



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 vows that do not involve affliction (cont.)

R' Assi continues to challenge R' Yochanan's ruling concerning a woman who vows to prohibit two loaves, one that involves affliction and the other that does not. R' Yochanan ruled that the husband can only revoke the vow that involves affliction.

R' Yosef rejects the challenge.

Abaye challenges R' Yosef's rejection and then adds to his statement to make it stand.

The assertion that no Korban is brought for half a nezirus is unsuccessfully challenged.

Another unsuccessful challenge to R' Yochanan's ruling is presented.

2) **MISHNAH:** The Mishnah begins with a new case involving self-affliction. The Mishnah concludes with a case of a woman who prohibits Kohanim and Levi'im from benefiting from her property.

3) Clarifying the Mishnah

A contradiction between the first two rulings of the Mishnah is noted.

Ulla suggests one resolution to the contradiction.

Rava suggests a second resolution to the contradiction.

R' Nachman offers a third approach to resolve the contradiction. ■

REVIEW and Remember

1. Explain **אין נזירות לחצאין**.
2. What Korban is brought by a woman who violated her nezirus and her husband subsequently revoked her vow?
3. What lesson is derived from the words **והחי יתן אל לבו**?
4. Is a husband included in a vow prohibiting benefit from "people"?

Distinctive INSIGHT

Why is the oath of the woman not one of affliction?

רבא אמר לעולם בעל בכלל בריות הוא, ומה טעם קאמר, מה טעם אין יכול להפר מפני שיכולה ליהנות בלקט שכחה ופאה

The Mishnah presents a case of a woman who issued an oath not to benefit from "people" (בריות). The halacha is that this vow is not considered **נפש עינוי**, and she is not in a state of affliction. Consequently, her husband may not nullify her oath. Ulla and Rava each explain why this vow which prohibits her from obtaining food from any person does not constitute a financial crisis for the woman. Ulla explains that the husband himself is not included in the woman's reference to "people". Therefore, the woman can still benefit from him. The Mishnah continues and says that the woman may eat from the agricultural gifts left for the poor. According to Ulla, this information is actually irrelevant to the fact that the woman has the option to eat food provided by her husband. Nevertheless, the point is that even if her husband is poor and cannot furnish her with food, she will still not be in danger of starving.

Rava explains that the husband is included in the woman's reference not to benefit from "people," and the only reason her oath is not considered one of affliction is that she may still eat from **לקט**, etc. Accordingly, Rava understands that the Mishnah's comment that the woman may eat from the gifts for the poor is precisely why the husband may not nullify her oath. ר"ן explains that in this regard, Ulla and Rava disagree as to how the Mishnah is to be read.

The Keren Orah asks how the woman, in fact, can eat from the gifts for the poor that she might collect. The rule is that anything a married woman finds belongs to her husband. Consequently, as the woman collects these food items, they are owned by her husband, and her eating these agricultural items should be considered benefiting from her husband, which, according to Rava, is prohibited by her oath.

Keren Orah answers that it is the rabbis who instituted that any item found by the wife belongs to her husband. In this case, where she would have no means to be able to eat other than collect gifts for the poor, the ruling of the rabbis does not apply, and these items remain hers exclusive of her husband. ■

HALACHAH Highlight

Is a person supported by another considered poor?

ויכולה היא ליהנות בלקט שכחה ובפאה

But she is permitted to benefit from leket, shikchah and peah

The Gemara rules that a woman may take leket, shik'chah and peah only if she is prohibited to derive benefit from her husband as well as the rest of the world. Ran¹ adds that if she is permitted to derive benefit from her husband she is not considered poor since she is supported by him. This comment of Ran is used by the Steipler Gaon² to answer a different question. The Gemara Sukkah (46b) states that one should not tell a child that he will give the child a gift and then not give the gift because it teaches the child to lie. Rav Elchonon Wasserman³ asked why the Gemara only focuses on the issue of training the child not to lie when the person should be in violation of the prohibition against not following through on a pledge to give tzedaka, since the child is certainly poor since he has no possessions. The Steipler answers that the Gemara is discussing a child who is less than six years old whose father is obligated to provide him with financial support. Therefore, just like

Ran states that a married woman is not considered poor since she has a husband who is supporting her, so too, a child is not considered poor since he has a father who is supporting him. Accordingly, the Gemara in Sukkah only addressed the issue of training the child not to lie.

The Steipler then suggests that the two cases are not similar. A man is obligated, by virtue of the kesubah, to support his wife which gives her a financial claim against him. This is as opposed to a child who has no financial claim against his father even though his father is obligated to support him. Perhaps therefore, only one who has a financial claim against another is not considered poor (the wife), but one who does not have a financial claim is considered poor (a child) even though he is supported by another. He concludes, however, that anytime a person is receiving financial support he is not considered poor since the mitzvah of tzedaka is to provide a person with what he is lacking. Therefore, for example, a yeshiva bachur who has no money of his own but is supported by his parents or the yeshiva may not receive matanos la'evyonim since he is not considered poor. ■

1. ר"ך ד"ה אימא סיפא
2. קהלות יעקב סוכה סי' כ"ט
3. קובץ הערות קונטרס ביאורי אגדה סי' ב' סק"ו ■

STORIES Off the Daf

Lessons for the living

והחי יתן אל לבו

On today's daf Rav Meir says, "What is the meaning of the verse in Koheles: 'The living will take it to heart'? One who eulogized will be eulogized. One who cries over others will be cried over. One who buries others will be buried."

The Imrei Emes, zt"l, would comment, "Although Rashi learns that this is a promise of payment for these actions, the Derishah learns that contemplating one's mortality will lead one to teshuvah. This means that one who engages in this and thinks about the ultimate end of every person will do teshuvah."

On the 20th of Adar 5761, an

"atzeres hisorrerus," was arranged in the memory of a certain talmid chacham who had passed away. Rav Tzvi Yavrov, shlit"א, approached Rav Chaim Kanievsky, zt"l, and asked, "It says: 'Thirty days before Pesach one may not eulogize.' What is the exact definition of hisorrerus as opposed to hesped? What is the demarcation between arousing one to repentance and eulogizing?"

Rav Kanievsky replied, "A hesped is about the deceased. Hisorrerus is a discussion of issues about which the tzibur needs a wake-up call. Saying what we can learn from the niftar is also in this category."

"But regarding what should the speakers issue their wake-up call?"

Rav Kanievsky responded, "Ask the rabbis what they think."

"But what topic should be discussed, in the Rav's opinion?"

Rav Kanievsky replied, "One of the four things the Mishnah warns brings pestilence in its wake is partaking of fruit of shevi'is, of the shemitah year. It warns, 'Motzei Shevi'is on account of the fruits of shevi'is. The security situation in Israel now, during this year after shemitah, is like a plague! Arabs surround us, so we need to strengthen shemitah observance for protection!"

Rav Yavrov asked, "But aren't the attendees are all careful regarding shevi'is?"

Rav Kanievsky answered, Nevertheless, learning about it and discussing it has an affect on the rest of the Jewish people. As Rav Yisrael Salanter, zt"l, said, 'When the one learning all day in Eishyshok slackens from his Torah study, a student in Paris decides to break Shabbos!' ■

