

# INSIGHTS FROM OUR CHABUROS

## The rationale behind the ruling of Rabbi Akiva

עד שבא רבי עקיבא ולימד נדר שהותר מקצתו הותר בולו

In his commentary on the daf, **ל"ג** cites the Yerushalmi which brings a verse as the source for the opinion of Rabbi Akiva who says that a neder becomes completely nullified if any part of it becomes nullified. In reference to making vows, the Torah states (Bamidbar 30:3): "All that he says with his mouth he shall do." This implies that only when a person can fulfill his entire commitment is the vow in effect. However, as soon as part of the vow is cancelled, only part remains, and as such, that part is no longer binding. **ש"א** writes that the opinion of Rabbi Akiva is based upon logic. We understand that the person pronounced a neder expecting that his words would be effective in their entirety, and not only partially. Either he would be responsible for his complete commitment, or none of it.

ר"ש (Y.D. #190) with agrees that explains the scriptural source of the Yerushalmi, but he explains the rationale behind it. If the person expected that his vow would be effective even partially, he would have pronounced the vow in a manner whereby his intentions would be understood as such. Ritva explains that when a neder is released by a פטח using an opening (פתח) or with regret (חרטה) the part of the neder that is released is as if it was never stated in the first place. Even if this is true for only part of the neder, this process effectively results in the entire neder never having been made.

ש ר' ר' טעויות (דרכי טעויות) cites Rambam who says that the rule of Rabbi Akiva is true in regard to mistaken vows (דרכי טעויות) for example, where a person saw a group of people eating his fruits, and he declared that the fruits should be prohibited from them. The person only later found out that his own father was among the group, and he certainly would not have made such a statement had he known that his father was there. Similarly, this is the case regarding a neder which is released with a פתרה, where the vower would not have made his commitment had he realized the consequences of his words. However, when part of a neder is released with a חרטה, only the part which is regretted is dismissed, but the rest of the neder remains intact. Tosafos (brought in ר' to 27a) clearly holds that even a vow released partially by חרטה is completely null.

# PARSHA CONNECTION

**In this week's daf** we learn about two תנאים who were asked to taste a lady's dish. Rabbi Yehuda agreed to taste it, reasoning that this will bring shalom bayis to the couple. Rabbi Shimon didn't agree to taste it and he said that he doesn't want people to get used to making nedarim. By being firm, Rabbi Shimon wanted to ensure that nedarim will be treated with the utmost seriousness. This same principle is what defines the severity of what amalek attempted to do. (Mentioned at the end of the parsha). To understand the severity of what amalek did we need to learn what Rashi writes in פרשת כי תצא in the name of the תנומת. The Possuk כה במדבר פרק כה in the name of the תנומת. The Possuk כה במדבר פרק כה

# STORIES OF THE DAY

## Two vows

## הוֹתֶר בָּבוֹלָן

A certain man wished to avoid drinking wine altogether, since the only wine available was quite potent and he had a tendency to overdo it. He also desired to stay away from silk clothes since this made him feel self-important. He was all too aware that such indulgences caused him to behave in a deplorable manner. He decided to make a vow prohibiting the two, "I make a shavua that I won't wear silk clothes or drink wine!" A short time later he was considering annulling one of the vows. It suddenly struck him that since we hold that if part of a vow is annulled the entire vow is rendered void, if he annulled one half, the second half would be automatically null and void. If he wanted to be obligated to avoid the second behavior he needed to make a second vow. He was unsure of this, however, so he decided to consult with the Rivash, zt"l

The Rivash replied, "The decision of the Gemara in Nedarim 66 that if a part of a vow is annulled the entire vow is void doesn't apply in your case since what you did actually counts like two separate vows. The Mishnah is discussing the case of one who made an oath regarding a group of people, that none are permitted to enjoy a particular benefit. If one of them was permitted, however, all of the others may derive benefit as well. But the Rambam actually holds like Rav Shimon, who says that if the form that the vow took was individualized—"I will not benefit from Yaakov and Yisrael and Yitzchak"—rather than a single vow upon the group as a whole, the oath counts like many individual nedarim. And each requires its own annulment. The Rivash concluded, "The same is true in your case. Even if you annul one of your vows, you are still obligated by the other until it too is annulled!"

# HALACHA HIGHLIGHT

## Wearing a false tooth made from gold

תנא שנ תוחבת היהת לה ועשה לה ר' ישמעאל  
שנ' של זהב

A Baraisa taught: She had a false tooth and R' Yishmael replaced it with a tooth made from gold

**T**he Gemara Shabbos (64b) presents a dispute whether it is permitted to walk in a public domain with a false tooth. Rashi<sup>1</sup> explains that the dispute applies to a gold tooth, but it is certainly permitted to go out wearing a silver tooth. The rationale behind this position is that since gold is expensive there is the concern that the owner of the false tooth will remove it to show a friend and will inadvertently carry the tooth four amos in a public domain. Rashi's teachers hold the opposite. They suggest that people will not remove their gold teeth since the gold looks noticeably different than their other teeth and they are afraid that others will mock them but since silver teeth look similar to natural teeth there is a fear that someone may remove the tooth and inadvertently carry it four amos in the public domain. Maharsha<sup>2</sup> notes that our Gemara refutes the position of Rashi's teachers. Our Gemara relates that R' Yishmael made a gold tooth for a woman to beautify her, but according to Rashi's teachers a gold tooth is one that would lead others to mock her. Teshuvas Shoel U'meishiv<sup>3</sup> suggests that the reason R' Yishmael made her a gold tooth was to overcome the previous embarrassment she suffered by having a wooden tooth, but other women who previous to receiving their false tooth had their own natural teeth would be embarrassed to have a gold tooth that would look different from her natural teeth. Teshuvas Rav Pealim<sup>4</sup> cites the comments of Maharsha and suggests a resolution different than that of Shoel U'meishiv. He proposes that R' Yishmael made for this woman a false tooth out of white gold. The advantage of making out of this material is that it provides a more natural appearance than even silver could provide. Additionally, a false tooth made of silver will, over time, turn dark from food and drink, whereas the color of gold does not change over time. This explanation also avoids Shoel U' Meishiv's concern with his own explanation, namely, how could R' Yishmael make this woman a false tooth out of gold if it is prohibited to wear the tooth in a public domain in Shabbos. According to Rav Pealim's explanation, however, there will be no issue for the woman to wear a false tooth made from white gold since it will not be a cause for embarrassment.

1. רשי" שבט ס"ה ד"ה האבל

2. מהרש"א חירוש אידוט לסתוינו

3. שות" שואל ומשיב מהדורא א' ח"ג ס' ב"ג

4. שות"ת רב פעלים י"ד ח"ג ס' י"ג

# MUSSAR FROM THE DAF

## Restrained his anger

אמר לה: זיל תבריר יתרון על רישא דבבא. והוא יתיב בבא בן בוטא אבבא

וקא דין דינא. אזלת ותברית יתרון על רישיה. אמר לה: מה הדין דעבדת? אמרה ליה:

בר ציוני בעלי. אמר: את עשית רצון בעלי, המקומ יציא ממקומו בנים בבבא בן בוטא.

**T**he Gemara relates a striking story. A man, in a moment of anger, instructed his wife: "Go and break them [the lamps, she mistakenly thought her husband had asked for] on the bava." He meant the gate, since bava means "gate" in Aramaic. However, his wife misunderstood. At that very moment, the great Sage Baba ben Buta was sitting at the gate serving as a judge. Assuming her husband meant Baba, she went and broke the two lamps on his head. Baba ben Buta asked her, "Why did you do this?" She answered simply, "This is what my husband commanded me to do." Rather than reacting with anger or indignation, Baba ben Buta responded with extraordinary grace. He said: "Since you fulfilled your husband's will, may the Hashem grant you two sons, corresponding to these two candles, who will be like Baba ben Buta." This response is astonishing. Even if we understand that Baba ben Buta restrained his anger, why such a beautiful and generous blessing? Would simple forgiveness not have sufficed? To understand this, consider a story told about Rabbi Yisroel Salanter. Once, while traveling by train, a fellow passenger—unaware of who he was—treated him with great disrespect. Rabbi Yisroel bore the humiliation silently. When the train arrived, crowds gathered to greet the great Rav, and the young man realized whom he had insulted. The next morning, the man came to Rabbi Yisroel's lodging, tears streaming down his face, begging forgiveness. Rabbi Yisroel asked the man what he was doing in Vilna. The young man explained that he had come to learn to become a shochet, but had no plan, no teacher, and no support. Remarkably, Rabbi Yisroel took a deep personal interest in him. He found him a place to live, arranged a teacher to instruct him in shechitah, and even provided financial assistance while he learned. He treated the young man with warmth and care, almost like a son. Why did Rabbi Yisroel go so far? Because he understood that forgiveness is not complete as long as even the slightest trace of hakpadah remains in the heart. It is not enough to say, "I forgive you." One must act with love. Through acts of giving, a person transforms inner resentment into genuine ahavah. Rav Dessler explains this principle in Kuntres HaChesed: it is not love that causes giving—rather, giving is what creates love. Perhaps this is precisely what Baba ben Buta was doing in our Gemara. Like any human being, he must have felt shocked and hurt when the lamps were smashed on his head. But instead of allowing those feelings to linger, his refined middos took over. He immediately shifted into "giving mode." By blessing the woman, and by highlighting a genuine virtue she possessed, her commitment to fulfilling her husband's will, he transformed a painful moment into an act of love and spiritual elevation. Negative feelings do not disappear on their own. Sometimes, the only way to uproot them is through a deliberate act of giving, through choosing to see the other person's good, and responding with generosity. In doing so, we do not merely suppress resentment; we replace it with ahavah.

## POINT TO PONDER

מוציאו כל בני בניו ר' ז"ה והיכא דהו בפנוי דבר מצוה ר' ז"ה והיכא דהו בפנוי, why would he curse the children? They didn't do anything wrong.

**Response to last week's Point to Ponder:**

The Sanhedrin were allowed to be the neder for a mitzvah because it was for a mitzvah. If that is the case, why did Moshe Rabeinu need a chittur for Yisro? Since Hashem told him to go back to Mitzrayim it was certainly for a mitzvah?

The Chida writes that although Hashem asked Moshe to go to Mitzrayim it was possible for Hashem to redeem Klal Yisroel from Mitzrayim through any means (הרבה רוח ו hatchla למקומ) without violating the shevua. Therefore Moshe had to go back to Yisro and undo the shevua.