

This month's Daf Digest is dedicated In loving memory of
שרגא פיינול דוד בן קמואל
The Abramowitz family

OVERVIEW of the Daf

1) Revoking and annulling vows on Shabbos

The Mishnah in Shabbos teaches that vows may be revoked on Shabbos but only those vows that relate to Shabbos may be annulled on Shabbos.

The Gemara inquires whether the allowance to revoke vows on Shabbos is limited to vows that relate to Shabbos or not.

A Baraisa is cited that indicates that only vows that relate to Shabbos can be revoked on Shabbos.

R' Ashi cites a Mishnah that seems to allow revoking even vows that are unrelated to Shabbos.

The contradiction between the Baraisa and Mishnah is resolved by explaining that the matter is subject to a dispute amongst the Tannaim.

2) Annulment of vows on Shabbos

The Gemara inquires whether the allowance to annul Shabbos-related vows applies only when there was not time before Shabbos to annul the vow before Shabbos or perhaps it is permitted even if it could have been annulled before Shabbos. It is demonstrated that the leniency applies in all cases.

3) Revoking a vow at night

Rav is cited as ruling that a vow may be revoked at night.

The necessity of this ruling is challenged forcing the Gemara to explain that what is permitted is to approach a Torah scholar to seek annulment for the vow at night.

R' Abba challenged whether Rav, in fact, issued this ruling.

An incident is cited that demonstrates that Rav permitted annulling vows at night.

Rava in the name of R' Nachman issued a number of rulings related to annulling vows.

The ruling related to annulling a vow while standing is clarified.

An incident is cited that indicates how severe vows were treated by the sages.

4) Implied revocations and confirmations

A Baraisa discusses the validity of an implied revocation or confirmation.

5) Revoking a vow on Shabbos

A Baraisa discusses revoking vows on Shabbos.

A related Baraisa is cited.

6) The proper method of revoking or annulling a vow

R' Yochanan teaches that the language of the scholar's annulment and the husband's revocation are not the same.

A Baraisa is cited that echoes this principle. ■

Distinctive INSIGHT

Release of a neder on Shabbos

ונשאלין לנדריים שהן לצורך השבת

A panel of judges may only convene on Shabbos and consider whether a neder may be released if the nature of the neder and its release is one which is relevant to Shabbos itself. Several reasons are given by the commentators to explain why this is true.

ר"ן provides two reasons. One issue is that the panel of experts which sits to decide upon this matter is composed of three laymen or one expert. Gathering this group in and of itself is prohibited as it gives the appearance of arranging to issue judgment on Shabbos. Keren Orah notes that although the prohibition of issuing judgment on Shabbos itself was only enacted lest it lead to writing (see Beitza 37a), and no writing is needed when a vow is released, nevertheless, this assembly is not permitted. The second reason given by ר"ן is that since time is not critical for the vow to be dealt with on Shabbos, doing so is an unnecessary distraction from the spirit of Shabbos. In his commentary to Rif (Shabbos, 68a in the pages of Rif), ר"ן explains clearly that the concern here is that unnecessary exertion is to be avoided on Shabbos.

לבוש writes that gathering this group of civilians or an expert is a violation of the pursuit of one's personal agenda on Shabbos, known as **ממצוא חפצך ודבר דבר**. A person may not discuss his own mundane pursuits on Shabbos. Accordingly, if the nature of the subject of the neder is relevant to

(Continued on page 2)

REVIEW and Remember

1. What types of vows may be revoked on Shabbos?

2. What is the novelty of the ruling that vows may be revoked at night?

3. Explain the dispute between R' Gamliel and R' Nachman.

4. What is the procedure for revoking vows on Shabbos?

HALACHAH Highlight

The appropriate clothing for the judge who annuls a vow
 רד ר' גמליאל מן החמור ונתעטף וישב והתיר נדרו
R' Gamliel climbed down from his donkey, wrapped himself, sat down and released the person's vow.

Shach¹ cites the Yerushalmi (Nedarim 10:8) that rules that when one serves as a judge to annul a vow he must sit wrapped in his coat. This requirement to sit wrapped, explains Korban Ha'edah², is similar to the requirement for judges who sit in judgment, which Shulchan Aruch³ explains demands sitting wrapped in his coat. This prerequisite is also mentioned in our Gemara where we are told that R' Gamliel climbed down from his donkey and wrapped himself in his coat before he sat down to annul a person's vow. This comparison, however, leads to an interesting ramification. Shelah Hakodesh⁴ writes that nowadays it is no longer customary for judges to wrap themselves for judgment as they did in the past. The only similar practice that resembles the old custom, notes Shelah, is that he saw that his rebbe was particular to don the coat he wore when attending shul for judgment. Accordingly⁵, it would seem that one who sits for the purpose of annulling a vow is not required to wrap himself with his coat and it is sufficient to wear the coat one wears for davening.

Yerushalmi (ibid.) further discusses the appropriateness of annulling a vow wearing a *plonus*, a garment that covers the head and only part of the body (a less formal garment than the wrapping described in the previous paragraph). The

(Insight. Continued from page 1)

Shabbos itself, this would be permitted.

Some Achronim write that the reason we do not allow release of vows on Shabbos is that it appears as if one is fixing something (מתקן בשבת). This is also the reason Mishnah Berura (498:#50) gives for disallowing inspection of a first-born animal to determine whether it has a blemish. Nevertheless, because this does not entail a formal act, it is permitted when the nature of the neder is relevant for Shabbos itself. ■

Gemara's conclusion is that it is acceptable for annulling less severe vows. Korban Ha'edah⁶ explains that less severe vows refers to vows that can be annulled with regret (חרטה) rather than having to find an opening (פתח). The reason for the distinction is that vows that are annulled with regret do not require the same degree of concentration as do those that require the judges to find an opening; therefore they are not considered similar to judgment and the formality associated with judgment does not apply and wearing a garment that is respectful is sufficient.

As a practical matter, since nowadays we do not annul vows based upon regret alone and we look for an opening it is necessary for the judges to wear the formal garments that they wear when attending shul⁷. ■

1. ש"ך יר"ד סי' רכ"ח סק"ט
2. קרבן העדה לירושלמי פ"י ה"ח
3. שו"ע חר"מ סי' ח' סע' ב'
4. דבריו מובא בפת"ש חו"מ סי' ח' סק"ד
5. ספר כל נדרי פרק כ"א סע' כ"ג
6. קרבן העדה שם
7. ספר כל נדרי פרק כ"א סע' י"א ■

STORIES Off the Daf

Forbidden bread

ונשאלין לנדרימ שהן לצורך שבת

It used to be that many houses didn't have proper ovens. Before Shabbos, people would bring their kugels and challo to one of the town bakers and pay a small fee for the use of the communal oven. In many places, the women would wait for the bread to finish baking and then take it home. Very often, more than one trip was necessary to complete the Shabbos baking.

Once there was a woman who brought her first batch to the baker and

spent longer than usual away from home. This irritated the husband so much that when she finally came home, he made a neder that if she went to the same baker the bread would be prohibited.

The woman for her part felt that her husband was being irrational. Sometimes there was a bigger line or some other delay. She had a particular baker that she liked to use and she didn't plan on switching just because he is so needlessly jealous. She returned to her baker and finished her baking.

On Shabbos the man regretted his rash words but what could he do? He knew that all of the Challah had been baked after his rash words. Was he pro-

hibited from eating the Challah?

Although there was plain bread in the house, this was not nearly as tasty as challah. Could a chacham annul his vow despite the fact that it was Shabbos? Or would he be forced to eat plain bread because of his hasty words?

He asked his Rav who consulted with the author of Yehudah Ya'aleh, zt"l. "You may definitely annul the vow with a chacham. The general rule is that you may annul a vow on Shabbos for the needs of Shabbos, as we find in Nedarim 77. Although you have plain bread in your house, since eating better food is part of the mitzvah of oneg Shabbos, your vow may definitely be annulled!" ■