

This month's Daf Digest is dedicated in memory of
Mr. Israel Gotlib of Antwerp and Petach Tikva, Yisrael Tzvi ben Zev.
By Mr. and Mrs. Manny Weiss

OVERVIEW of the Daf

1) Revoking a vow without hearing it (cont.)

The Gemara rejects the attempt to resolve the question of whether a husband can revoke a vow without hearing it and the question remains unresolved.

2) Can a deaf person revoke a vow?

Rami bar Chama asks whether a deaf person is able to revoke the vows of his wife.

He explains how this inquiry is an extension of the previous inquiry.

Rava demonstrates that a deaf husband cannot revoke his wife's vows.

3) Revoking the vows of his two wives

The Gemara inquires whether it is possible for a husband to revoke the vows of his two wives at the same time. Ravina demonstrates from a Baraisa that a husband cannot revoke the vows of his two wives at the same time.

4) MISHNAH: R' Eliezer holds that once a husband is obligated to financially support his wife he can revoke her vows whereas Chachamim maintain that he cannot revoke her vows until they marry.

5) R' Eliezer's position

Rabbah suggests that R' Eliezer and the original teaching in the Mishnah (related to the right of a woman to eat teruma once the husband is obligated to provide financial support) maintain the same position.

Abaye rejects the suggestion and demonstrates that R' Eliezer and the original teaching in the Mishnah do not agree with one another's halacha. ■

Today's Daf Digest is dedicated
In loving memory of our mother
Gitel Bas Yechiel
by the Zucker family

Distinctive INSIGHT

At what point does the husband begin support for his wife?

בוגרת ששהתה שנים עשר חודש ואלמנה שלשים יום, רבי אליעזר אומר הואיל ובעלה חייב במזונותיה, יפר

Most Rishonim explain that the husband is obligated to furnish his future wife with provisions once twelve months have elapsed from the time he proposes to marry her (שעת תביעה לינשא). However, Rashi to Kesuvos 57a (ד"ה נותנין) writes that the twelve months is counted from the time the husband informs the woman to prepare for the חופה. The interval of twelve months is provided for a נערה, a girl up to age twelve and a half years old.

The timeframe for a בוגרת is only thirty days from the moment the אירוסין was set. In this context, a בוגרת refers to a girl who has already been a בוגרת for twelve months. The reason she is given less time than a נערה is that we assume that she has already anticipated that she would soon be married, and that she prepared ahead of time in order not to be delayed when the time to marry would come (Rashi, ibid.).

The Rishonim offer different opinions regarding the halacha of בוגרת. Tosafos, Ritva, and Meiri explain that the timeframe is scaled back to thirty days only if the kiddushin itself was offered to her as when she was already a בוגרת. If, however, she received kiddushin as a נערה and later became a בוגרת, she is given a full twelve months. Rambam (Hilchos Ishus, 10:17) and Tur (E.H. 56) rule that the lead time given to a girl is not counted from the time of kiddushin, but rather from the time the husband informs her to prepare to be married (תביעה). If he alerts her when she is a נערה, she is given up to a full twelve months, even if she became a בוגרת in the interim. If twelve months have passed since she had been a בוגרת and the man gives her kiddushin, she is given only thirty days to prepare herself. ■

HALACHAH Highlight

A woman who does not wish to subject her vow to the approval of her husband

כל הנודרת על דעת בעלה היא נודרת
Any woman who takes a vow does so subject to her husband's consent

Ritva¹ writes that the principle, "Any woman who takes a vow does so subject to her husband's consent," means that when a woman takes a vow she makes it dependent upon her husband's approval. In other words, her intention is that the vow should be binding as long as her husband does not revoke the vow and it is treated as though this was explicitly stipulated. For this reason a husband is authorized to revoke the vows of his wife even if the marriage is only Rabbinically recognized. The reason is that this principle relates to her intent at the time of the vow rather than being a principle that the Torah subjects a woman's vows to the approval of her husband. According to this approach, notes Ritva, one could suggest that if a woman explicitly stipulates that she wants her vows to be binding even if her husband revokes the vow it should be binding. Two responses can be given to this challenge. One response is that even when she makes this stipulation we attest to the fact (אמן סהדי) that she does not intend to make a vow that would be opposed by her husband. Secondly, once the Torah authorizes the husband to revoke his wife's vows we do not make distinctions between vows and he is authorized to revoke all vows.

REVIEW and Remember

1. Can a deaf person revoke his wife's vows?
2. What is the reason that two סוטות are not given the bitter waters to drink simultaneously?
3. How long does a besulah have to prepare for her wedding?
4. What is the teaching of R' Pinchas in the name of Rava?

It is evident from these comments of Ritva that even if a woman states explicitly that she is not subjecting her vow to the consent of her husband, nonetheless, he is authorized to revoke her vows. Chazon Yechezkel² writes explicitly that according to the first explanation of Ritva a woman who is married, even Rabbinically, subjects her vows to the consent of her husband even if she states that she does not want her husband to have the authority to revoke her vows. On the other hand, Aruch LaNeir³ cites the rulings of Tashbatz that if a couple is only Rabbinically married and the wife states explicitly that she is taking a vow without subjecting it to the approval of her husband he may not revoke her vow. ■

1. חידושי הריטב"א למס' גיטין פג ד"ה כל

2. חזון יחזקאל נדרים פ"ו ה"ו

3. ערוך לנר נדה מו ■

STORIES Off the Daf

The oaths of two wives

ת"ש בעל מהו שיפר לשתי נשיו

Unfortunately, there was a time when people would make many vows when things were emotionally charged. Subsequently, they would cool down and regret their rashness. They had no choice but to go to a chacham who would help them if he could. A certain chacham wondered if he could annul two or three people's vows at the same time, or a number of different vows made by the same person. But he

doubted himself - perhaps each vow required a separate annulment?

He consulted the Ramban, zt"l, on this matter who said, "It is definitely permitted to annul many vows of one person by saying 'מותרים לך,' or the vows of many people by saying 'מותר לכם.' The only time when something similar is questioned is regarding the husband's annulment of the vows uttered by more than one wife at one time. The Gemara in Nedarim 73a states that although the sages held that one can annul the vow of two wives at once, Rav Yehudah prohibits this because of גזירת הכתוב.

The Ramban continued, "Even Rav

Yehudah would concede, however, that one may annul the vows of several people at once since the גזירת הכתוב only discusses wives. As far as your second question is concerned, whether one may annul many vows made by the same person at once is clear from Nedarim 72. There, the Mishnah states that a chacham annuls all his daughter's vows before she leaves his jurisdiction by saying, 'all vows you made in my house are annulled.' Similarly, a husband annuls all the vows that his wife made before their marriage in a single stroke." ■

