

שבת קודש פרשת במדבר | מסכת נדרים דף פ"א

INSIGHTS FROM OUR CHABUROS

When should we not correct the strict behavior of others

STORIES OF THE DAF **The Yichus of Poverty**

דברים המותרים ואחרים נהגו בהן איסור אי אתה רשאי לנהוג בהם היתר כדי לבטלן משום שנאמר לא יחל דברו

הזהרו בבני עניים שמהן תצא תורה

The Gemara cited a Baraisa in which support for the opinion of Rav Adda bar Ahava, that according to Rabbi Yose the wife's applying makeup is considered a matter between the husband and the wife, and that the husband can therefore nullify an oath made in this regard. We find in the Baraisa, among other details, an opinion of Rabban Gamliel, who says that the verse in Bamidbar (30:3) of "He shall not desecrate his word" applies to cases other than formal oaths. The case was where a woman pronounced a neder which was clearly invalid, such as where she states that she will not perform any of the vital tasks which a woman must perform for her husband (Kesuvos 59b). The Halacha is that this neder has no validity, because she is obligated to fulfill her role as a wife. Yet, Rabban Gamliel says that the husband should revoke the neder, based upon this verse. Therefore, as ר"ן explains, just as Rabban Gamliel understands that this verse is applied to "words" alone, even those which do not constitute a valid neder, so too would Rabban Gamliel apply this verse to cases where a person did not even utter words, but he simply conducted himself in accordance with certain stringencies. ש"ש notes that Rabban Gamliel is apparently interpreting the word דבר in the verse לא יחל דברו to mean "a manner or path of conduct," as it is found in Tehillim 47:4 ("He shall lead nations under us"). Rashi in Tehillim translates דבר to mean "to guide or lead". Thus, the verse in Bamidbar instructs us not to change or discourage the way others conduct themselves, even if they do not accept this conduct upon themselves with a formal neder.

On today's daf we find that we should be careful to teach the children of the poor since Torah greatness will more likely come from them.

A certain wealthy man with an eligible daughter had two promising possible shidduchim. Both were great scholars with sterling middos. The only essential difference was their yichus. One came from a very famous line of scholars and gedolim while the other was from simple stock. The wealthy man was at a loss whom to choose. After much deliberation the only thing that emerged was that he needed help! Since the man lived in a town close to Kovno he decided to put his dilemma before the famous Rav Yitzchak Elchonon Specter, zt"l.

The Rishonim explain that the opinion of Rabban Gamliel to require nullification for an adopted restricted practice is rab-binic (see Rosh, here מירבד מירתומה ד"ה, and earlier, Gemara 15a). Tosafos (Pesachim 51a, ד"ה יא התא) presents a question based upon a Gemara in Chullin 7b. We find that Rebbe ruled for the people of Beis She'an to allow them to eat their produce without designating tithes from them. This was based upon testimony presented to Rebbe informing him that Rabbi Meir had allowed this. Tosafos asks that even if the testimony about Rebbe Meir was accurate, Rebbe should not release these people from their accepted custom. Tosafos answers that this rule applies only when the people realize that the Halacha permits this action, and they choose to be strict. In this case, we should not discourage their conduct. However, if the person is mistaken and thinks that the halacha forbids this action, and we know that it is permitted, then we should certainly inform him of his error.

After describing the entire situation the wealthy man concluded, "I am leaning towards the young man with the yichus but they insist on an exorbitant dowry..."

The Gadol said, "If you want to hear what I have to say, take the one without the yichus. The yachsan is the child of a house filled with Torah; it's no wonder that he grew to such an extent in Torah. His parents have been molding him for greatness from birth. He never achieved his scholarship on his own steam. After marriage he will be separated from his parents and be confronted with the need to earn a living. Who knows if he will continue to ascend spiritually? The young man who comes from a poor and simple 'balebatish' family and has nevertheless achieved so much demonstrates that he has strong character. Such a young man will surely continue to ascend until he becomes a gadol b'Yisrael!"

PARSHA CONNECTION

In this week's דף the גמרא brings a פסוק in ספר במדבר regarding the לויים. The פסוק says: והיו הערים להם לשבת ומגרשיהם יהיו לבהמתם ולרכשם ולכל חיתם. While each שבט had its own territory in ישראל, the לויים received 42 towns from the other tribes plus the six ערי מקלט. The לויים who were designated to do the עבודה were treated different from the rest of בני ישראל. In fact even when it came to counting בני ישראל in this week's פרשה we see that the לויים are counted separately. The פסוק (במדבר פרק א פסוק מט) says: אך את-מטה: לוי לא תפקד ואת-ראשם לא תשא בתוך בני ישראל. While counting everyone else, משה is told not to include שבט לוי in the overall count. רש"י quotes a מדרש which says that the הקב"ה knew that there would be a decree condemning everyone in the מדבר to die in the מדבר and he did not want לוי שבט to be included in the גזירה because they didn't participate in the עגל. This מדרש needs explanation, because what brought about the גזירה of dying in the מדבר was the מרגלים and not the מעשה עגל. So although the לויים didn't participate in the מעשה עגל they presumably did take part in the מרגלים. And if they didn't participate in the מרגלים why is the מדרש addressing the עגל? The שפתי חכמים answers that although they did participate in the עגל המרגלים they only had one sin, as opposed to everyone else who had two sins. The ספר דברי דוד offers a different answer as follows: he assumes that they actually did not participate in the חטא of the מרגלים and we know that שבט לוי did not send a spy. However the גזירה was on the כולל and therefore שבט לוי should have been included because they are part of the כולל. This is what the מדרש means, שבט לוי anticipating what will happen to the כולל wanted to separate שבט לוי as a separate group and thereby shield them from the גזירה on the כולל. Now we have a beautiful understanding of the מדרש, the זכות of not participating in the מעשה עגל, is the reason why the הקב"ה devised a plan to save them from the מרגלים by separating them from the rest.

משום שנאמר לא יחל דברו

Does adopting a behavior constitute a vow? Because it says, "He shall not desecrate his words."

All opinions agree that if a person follows a certain halachic practice with the intention to continue that practice he has adopted a vow and he is not permitted to cease that practice. Poskim disagree, however, about a person who followed a certain practice three times without giving thought to whether he would continue this practice or not. According to some opinions,² once one follows a certain behavior three times he is bound by the force of a vow to continue that practice. According to other authorities,³ if he did not intend to adopt the practice as a custom he is not obligated to continue the practice. Shulchan Aruch⁴ writes that one who is accustomed (שרגיל) to fast before Rosh Hashanah requires three people to release him from his vow if he wants to eat. If at the time he initiated this practice he intended to adopt it permanently and kept the practice even once he must be formally released from this custom. Some authorities⁵ understand that Shulchan Aruch is describing two different ways of adopting a binding custom. If one intends at the outset to adopt this practice he is bound to continue as long as he practiced it once. If he did not have intention when he first began the practice it is binding only if he follows the practice three times. Other authorities⁶ maintain that there is no distinction to draw between following a practice once or three times, rather, everything depends on whether the person had in mind to adopt the practice permanently.

A related point that requires clarification is the source for those opinions that maintain that once a person practices something three times it is considered like a vow. Rishonim and even Shulchan Aruch only discuss one who is accustomed (שרגיל) to practice something but they do not mention anything related to the number three. Some authorities⁷ even cite sources that indicate that practicing something two times could already be considered רגיל. Many authorities, however, assume that it takes three times for a person to become accustomed to a particular behavior. Netziv⁸, amongst others, cites the comments of Ran from our Gemara as proof that practicing something three times makes it into a custom.

1. ספר כל נדרי פרק ע"ב סע' ב'
2. ע"ש הע' ו'
3. ע"ש הע' ד'
4. שו"ע יו"ד סי' רי"ד סע' א'
5. ע' ספר כל נדרי ה"ל הע' ו'

עד שפירשו הקדוש ברוך הוא בעצמו, דכתיב: "ויאמר ה' על עזבם את תורת וגו'". היינו "לא שמעו בקולי", היינו "לא הלכנו בה"! אמר רב יהודה אמר רב: שאין מברך כין בתורה תחלה

Birchas HaTorah: Process vs. Result

Our Gemara ((Nedarim 81a) teaches us that the Land of Israel was lost because Klal Yisrael did not recite the blessing over the Torah "first". This raises two fundamental questions. Why was the omission of this specific blessing considered such a catastrophic spiritual failure? What is the deeper meaning of making the blessing techilah (beforehand)?

To understand this, we must examine why the obligation for a blessing on food (Birkas HaMazon) is recited after eating and the obligation to recite birchas hatorah before one learns.

Physical consumption is not an end in itself; its significance lies in the result—the energy and sustenance it provides the body to serve Hashem. Because the value of eating is "result-oriented," the main blessing occurs once the process is complete.

Torah study, however, is fundamentally different. While it is certainly a prerequisite for knowing how to fulfill the mitzvos, the study itself is an independent mitzvah. Every moment of engagement with Hashem's wisdom is intrinsically holy, regardless of whether it leads to a practical halachic conclusion.

Now we can understand the specific "sin" described by the Navi Yirmiyahu. The generation of the Churban (Destruction) had fallen into a dangerous perspective: they viewed Torah merely as a "manual" for action. To them, Torah was a means to an end, a way to know the laws, rather than a direct connection to the Divine.

The Gemara's choice of words is exacting- it does not simply state that they failed to recite the berachos, but specifically that they did not recite it techilah, at the very beginning. This nuance is critical. Had they neglected the berachos entirely, it would have been a simple case of ritual negligence. By specifying that it was not recited "beforehand," the Gemara reveals a deeper ideological flaw.

Because they viewed Torah as a result-oriented endeavor, they felt it was more appropriate to recite the berachos only after the learning was complete, much like the Birkas HaMazon following a meal. By failing to prioritize the blessing techilah, they demonstrated a belief that the value of Torah lies in the information gained rather than a mitzvah itself. In their eyes, the process was merely a means to an end, rather than a sacred encounter that is inherently holy from the very first word. (ayin Ohr Yisroel letter 31)

This teaches us a critical Yesod in our Avodas Hashem. We must view the study of Torah not only as a functional necessity to know how to fulfill the Mitzvos, but also as a way to attach to Hashem Himself. When we prioritize the berachos "first," we testify that every word of study is a destination, not just a journey.

POINT TO PONDER

The גמרא says that we should be careful with בני עניים because they are likely to become תלמידי חכמים it then says מה ומפני מה אין מצויין תלמידי חכמים לצאת תלמידי חכמים מבניהן. How are these two things connected? The fact that poor children are likely to become תלמידי חכמים is seemingly unrelated to children of תלמידי חכמים.

Response to last week's Point to Ponder:

The גמרא says that the case in the משנה of ארץ לא ארץ is talking about a situation whereby she made a שבועה to not bathe. Since she made a שבועה, how can the משנה call it ארץ לא ארץ, meaning "if"? Obviously if she made a שבועה she will not violate it.

The וואם לא ארץ writes that it should be understood as ארץ לא ארץ meaning and as opposed to "or".