

שבת קודש פרשת אמור | מסכת נדרים דף עט'

This week's newsletter is dedicated in memory of Asher ben Yaacov Z"L

INSIGHTS FROM OUR CHABUROS

The power of speech

ואילו נדרים שהוא מפר

The Gemara on Nedarim 78 and 79 discusses the various powers of a father to nullify his daughter's oaths, and of a court or qualified scholar to release her from her vow. These powers are derived from the verses at the beginning of Parashas Mattos, introduced by the Torah with the words **זֶה הַדָּבָר**—"This is the matter." HaKesav VeHaKabbalah shows that there is a difference in meaning between those times when the word **זֶה** "precedes the word it modifies, such as **זֶה הַבְּכוֹר**, and those occasions when **זֶה** follows the word it modifies, such as **בֵּית זֶה** or **הַיּוֹם הַזֶּה**. In the latter case, the word **זֶה** merely serves to stress that we are dealing with this house or day rather than another. In the former case, however, when the word **זֶה** precedes the noun, the word indicates that a matter of exceptional and unique importance is being considered. The Torah uses the phrase **זֶה הַדָּבָר**—"this is the thing" or "this is the word" - ten times. In each case, the verse is an illustration of the importance and impact of man's power of speech.

In the verse from Mattos, the Torah teaches us that through the power of the words that come out of one's mouth, man can transpose an object from the realm of the permitted to the realm of the forbidden, or change an act from being optional to being obligatory. We have difficulty understanding why certain foods are prohibited by the Torah, but we rely on the infinite wisdom of Hashem, Who tells us that these foods are in some sense "unfit" for the Jewish soul. But when man forbids a certain food to himself through a vow, it is even more difficult to comprehend how this piece of bread, through its newly conferred status of "forbidden food", can possibly be "unfit" for anyone's soul, since it was quite healthy and acceptable only a few moments before! To stress this extraordinary and far reaching power of man's speech, his ability to alter the very spiritual properties of an object, the Torah uses the expression **זֶה הַדָּבָר**—"this is the power of speech".

Perhaps this idea can help us to understand why, unlike all other portions of the Torah, this chapter in particular was related to Bnei Yisrael through the heads of the tribes, and not directly. The head of the tribe, elsewhere referred to as **נְשִׂיא**, has a certain halachic status. All people are commanded to show him respect, and if he sins he must bring a special kind of sin offering, unlike that brought by a commoner. (See Vayikra 4:22 ff., Shemos 22:27) How was this exalted status attained? It was through the declaration of the congregation's representatives. Thus, the heads of the tribes were themselves a personification of the idea that through a mere utterance a halachic status can be conferred upon a heretofore ordinary object. It is for this very reason that they were chosen to convey the message to the people about the power of vows, oaths, and utterances of one's mouth.

PARSHA CONNECTION

In this week's daf the gemara discusses which nedarim a husband can be **נוֹפֵר** for his wife. The beginning of the parsha also details aspects of the husband/wife relationship specifically which relatives a cohen should be **אֲמֻטָּה** to when they pass away. The Possuk (ויקרא פרק כא פסוק ב) says:

וְאִם-לְשִׂמְחָה הִקְרַב אֵלָיו לֶאֱמֹן וְלִבְנוֹ וְלִבְתּוֹ וְלִאֲחֵיו. This language and structure of the possuk raises a few questions. First, why is the wife described as **שִׂמְחָה** rather than **אֲשֵׁרָה**? Second, why is there no "ו" between **שִׂמְחָה** and **אֲמֹן**? It should have said **וְלִאֲמֹנוֹ**, just like the rest of the possuk? The *kli yakar* explains the use of the word **שִׂמְחָה** instead of **אֲשֵׁרָה**, is to indicate why he can be **נוֹטָמָה** to his wife, based on the **דָּף יבמות** where the gemara writes that **רַבִּי יוֹסִי** asked **אֵלָיו** how a wife benefits her husband, and **אֵלָיו** explained that a man brings home wheat and his wife turns the wheat into edible food. According to this interpretation the word **וְרֵאשׁ** indicates sustenance, which is what the wife provides for a husband. The **דָּף הקדוש** addresses our second question regarding the separation between **שִׂמְחָה** and **אֲמֹן**. He explains that the relationship of a husband to his wife is much closer than to his parents or other relatives. One's wife is like a part of him, like it says **לְבַשֵּׁר אֶחָד**. Therefore she is listed separately from the other relatives and there is no "ו" connecting his wife to the other relatives.

STORIES OF THE DAF

A silence that speaks

בשותק על מנת לקיים

Today's daf discusses different types of silence and their ramifications regarding affirming a vow. Sometimes silence can be like acquiescence. At other times a person is silent only because he is vexed. Rabbi Akiva Eiger's sterling middos were legendary, especially his humility. He always thought of other people and was careful not to hurt their feelings. He was also exceedingly careful not to transgress any prohibitions. Every word or deed was meticulously measured. Due to his phenomenal humility, he rarely replied to queries from other countries. He would explain, **יִשְׂרָאֵל לֹא הוּא אֶמְלָא**, a widower as it were, bereft of **gedolei Torah** in Poland. There are numerous greats in your own country. I am not worthy to be chosen over them." One time he received a complicated halachic query from Lustig, Poland. He did not respond for a brief period as per his usual well-known custom.

However, the people of Lustig contacted someone they knew in the city where Rabbi Akiva Eiger lived. This person approached the Gadol and tried to convince him to write. The Gadol was silent however and their agent correctly figured that this signified that the Gadol did not acquiesce. He only refrained from refusing outright so as not to provoke the man trying to convince him to answer the question. Shortly after this conversation, to everyone's surprise, the Gadol did respond to their inquiry. He wrote why in his teshuvah. "I am departing from my regular custom since, although I remained silent when I conversed with your emissary, I later realized that I might have inadvertently nodded as one who is agreeing to something. I therefore have no choice but to respond to your inquiry..." The Gadol was afraid that his silence coupled with a slight nod would be taken as an affirming silence!

HALACHA HIGHLIGHT

A father's right to revoke his daughter's vows that pertain to their relationship

בין איש לאשתו בין אב לבתו

"Between a man and his wife, between a father and his daughter."

Sifrei¹ equates the right of a father to revoke vows with the right of a husband to revoke vows. Therefore, just as a husband may only revoke those vows that involve either affliction or something pertaining to their relationship (הלבי ושבי דברים), so too a father may only revoke those vows that involve either her affliction or something that pertains to their relationship. There are many suggestions amongst the commentators to explain how the concept of הלבי ושבי דברים applies between father and daughter. Rabbeinu Avrohom Min Hahar² writes that the father, who has the right to collect the kiddushin money of his daughter, could suffer financially if his daughter would refrain from applying makeup or perfume. Therefore, these are matters that are considered הלבי ובי. Levush³ suggests that regarding the father any vow the daughter takes is categorized הלבי ושבי דברים because of the detrimental effect her vows have on him. The Gemara (64a) earlier taught that when a girl takes a vow people think of her behavior as evil and refer to her as — "אעישר רב אעישר" The evil one the offspring of the evil one." Since her vows have a negative impact on her father they are considered הלבי ושבי דברים and he may revoke them.

Shulchan Aruch⁴ mentions three opinions related to a father's ability to revoke his daughter's vows that involve affliction. The first opinion maintains that a father may only revoke those vows that relate to affliction whereas the second opinion maintains that there is no restriction. The third opinion compromises and suggests that before she is engaged he can revoke all her vows but once she was engaged and her husband dies, when she returns to her father's domain he may only revoke those vows that relate to her affliction. Since Shulchan Aruch does not mention anything about a father revoking vows that are הלבי ובי, it seems that they are outside of his domain. Taz⁵, however, cites many earlier authorities who maintain that a father is authorized to revoke those vows that are הלבי ובי and it seems that this is the accepted opinion in halacha⁶.

1. ספרי פרשת מטות פיסקא קכ"ה
2. רבינא אברהם מן ההר בפירושו לנדרים עט: ד"ה גרסינן
3. לבוש יו"ד סימן רל"ד סע' נ"ח
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5. ט"ז שם ס"ק מ"ח
6. ספר כל נדרי פרק ל"ז סע' ב'

MUSSAR FROM THE DAF

A heart-centered approach

קיים בלבו — קיים, הפר בלבו — אינו מופר

In our sugya, we find a curious asymmetry regarding how a husband interacts with his wife's vows. The Halakha establishes that Hakama (ratification) can be effective be-lev—purely through the intent of the heart—whereas Hafara (nullification) requires a clear, verbal articulation. This invites an obvious question: if the heart's silent intent is powerful enough to uphold a vow, why is it considered insufficient to dismantle one? ((R' Akiva Eiger searches for the source of this concept, noting that it cannot be derived simply from the gezeiras hakesuv of "b'yom shamo.") Perhaps We can suggest al pi mussar that this discrepancy is rooted in the essential "default settings" of a healthy marriage. There is a baseline omdina d'mochach, a self-evident assumption, that when two people are seen building a life together, they have entered a pact of mutual empowerment. A husband who values shalom bayis understands that he cannot litigate every decision or cross-examine every preference; to do so would quickly turn a home into a courtroom and it could lead to a destructive outcome. Because the natural stance of a supportive spouse is to validate the other's will, Hakama is assumed to exist in the heart automatically. It is the silent "yes" that underpins a trusting relationship. As we often find in Halakha, where there is an omdina d'mochach, even devarim shebe-lev (unspoken thoughts) carry halakhic weight.

Hafara, however, is a disruption of that support. There is no natural assumption that one spouse wants to uproot the spiritual kabbalah or personal desire of the other. This fits perfectly with the perspective Rav Wolbe offers in his Kuntres L'Chasanim. He famously emphasizes that one person simply cannot change the mind of another, and that any attempt to "re-educate" a spouse is an intrusion into a "different kingdom."

Just as Hafara requires a vocal, explicit act because it is an active intervention in a partner's autonomy, Rav Wolbe teaches that we must respect the boundaries of our spouse's independent world. While we might be tempted to "argue it out" or silently stew over a partner's choices, the Halakha of Nedarim suggests a higher path. It teaches us that the heart's primary job is ratification. By adopting a heart-centered approach of validation prioritizing the person over the point of contention we create a home that is defined by trust and peace rather than constant friction.

POINT TO PONDER

The mishna writes that if a wife makes a vow to not eat the produce of a certain grocery store, the husband can't be מוֹפֵר. Why does the mishna change from earlier when the vow was from a certain country, and the mishna said that he should bring from another country? It should say the same here, namely he should bring from a different store.

Response to last week's Point to Ponder:

says that we learn from roshei hamatos in the parsha of ששת שעות, שאלה בהקדש שחוטי חוץ. Why would we need a special drasha for הקדש? Isn't it a neder?

The חמור קרן אורה explains that because הקדש is more חמור, we may think that once a commitment is made to donate to הקדש it can't be undone. This is why we need a special דרשה telling us that שאלה בהקדש does work.

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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