Biblical *halacha*, perhaps she should not be treated as a *nesuah*.

And perhaps Rabbi Eliezer would treat her as a *nesuah* only in regards to the *halachos* of *nedarim*, where can be explained in accordance to that which Rav Pinchas in the name of Rava said: A woman who makes a *neder* intends that it will be subject to her husband’s will (and therefore, it is quite logical that the husband, in this case, has the authority to revoke her vows); however, in regards to *terumah*, even if it is only a Rabbinical prohibition, she will not be regarded as a *nesuah*, and she will not be entitled to eat *terumah*. (73b1 – 73b2)

INSIGHTS TO THE DAF

Deaf-mute Revoking

Rami bar Cham inquires: Can a deaf man revoke the *nedarim* of his wife?

The Ra"n explains that the *Gemora* is referring to a deaf person who can talk, but cannot hear.

The Rosh adds: We cannot be referring to a deaf-mute, for he can only make a Rabbinical *kiddushin* through hinting or signing. He will not be able to revoke her *nedarim*, which are Biblically valid! Furthermore, he would have the *halacha* of a *shoteh*, and the *halachos* of revoking will not be applicable for him.

Reb Yaakov Emden explains the Rosh to mean as follows: The *kiddushin* of a deaf-mute is only a Rabbinical one. He performs a *kiddushin* by demonstrating that he wishes to marry her. It is, therefore, impossible for him to revoke his wife's *nedarim*, for that is a Biblical *halacha*, which would only be applicable to a marriage on a Biblical level.

The Acharonim challenge this explanation from a *Gemora* in *Niddah* (46b), which states that one who married a minor, who has no father, and the *kiddushin* is only a Rabbinical one, may nevertheless revoke her *nedarim*. This is because every woman who makes a *neder* intends that it will be subject to her husband's will. This applies by a Rabbinical marriage as well, since she is his wife.

Reb Shmuel Rozovsky (*and others*) explain the Rosh to mean that since he cannot talk, he is incapable of revoking his wife's vows. For one needs to speak in order to revoke a vow; hinting and signing will not be sufficient.

The Nidrei Zerizin is perplexed by this answer: Where does it say that one needs a complete expression in order to revoke a vow? Furthermore, he can revoke it through writing. For there are many opinions that maintain that writing is considered like speaking in

regards to making an oath; certainly it should suffice for revoking a vow!

DAILY MASHAL

Words – Years Later

When the Tchebiner Rav arrived in Eretz Yisroel as a young man, one person immediately recognized his greatness, and volunteered to be his Gabbai. One day, as the Rav prepared to leave the house, the Gabbai noticed that a button on his coat was falling off. He quickly retrieved a needle and thread, and tightened the button. As the Rav was wearing the coat at the time, the Gabbai passed the small needle through the coat briefly, and inadvertently stabbed the Rav. Turning white, he apologized and said he was deathly afraid that he would now go to Gehinnom. The Rav calmed him down, saying: "If you end up there, I will get you out".

When the Tchebiner Rav lay on his deathbed many years later, he called over the Gabbai, reminding him that he still stood by his promise (which the Gabbai had completely forgotten about), saying: "Just do me one favor, and don't make it very hard for me to fulfill it."

One can see how the righteous people value the significance of each and every word that they utter from their mouths.