



נדרים דף פ"ט

IYUN ON THE DAF

Rabbi Yitzchok Gutterman

1. The גמרא brings the מחלוקת רבי נתן וחכמים about being מפיר a נדר made על תנאי if the נדר hasn't been חל yet. רבי נתן says it must be חל first and the רבנן say it does not need to be חל. The ר"ן discusses our סוגיא in great detail back on דף פ ע"א. The גמרא there assumes at the beginning that not washing yourself is not considered עינוי נפש. The גמרא in trying to understand the משנה there says the following: if a wife makes a נדר that she won't get הנאה from העולם כל פירות העולם if she washes herself, then the husband can't be מפיר the נדר since she can simply not wash and then it won't be עינוי נפש. The ר"ן explains that this סוגיא is according to the רבנן of רבי נתן. If so, the question is obvious—if the חכמים don't require a נדר to be חל in order to be מפיר it, why can't the husband be מפיר her נדר to be חל now? Don't we see from our גמרא on דף פ"ט ע"ב that according to the חכמים if a woman says "I won't get הנאה from my husband if I make dinner for his father" he can be מפיר immediately. Why don't we just tell her "don't make his father dinner and you won't be אסור on your husband!"? Don't you see from there that as long as the נדר is עינוי נפש then we don't care what the תנאי is? The ר"ן therefore is מחדש that not making dinner for his father is something very difficult for her to not violate and that is considered as if its already חל and the husband can be מפיר. However, if it would be an easy תנאי for her to keep then you couldn't be נדר מתיר נדר. Therefore, since we think not washing is easy, he can't be מפיר. He then asks that if that's true then why on our משנה on דף פ"ט ע"א does it say that if a woman says she will be a נזירה after she gets divorced the husband can be מפיר immediately? Isn't that an easy תנאי? Just don't get divorced! He answers that since it isn't in her control since the husband can divorce her at any time so we view it as if its חל already. It comes out a major נפקא מינה להלכה. If a woman says she will be a נזירה if she walks to the park, then the husband can't be מפיר since that's an easy תנאי. If she says she will be a נזירה if it rains tomorrow, he can be מפיר since that's out of her hands. If the תנאי causes עינוי נפש or is very hard to keep he can also be מפיר.

לימוד מסכת נדרים מוקדש על ידי משפחת מרמלשטיין
לזכות כל החיילים ולשמירה על עם ישראל

2. In the משנה on our ז"ל רב שלמה זלמן דף, points out that in the case of our משנה where the wife makes a נדר that she will be אסור to get הנאה from her father if she makes dinner for her husband, the husband can be מפיר עינוי נפש. In other words, even though the reason he is being מפיר is because not feeding her husband is דברים שבינו לבינה, the נדר is מפיר עינוי נפש since the husband can be מפיר the נדר, not the תנאי. The נפקא מינה is that if she gets divorced she can still get הנאה from her Dad.