

שבת קודש פרשת תצוה | מסכת נדרים דף ע'

**THE DAF 70 NEWSLETTER IS DEDICATED
 IN MEMORY OF MYRIAM MENKIN A'H**

**INSIGHTS FROM
 OUR CHABUROS**

**The power of the father
 after the death of the fiancé**

מה הבעל נתרוקנה רשות לאב

The Mishnah teaches that after the death of the ארוס, the father assumes the power of the fiancé in annulling the oath of the woman. The way to understand this is discussed among the Achronim. Some say that the father adopts the power of the husband, and that he can now act in his stead. This seems to be, in fact, the approach of some of the Rishonim in our chapter, as they use an expression saying "the father inherits the position of the husband."

Obviously, this is not a genuine case of inheritance, but the point is that while the husband was still alive, he and the father had joint powers to nullify the oath of the girl. Now that the husband died, the father adopts full control, as if the extended powers have come from the husband. A different approach is that with the death of the husband, the father is the surviving party who has power to nullify the oath of his daughter. He no longer needs the input of the husband, who has died, and the father can act due to his own, independent position.

Still others explain that when the fiancé dies, the girl returns completely to the house of her father, and it is the position of the father to nullify the oaths of his daughter just as before she was ever engaged. The only thing is that logically, we would say that this is the case only in reference to oath that will be made from now and onward. However, any oath which was stated by the girl before her fiancé died cannot be annulled by the father alone.

We might think that oaths made while the fiancé was still alive have a status of קודמין, oaths that were in effect before the woman entered into the current domain. The rule is that a husband cannot nullify oaths made by the woman before she was engaged, and in this case we might have thought that the father cannot have exclusive rights to nullify the oath made while the fiancé was alive. The ruling of the Mishnah is, however, that the father indeed has full control to nullify this oath.

**STORIES
 OF THE DAF**

**The daughter's
 vow**

ואת"ל היא לא אמרה לה

On today's daf the precise parameters of orally annulling a vow are discussed. One of the daughters of Rav Shlomo Zalman Auerbach, zt"l, recounted that that when she turned eleven, the age when her nedarim began to take effect, her father drew her aside for a private conversation.

He spent some time explaining to her the importance of guarding her speech, since she was already at an age where her nedarim can be valid. In this, as with every aspect of chinuch, Rav Shlomo Zalman demonstrated his absolute commitment to train his children to take care to fulfill their obligations כחמורה קלה. Someone close to him once related, "Rav Shlomo Zalman Auerbach, zt"l, made the blessing

when he made a bar mitzvah with the שם and מלכות, not in accordance with the opinion of the Ramah in Darkei Moshe. However, for most people who approached him with the question of what they should do at their own son's bar mitzvah, he would rule that they follow the ruling of the Ramah.

When someone pointed out this apparent discrepancy, Rav Shlomo Zalman explained, "Although the Gra and many others say that one should make this blessing, this is only if one has made every effort to educate one's child properly. If a person is not certain whether or not he has fulfilled his chinuch obligations, he cannot use the שם and מלכות because it just might constitute a בטלה. One who has not done his chinuch duty by his child is responsible for the child's sins even after bar mitzvah. How, then, could he fully recite the blessing, 'who freed me from this one's punishment,' when the account for his child's sins is still upon him?"

PARSHA CONNECTION

In this week's daf the גמרא discusses a husband or father who says מופר ליכי לשעה or מופר ליכי למחר. The question revolves around the concern that not being הקמה שתיקה immediately may result in an automatic הקמה, since שתיקה is considered a הקמה.

There is a very meaningful lesson regarding שתיקה that can be drawn from this week's פרשה. The פרשה details the special garments worn by the כהנים during the עבודה. The כהן גדול wore eight garments, one of which was the מעיל. On the bottom of the מעיל were bells and decorative pomegranates. The פסוק states:

ועשית על שוליו רמגי תכלת וארגמן ותולעת שני על שוליו סביב, ופעמני זהב מכותב סביב. פעמן זהב ורמון, פעמן זהב ורמון, על שולי המעיל סביב.

Chazal discuss two possibilities regarding how the pomegranates and bells were arranged. One opinion maintains that each pomegranate contained a bell inside it (see רמב"ן). The other opinion holds that they were hanging side by side.

According to the opinion that they were side by side, how do we understand the words ופעמני זהב בתוכם סביב, which seem to imply that the bells were "inside" them? When two items are positioned next to each other, each can be described as being "within" the other's surrounding space.

The אלשיך הקדוש offers a beautiful explanation. The Torah is teaching that the bells — whose purpose was to make noise — were meant to be surrounded by two quiet pomegranates. The message is that speech should be framed and balanced by restraint. Ideally, we should listen more than we speak.

He further notes that we are created with two eyes but only one mouth, reminding us that we should speak only a portion of what we see. It is noteworthy that the לשון הרע on מכפר is מעיל, and naturally, thoughtful silence is one of the greatest antidotes to improper speech.

HALACHA HIGHLIGHT

The language necessary to confirm a vow

הריני נזירה ושמע בעלה ואמר ואני אין יכול להפר

[If a woman declared,] "I am a nezirah." And her husband heard and declared, "And me" he is no longer able to annul her vow

In order for a father or husband to confirm a vow it is not necessary to use a specific language of confirmation; rather it is sufficient to use language which conveys the sense that there is intention to confirm the vow¹. For example, if the father was to say, "It is established for you," or, "You have vowed well," or, "Yes, as you said," or, "Had you not taken this vow on your own I would have imposed the vow upon you," he has successfully confirmed the vow and it becomes fully binding. It is not even necessary for the husband or father to directly address the vow, as long as they indicate approval of the vow it is sufficient. Thus we find in our Gemara that when a married woman makes a declaration to be a nezirah and the husband heard her declaration and responded, "ואני —And me" he loses his right to subsequently annul the vow. The reason, the Gemara explains, is that when the husband declares "ואני —And me" it is understood as if he is declaring that her vow should be confirmed even though he did not even address the vow in his statement.

Ran² notes that there is a contrast between the annulling of a vow and the confirmation of a vow. When it comes to annulling a vow there is a greater requirement to be explicit than there is for confirming a vow. The reason is that when it comes to confirming a vow even if the husband or father confirms the vow in his heart³ it is sufficient; consequently these different phrases that indicate confirmation should certainly not be worse than a non-verbal confirmation. An annulment, on the other hand, can not be done in one's heart⁴, therefore, when one verbally expresses an annulment it must be done in an explicit manner. Rosh⁵ explains that since a vow could be confirmed even by remaining silent on the day that he became aware of the vow it is logical that the language should not be specific either.

1. שו"ע י"ד סי' רל"ד סע' ל"ז
2. ע' ר"ן ע"ז: סד"ה תנאי האומר
3. שו"ע י"ד סי' רל"ד סע' מ"א
4. שו"ע י"ד שם
5. רא"ש פ"י סי' ט'

MUSSAR FROM THE DAF

The Ran explains that once a husband becomes obligated in his wife's מזונות, he acquires the capacity to be מפר her נדרים. One may wonder why these two areas are linked.

Perhaps the connection reflects a deeper progression within the marital relationship. At its foundation, the husband assumes responsibility for his wife's physical well-being — providing sustenance, stability, and material security. Through this commitment, he establishes a structure of care and dependability upon which the home is built.

Once this base is firmly in place, the relationship can develop further. The husband's participation in the spiritual dimension of the marriage is expressed through his ability to annul certain נדרים. In this light, the obligation of מזונות is not merely financial; it represents achrayus and commitment. Having taken responsibility for her physical needs, he is entrusted with helping safeguard the spiritual harmony of the bayis.

Accordingly, הפרת נדרים may symbolize that the husband is not only a provider, but also a partner invested in the overall direction and well-being of the home.

This carries a practical message. A husband should appreciate the breadth of his role in nurturing shalom bayis. The sugya suggests that spiritual influence is built upon consistent and dependable care. When stability and support are present, deeper connection and mutual growth can naturally flourish within the marriage.

POINT TO PONDER

The Gemara asks: What if the husband says קיים ליכי לשעה, meaning that he confirms the neder only for one hour? Is that similar to saying that it should become מופר after an hour?

Since he did not explicitly say מופר ליכי, how could such a statement take effect? After all, הפרה זהו הפרה בלב, not considered a valid הפרה.

Response to last week's Point to Ponder:

The Gemara discusses a case where the father said קיים ליכי קיים ליכי, and then he was שואל on the first הקמה. The Gemara concludes that it is possible to be שואל on the first one. Since הרטה implies שאלה, how can he regret the first הקמה without automatically regretting the second?

The מנחת שלמה explains that since the second הקמה was not effective at the time of the שאלה, it can take effect later.

The שלמי נדרים answers that the two הקמות were made at different times and possibly for different reasons. For example, the first may have been said in anger in the morning. Therefore, he can experience הרטה regarding the earlier statement without necessarily regretting the later one.

For more points to ponder by Rabbi Yechiel Grunhaus, or insights by Rabbi Yitzchok Gutterman, please visit our website, dafaweek.org, or download the app

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