



Daf In Review – Weekly Chazarah

Maseches Nedarim, Daf טו – Daf לו

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PEREK NAARAH HAME'ORASAH -- PEREK ASIRI

MISHNA

- If an arusah who is a naarah makes a neder, her father and her husband may together revoke (be “meifer”) her neder. If the father or the husband did a hafara without the other, the neder is not revoked. It goes without saying that if one of them actually confirms the neder, that the neder would not be considered to be revoked.

GEMARA

- **Q:** When the Mishna begins and says that the father and husband must revoke the neder, that already teaches that one of them alone could not make a revocation. If so, why does the Mishna's second statement have to specifically say that they can't individually make a revocation? **A:** We may have understood the Mishna in the beginning to mean that either of them could do the hafarah. The Mishna therefore clarifies that only both of them together can make the hafarah.

V'EIN TZARICH LOMAR SHEKIYEIM ECHAD MEIHEM

- **Q:** Why is this statement of the Mishna necessary? If each one alone cannot make a hafarah, then certainly if one confirms the neder a hafarah cannot be made!? **A:** The Mishna is teaching that if initially one of them was meifer and the other confirmed the neder, and then the one who confirmed it annulled his confirmation and wanted to be meifer as well, the hafarah would not be an effective hafarah, because the hafarah of the father and the husband must be done at the same time.
- **Q:** How do we know that an arusah who is a naarah needs her father and her husband to be meifer? **A: Rabbah** said, after the pasuk that says that a girl in her father's house needs her father to be meifer, there is a pasuk that says “and if she shall be to a man” (married) then her husband shall be meifer. Now this can't be referring to after nissuin, because the pasuk after this one refers to nissuin. This pasuk must therefore refer to an arusah, and the word “And” in the beginning of the pasuk teaches that the father (as in the previous pasuk) and the husband (as stated in this pasuk) must both do the hafara.
 - **Q:** Maybe we should say that both these pesukim refer to a woman after nissuin, and the reason we need 2 pesukim is because the last pasuk teaches that the husband can only be meifer a neder taken after nissuin, and not one that was said before the nissuin? **A:** Even if that was true, this last pasuk would still also be able to teach that the husband of a nesuah can be meifer, and the earlier pasuk would therefore be unnecessary. **A2:** The second pasuk uses the words “she shall be”, which are words that refer to eirusin.
 - **Q:** Maybe we should say that during the eirusin period the father retains the right to be meifer on his own (since she has not yet left his house)!? **A:** If that was so there would be no need for the earlier pasuk to teach that a father can be meifer the neder of his single daughter, because if he can be meifer alone for his daughter who is an arusah, surely he can be meifer for his single daughter.
 - **Q:** Maybe we should say that although the father cannot be meifer without the husband during the eirusin, the husband can be meifer without the father, and the reason that the pasuk even mentions the father is to teach that if he confirms the neder before the husband is meifer it, the husband can no longer be meifer it!? **A:** If that was so, then we would not need a pasuk to teach that the husband can be meifer alone after the nissuin. If he can be meifer alone when she is still in the reshus of the father (during eirusin) then he can surely be meifer alone after the nissuin.
 - **Q:** Maybe the reason we need that last pasuk is to teach that the husband cannot be meifer a neder that was taken before the nissuin!? **A:** From the fact that a husband of a nesuah cannot

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be meifer on a prior neder, we can learn that the pasuk referring to eirusin must mean that the husband can only be meifer together with the father. The pasuk referring to eirusin allows the husband to even be meifer a neder that took place before the eirusin (as can be seen based on the verbiage used in the pasuk). Now, this can't mean that he can do it alone, because even a husband after nissuin can't be meifer on prior nedarim. Therefore, it must mean that the pasuk is referring to him being meifer only together with the father.

-----Daf פ"ד---81-----

- In the Yeshiva of **R' Yishmael** they taught a Braisa that says, that the pasuk of “bein ish l'ishto bein av l'bito” (comparing the relationship of husband-wife to father-daughter) teaches that the nedarim of a naarah during eirusin must have the hafarah done by the father and the husband.
 - **Q:** What would this Braisa do with the pasuk of “v'ihm hayo sihiyeh” which was previously used by **Rabbah** to teach this concept? **A:** He uses it for a different drasha (to teach that if the arusah has this eirusin terminated and then enters another eirusin, during the time in between the 2 periods of eirusin the father again has the power to be meifer on his own).
 - **Q:** What does **Rabbah** learn from the pasuk of “bein ish l'ishto...”? **A:** He says that it teaches that not only may a husband be meifer a neder of personal affliction, rather the husband may even be meifer a neder regarding matters between husband and wife (that affect their relationship).
- **Q:** If, during the eirusin period, either the father or the husband alone did hafarah, is half the neder entirely revoked, or is the entire neder considered to be weakened somewhat, but nothing becomes entirely revoked? The difference would be in a case where she made a neder not to eat 2 olive sized pieces of a particular food and either the father or the husband was meifer alone and she then ate these 2 olive sized pieces. If we say that half the neder is revoked she will get malkus, because she ate a full olive-sized piece prohibited by a full neder (half of the original neder). If however we say that the one hafarah weakens the entire neder, then she would not get malkus, because there was no complete neder that she violated. Which is the proper view? **A:** The Gemara brings a Braisa which discusses and details times when the husband dies during eirusin and the father regains full control of hafarah for his daughter and times when he doesn't, and then details how when the father dies during the eirusin the husband never gets full control of the hafarah. The last case of the Braisa says, if the father heard of the neder of his daughter and thereby was meifer it, but the husband died before having heard about the neder, **R' Nossan** says that **B"Y** said the father can then go and do a second hafara on the portion of the neder that the husband had never been meifer, and **B"H** said that the father cannot be further meifer the neder in this case. We see from this case that **B"Y** say a hafarah fully removes half the neder and the other half remains fully in place (which is why it is strong enough to “transfer” to the father to be meifer this second half) and **B"H** say that the hafarah weakens the entire neder, but it continues to exist (which is why it can no longer be transferred to the father for further hafarah). **SHEMA MINAH.**

-----Daf ע"ד---92-----

- **Q:** **Rava** asked, can the confirmation of a neder (by a father or a husband) later be annulled like a neder, or not? If we say that it can be annulled, we can then ask, can a hafarah itself be annulled? **A:** We have learned that **R' Yochanan** said, a confirmation may be annulled, but a hafarah may not be annulled.
- **Q:** **Rabbah** asked, if when the father or husband hears of the neder he says “it is confirmed, it is confirmed” (the second confirmation has no meaning, because the neder was already confirmed) and he then annuls the confirmation, does the second confirmation then take hold and confirm the neder? **A:** We find that **Rava** said that if he annuls the first confirmation, the second confirmation does take hold.
- **Q:** **Rabbah** asked, if the husband or father said “it is confirmed for you, it is revoked for you – and the confirmation should not take effect unless the hafarah takes effect”, what is the Halacha? (The Ran explains that **Rabbah** is certain that the confirmation would not take effect in either case, and his question is only whether the hafarah takes effect or not). **A:** A Mishna says, if a person says “this animal should be a temurah for an Olah, a temurah for a Shelamim”, **R' Meir** says the animal becomes a temurah for an Olah. **R' Yose** says if the person

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intended to make this full statement from the onset (it wasn't because he changed his mind mid-sentence) it is as if he said it simultaneously, and the animal becomes a temurah for an Olah and for a Shelamim. Now, even **R' Meir** only holds that way there, because the person did not make the one taking effect contingent on the other taking effect. However, in our question where it is contingent, **R' Meir** would agree that the hafarah would take effect.

- **Q: Rava** asked, if the husband or father said "it is confirmed, it is revoked for you" which (because he doesn't separate the statements by saying "for you" after each of them separately) means that he wants them to take effect simultaneously, what would the Halacha be? **A:** We have learned that **Rabbah** said, anything that can't take effect after something else, also can't take effect when done simultaneously with that other thing. Therefore, the statements will not take effect.

-----Daf 70-----

- **Q: Rabbah** asked, if the husband or father says "it is confirmed for today", what is the Halacha? Do we consider this as if he said "it should be mufar tomorrow" and it is therefore mufar from tomorrow, or do we say that he didn't say it should be mufar from tomorrow and therefore it is not mufar from tomorrow?
 - **Q:** If we say that since he didn't say so explicitly, it is not considered mufar from tomorrow, what is the Halacha if he only says "it should be mufar for you tomorrow"? Do we say he can't be meifer tomorrow, because he already confirmed it today (the inference of saying it should be mufar tomorrow), or do we say that since he didn't explicitly confirm the neder it will be a good hafarah?
 - **Q:** If we say that it is still considered to be a confirmed neder for today and a hafarah therefore can't be effective tomorrow, what is the Halacha if he says "it is confirmed for an hour"? Do we say it is as if he said it should become mufar after the hour, or do we say that he wasn't explicitly meifer it, and it therefore is not mufar?
 - **Q:** If we say it is not mufar because he didn't explicitly say so, what is the Halacha if he explicitly says "this is confirmed for an hour and then it should be mufar"? Do we say that once confirmed it remains confirmed and hafarah afterward cannot be mufar, or do we say that since he has a full day to be meifer, as long as he is still within that time period he may make this statement and have it be mufar?
 - **A:** This last question can be answered from a Mishna which says, if a woman makes a neder of nezirus and upon hearing about this neder the husband says "and I" (also accept nezirus on myself), the husband can no longer be meifer (he has confirmed the neder by using it as a base for his own neder). Now, why don't we say that the confirmation was only for a short time (so that he could use it as a base for his neder) after which time he can be meifer? It must be that a confirmation is considered a permanent confirmation.
 - The Gemara says this is not a valid proof. It may be that if someone explicitly makes a confirmation effective for a short time period (e.g. an hour) it will only be effective for that time. However, the confirmation of "and I" is the equivalent of him making a permanent confirmation.

MISHNA

- If the father died during the eirusin, his rights to hafarah are not transferred to the husband. If the husband died, his rights to hafarah are transferred to the father. In this way, the rights of the father are stronger than those of the husband. In another way the rights of the husband are stronger, in that a husband can even be meifer if the girl is a bogeres, whereas a father cannot be meifer for his daughter who is a bogeres.

GEMARA

- **Q:** Why is it that the rights get transferred to the father but not to the husband? **A:** The pasuk says "binureha beis aviha", which teaches that she remains in her father's house, even if the father has died. This means that she is not considered to be totally in the reshus of the husband and he therefore cannot be meifer her neder on his own.

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MEIS HABAAL NISROKNA RESHUS L'AV

- **Rava** said, this is based on the pasuk of “v'ihm hayo sihiyeh l'ish” – the double verbiage of eirusin (hayo sihiyeh) teaches to compare a girl before her second eirusin to a girl before her first eirusin. This teaches that just as the father has exclusive rights to be meifer before the first eirusin, he also has exclusive rights to be meifer before the second eirusin.
 - **Q:** Maybe this only applies to nedarim that the husband did not know about before his death, but nedarim that he did know about the father cannot be meifer on his own? **A:** We would know that the father can be meifer nedarim that were not known to the husband based on the pasuk of “binureha beis aviha”.

BAZEH YAFI KOACH HA'AV MIKOACH HABAAL...

- **Q:** What is the case that the Mishna is saying that the husband can be meifer while she is a bogeres? If the case is where she entered eirusin as a naarah and has since become a bogeres, why would it be that the husband can be meifer alone? The death of the father removes her from his reshus and becoming a bogeres removes her from his reshus. We should say that just as upon his death the husband does not get exclusive rights, the same should be upon becoming a bogeres!? Rather the case must be that she went into eirusin as a bogeres. That is the view of **R' Eliezer** in an explicit Mishna, so why would the Mishna repeat it here? **A:** Either we can say that the Mishna here is the main place of this subject, and the Mishna there brings it down only to state that it is the subject of a machlokes between **R' Eliezer** and the **Chachomim**. Or we can say that the Mishna there is the main place for this subject, and the Mishna here brings it down to contrast its first statement that the father's power is stronger than that of the husband. The Mishna contrasts that by showing that there is also a way in which the power of the husband is stronger than that of the father.

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MISHNA

- If a girl made a neder while she was an arusah, and she got divorced that day and entered into another eirusin that same day, even if this (divorce and new eirusin) happened 100 times that day, her father and her last (current) husband can be meifer her neder.
 - The rule is, if a girl never went out into her own reshus for even a minute, her father and her last husband can together be meifer her neder.

GEMARA

- **Q:** How do we know that the last husband can be meifer a neder that was fit to be meifer by the first husband? **A: Shmuel** said, the pasuk says, “v'ihm hayo sihiyeh l'ish unidareha *aleha*” – which means that the nedarim were already on her from before the eirusin.
 - **Q:** Maybe this allows hafarah for nedarim that took place before the eirusin only if they were not fit for hafarah by a previous husband (i.e. he had not heard about the neder), but if he had heard about it, the later husband could not be meifer? **A:** The word “aleha” is an extra word, and it teaches that even a neder that was heard by the first husband is subject to hafarah by the later husband.
 - A Braisa is a proof to **Shmuel**. The Braisa says, the father and husband of a naarah who is an arusah may together be meifer her nedarim. The Braisa continues with examples. If the father hears about a neder and is meifer, and the husband dies before ever hearing about this neder, and she then enters into a new eirusin that day, even if she enters into 100 new eirusin that day, her father and her last husband may together be meifer her neder. If her husband heard about the neder and was meifer, and the husband then died and she entered into another eirusin before the father heard about the neder, **R' Nosson** says that **B”S** say that the father should be meifer for his part and should be meifer again for the husband's part, but **B”H** say that the father cannot be meifer without the new husband.
 - The machlokes between them is that **B”S** hold that even nedarim that the first husband heard about are transferred over to the father for hafarah, because they hold that the first husband's hafarah entirely removed half the neder (and when his hafarah loses its effect upon his death,

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the entire neder therefore falls to the father for hafarah). **B”H** hold that the neder only became weakened in its entirety. As such, the neder still needs a husband and a father for hafarah. Since the hafarah of the first husband is no longer effective, the father and the last husband must therefore be meifer together.

-----Daf עב--65-----

- **Q:** If the husband hears about the neder and then divorces his wife, is the act of divorce considered as a silence, or is it considered to be a confirmation? The practical difference would be where he then remarried her on the same day. If the divorce is considered to be silence, he can still be meifer the neder. If it is considered to be a confirmation, he cannot be meifer. **A:** A Braisa says, there are times when the power of the husband to be meifer transfers to the father. For example, if the husband died before hearing about the neder, or after having been meifer the neder, or if he heard and was silent and died before saying anything about the neder. Now, if a divorce is like silence, the Braisa should list it as an example as well! It must be that divorce is an act of confirmation.
 - The Gemara says, there is no proof from this Braisa, because the next part of the Braisa says, if the husband heard and he confirmed the neder, or he was quiet and died the next day, the father cannot be meifer. Now, if divorce is like confirmation, the Braisa should give divorce as an example as well!? Therefore, we can't bring a proof from this Braisa, because we can't tell which part of the Braisa gives a purposeful inference, and which is not be used to learn the inference.
 - **Q:** Maybe we can answer the question based on our Mishna. The Mishna said that if a girl makes a neder and is then divorced that day and enters into a new eirusin that same day, the father and the last husband may be meifer her neder. Now, if divorce is a confirmation, the later husband could not be meifer! **A:** It may be that the Mishna is discussing where the first husband did not hear about the neder before the divorce.
 - **Q:** If that is so, why does the Mishna say that the divorce and new eirusin happened “on that same day”? Even if it happened many days later they could still be meifer!? **A:** The case is where the father heard about it, but not the first husband. Therefore it must happen on that day, because the father has already heard.
 - **Q:** Maybe we can answer based on another Mishna. The Mishna says, if a girl made a neder on the day of her marriage, and her husband divorced her that day and then remarried her that same day, he can no longer be meifer. It must be that an act of divorce is considered to be a confirmation! **A:** This Mishna is discussing a case of nissuin (not eirusin), and the reason the husband cannot be meifer is because a husband after nissuin cannot be meifer a neder that took place before the nissuin.

MISHNA

- It is the practice of talmidei chachomim that before their daughter leaves their reshus (before entering into nissuin) he says to her “all nedarim that you have made while in my reshus are mufar”. So too the husband, before entering into nissuin would say to his wife “all nedarim that you have made before entering my reshus are mufar”, because once she enters his reshus he can no longer be meifer the nedarim that were said before the nissuin.

GEMARA

- **Q: Rami bar Chama** asked, can a husband be meifer a neder before actually hearing about it? When the pasuk says “v'shama ishah” (“and her husband hears”), is that to be taken as a literal requirement, or not? **A: Rava** said, our Mishna says that the talmidei chachomim fathers would say that all nedarim should become mufar, and it is effective even though he has not yet heard the nedarim.
 - **Q:** Maybe it only becomes mufar when the father actually hears the neder and is meifer then a second time? **A:** If so, why does he have to make that statement the first time altogether?!

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- It may be the Mishna is just teaching that the talmidei chachomim would look into the matter to see if their daughters had made any nedarim so that they could then be meifer the nedarim. However, the first statement is truly ineffective.
- **Q:** Maybe we can answer this from the next part of the Mishna, which says that the husband would be meifer all the prior nedarim without having actually heard the nedarim? **A:** Here too, we can say that he means that when he hears the actual nedarim he will be meifer them.
- **Q:** Maybe we can answer from a later Mishna. The Mishna says, if a man is planning to travel out of town and tells his wife “all nedarim that you make from now until the time that I return should be confirmed”, it is not an effective confirmation. If he says “all the nedarim should be mufar”, **R’ Eliezer** says it is a valid hafarah. Now, he has not heard the nedarim, and yet we see that he can be meifer them!? **A:** Here too, we can say that he means that when he hears the actual nedarim they will be mufar.
 - **Q:** If so, why does he need to state now that he will be meifer them? Let him just be meifer them when he hears them later on!? **A:** He is concerned that he will be busy with other matters at the time and will forget to be meifer then.
- **Q:** Maybe we can answer this from a Braisa. The Braisa says, if a person sets up an administrator over his affairs for when he travels, and instructs the administrator to be meifer the nedarim that his wife makes while she is away, **R’ Yoshiya** says that he cannot be meifer, because the pasuk says “her husband shall confirm and her husband shall be meifer” – teaching that no one can take the place of the husband. **R’ Yonason** said, we find all over the Torah that a person can set a shaliach to take his place, and this should be no different. Now, even **R’ Yoshiya** doesn’t allow this to happen only because the pasuk teaches that it may not be done. However, he has no problem with the fact that a neder is becoming mufar without the husband having heard the actual neder! **A:** Here too the husband may mean to say “when I return and hear the neder, be meifer those nedarim”.
 - **Q:** If so, why does he need to state now that he will be meifer them? Let him just be meifer them when he hears them later on!? **A:** He is concerned that he will be busy with other matters at the time and will forget to be meifer then.

-----Daf לז---66-----

- **Q: Rami bar Chama** asked, can a deaf husband (he can’t hear the nedarim) be meifer his wife’s neder? Do we say that even if we say a husband need not hear the neder to be meifer, maybe that is only for a husband who is able to hear in general, but a deaf husband cannot be meifer at all? Or maybe there is no need to hear the neder at all, and the deaf husband can therefore also be meifer? **A: Rava** said, a Braisa clearly states that the pasuk of “V’shama ishah” teaches that a deaf husband cannot be meifer the neder of his wife.
- **Q:** Can a husband be meifer for 2 wives at the same time? When the pasuk says “osah” (in the singular), does that mean it can only be for one woman, or should it not be taken literally? **A: Ravina** said, a Braisa says that 2 sotahs may not be given to drink the mei hamarim at one time. **R’ Yehuda** bases this on the pasuk that writes that she should be given to drink using the singular language. The same would therefore be regarding hafarah, and we would likewise understand the pasuk to teach that it must be done for one woman at a time.

MISHNA

- If a bogeres has waited as an arusah for more than 12 months, or a widow who has waited as an arusah (for a remarriage) for more than 30 days, **R’ Eliezer** says, since at that point the husband is obligated to support this woman, he can also be meifer her nedarim (on his own). The **Chachomim** say, a husband cannot be meifer until after nissuin.

GEMARA

- **Rabbah** said, **R’ Eliezer** and the Mishna Rishona say the same thing. The Mishna Rishona said that a woman who has waited 12 months as an arusah and the husband has not moved forward with nissuin must be supported by

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the husband and may begin eating terumah (if the husband is a Kohen). We see that the Mishna Rishona treats a woman in this situation as somewhat of a nesuah already (as did **R' Eliezer** in our Mishna).

- **Abaye** said to **Rabbah**, it may be that the Mishna Rishona only holds that way regarding terumah D'Rabanan. However, regarding nedarim, which are D'Oraisa, it may be that they would not treat this woman as a nesuah. Also, it may be that **R' Eliezer** only allows her to be meifer her nedarim because a wife only makes nedarim subject to the will of her husband. Therefore, in truth, the neder was only made if he agrees to it. However, regarding terumah, it may be that **R' Eliezer** would not allow her to eat even terumah D'Rabanan.