

INSIGHTS FROM OUR CHABUROS

Cancelling the vow

המדיר הנאה מחבירו אין מתירים לו אלא בפניו

The Baraisa teaches the rule that if Reuven makes a vow restricting benefit from Shimon, if the neder will be nullified or cancelled, it should be done so only in the presence of Shimon. The Rishonim provide various explanations for this halacha, and the corresponding cases to which it applies. The Yerushalmi cites two opinions regarding this case. One explanation is חסד—that Reuven must not elicit suspicion that his actions are improper. When Reuven has his neder released without Shimon being aware of it, Reuven's actions might appear suspect in Shimon's eyes when Reuven subsequently allows himself to benefit from Shimon. Therefore, he should only proceed and benefit from Shimon if Shimon is aware that the neder has been released.

This is the explanation presented by Tosafos in our Gemara. Another explanation given in the Yerushalmi is בושה—embarrassment. There are different approaches to explain what this means. After having prohibited benefit to Shimon, Reuven can cancel the vow only if he is sincere about his willingness to do so. It might be easy for Reuven to say that he no longer wants his neder regarding Shimon to be in effect, but he will be embarrassed to say so in Shimon's presence unless he certainly means it. Accordingly, only when he states his intentions in the presence of the other person do we know that the petition to cancel the neder is sincere and that it may be nullified. According to this approach, this halacha applies to a neder when it was pronounced by Reuven for the benefit of Shimon.

Meiri notes that even the reason of "suspicion" applies only when the neder would result in Shimon personally benefiting in some way or another. In such cases Shimon cares about whether or not Reuven keeps his word and, when he does not, will suspect him of having broken his neder. However, when Reuven makes a vow not to derive any benefit from Shimon's property in the presence of Shimon, Shimon generally has no interest in whether Reuven keeps his word or not, as this vow will not affect him personally. So even if, after a beis din annulled Reuven's neder, Shimon observes Reuven deriving benefit from his property, Shimon will not "suspect" Reuven of sinning by breaking his neder.

STORIES OF THE DAF

"And your brother shall live with you..."

וחי אחיך עמך

A prominent talmid chacham, passed away suddenly. Everyone was very affected by this tragic blow to their community. Those who felt his loss most keenly said, "Surely it is incumbent on those who knew him to do something in the merit of his neshama! We should all contribute to a cause l'ilui nishmaso." Others argued, "Where does it say that? Furthermore, who can say who is responsible to donate?" A certain Rav decided to consult with Rav Chaim Kanievsky, zt"l, regarding the question of the community's obligations.

Rav Kanievsky responded, "In Nedarim 65, Rav Meir holds that one can annul a neder on the basis of the possible violation of 'and your brother shall live with you' if he made a vow to withhold benefit from his relative who then asks for charity. Since the one who made the oath is bound by his words, he can't help but transgress the prohibition. Perhaps others could support this particular relative; it is of no consequence. Since the relative approached the man in question, it is his duty to provide for his own. The same holds true in our case. There is an aspect of him belonging to the community, and so the people who prayed together with him in shul must give money to charity in his memory."

The Rav asked, "He actually moved from a different area ten years ago. Do they also have to contribute?" "No," replied Rav Kanievsky. "Since he moved away, the other community is not obligated. But it is worthy for them to give as well." The local Rav pressed on, "The deceased davened in a shul that hosted a kollel of many avreichim from all over the city. These avreichim only davened mincha and Ma'ariv as part of the conditions of their kollel. Do they also need to give?" Rav Kanievsky answered, "I didn't mean specifically those who davened in the same shul. I meant those who knew him and were close to him. Anyone who knew him should donate. Those who didn't know him personally need not give." Community is more than geographic—it is when a person's life is intertwined with that of those around him.

POINT TO PONDER

The R"ן ד"ה והיכא דהוי בפניו writes that perhaps the Sanhedrin were allowed to be מתיר the neder for צדקיהו because it was for a מצוה. If that is the case, why did Moshe Rabeinu need a היתר for Yisro? Since Hashem told him to go back to Mitzrayim it was certainly for a mitzvah?

Response to last week's Point to Ponder:

The Gemara says that according to the חכמים when it says כי מתו כל it doesn't mean that they actually died, because that would be considered נולד. Why would death be unforeseen? Everyone dies eventually.

The יורה דעה סימן רכח in ב"י writes that although מיתה happens everyday, it is not common that someone's enemies will die before him. Perhaps we can also suggest that young people dying is very rare and דתן ואבירם were relatively young at the time.

HALACHA HIGHLIGHT

Revealing secrets in writing

א"ל אישתבע לי דלא מגלית עילוי

He [Nevuchadnetzar] said, "Take an oath that you will not reveal this secret."

Teshuvus Ra'anach¹ writes that if a person took an oath that he would not reveal a secret to Shimon, he is permitted to tell the secret to Reuven and Reuven may share the secret with Shimon. The reason for this ruling is simple. Reuven never took an oath to not share a secret with Shimon and the vower also did not violate his oath since he did not divulge the secret directly to Shimon. Even though it is clear that the intention of the original oath is that Shimon should not have knowledge of the secret, it is still permitted. This is similar to the halacha of one who takes a vow that Reuven should not benefit from his property, where he is nonetheless permitted to declare, "Anyone who supports Reuven will not lose," and then reimburse the person who provided support for Reuven.

The Chelkas Yaakov² questioned this ruling because an oath that one will not reveal a secret to Shimon should be understood to mean that Shimon would not know the content of the secret due to an act of the vower. If this was not the way the oath would be understood, the vower should be able to write down the secret or to reveal the secret to another person in Shimon's presence. The fact that these activities are not permitted indicates that the intent of the oath was to make sure that he would not be the cause of Shimon discovering the secret information. Proof to this assertion can be found in our Gemara. Our Gemara relates that Tzidkiyahu took an oath not to reveal a secret about Nevuchadnetzar, and in the end he had his vow annulled and revealed the secret. Ran³ notes that in reality it was prohibited for Tzidkiyahu to reveal the secret. Asks Chelkas Yaakov, why was it necessary for Tzidkiyahu to do something improper when he could have revealed the secret by writing it down? It must be that when one takes an oath to not reveal a secret to Shimon he intends to restrict himself from transmitting the secret to Shimon in any way, whether through Reuven, by writing or by revealing the secret to a third party.

1. ה"ד בפ"ש י"ד ס' ר"ח סק"ה
2. שו"ת חלקת יעקב י"ד ס' כ"ז
3. ר"ן ד"ה והיבא

PARSHA CONNECTION

In this week's daf Gemara cites the story of נבוכדנצר who promised צדקיהו that he would not reveal to anyone that he saw נבוכדנצר eating a live rabbit, and that subsequently צדקיהו broke his promise. In this week's Parsha we learn that Hashem was extra careful that the promise which he made to Avraham Avinu, would be fulfilled right away when Klal Yisroel left Mitzrayim. The Possuk (שמות פרק יא פסוק ב) says: דברנא באזני העם וישאלו איש מאת רעהו ואשה מאת רעותה הכל יסכף וכלי זהב.

The Gemara in ט ברכות דף ט writes that the word נא (meaning please) was stated because Hashem did not want Avraham Avinu to think that the decree of 400 years in Mitzrayim was fulfilled, but the promise of יצאו ברכוש גדול was not. The words העם באזני seems unnecessary, it could have just said וכו' וכו'. The next possuk says: ויתן ה' את־חן העם בעיני מצרים גם האיש משה גדול מאד בארץ.

What is the Torah seeking to convey in stating that? The Torah explains that because this message was conveyed to Moshe Rabeinu before the last makkah he had to encourage them to do it right away. Second, the message had to be relayed in a quiet way, so that the Egyptians would not know that everyone was really "borrowing" for keeps. This is why it says "באזני העם" to indicate that it should be done quietly. Lastly, the Egyptians needed to be convinced that the Jews needed the items right away and could not wait. Otherwise, they may have told the Yidden to come back when you have permission to leave. This is why it says גם האיש משה גדול and because he was so well respected the Egyptians knew that if Moshe Rabeinu said "we are leaving" they know that it's happening.

MUSSAR FROM THE DAF

A lifelong tool

המודר הנאה מחבירו אין מתירין לו אלא בפניו.
מנא הני מילי?

The Gemara teaches that if someone made a neder forbidding himself from deriving benefit from another person, and now wishes to have the neder annulled, it may only be annulled in the presence of that person. The Gemara asks: From where is this halachah derived? And it answers that we learn it from two episodes: Moshe's commitment to Yisro that he would remain in Midyan, and Tzidkiyahu's oath to Nevuchadnezzar not to reveal his secret (that he had eaten a live rabbit). The Ran explains that this halachah applies specifically when the neder affects the other person's benefit or honor—like in these cases. But what is the deeper meaning behind this requirement? In the business world, when people face a questionable ethical decision, a common exercise is to ask: "Would I be comfortable explaining this decision in front of a judge?" That imagined accountability forces clarity. It cuts through rationalizations and emotional bias.

Along similar lines, the Ran cites the Yerushalmi, which offers two explanations for why the annulment must be done in the other person's presence. One of them is busha—embarrassment. Chazal understood that annulling a neder is not a light matter. If a person is willing to stand in front of the one affected, endure the discomfort and potential embarrassment, and still insist that the neder needs to be annulled—this itself demonstrates sincerity and necessity. Only then do we allow the heter. And this gives us a profound avodah for daily life. Whenever a person is considering permitting something questionable whether in halachah or in ethics he should imagine presenting his heter bifanav, directly in front of Hashem.

He should ask himself: "Would I feel comfortable standing before the Ribbono Shel Olam and arguing this justification honestly—without embarrassment or defensiveness?" If a person can articulate the heter sincerely before Hashem, that may be a sign it's truly justified. But if he feels inner discomfort, evasion, or embarrassment, that itself is a warning sign—he may be rationalizing rather than acting with integrity. Human beings are remarkably skilled at justifying behavior that serves their interests. This avodah forces honesty. It trains a person to confront his motivations directly, and not disguise convenience as halachic or moral necessity. In this way, the halachah of neder bifanav becomes more than a legal requirement—it becomes a lifelong tool for inner truth, self-discipline, and genuine yiras Shamayim.