

BACKGROUND

Grime – ערבוביטא: From the context this word apparently means filth or contamination. Some explain that its meaning is related to that of *irbu*, mixture, i.e., filth mixed in one's hair and clothing. It may be a special word for contamination, perhaps from various types of filth stuck or mixed together.

Grime on one's head – ערבוביטא דרשא: Grime naturally contains infectious agents that can cause various diseases. One possible scenario is that as a dirty head is itchy, one might unwittingly transfer a carrier of illness to one's eyes, causing an eye infection, which if left untreated could lead to blindness. Similarly, an accumulation of dirt on the skin, especially if it causes itching, could reach a subcutaneous layer and produce a fungal or bacterial infection.

LANGUAGE

Be presumptuous [yitgadderu] – יתגדרו: The root *gimmel, dalet, reish* conveys self-aggrandizement or boasting. For this reason some have claimed that it is derived from *gadol*, great, with the final letter *lamed* simply exchanged for the *reish*. Others have equated it with the Arabic root *جدر, j-d-r*, meaning ready and able. Regardless, *yitgadderu* is used in the sense of being important or recognized as special in some way.

גוף כולו לא כל שכן? אָמְרוּ: אִין, כְּבִיסָה אֱלִימָא לְרַבִּי יוֹסֵי, דְּאָמַר שְׁמוּאֵל: הָאִי עֲרֻבֻיטָא דְרִישָׁא – מְתֵיא לְיָדֵי עוּרָא, עֲרֻבֻיטָא דְמֵאֲנִי – מְתֵיא לְיָדֵי שְׁעֻמוּמֵיטָא, עֲרֻבֻיטָא דְגוּפָא – מְתֵיא לְיָדֵי שִׁיחֵי וְכִיבִי.

שְׁלַחוּ מִתָּם: הִזְהִירוּ בְעֲרֻבֻיטָא, הִזְהִירוּ בְחַבְרָה, הִזְהִירוּ בְבֵנֵי עֲנִיִּים שְׁמֵהֶן תֵּצֵא תוֹרָה, שְׁנֵאמַר "וְיָלַם מִמֶּם מְדַלְיוֹ" – שְׁמֵהֶן תֵּצֵא תוֹרָה.

וּמִפְנֵי מָה אִין מִצְוִיִן תְּלַמִּידֵי חֲכָמִים לְיֵצֵאת תְּלַמִּידֵי חֲכָמִים מִבְּנֵיהֶן? אָמַר רַב יוֹסֵף: שְׁלֵא יֵאמְרוּ תוֹרָה יְרוּשָׁה הִיא לְהֵם. רַב שֶׁשֶׁת בְּרִיהַ דְּרַב אִידִי אָוִיר: כִּדִּי שְׁלֵא יִתְגַּדְרוּ עַל הַעֲבוּר. מִרְזוּטָא אָוִיר: מִפְּנֵי שְׁהֵן מִתְגַּבְּרִין עַל הַעֲבוּר. רַב אֲשִׁי אָוִיר: מִשּׁוּם דְּקָרוּ לְאִינְשֵׁי "חֲמֵרוֹ".

רַבִּינָא אָוִיר: שְׂאִין מְבָרְכִין בְּתוֹרָה תְּחִלָּה. דְּאָמַר רַב יְהוּדָה אָמַר רַב: מֵאִי דְכְּתִיב "מִי הָאִישׁ הֶחֱכֵם וְיָבֵן אֶת זְאֹתָ?" דְּבָר זֶה נִשְׂאֵל לְחֲכָמִים וְלַנְּבִיאִים וְלֹא פִירְשׁוּהוּ.

is it not all the more so the case that if one does not bathe, which affects the entire body, Rabbi Yosei would agree that he will suffer pain? The Gemara refutes this argument: The Sages say in response: Yes, the pain of refraining from laundering one's clothes is stronger, according to Rabbi Yosei, than the pain of not washing one's body. As Shmuel said: Grime^b on one's head^b leads to blindness, and grime on one's clothes leads to madness, whereas grime on one's body leads to boils and sores, which are less serious than madness and blindness. Based on this it may be suggested that according to Rabbi Yosei, soiled clothing presents a greater danger than an unwashed body.

S With regard to this issue, the Gemara relates that the Sages sent the following message from there, i.e., Eretz Yisrael, to Babylonia: Be careful with regard to grime, as it can lead to disease and sickness. Be careful to learn Torah in the companyⁿ of others, rather than study it alone. And be careful with regard to the education of the sons of paupers, as it is from them that the Torah will issue forth. As it is stated: "Water shall flow from his branches [*midalyav*]" (Numbers 24:7), which is expounded to mean: From the poor ones [*midalim*] among him, as it is from them that the Torah, which may be compared to water, will issue forth.

With regard to a similar matter, the Gemara inquires: And for what reason is it not common for Torah scholars to give rise to Torah scholars from among their sons? Why are Torah scholars generally born to paupers, who are not Torah scholars themselves? Rav Yosef said: This is so that they should not say the Torah is their inheritance.ⁿ Therefore, it is unusual to find that all the sons of a Torah scholar are also Torah scholars. Rav Sheshet, son of Rav Idi, said: This is so that they should not be presumptuous [*yitgadderu*]^l toward the community, with the knowledge that they will be Torah scholars like their fathers. Mar Zutra said: Because they take advantage of their fathers' standing to lord over the community and are punished for their conduct. Rav Ashi said: Because they call ordinary people donkeys.

Ravina says: They are punished because they do not first recite a blessing over the Torahⁿ before commencing their studies. As Rav Yehuda said that Rav said: What is the meaning of that which is written: "Who is the wise man that may understand this, and who is he to whom the mouth of the Lord has spoken, that he may declare it, for what the land is perished and laid waste like a wilderness, so that none passes through" (Jeremiah 9:11)? This matter, the question as to why Eretz Yisrael was destroyed, was asked of the Sages, i.e., "the wise man," and of the prophets, "he to whom the mouth of the Lord has spoken," but they could not explain it.

NOTES

Be careful in the company – הִזְהִירוּ בְחַבְרָה: According to most commentaries, this means that one must take care to learn in a group, as a person who studies on his own is more likely to make mistakes. Rabbi Yitzhak Tzarfati explains this to mean that one must be careful about the company he keeps, as, if they are ignoramuses he might learn from their ways.

So that they should not say the Torah is their inheritance – מִשּׁוּם דְּקָרוּ לְאִינְשֵׁי "חֲמֵרוֹ": Rashi and *Tosafot* explain that non-scholars should not abandon teaching their children

Torah and say that it is exclusively for families of scholars. The Ran understands that the sons of scholars should not say this, lest they neglect their studies on the assumption that the Torah will be theirs by inheritance.

They do not...recite a blessing over the Torah – שְׂאִין מְבָרְכִין – בְּתוֹרָה: The Commentary on *Nedarim* explains that since they are continually occupied with the study of Torah at home, they forget to recite a blessing before beginning to study.

שאיין – They do not first recite a blessing over the Torah – **מברכין בתורה תחלה**: The Ran explains, citing Rabbeinu Yona, that the question arose because on the face of it there were many people who studied Torah. It was therefore necessary for God Himself, Who knows the inner workings of man's heart, to explain that they had "forsaken My Torah," as their failure to recite a blessing before learning Torah was a sign that it was not important to them and they were not studying Torah for its own sake. The Mahara explains at length that the blessing over the Torah constitutes testimony that the person studying it sees what he is doing as a lofty and sacred task. If one does not approach Torah study with this attitude, his Torah study is deficient.

משום דברים שבינו לבין – As matters that affect the relationship between him and her – As stated previously (79b), the practical difference is that in the case of a vow that adversely affects the relationship between him and her, the vow is nullified only for the husband himself, but not for others. The Rid points out that the Gemara is certainly not proposing that according to Rabbi Yosei a husband cannot nullify vows affecting the marital relationship, as this category is expressly mentioned in the Bible, where it says: "Between a husband and his wife" (Numbers 30:17). Rather, the suggestion is that the category of: Between him and her, is limited to vows whose fulfillment would estrange husband from wife, such as vows relating to sexual intercourse. It may be that a husband is not particular about vows relating to his wife's adornments, and therefore a vow of this kind would not impinge upon their relationship.

LANGUAGE

ורדימוס – **Vardimus** – Apparently, the source of this name is the Greek *Euridamos*, *Euridamos*, whose meaning is similar to the name Rehoboam, although it has also been understood as etymologically related to the word *vered*, *rose*.

עד שפירשו הקדוש ברוך הוא בעצמו, דכתיב 'ויאמר ה' על עוֹבְסֵי אֶת תּוֹרָתִי וגו'. היינו "לא שמעו בקולי" היינו "לא הלכו בה" אמר רב יהודה אמר רב: שאיין מברכין בתורה תחלה.

The matter remained a mystery until the Holy One, Blessed be He, Himself explained why Eretz Yisrael was laid waste, as it is written in the next verse: "And the Lord said: Because they have forsaken My Torah which I set before them, and have not obeyed My voice, nor walked therein" (Jeremiah 9:12). It would appear that "have not obeyed My voice" is the same as "nor walked therein." Rav Yehuda said that Rav said: The expression "nor walked therein" means that they do not first recite a blessing over the Torah,^N and they are therefore liable to receive the severe punishments listed in the verse.

איסי בר יהודה לא אתא למתיבתא דרבי יוסי תלתא יומי. אשכחיה ורדימוס ברבי יוסי, אמר ליה: מאי טעמא לא אתי מר לבי מדרשא דאבא הא תלתא יומין? אמר ליה: כי טעמיה דאבונך לא ידענא, היכא איתאי? אמר ליה: לימא מר מאי קאמר ליה, דלמא ידענא טעמיה. אמר ליה: הא דתנא, רבי יוסי אומר: כבישתן קודמין לתני אחרים, קרא מגלן?

Returning to the issue of laundering clothes, the Gemara relates that it once happened that **Isi bar Yehuda**^P did not come to the academy of Rabbi Yosei for three straight days. **Vardimus**,^l son of Rabbi Yosei, found him and said to him: What is the reason that the Master did not come to Father's academy these three days? He said to him: When I do not know your father's reasoning, how can I come? Vardimus said to him: Let the Master say what he, my father, is saying to him; perhaps I know his reasoning. He said to him: With regard to that which is taught in a *baraita*: Rabbi Yosei says that their own laundry takes precedence over the lives of others, from where do we have a verse that teaches this *halakha*?

אמר ליה: דכתיב 'ומגורשיהם יהיו לבהמתם' וגו', מאי 'חיותם'? איליאמא חיה – והלא חיה בכלל בהמה היא. אלא מאי 'חיותם' – חיותא ממש. פשיטא! אלא לאו – כביסה, דהא איכא צערא דערבוביאתא.

Vardimus said to him: As it is written with regard to the Levite cities: "And their open land shall be for their animals and for their substance, and for all their beasts" (Numbers 35:3). What is the meaning of "their beasts"? If we say an actual beast, there is a difficulty, as isn't a beast included in the category of animal, which has already been mentioned in the verse? Rather, what is the meaning of "their beasts [hayyatam]"? It means their actual lives [hiyyuta]. This, however, is difficult, as it is obvious that the Levites received their cities in order to live their lives there. Rather, is it not referring to laundering clothes, as there is the pain caused by the grime on one's unwashed clothes? Since it is vitally necessary for their well-being, laundering the clothing of the city's residents takes precedence over the lives of others.

"אמר רבי יוסי אין אלו נדרי עינוי נפש." איבעניא להו: לרבי יוסי מהו שיפר משום דברים שבינו לבין? תא שמע, אמר רבי יוסי: אין אלו נדרי עינוי נפש. אבל דברים שבינו לבין הווין.

With regard to the vows: If I bathe, and: If I do not bathe, and: If I adorn myself, and: If I do not adorn myself, Rabbi Yosei said in the mishna that these are not vows of affliction. A dilemma was raised before the Sages: According to Rabbi Yosei, what is the *halakha* as to whether the husband can nullify these vows as matters that adversely affect the relationship between him and her?^N The Gemara suggests: Come and hear a resolution to this question from what Rabbi Yosei said: These are not vows of affliction, which indicates, however, that they are matters that affect the relationship between him and her.

דלמא לדידהו קאמר להו: לדידי אפילו דברים שבינו לבין לא הווין. לדידכו, דאמרתו הווין נדרי עינוי נפש – אודו לי דאין אלו נדרי עינוי נפש.

The Gemara refutes this proof: Perhaps Rabbi Yosei was speaking to the Rabbis in accordance with their own opinion, as follows: According to my opinion, they are not even matters that affect the relationship between him and her. But according to your opinion, that you say that they are vows of affliction, agree with me at least that these are not vows of affliction. In other words, one should not infer from the phrasing of Rabbi Yosei's response to the Rabbis that he holds that these vows are concerning matters that affect the relationship between him and her, as he was merely countering the claim of the Rabbis that they are vows of affliction.

מאי? רב אדא בר אהבה אומר: מפר, רב הונא אומר: אין מפר,

The question therefore remains: What does Rabbi Yosei maintain in this regard? Rav Adda bar Ahava says: He can nullify these vows as matters between him and her, whereas Rav Huna says: He cannot nullify them.

PERSONALITIES

איסי בר יהודה – According to the Gemara in tractate *Pesahim* (113b), this fifth-generation *tanna* was known by several different names, including Yosef the Babylonian and Yosei from the city of Huzal. He moved from Babylonia to Eretz

Yisrael to engage in Torah study. There he became a devoted student of Rabbi Elazar ben Shammua and also frequented Rabbi Yosei's study hall in Tzipori. His teachings are not recorded in the mishna, but he is quoted many times in other tannaitic writings.

BACKGROUND

A fox... in the earth of the lair – בעפר פיר – שיעל: In general, foxes live in underground tunnels and dig several entrances to these tunnels. A fox's forelegs have strong claws that make it adept at this kind of digging, which it performs at great speed. Clearly, a fox living in an underground den would not be harmed by its earth. The *ge'onim* note that the Sages did not elaborate on this analogy for reasons of modesty, and that its point is clear from the context.



Fox near its underground tunnel

HALAKHA

Vows concerning matters that involve affliction – דברים שיש בהן עינוי נפש: When a husband nullifies his wife's vows concerning matters that involve affliction, they are entirely nullified, both with respect to himself and with respect to others. But when he nullifies vows that adversely affect their relationship, they are nullified only with respect to himself but not with respect to others (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 12:2–3; *Shulhan Arukh, Yoreh De'a* 234:55).

I will not prepare anything for my father, as that is *konam* for me – קונם שאיני עושה לפי אבא: If a woman vowed that her husband's father, her own father, or one of his or her relatives shall derive no benefit from her, or if she vowed not to feed his animal, or to perform any similar sort of labor for him, the husband cannot nullify her vow, as it does not involve affliction or impinge on their personal relationship (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 12:11; *Shulhan Arukh, Yoreh De'a* 234:70, 72).

NOTES

For your father – לפי אביך: Although the husband certainly derives benefit when his wife feeds his father, as it spares him the effort of having to do so himself, and her vow that renders that forbidden to her can cause a quarrel between husband and wife, it is not considered a matter adversely affecting the relationship between him and her. The reason is that this category of vows mainly concerns sexual intercourse and not other aspects of their relationship (Rabbi Yitzhak Tzarfati).

LANGUAGE

Rouge [*efkos*] – אפקוס: From the Greek *φύκος*, *fukos*, meaning red. The verb *efkos* therefore means to color one's face red. Some claim that the Greek word derives from the Hebrew *pukh*.

שלא מצינו שועל שמת בעפר פיר.

And it cannot be argued that if the woman refrains from bathing or adorning herself, it will negatively impact on her relationship with her husband, as we do not find a fox dying in the earth of the lair^b to which it is accustomed. Similarly, a husband who is accustomed to his wife will not come to avoid engaging in sexual intercourse with her merely because she has not bathed.

תנא כוותיה דרב אדא בר אהבה: דברים שיש בהן עינוי נפש – מפר, בין בינו לבניה בין בינה לבין אחרים. שאין בהן עינוי נפש, בינו לבניה – מפר, בינה לבין אחרים – אינו מפר. כיצד? אמרה "קונם פירות עלי" – הרי זה יפר. "קונם שאיני עושה לפי אבא, לפי אחיך, לפי אביך, לפי אחי, ושללא אתן תבן לפני בהמתך ומים לפני בקרך" – אין יכול להפר.

The Gemara comments that it is taught in a *baraita* in accordance with the opinion of Rav Adda bar Ahava: Vows taken by a woman concerning matters that involve affliction^h the husband can nullify, whether they relate to matters between him and her or to matters between her and others. As for vows concerning matters that do not involve affliction, if they relate to matters between him and her, he can nullify them, but if they relate to matters between her and others, he cannot nullify them. How so? If she said: Produce is *konam* for me, he can nullify the vow, as it falls into the category of vows of affliction. If, however, she said: I will not prepare anything for my father, as that is *konam* for me^h or: For your brother, or: For your father,ⁿ or: For my brother, or: I will not place straw before your animal, or: I will not place water before your cattle, he cannot nullify such vows, as they do not touch upon the relationship between husband and wife, nor do they cause her affliction.

"שלא אכחול שלא אפקוס ושללא אשימש משתני" – יפר משום דברים שבינו לבניה.

A wife said: I will not paint^b my eyes, as that is *konam* for me; I will not rouge [*efkos*]^l my cheeks, as that is *konam* for me; or: I will not engage in sexual intercourse, as that is *konam* for me. If she made any of these statements, her husband can nullify them, as they are matters that adversely affect the relationship between him and her.

BACKGROUND

I will not paint [*ekhhol*] – שלא אכחול – *Kahol* was a dark blue or black dye that was extracted from the mineral stibnite, Sb_2S_3 . The crystals of the mineral were ground up and used by women for painting their eyes, thereby accenting them and creating the impression that they were larger. In this context, it is referred to as *kohl*, which is phonetically similar to the talmudic rendition. *Kahol* was also used as a cure for eye ailments.



Stibnite



Ancient Egyptian kohl tube



Ancient kohl applicator

That I will not make your bed – וְשֵׁלָא אֶצִיע לְךָ מִטְבֵּךְ – A wife is obligated to perform these tasks for her husband personally, even if she has many maidservants or is able to employ others to do so, as they are an expression of the intimate ties between husband and wife, which cannot be performed by others. Therefore, her duty in this regard is absolute, and she cannot release herself from it.

HALAKHA

I will not make your bed – וְשֵׁלָא אֶצִיע לְךָ מִטְבֵּךְ – If a woman vowed that she will not make her husband's bed; or that she will not prepare his cup for him; or that she will not wash his face, hands, or feet, the vow does not take effect, as she is obligated to perform those tasks. Consequently, he need not nullify her vow. The *Perisha* adds that it is nevertheless proper for him to nullify such vows so that they not take effect if he divorces her and subsequently wants to remarry her (*Shulhan Arukh, Yoreh De'a* 234:73).

That a halakhic authority cannot dissolve his own vows – שָׂאִין מְתִיר נְדָרֵי עַצְמוֹ – Even a halakhic authority cannot dissolve his own vows. He must request nullification from another halakhic authority or from three laymen (*Rambam Sefer Hafla'a, Hilkhot Shevut* 6:3).

The benefit of my intercourse is forbidden to you – הִנָּאת תְּשִׁמְשִׁי עִלְיֶךָ – If a woman said to her husband: The benefit of my engaging in intercourse with you is forbidden to you, he need not nullify her vow, as she is obligated to engage in intercourse with him, as stated by Rav Kahana (*Rambam Sefer Hafla'a, Hilkhot Nedarim* 12:9; *Shulhan Arukh, Yoreh De'a* 234:67).

The benefit of your intercourse is forbidden to me – הִנָּאת תְּשִׁמְשִׁךָ עָלַי – If a woman said to her husband: The benefit of your engaging in intercourse with me is forbidden to me, he must nullify her vow. If he fails to do so, he is prohibited from engaging in sexual intercourse with her, as one does not feed a person something forbidden to him, in accordance with the opinion of Rav Kahana (*Rambam Sefer Hafla'a, Hilkhot Nedarim* 12:9; *Shulhan Arukh, Yoreh De'a* 234:67).

Matters that are permitted, etc. – דְּבָרִים הַמּוּתָרִים וְכו' – If people know that something is permitted and nevertheless treat it as prohibited, it is as though they have accepted this prohibition upon themselves as a vow, and it can be permitted to them only by dissolving the vow (*Rambam*). The *Rashba* maintains that it is considered like a prohibition by Torah law and can never be permitted, but the custom is to follow the first opinion (*Shulhan Arukh, Yoreh De'a* 214:1).

”שֵׁלָא אֶצִיע לְךָ מִטְבֵּךְ, וְשֵׁלָא אֶמְזוּג לְךָ אֶת הַבּוֹס, וְשֵׁלָא אֶרְחֵץ לְךָ פְּנֵיךָ יְדֶיךָ וְרַגְלֶיךָ” – אִין צְרִיךְ לְהַפֵּר.

A wife said: I will not make your bed,^{HH} as that is *konam* for me; or: I will not prepare your cup for you, mixing your wine with water, as that is *konam* for me; or: I will not wash your face, your hands, or your feet, as that is *konam* for me. If she made these statements, her husband need not nullify these vows. They do not take effect, since she is obligated to perform these tasks as part of her marital duties.

רַבֵּן גַּמְלִיאֵל אוֹמֵר: יְפָר, שְׁנֵאמַר “לֹא יַחַל דְּבָרוֹ.” דְּבָר אַחֵר: “לֹא יַחַל דְּבָרוֹ” – מִכָּאִן לְחֻכְם שָׂאִין מְתִיר נְדָרֵי עַצְמוֹ.

Rabban Gamliel says: He should nevertheless nullify such vows, as it is stated: “He shall not profane his word” (Numbers 30:3), which teaches that it is improper for one to take a vow and not fulfill it. The Gemara presents another interpretation of the verse: Alternatively, the verse states: “He shall not profane his word,” from here it may be derived that a halakhic authority cannot dissolve his own vows.^H

מֵאֵן שְׂמַעֲיָנָא דְדָמַר “שֵׁלָא אֶכְחוּל וְשֵׁלָא אֶפְקוֹס” דְּבָרִים שְׂבִינָא לְבִינָה הָוִין – רַבִּי יוֹסֵי, וְקָתְנֵי דְמַפְרֵי מְשוּם דְּבָרִים שְׂבִינָא לְבִינָה.

After having cited the entire *baraita*, the Gemara proceeds to analyze the relevant component: Of whom have we heard that he said that if a woman says: I will not paint my eyes, as that is *konam* for me, or: I will not rouge my cheeks, the vows fall into the category of matters that adversely affect the relationship between him and her? It is Rabbi Yosei, as the Rabbis, who disagree with him, maintain that they are vows of affliction, and the *baraita* teaches that the husband can nullify such vows as matters that adversely affect the relationship between him and her. Therefore, the *baraita* supports Rav Adda bar Ahava's understanding of the opinion of Rabbi Yosei.

אָמַר מַר: “וְשֵׁלָא אֶשְׂמַשׁ מִטְבֵּיךָ” – יְפָר מְשוּם דְּבָרִים שְׂבִינָא לְבִינָה. הֵיכִי דְמִי? אִילִמָּא דְאִמְרָה: “הִנָּאת תְּשִׁמְשִׁי עִלְיֶךָ” – לְמַדָּה לִי הַפְּרָה? הָא מְשׁוּעָבְדָת לִיהִ! אֵלָא בְּאוֹמְרַת “הִנָּאת תְּשִׁמְשִׁךָ עָלַי”, וְכַדְרַב כְּהֵנָּא.

The Master said in the *baraita* that if the woman said: I will not engage in sexual intercourse, as that is *konam* for me, her husband can nullify the vow as an example of matters that adversely affects the relationship between him and her. The Gemara raises a question: What are the circumstances of the case? If we say that she said: The benefit of my engaging in intercourse with you is forbidden to you, why do I need the husband's nullification at all? She is obligated to engage in intercourse with him by the very nature of their marriage, and it is not within her power to release herself from this duty by means of a vow. Rather, the *baraita* must refer to a case where she said: The benefit of your engaging in intercourse with me is forbidden to me, and it is in accordance with the opinion of Rav Kahana.

דְּאָמַר רַב כְּהֵנָּא: “הִנָּאת תְּשִׁמְשִׁי עִלְיֶךָ” – כּוּפָה וּמְשִׁמְשִׁתּוֹ: “הִנָּאת תְּשִׁמְשִׁךָ עָלַי” – יְפָר, שָׂאִין מְאִכִּילִין אֶת הָאָדָם דְּבָר הָאָסוּר לָהּ.

As Rav Kahana said that if a woman says: The benefit of my engaging in intercourse with you is forbidden to you,^H he can compel her to have relations with him. If, however, she said: The benefit of your engaging in intercourse with me is forbidden to me,^H he must nullify her vow. Why must the husband nullify it if she is obligated to have relations with him? It is because we do not feed a person something that is forbidden to him. Although she cannot release herself from her duty, since she prohibited herself from deriving pleasure from the act, she may not engage in sexual intercourse, as it would entail forbidden pleasure.

מֵאֵן תְּנָא הָא דְתַנְיָא: דְּבָרִים הַמּוּתָרִים וְאַחֵרִים נְהָגוּ בְהֵן אִיסוּר – אִי אִתָּה רְשָׁאִי לְנִהוּג בְּהֵם הֵיתֵר כְּדִי לְבִטְלוֹן, מְשׁוּם שְׁנֵאמַר “לֹא יַחַל דְּבָרוֹ.” דְּבָר אַחֵר: “לֹא יַחַל דְּבָרוֹ” – מִכָּאִן לְתַלְמִיד חֻכְם שָׂאִין מִפְרֵי נְדָרֵי עַצְמוֹ. מִנֵּי? רַבֵּן גַּמְלִיאֵל הִיא.

The Gemara asks: Who is the *tanna* who taught that which is taught in a *baraita*: With regard to matters that are permitted,^H but others were accustomed to treat them as a prohibition, you are not allowed to treat them as permitted in a manner that may cause the negation of their custom, as it is stated: “He shall not profane his word” (Numbers 30:3). The verse indicates that any vow in which a person renders a matter forbidden to himself, i.e., “his word,” is considered a quasi-vow, which may not be profaned. The Gemara presents another interpretation of the verse: Alternatively, the verse states: “He shall not profane his word”; from here it may be derived that a halakhic authority cannot dissolve his own vows. Whose opinion is this? It is that of Rabban Gamliel, who maintains that a man should nullify his wife's vow even if it does not actually take effect.

HALAKHA

They are matters that adversely affect the relationship between him and her – דְּבָרִים שְׂבִינֵי לְבִינָה הֵינּוּ: If a woman vows to forbid to her husband the benefit of her intercourse or takes another, similar vow that would cause enmity between a couple, this is a vow that adversely affects the marriage relationship. The husband can nullify such vows only for himself, as Rava's dilemma is left unresolved by the Gemara, and the *halakha* is to be stringent with regard to uncertainty in cases involving Torah law (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 12:1; *Shulhan Arukh*, *Yoreh De'a* 234:66).

The produce of this country is *konam* for me – פִּירוֹת מְדִינָה – אוֹ עֲלִי: If a woman vows that the produce of the world is forbidden to her, or if she vows that the produce of a single country or a single person is forbidden to her, even if the person she specifies is not a storekeeper, then this is a vow of affliction. The Rambam, however, rules in accordance with Rabbi Yosei, that this is a vow that adversely affects the marriage relationship, which the husband can nullify only for himself (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 12:7; *Shulhan Arukh*, *Yoreh De'a* 234:60).

NOTES

You have the dilemma – תְּבַעֲי לָךְ – This phrase usually means: Pose a dilemma for you, and it generally introduces a question. In this context it bears a slightly different meaning, as the early commentaries note (7a) that in tractate *Nedarim* it means: No answer has been found to the dilemma, similar to: The dilemma shall stand unresolved. It is therefore a usage unique to this tractate.

Our entire chapter – בּוֹלִיָּה פִּירְקִין: In other words, even the unattributed *mishnayot* in this chapter all follow Rabbi Yosei's opinion, although his name is not mentioned (Commentary on *Nedarim*).

Who said: That you bring – דְּקָאמְרָה שְׂתַבִּיא: The *Shita Mekubbetzet* explains that the novelty of this statement is that even though one might have thought that her specifying: That you bring, is a sign that she does not want him or what he brings, it is not considered a vow that adversely affects the relationship between them.

The early authorities ask: If this is the correct explanation of the mishna, why does it state: He can bring her fruit from a different country? She can simply receive her fruit from others. The Ran answers that the mishna mentioned only solutions that involve the husband himself, but if he cannot resolve the issue himself in any manner, he can nullify the vow even if she has recourse to others. The Rashba similarly states that if the mishna were to say: Others can bring for her, it would give the impression that the *halakha* is the same as that of a wife who vowed not to derive benefit from her husband, as most of the fruit he would bring is from that country. The mishna therefore teaches that it is possible for even the husband to provide her with benefit (see *Tosafot*).

The Meiri summarizes this opinion by stating that any vow of hers prohibiting benefit from another person is considered a vow of affliction unless she has some way to circumvent it both through others and also through her husband, even if this can be done only in a very specific manner.

בְּעֵא מִינְהָ רַבָּא מַרְבַּ נְחֻמֵּן: תַּשְׁמִישׁ הַמְטָה, לְרַבְנָן, עֵינֵי נֶפֶשׁ הוּא אוֹ דְּבָרִים שְׂבִינֵי לְבִינָה? אָמַר לֵיהּ, תַּמְתִּיהָ: וְ"נְטוּלָה אֲנִי מִן הַיְהוּדִים",

Rava raised a dilemma before Rav Nahman: If a woman took a vow that sexual intercourse with her husband is forbidden to her, then, according to the Rabbis, is it a vow of affliction or does it fall within the category of matters that adversely affect the relationship between him and her? Rav Nahman said to him: You learned the answer to this question in a mishna (90b): And if a woman said: I am removed from the Jews, i.e., the benefit of my engaging in intercourse is forbidden to all Jews,

יִפְר חֶלְקוֹ, וּמִשְׁמֶשְׁתּוֹ, וְתֵהָא נְטוּלָה מִן הַיְהוּדִים. וְאִי אָמַרְתָּ נָדַר עֵינֵי נֶפֶשׁ הוּא – אֲמַאי תֵּהָא נְטוּלָה מִן הַיְהוּדִים? שְׂמַע מִינָהּ: דְּבָרִים שְׂבִינֵי לְבִינָה הֵינּוּ.

her husband must nullify his part, i.e., the part of the vow that affects him, so that she will be permitted to him, and she may engage in intercourse with him, but she is removed from all other Jews, so that if he divorces her, she is forbidden to everyone. And if you say that this is a vow of affliction, why should she be removed from all other Jews? Wasn't it already established that when a husband nullifies a vow of affliction for his wife, he nullifies it not only with respect to himself but with respect to others as well? Rather, learn from here that such vows are under the category of matters that adversely affect the relationship between him and her,^h and therefore he can nullify it only with respect to himself.

לְרַבְנָן תְּבַעֲי לָךְ, מִשּׁוּם דְּ"נְטוּלָה אֲנִי מִן הַיְהוּדִים" רַבִּי יוֹסֵי קִתְּנִי לָהּ, דְּאָמַר רַב הוּנָא: בּוֹלִיָּה פִּירְקִין רַבִּי יוֹסֵי הִיא. מִמַּמַּאי – בֵּין דְּקִתְּנִי: רַבִּי יוֹסֵי אוֹמַר אִין אֵלֹו נְדָרֵי עֵינֵי נֶפֶשׁ, לְמַד לֵיהּ תּוֹ לְמִיתְנָא: הֲרֵי זֶה יִפְר דְּבָרֵי רַבִּי יוֹסֵי? שְׂמַע מִינָהּ: מִכָּאן וְאֵילָךְ רַבִּי יוֹסֵי הִיא.

The Gemara notes: According to the Rabbis, you still have the dilemma,ⁿ because the mishna dealing with a woman who says: I am removed from the Jews, was taught by Rabbi Yosei. As Rav Huna said: Our entire chapterⁿ is in accordance with the opinion of Rabbi Yosei. From where do we know this? Since the mishna teaches: Rabbi Yosei says that these are not vows of affliction, why does it need to teach further, at the end of the mishna: He can nullify the vow; this is the statement of Rabbi Yosei? Learn from this that from this point forward, the rest of the mishna is in accordance with the opinion of Rabbi Yosei. Accordingly, this mishna teaches us only the opinion of Rabbi Yosei, not that of the Rabbis.

אָמַר שְׁמוּעַל מִשְׁמֵיָהּ דְּלִוִּי: כֹּל נְדָרִים בְּעַל מִפְּר לְאִשְׁתּוֹ, חוּץ מִן "הַנְּאֲתֵי עַל פְּלוּנִי" שְׂאִינוּ מִפְּר. אֲבָל "הַנְּאֲתֵי פְּלוּנִי עָלֵי" – מִפְּר.

Shmuel said in the name of Levi: A husband can nullify all vows of affliction for his wife, except for the vow: Benefit from me is *konam* for so-and-so, which he cannot nullify, as it is entirely between her and another person. But if she says: Benefit derived from so-and-so is *konam* for me, he can nullify the vow, as it is considered a vow of affliction, since she might one day need that person and be unable to avail herself of his services due to her vow.

תַּנּוּ: "פִּירוֹת מְדִינָה זוֹ עָלֵי" – יִבִּיא לָהּ מִמְּדִינָה אַחֲרָת. אָמַר רַב יוֹסֵי: דְּקָאמְרָה שְׂתַבִּיא.

The Gemara raises an objection from that which we learned in the mishna: If she said: The produce of this country is *konam* for me,^h he cannot nullify the vow, as it does not involve affliction, since he can still bring her produce from another country. This vow is similar to a vow by which she prohibits herself from deriving benefit from another person. Why, then, does Shmuel say that the husband cannot nullify it? Rav Yosef said: The mishna is referring to a woman who said in her vow: That you bring.ⁿ In other words, she did not prohibit herself from deriving benefit from the produce of that country entirely, but only from the produce that her husband himself would bring her. She may still enjoy that produce if it is brought to her by someone else or if she brings it for herself.

תָּא שְׂמַע: "פִּירוֹת חֲנוּנִי זֶה עָלֵי" – אִין יָכוֹל לְהַפֵּר. הֲכָא נִמִּי דְּקָא אָמְרָה שְׂתַבִּיא אַתָּה.

The Gemara raises another objection from the next clause of the mishna: Come and hear: If the woman took a vow saying: The produce of this storekeeper is *konam* for me, her husband cannot nullify the vow. But didn't Shmuel say that if a woman prohibits herself from benefiting from a certain person, her husband can nullify the vow? The Gemara answers: Here too, the mishna is referring to a case where she said in her vow: The produce that you bring from this storekeeper is *konam* for me.