

תָּנָן הֵתָם: מְפִירִין נְדָרִים בְּשַׁבָּת, וְנִשְׁאַלִין לְנְדָרִים שֶׁהֵן לְצוּרְךָ הַשַּׁבָּת. אִיבְעִינָא לְהוּ: מְפִירִין נְדָרִים בְּשַׁבָּת לְצוּרְךָ הַשַּׁבָּת, אוֹ דְלִמָּא אִפִּילוּ שְׂלָא לְצוּרְךָ?

תָּא שְׁמַע, דְּתַנִּי רַב זוּטִי דְבִי רַב פַּפִּי: אִין מְפִירִין נְדָרִים אֲלָא לְצוּרְךָ הַשַּׁבָּת. אָמַר רַב אֲשִׁי: הָא לֹא תַנְּהִי נְדָרָה עִם חֲשִׁיבָה – מִפְּרָא לָהּ עַד שְׂלָא תַחֲשֹׁךְ. וְאִי אָמַרְתָּ לְצוּרְךָ הַשַּׁבָּת אִין, שְׂלָא לְצוּרְךָ הַשַּׁבָּת לֹא – מָאִי אִירִיא חֲשִׁיבָה? אִפִּילוּ בְּתוֹךְ הַיּוֹם אִינוּ יָכוֹל לְהַפְּרֵי דְשְׂלָא לְצוּרְךָ!

תַּנְאִי הֵיא: הַפְּרַת נְדָרִים כָּל הַיּוֹם, רַבִּי יוֹסִי בְּרַבִּי יְהוּדָה וְרַבִּי אֶלְעָזָר בְּרַבִּי שְׁמַעוֹן אָמְרוּ: מֵעַתָּה לֵעֵת.

לְמָאן דְּאָמַר כָּל הַיּוֹם אִין, טְפִי לֹא – אִפִּילוּ שְׂלָא לְצוּרְךָ הַשַּׁבָּת מִפְּרָא. לְמָאן דְּאָמַר מֵעַתָּה לֵעֵת, לְצוּרְךָ הַשַּׁבָּת – אִין, שְׂלָא לְצוּרְךָ הַשַּׁבָּת – לֹא.

וְנִשְׁאַלִין לְנְדָרִים שֶׁהֵן לְצוּרְךָ הַשַּׁבָּת. אִיבְעִינָא לְהוּ: כְּשִׂלָּא הִיא לְהֵם פְּנָאִי, אוֹ דְלִמָּא כְּשִׂהִיא לְהֵם פְּנָאִי? תָּא שְׁמַע: דְּאִיזְדַּקִּיָּו לִיָּה רַבְּנָן לְבִרְיָה דְרַב וְיִטְרָא בְּרִיָּה דְרַב זְעִירָא אִפִּילוּ בְּנְדָרִים שֶׁהֵן לְהֵם פְּנָאִי מִבְּעוֹד יוֹם.

§ We learned in a mishna elsewhere (*Shabbat 157a*): A father or husband may nullify his daughter's or his wife's vows on Shabbat^H and one may request from a halakhic authority to dissolve vows that are for the purpose^N of Shabbat. A dilemma was raised before the Sages: May one nullify vows on Shabbat only when they are for the purpose of Shabbat, or may one perhaps nullify vows on Shabbat even when they are not for the purpose of Shabbat?

Come and hear the *baraita* that Rav Zuti from the school of Rav Pappi taught: Vows may be nullified on Shabbat only for the purpose of Shabbat. Rav Ashi said: We did not learn that way in the mishna here. The mishna teaches: If she took a vow with nightfall approaching,^N her father or husband can nullify the vow for her only until nightfall. And if you say that with regard to nullification of vows that are for the purpose of Shabbat, yes, he may nullify those vows, but nullifications that are not for the purpose of Shabbat, no, he may not, why does the *tanna* specify nightfall? After all, even during the day he may not nullify that which is not for the purpose of Shabbat.

The Gemara rejects this conclusion: Nullification on Shabbat is subject to a dispute between *tanna'im*: Nullification of vows can be performed all day on the day that the vow was heard. And Rabbi Yosei, son of Rabbi Yehuda, and Rabbi Elazar, son of Rabbi Shimon, said: A vow can be nullified for a twenty-four-hour period from the time it was heard.

According to the one who says all day, yes, one can nullify vows all day, but not more than that; he may nullify on Shabbat even when it is not for the purpose of Shabbat, since otherwise, he could not nullify a vow taken on Shabbat at all. According to the one who says that one can nullify her vows for a twenty-four-hour period, that which is for the purpose of Shabbat, yes, he may nullify, but that which is not necessary for Shabbat, he may not nullify, as he can do so after Shabbat.

§ The mishna from tractate *Shabbat* teaches: And one may request from a halakhic authority to dissolve vows^H that are for the purpose of Shabbat. A dilemma was raised before the Sages: Is this specifically when those who took the vows did not have the opportunity to request dissolution of the vows before Shabbat, or perhaps it is the case even when they did have the opportunity? The Gemara responds: Come and hear: It happened that the Sages attended to the dissolution of the vows of the son of Rav Zutra, son of Rav Zeira, on Shabbat, even for vows that they had the opportunity to dissolve while it was still day, before Shabbat had begun.

NOTES

One may request from a halakhic authority to dissolve vows that are for the purpose, etc. – נִשְׁאַלִין לְנְדָרִים שֶׁהֵן לְצוּרְךָ וכו': Various explanations have been offered for the prohibition against unnecessarily dissolving vows on Shabbat. One explanation is that since dissolving vows is similar to a judgment, it is preferable not to do so on Shabbat if it can be avoided (Ran). Alternatively, since there is no time limit for dissolving vows, there is no need to do so on Shabbat (Ran; see Jerusalem Talmud). The Ran (*Shabbat 157a*) suggests that dissolving vows is considered an unnecessary effort that should not be done if it is not for the purpose of Shabbat. The Rambam indicates that the prohibition is derived from the prophet's warning to refrain "from pursuing your business or speaking of it" (Isaiah 58:13) on Shabbat, and the dissolution of vows is regarded as a secular activity that is inappropriate for Shabbat.

That are for the purpose of Shabbat – שֶׁהֵן לְצוּרְךָ הַשַּׁבָּת: For example, if she took a vow not to eat or drink, which is part of the enjoyment of Shabbat, or if she took a vow to refrain from other activities that honor the day, such as wearing fine clothes, one may find nullification necessary.

If she took a vow with nightfall approaching, etc. – נְדָרָה: The Ran explains that the proof is from the fact that the mishna's example specifies a vow taken right before the end of Shabbat, which presumably would not impact enjoyment of Shabbat, and yet the vow may be nullified.

HALAKHA

May nullify vows on Shabbat – מְפִירִין נְדָרִים בְּשַׁבָּת: One may nullify vows on Shabbat, even those which are not for the purpose of Shabbat, in accordance with Rav Ashi's opinion (Rambam *Sefer Zemanim, Hilkhot Shabbat* 24:6 and *Sefer Hafla'a, Hilkhot Nedarim* 13:8; *Shulhan Arukh, Oraḥ Ḥayyim* 341:1 and *Yoreh De'a* 234:24).

One may request from a halakhic authority to dissolve vows, etc. – נִשְׁאַלִין לְנְדָרִים וכו': One may request that a halakhic authority dissolve his vows even on Shabbat, provided this is for the purpose of Shabbat. It is permitted to dissolve such vows on Shabbat even if there was time to do so before Shabbat (Rambam *Sefer Zemanim, Hilkhot Shabbat* 24:6 and *Sefer Hafla'a, Hilkhot Shevuot* 6:6; *Shulhan Arukh, Oraḥ Ḥayyim* 341:1 and *Yoreh De'a* 228:3).

NOTES

Of a single expert – **בְּיָחִיד מִמְּחָה**: Rav Yosef permits a single expert to dissolve vows on Shabbat. A single expert does not give the appearance of a court session, as a court requires three judges. Rabbi Avraham min HaHar notes that although by Torah law an expert judge may try cases on his own, and his decisions are valid, for topics other than the dissolution of vows it is appropriate for him to add two others to his court, even if they are not experts. Although this does not apply to the dissolution of vows, as that topic does not require the same level of deliberation, if a single expert invited two other men to join him in the dissolution of vows on Shabbat, Rav Yosef would prohibit them from dissolving the vow on Shabbat.

Because it looks like a court judgment – **דְּמִתְחַזֵּי כְּדִינָא**: Judgment is forbidden on Shabbat by rabbinic decree, out of concern that it will lead to writing court records on Shabbat (see *Beitza* 36b). The *Keren Ora* explains that this is the reason the dissolution of vows differs from other judgments, as there is no need to write anything down. The *Hatam Sofer* states that a better explanation of the prohibition against judgment on Shabbat is found in the Jerusalem Talmud, in which it is explained that the Sages forbade judgment on Shabbat as an extension of the Torah law prohibiting corporal punishment on Shabbat. Here too, the dissolution of vows differs from other types of judgment as it does not result in the administration of punishment.

Did you say he was silent, etc. – **אִישְׁתִּיק קָא אָמַרְתּוּ וכו'**: The Ran cites a version of the text in which the question relates to what Rav said: Did he say to Rav Huna that he should be silent, as that ruling is incorrect, or did he say: You have given us drink, i.e., that ruling is correct and should be accepted.

סָבַר רַב יוֹסֵף לְמִימַר: נִשְׁאַלִין נְדָרִים בְּשַׁבָּת, בְּיָחִיד מִמְּחָה – אִין, בְּשִׁלְשָׁה הַדְּיוֹטוֹת – לָא, מִשּׁוּם דְּמִתְחַזֵּי כְּדִינָא.

אָמַר לֵיהּ אַבְי: בִּיּוֹן דְּסָבִירָא לָן אֶפְּלוּ מְעוּמָד, אֶפְּלוּ בְּקָרוּבִים, וְאֶפְּלוּ בְּלַיְלָה – לָא מִתְחַזֵּי כְּדִינָא.

אָמַר רַבִּי אָבָא אָמַר רַב הוּנָא אָמַר רַב: הֲלָכָה, מִפְּרִין נְדָרִים בְּלַיְלָה. וְהָא מִתְחַזֵּין הֵיא: נְדָרָה בְּלַיְלִי שַׁבָּת! אֵלָא אִימָא: הֲלָכָה, נִשְׁאַלִין בְּלַיְלָה.

אָמַר לֵיהּ רַבִּי אָבָא לְרַב הוּנָא: אָמַר רַב הֲכִי? אָמַר לֵיהּ: אִישְׁתִּיק. אָמַר לֵיהּ: אִישְׁתִּיק קָא אָמַרְתּוּ, אוּ שְׁתִּי קָאֲמַרְתּוּ?

אָמַר רַב אִיקָא בַר אָבִין: אִיזְדַּקִּיק לֵיהּ רַב לְרַבָּה

Rav Yosef thought to say: With regard to requesting that a halakhic authority dissolve vows on Shabbat, yes, requesting of a single expert^N is permitted on Shabbat, but requesting of three laymen is not permitted on Shabbat, because it looks like a court judgment,^N which may not be performed on Shabbat.

Abaye said to him: Since we hold that vows may be dissolved even while the halakhic authority is standing, and even by relatives, and even at night, it does not look like a judgment. Since it is not regarded as an act of a court, vows may be dissolved on Shabbat even by three laymen.

Rabbi Abba said that Rav Huna said that Rav said: The *halakha* is that one can nullify vows at night. The Gemara asks: But this is already stated in the *mishna*: If a woman took a vow on Shabbat evening, her father or husband can nullify the vow on Shabbat evening; why would Rav Huna need to state his *halakha*? Rather, say that Rav's ruling was as follows: The *halakha* is that one can request that a halakhic authority dissolve a vow at night.

Rabbi Abba said to Rav Huna: Did Rav say that? Rav Huna said to him: Rav was silent [*ishtik*] when this ruling was stated in his presence. Rabbi Abba said to him: Did you say: He was silent [*ishtik*],^N indicating that he accepted this ruling, or did you say: He was drinking [*shatei*], and was therefore preoccupied, so that his silence did not necessarily indicate agreement?

In order to clarify Rav's opinion on the issue, the Gemara cites Rav Ika bar Avin who said: Rav attended to the dissolution of a vow made by Rabba,

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LANGUAGE

A side room [*kitona*] – **קִיטוֹנָא**: From the Greek κοιτών, *koiton*, meaning bedroom. The Sages used it in reference to other small rooms as well.

בְּקִיטוֹנָא דְּבֵי רַב עוֹמֵד, יְחִידִי, וּבְלַיְלָה.

אָמַר רַבָּה אָמַר רַב נַחֲמָן: הֲלָכָה, נִשְׁאַלִין נְדָרִים עוֹמֵד, יְחִידִי, וּבְלַיְלָה, וּבְשַׁבָּת, וּבְקָרוּבִים, וְאֶפְּלוּ הֵיא לְהֵן פְּנָאֵי מִבְּעוּד יוֹם.

in a side room [*kitona*]¹ of the study hall,^N while standing, alone and at night.^N

Rabba said that Rav Nahman said: The *halakha* is that one can request the dissolution of vows even when the halakhic authority is standing or alone, i.e., without a court of three, as long as he is a halakhic authority, and that one can do so at night, on Shabbat, and by relatives, and even when those requesting dissolution on Shabbat had the opportunity to do so while it was still day, i.e., before Shabbat.

NOTES

In a side room of the study hall – **בְּקִיטוֹנָא דְּבֵי רַב**: The Aramaic phrase for study hall that is used here, *bei rav*, literally the house of the rabbi, can support the interpretation that this was a side room of the study hall (Ran) or that it was a side room in the house of the *amora* Rav (Rosh). Either way, Rav dissolved the vow in a place that was not designated for court deliberations.

And at night – **וּבְלַיְלָה**: It is derived in the Jerusalem Talmud that a halakhic authority can dissolve vows at night from an *a fortiori* inference: If a husband can nullify vows at night, even though the

verse relating to his nullification states: “On the day” (Numbers 30:13), all the more so should a halakhic authority, whose dissolution of vows has no association with daytime, be able to dissolve vows at night. The Jerusalem Talmud adds to the list of ways in which the dissolution of vows is different from court proceedings, that vows can be dissolved by a halakhic authority even when he does not know the language spoken by the petitioner and requires an interpreter. In official court proceedings, it is prohibited for the judges to hear claims through an interpreter.

Rabban Gamliel holds that one must broach dissolution based on regret – רבן גמליאל סבר פותחין בתרטה: The interpretations of the topic by the commentaries are affected by their different versions of the text. The Commentary on *Nedarim* explains that to broach dissolution of a vow based on regret means that the halakhic authority needs to prompt the petitioner to state that he regrets taking the vow to the extent that he concedes that the initial taking of the vow was a mistake. The fact that he now wishes to dissolve the vow is not sufficient; he must regret ever having taken the vow, as it is possible that his petition to dissolve the vow is not due to true regret but to external pressure from those who are inconvenienced by the vow. Evaluating regret therefore requires examination and composed reflection. Conversely, Rav Nahman holds that the halakhic authority does not need to prompt the petitioner in discovering whether he regrets taking the vow, and if the petitioner does not independently articulate his regret, the vow is not dissolved. Consequently, the dissolution could be done more casually, with minimal deliberation (see Rabbi Avraham min HaHar).

Most early commentaries, however, have a version of the text in which Rabban Gamliel holds that the halakhic authority does not broach dissolution based on regret, meaning that the fact that he says now that had he known he would regret having taken the vow he would not have done so, is insufficient grounds to dissolve a vow. Rather, a vow can be dissolved only if there was a misunderstanding of the circumstances that were already present, or of the consequences of the vow, when the vow had been taken. This is a process that requires composed deliberation. In this version of the text, Rav Nahman holds that one does broach dissolution based on regret and that this is much easier to achieve than discovering an error (see *Tosafot*; Rosh; Ran).

Go and request mercy, etc. – ויל ובעי רחמי וכו': According to the Commentary on *Nedarim*, this is a continuation of the previous theme of broaching dissolution based on regret. In Eretz Yisrael they would begin the dissolution of vows by reminding the petitioner that taking a vow is itself a sin, causing the petitioner to regret his vow entirely. Most early commentaries do not make this connection and understand that this story is cited only as a demonstration of how strict they were with regard to vows in Eretz Yisrael (Rosh; see Ran). Some understand this account to be an explanation of why the Sages in Eretz Yisrael regarded taking a vow to be a transgression, even when one fulfills the vow (Rabbi Yitzhak Tzarfat).

I do not want you to vow, etc. – אי אפשי שתדורי וכו': The Ran's version of the text does not include the clause: This is not a vow. He understands that the whole passage is referring to ratification of vows. The first clause: I do not want you to vow, is directed at her future vows and implies that he accepts her past vows. The *baraita* teaches that such an oblique ratification is not effective, in contrast to the examples stated subsequently, in which he states his approval of her vow, albeit without explicitly ratifying it.

If the text includes the clause: This is not a vow, then the first two clauses cannot be addressing ratification, as that second phrase cannot imply ratification of past vows at all. Consequently, one must understand the first two clauses of the *baraita* to be examples of implicit nullification, which is ineffective. The other expressions refer to ratification, and the *baraita* teaches that although nullification must be explicit, such general expressions of approval suffice for ratification. The Ran also suggests that the language: I do not want you to vow, indicates that this *baraita* subscribes to the opinion of Rabbi Eliezer, that the husband can preemptively nullify a vow. Alternatively, it is referring to past vows, despite the future tense in the Hebrew.

LANGUAGE

I do not want [ee efshi] – אי אפשי: The word *efshi* means my desire, or my will, and was used in this manner in Syriac. Some assert that the source of this word is the Greek *ἐφεσις*, *efesis*, meaning desire. Others say it is a corruption of the word *nefesh*, meaning soul, as in one's soul's desire.

עומד? והתנא: ירד רבן גמליאל מן החמור ונתעטף וישב והתיר לו נדרו! רבן גמליאל סבר פותחין בתרטה; מיעקר נדרא בעיניו, ובעי עיניו, אהכי ישב. ורב נחמן סבר: אין פותחין בתרטה, ואפילו מעומד.

The Gemara raises a difficulty with this ruling: Can a judge dissolve a vow while standing? But it is taught in a *baraita* that Rabban Gamliel alighted from a donkey, and wrapped himself in his shawl in the customary manner of a judge, and sat, and dissolved a man's vow for him. If one can dissolve a vow while standing, why did he sit? The Gemara explains: Rabban Gamliel holds that one must broach dissolution based on regret.^{NH} In other words, a halakhic authority does not dissolve vows directly, but must prompt the one who took the vow to concede that he regrets having taken the vow in the first place. We require that the vow be uprooted, and he needed to examine the case; therefore, he sat down. But Rav Nahman holds that one need not broach dissolution based on regret, and therefore a halakhic authority can dissolve the vow even while standing.^H

אמר ליה רבא לרב נחמן: חזי מר האי מרבנן דאתא ממערבא, ואמר: אי דקיקו ליה רבנן לבריה דרב הונא בר אבין ושרו ליה נדריה, ואמרו ליה: זיל ובעי רחמי על נפשך דחטאת. דתני רב דימי אחוה דרב ספרא: כל הנודר, אף על פי שהוא מקיימו – נקרא חוטא. אמר רב זביד: מאי קרא – וכי תחדל לנדור לא יהיה בך חטא, הא לא חדלת – איבא חטא.

Rava said to Rav Nahman: Master, see that Sage who came from the West, Eretz Yisrael, and who said: The Sages attended to the dissolution of a vow taken by the son of Rav Huna bar Avin, and they dissolved his vow and said to him: Go and request mercy^N for yourself, for you have sinned by taking a vow. As Rav Dimi, the brother of Rav Safra teaches: With regard to anyone who takes a vow, even if he fulfills it, he is called a sinner.^H Rav Zevid said: What verse teaches this? It is: "But if you refrain to vow, it will be no sin in you" (Deuteronomy 23:23). It may be inferred that if you did not refrain from taking vows, there is sin.

תנא: האומר לאשתו "כל נדרים שתדורי אי אפשי שתדורי", "אין זה נדר" – לא אמר כלום. "פה עשית" – אין כמותך! ואם לא נדרת מדריך אני – דבריו קיימין.

It is taught in a *baraita*: One who says to his wife: Any vows which you will vow, I do not want [ee efshi]^l you to vow,^{HN} or one who wants to nullify a vow and says: This is not a vow, has not said anything, as this is not a valid formula of nullification. If he says: You have done well,^H or: There are none like you, or: If you had not taken a vow, I, myself, would have taken a vow to obligate you in this, his statement is substantial, and the vow is ratified.

HALAKHA

One must broach dissolution based on regret – פותחין בתרטה: A halakhic authority can dissolve a vow when the one who made the vow now regrets it entirely and wishes it had never taken effect. He does not need to find some way that the vow was made in error in order to justify dissolution of it. Some authorities, including the Rambam, hold that mere regret is insufficient and in addition the halakhic authority must find some matter related to the vow that the petitioner failed to consider and that had he thought of it he would not have taken the vow (Rambam *Sefer Hafa'a*, *Hilkhot Shevuot* 6:5; *Shulhan Arukh*, *Yoreh De'a* 203:7).

And even while standing, etc. – ואפילו מעומד וכו': The dissolution of vows can be performed even by relatives, and it can be performed at night. Furthermore, those dissolving the vow need not be seated at the time. However, if the dissolution is based on extenuating circumstances and not merely regret, the court authorizing the dissolution must sit (Rambam *Sefer Hafa'a*, *Hilkhot Shevuot* 6:6; *Shulhan Arukh*, *Yoreh De'a* 228:3, 4).

Anyone who takes a vow... is called a sinner – נקרא... הנודר: Anyone who takes a vow is called wicked and a sinner, even if he fulfills it, in accordance with Rav Dimi's statement.

The *Taz* adds that if he has a way of dissolving his vow and fails to do so he is called wicked, and if he is unable to find a way of dissolving his vow he is nevertheless called a sinner (*Shulhan Arukh*, *Yoreh De'a* 203:1).

I do not want you to vow – אי אפשי שתדורי: A husband or father nullifies the vow of his wife or daughter, respectively, by thrice repeating the formula: It is nullified for you, or: It is canceled for you. If he uses unclear terms his statement has no effect, even if it appears to express a rejection of the vow. With regard to the statement: This vow is not anything, the Rambam and the first opinion in the *Shulhan Arukh* maintain that this, too, is an effective formula for nullification; and the Gra claims that this was the Rambam's version of the Gemara text. However, the Rosh and the *Tur* ruled that it is ineffective, as implied by the version of the text printed here (Rambam *Sefer Hafa'a*, *Hilkhot Nedarim* 13:2; *Shulhan Arukh*, *Yoreh De'a* 234:37).

You have done well – פה עשית: A vow is ratified if, for example, he says to her: It is ratified for you, or: You have vowed well, or: There is none like you, or: Had you not taken the vow, I would have taken the vow to obligate you in this, or he says any other statement that indicates acceptance of her vow (Rambam *Sefer Hafa'a*, *Hilkhot Nedarim* 13:3; *Tur*, *Yoreh De'a* 234).

לֹא יֹאמֵר – A man should not say to his wife, etc. – לֹא יֹאמֵר: When a man nullifies the vows of his wife or daughter on Shabbat, he should not use the weekday formula of: It is nullified for you, but rather he should cancel it in his heart and tell her to do something that will cancel the vow. For example, if she took a vow not to eat, he should say to her: Take and eat (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 13:8; *Shulhan Arukh, Yoreh De'a* 234:24).

He cancels the vow in his heart – מְבַטֵּל בְּלִבּוֹ: If one nullifies a vow in his heart but does not articulate it, the vow is not nullified. However, if a man tells his wife to perform an action that contradicts the vow, e.g., if she took a vow not to eat and he cancels the vow in his heart and says to her: Take and eat, the vow is nullified. According to the Rambam, he does not need to say anything, as the vow is canceled by his compelling her to do what she vowed to refrain from doing (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 13:4–8; *Shulhan Arukh, Yoreh De'a* 234:38).

A halakhic authority who pronounced his dissolution of a vow with language appropriate to a husband – חֲכָם שֶׁאָמַר בְּלִשׁוֹן בַּעַל: If a halakhic authority says to one who took a vow: It is nullified for you, or: Your oath is uprooted, his words are of no effect, as only a husband or father can nullify vows, whereas a halakhic authority must use language of dissolution, in accordance with Rabbi Yoḥanan's opinion (Rambam *Sefer Hafla'a, Hilkhot Shevuot* 6:5; *Shulhan Arukh, Yoreh De'a* 228:3; see *Taz*).

A husband who pronounced his nullification of a vow with language appropriate to a halakhic authority – בַּעַל שֶׁאָמַר בְּלִשׁוֹן חֲכָם: One who said to his wife or daughter: It is absolved for you, or: It is dissolved for you, has not nullified her vow, as a father and husband do not dissolve vows but rather cancel them by means of nullification (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 13:2; *Shulhan Arukh, Yoreh De'a* 234:37).

לֹא יֹאמֵר אָדָם לְאִשְׁתּוֹ בְּשַׁבָּת "מוֹפְרֵי לֵיכִי", "בְּטִיל לֵיכִי" כְּדֹרְךְ שֶׁאָמַר לָהּ בַּחֹל. אֲלֵא אוֹמֵר לָהּ "טְלִי וְאֶכְלִי", "טְלִי וְשָׁתִי" וְהִגְדֵר בְּטֵל מֵאֲלִיו. אָמַר רַבִּי יוֹחָנָן: וְצִרְיִךְ שֶׁיִּבְטֵל בְּלִבּוֹ.

תַּנְיָא, בֵּית שַׁמַּי אוֹמְרִים: בְּשַׁבָּת – מְבַטֵּל בְּלִבּוֹ, בַּחֹל – מוֹצִיא בְּשִׁפְתָיו. וּבֵית הִלֵּל אוֹמְרִים: אֶחָד זֶה וְאֶחָד זֶה מְבַטֵּל בְּלִבּוֹ, וְאִין צִרְיִךְ לְהוֹצִיא בְּשִׁפְתָיו.

אָמַר רַבִּי יוֹחָנָן: חֲכָם שֶׁאָמַר בְּלִשׁוֹן בַּעַל, וּבַעַל שֶׁאָמַר בְּלִשׁוֹן חֲכָם – לֹא אָמַר כְּלוּם.

דַּתְנַיָא: "זֶה הַדְּבָר" – הַחֲכָם מֵתִיר וְאִין בַּעַל מֵתִיר. שֶׁיִּכּוֹל, וּמָה חֲכָם שֶׁאִין מִפֶּר – מֵתִיר, בַּעַל שֶׁמִּפֶּר – אֵינּוּ דִין שֶׁמֵּתִיר? תְּלַמּוּד לִוְמֵר:

A man should not say to his wife^H when nullifying her vows on Shabbat: It is nullified for you, or: It is canceled for you, in the manner that he would say to her on weekdays. Rather, he should say to her, if she took a vow to refrain from food or drink: Take this and eat^N it, or: Take this and drink it, and the vow is canceled on its own. Rabbi Yoḥanan said: And he must also cancel the vow in his heart;^N simply telling her to eat or drink is not sufficient.

It is taught in a *baraita*: Beit Shammai say: On Shabbat he cancels the vow in his heart^{HN} and on a weekday he articulates the nullification with his lips. And Beit Hillel say: Both in this case and in that case, i.e., whether on Shabbat or a weekday, it is sufficient if he cancels the vow in his heart, and he need not articulate with his lips.

§ Rabbi Yoḥanan said: A halakhic authority who pronounced his dissolution of a vow with language appropriate to a husband,^H i.e., he said the word nullified instead of dissolved, or a husband who pronounced his nullification of a vow with language appropriate to a halakhic authority,^H i.e., he said the word dissolved instead of nullified, has not said anything. Each of them has the authority to cancel a vow only in the particular manner allotted to him.

As it is taught in a *baraita*: The verse “This is the thing which the Lord has commanded” (Numbers 30:2) indicates that the husband’s nullification, which is the topic of the subsequent verses, must be done specifically in this way. The Sages concluded that a halakhic authority dissolves a vow, but a husband does not dissolve it. As, one might have thought: And just as a halakhic authority,^N who cannot nullify vows, nevertheless dissolves them, so too with regard to a husband, who can nullify vows, is it not logical that he should also dissolve them? Therefore, the verse states:

NOTES

Take and eat – טְלִי וְאֶכְלִי: Since the vow is to refrain from eating or drinking, it is clearly necessary to nullify it for Shabbat, and everyone agrees that the husband may nullify it on Shabbat (Commentary on *Nedarim*).

And he must also cancel the vow in his heart – וְצִרְיִךְ שֶׁיִּבְטֵל בְּלִבּוֹ: According to one opinion, all that is required of him is to intend to nullify the vow (Rabbi Avraham min HaHar). Alternatively, he must say to himself: It is nullified for you (Commentary on *Nedarim*). Some commentaries maintain that the explicit thought is not sufficient and that he must actually articulate the nullification with his lips, albeit without vocalizing it (Rosh, citing Rabbi Eliezer of Metz).

He cancels the vow in his heart – מְבַטֵּל בְּלִבּוֹ: According to most commentaries, the *halakha* that one need not pronounce the nullification formula out loud applies on a weekday as well as on Shabbat. The Ran asks: Why are the statements: I do not want you to vow, and: This is not a vow, unable to effect nullification of a vow, while the statement: Take and eat, can nullify a vow? He explains that in the latter case, the Gemara is referring to a situation where the husband or father nullifies the vow in his heart, and under

such circumstances an inexplicit verbal nullification suffices. The Rambam has a different opinion. He differentiates between nullification and canceling of a vow. Nullification must be performed using the correct terminology. By contrast, in order for a vow to be canceled, rather than nullified, the husband need not say anything specific but only insist that his wife break the vow in practice. In this example, his saying: Take and eat, is not a suggestion; it is a command. This sort of cancelation of vows requires that the husband reject the vow in his heart. The Ra'avad rejects this distinction. See Rabbi Avraham min HaHar for a resolution of the difficulties with the Rambam's opinion.

And just as a halakhic authority, etc. – וּמָה חֲכָם וְכוּ': *Tosafot* and the Rosh are of the opinion that it was unnecessary for this *baraita* and the following *baraita* to put forward a *fortiori* inferences to explicate what one might have thought had the verses not indicated that dissolution of a vow is performed only by a halakhic authority and nullification of a vow is performed only by a husband or father. Without the verses, there is no *prima facie* reason to distinguish between nullification and dissolution. They explain that the use of the *a fortiori* inference in this case is merely rhetorical flourish.