

BACKGROUND

Rending one's garment for the dead – קריעה על מת – One who hears of the death of a close relative is required to rend his garments, as Jacob did upon hearing of Joseph's purported death (Genesis 37:34). Close relatives include one's father, mother, son, daughter, brother, sister, or spouse. For most of these relatives the requirement is to make a tear the length of a handbreadth on one's outer garment; for a parent the shirt must be torn as well, over the place of the mourner's heart. In most cases, the tear may be mended at the conclusion of the mourning period, but in the case of the death of a parent, the tear may never be mended. The Sages cite as a source for this *halakha* the verse where the High Priest is commanded to refrain from rending his clothing even after the death of his close relatives (Leviticus 21:10). Nevertheless, most of the commentaries understand that the verse is a mere support and that this requirement is rabbinic in origin.

HALAKHA

If they said to him that his father had died, etc. – אָמְרוּ לוֹ – **מת אביו וכו'**: If a person was informed that his father died, and after rending his garment for him he discovered that it was his son who had died, he has not fulfilled his obligation of rending his garment (Rambam *Sefer Shofetim, Hilkhot Evel* 8:8; *Shulhan Arukh, Yoreh De'a* 340:24).

If they said to him that a relative of his had died, etc. – אָמְרוּ לוֹ: **לוי מת לו מת וכו'**: One was told that a family member passed away and he mistakenly thought it was his son and rent his garment for him. Later, however, he discovered that it was his father who had died. In such a case, he has fulfilled his duty of rending his garment (Rambam *Sefer Shofetim, Hilkhot Evel* 8:8; *Shulhan Arukh, Yoreh De'a* 340:24).

Where it was discovered within the time required for speaking that the deceased was his son – שְׁנֵי דְבָרִים: If a person was informed that his father had died and he rent his garment for him, and immediately afterward he found out that it was his son who had passed away, he has fulfilled his duty of rending his garment, as stated by Rav Ashi (Rambam *Sefer Shofetim, Hilkhot Evel* 8:8; *Shulhan Arukh, Yoreh De'a* 340:24).

וְהָא גַבֵּי קְרָעִים, דְּכִתְיִב "עַל" "עַל" דְּכִתְיִב "עַל" שְׂאוּל וְעַל יְהוֹנָתָן בְּנוֹ,

וְהִתְנַאי: אָמְרוּ לוֹ מֵת אָבִיו וְקָרַע, וְאַחַר כֵּן נִמְצָא בְּנוֹ – יֵצֵא יָדָיו קְרִיעָה!

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רַב אֲשִׁי אָמַר: כָּאֵן בְּתוֹךְ כְּדֵי דְבִּוּר, כָּאֵן לְאַחַר כְּדֵי דְבִּוּר.

הָא דְּקָאֲמַרְתָּ יֵצֵא יָדָיו קְרִיעָה – שְׁנֵי דְבָרִים בְּנוֹ בְּתוֹךְ כְּדֵי דְבִּוּר, הָא דְּקָאֲמַרְתָּ לֹא יֵצֵא יָדָיו קְרִיעָה – לְאַחַר כְּדֵי דְבִּוּר.

The Gemara comments: **But** is it not so that with regard to the tears in one's clothing that are made for the dead, as it is written "for," "for," and about which is written: "And David took hold of his garments and rent them, and likewise all the men that were with him, and they wailed, and wept, and fasted until the evening, for Saul, and for Jonathan his son, and for the people of the Lord, and for the house of Israel, because they were fallen by the sword" (II Samuel 1:11–12). The use of the word "for" with regard to each of them indicates that one must make a separate tear in his garment for each person who died.

The Gemara asks: **And yet it is taught in a baraita: If they said to him that his father had died and he rent his garment over his death,^b and afterward it was discovered that it was not his father who died, but his son, he has fulfilled his obligation of rending his garment.** This shows that even if a person mistakenly tore his garment for the wrong person he has nevertheless fulfilled the obligation. Here too, if a man nullified the vow of his wife, thinking that it was the vow of his daughter, his nullification should be effective.

And it is taught similarly in the following *baraita*: **If they said to him that his father had died^h and he rent his garment over his death, and afterward it was discovered that it was not his father who died, but his son, he has not fulfilled his obligation of rending his garment.** If, however, they said to him that a relative of his had died,^h and he thought it was his father and he rent his garment over his death, and afterward it was discovered that it was not his father who died, but his son, he has fulfilled his obligation of rending his garment. This proves that a distinction is made between one who rends his garment relying on a specific report and one who does so following a non-specific report.ⁿ

Rav Ashi says that the discrepancy between the *baraitot* with regard to the rending of garments can be reconciled in a different manner: **Here**, the person who rent his garment for the wrong relative realized his error **within the time required for speaking** the short phrase: Greetings to you, my teacher. Until that time has passed his action is seen as incomplete and can therefore still be modified. **There**, the mistake was noted only **after the time required for speaking** a short phrase.

This case, where you said that he has fulfilled his obligation of rending his garment even though he had initially been told explicitly that his father died, deals with a situation where it was discovered within the time required for speaking a short phrase, i.e., immediately after he rent his garment, that the deceased was his son.^h However, that case, where you said that he has not fulfilled his obligation of rending his garment, deals with a situation where he became aware of his mistake after the time required for speaking a short phrase, i.e., a short while later.

NOTES

In this case he received a specific report, however in that case he received a non-specific report – הָא בְּקִטְמָא וְהָא בְּמִפְרָשׁ: One explanation of unspecified is that he rent his garment for an unspecified dead relative, and similarly, with regard to vows, he nullified the vow of whoever took the vow. By contrast, specified means he rent for a particular dead relative, or he nullified specifically his daughter's, or wife's, vows (Commentary on *Nedarim, Tosafot*). The Rosh and the Ran maintain that unspecified means he heard that a relative of

his passed away but the report did not include the identity of the deceased, and he thought it was his father or his son; whereas specified concerns one who was incorrectly informed that a particular relative died. Other commentaries claim that unspecified refers to one who did not state at the moment of his rending for whom he was performing the action or on whose behalf he was nullifying the vow, and specified means that when he tore his garment he announced that he was doing so for a particular person (Rabbi Yitzhak Tzarfati).

One who has an ill relative – מי שיש לו חולה: One had an ill person in his house, and he rent his garment for him, mistakenly thinking he had died when he had only fainted. In such a case, if he died within the time required for saying a short phrase, he has fulfilled his obligation of rending his garment (Rambam *Sefer Shofetim, Hilkhot Evel* 8:8; *Shulhan Arukh, Yoreh De'a* 340:25).

Except for one who blasphemes – חוץ ממגדף: A blasphemer cannot retract his blasphemous statement, even if he attempted to do so immediately. Rather, as soon as he blasphemes God in the presence of witnesses he is liable to receive the punishment of death by stoning (Rambam *Sefer HaMadda, Hilkhot Avoda Zara* 2:9).

Or an idol worshipper – ועובד עבודה זרה: One who accepts an idol as his god cannot retract his statement, even if he attempted to do so immediately. Rather, as soon as he accepts the idol as his god in the presence of witnesses he is liable to receive the punishment of death by stoning (Rambam *Sefer HaMadda, Hilkhot Avoda Zara* 3:4).

Or one who betroths – ומקדש: If one betrothed a woman with money and immediately retracted and said the money is given to her as a gift, even if he did so within the time required for speaking a short phrase, his retraction is of no consequence and she requires a bill of divorce to render her permitted to others (Rambam *Sefer Nashim, Hilkhot Ishut* 7:22; *Shulhan Arukh, Even HaEzer* 49:2).

Or one who divorces – ומגרש: If one gave a bill of divorce to his wife, as soon as the document reaches her hand he can no longer nullify it, even if he attempts to do so immediately (Rambam *Sefer Nashim, Hilkhot Geirushin* 6:16; *Shulhan Arukh, Even HaEzer* 141:59).

Tasting these figs and grapes is konam for me – קונם תאנים וענבים: If a woman vowed that figs and grapes are forbidden to her, whether she referred to these types of fruit in general or to particular figs and grapes, and her husband upheld her vow with regard to figs and nullified it with regard to grapes, or vice versa, the part of the vow he upheld remains in force and that which he nullified is void. The *halakha* follows the opinion of Rabbi Akiva (see 87b) rather than this mishna, which represents the opinion of Rabbi Yishmael. The Rema states that some authorities, among them the Ran, disagree and rule in accordance with the unattributed mishna. Consequently, if he upheld part of the vow it is entirely upheld, whereas if he nullified only part of it, it is not void at all (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 13:10; *Shulhan Arukh, Yoreh De'a* 234:36).

Tasting a fig and tasting a grape are konam for me – קונם תאנה שאני טועמת וענבה שאני טועמת: If a wife said: Tasting these figs is *konam* for me; tasting these grapes is *konam* for me, all agree that these are two separate vows, each of which must be upheld or nullified on its own (*Shulhan Arukh, Yoreh De'a* 234:36, in the comment of Rema).

BACKGROUND

Fainted – נתעלה: Based on the description, the Gemara appears to be referring to a case of complete loss of consciousness or a coma due to a substantial reduction of blood flow to the brain. Sometimes this condition is irreversible and is eventually followed by death, yet the patient can occasionally awaken from a coma, either for a complete recovery or as a temporary revival before death. Among other things, the loss of brain function causes a complete lack of reaction to external stimuli, which could lead observers to mistakenly assume that the ill person lying before them has in fact passed away.

והתנא: מי שיש לו חולה בתוך ביתו ונתעלה, וכמדומה שמת וקרע, ואחר כך מת – לא יצא ידי קריעה. אמר רבי שמעון בן פאי אמר רבי יהושע בן לוי משום בר קפרא: לא שנו אלא שמת לאחר כדי דיבור, אבל בתוך כדי דיבור – כדבור דמי.

And it is taught in the following *baraita*: One who has an ill relative^H in his house, and the latter fainted^B and lost consciousness, and it seemed to him that the ill person had died and therefore he rent his garment over his assumed death, if it turned out that he had not yet actually died at that point and it was only afterward that he died, the relative has not fulfilled his obligation of rending his garment. And with regard to this *baraita*, Rabbi Shimon ben Pazi said that Rabbi Yehoshua ben Levi said in the name of Bar Kappara: They taught that he has not fulfilled his obligation of rending only if the ill person died after the time required for speaking a short phrase. But if he passed away within the time required for speaking a short phrase,^N it is all considered like continuous speech, and his relative has fulfilled his obligation. That is to say, his act of rending is not viewed as complete until the time required for saying a short phrase has elapsed, and until that time has passed the act can still be modified.

והילכתא: תוך כדי דיבור – כדבור דמי, חוץ ממגדף, ועובד עבודה זרה, ומקדש, ומגרש.

The Gemara concludes: And the *halakha* is: The legal status of a pause or retraction within the time required for speaking a short phrase is like that of continuous speech, and so a person can retract what he first said if he issues the retraction within this period of time after he finished speaking. This principle holds true in almost every area of *halakha*, except for the case of one who blasphemes^{NH} God; or in the case of an idol worshipper,^{NH} who verbally accepts an idol as his god; or one who betroths^H a woman; or one who divorces^H his wife. In these four cases, a person cannot undo his action, even if he immediately retracts what he said within the time required for saying a short phrase.

מתני' אמרה "קונם תאנים וענבים אלו שאני טועמת, קיים לתאנים – כולו קיים. הפר לתאנים – אינו מופר עד שיפר אף לענבים. אמרה "קונם תאנה שאני טועמת וענבה שאני טועמת" – הרי אלו שני נדרים.

MISHNA If a woman said: Tasting these figs and grapes is *konam* for me,^H and her husband upheld her vow with regard to figs, the entire vow is upheld, but if he nullified it with regard to figs it is not nullified^N until he also nullifies the vow with regard to grapes. If she said: Tasting a fig and tasting a grape are *konam* for me,^H these are viewed as two separate vows; if the husband upholds one of the vows it has no effect on the other one.

גמ' מני מתניתין? רבי ישמעאל. דתנא: "אישה וקיימו ואישה ופרנו" אמרה "קונם תאנים וענבים אלו שאני טועמת, קיים לתאנים – כולו קיים,

GEMARA Whose opinion is expressed in the mishna? The Gemara answers: It follows the opinion of Rabbi Yishmael, as it is taught in a *baraita*: The verse concerning vows that states: "Her husband may uphold it, or her husband may nullify it" (Numbers 30:14), may be expounded as follows. If a woman said: Tasting these figs and grapes is *konam* for me, and her husband upheld her vow with regard to figs, the entire vow is upheld.

NOTES

בתוך – Within the time required for speaking a short phrase: The definition of within the time required for speaking a short phrase is the amount of time it takes to say: Peace be upon you, my Master. As for why a person can retract within this period of time, the Ramban, citing Rabbeinu Tam, says that the Sages instituted this *halakha* in order that one who is occupied with some matter and encounters his master can greet him first and subsequently issue his retraction. Other early authorities (*Tosafot*) attribute a similar explanation to Rabbi Eliezer. However, the Ran and others do not accept this opinion, as it indicates that the principle of: The legal status of a pause or retraction within the time required for speaking a short phrase is like that of continuous speech, was instituted by the Sages, yet the application of this principle is extended even with regard to matters of Torah law, indicating that it was not instituted by the Sages.

the speaker cannot retract them. Rabbeinu Tam, in accordance with his understanding that this principle was instituted by the Sages, explains in *Sefer HaYashar* that the four categories are matters of Torah law, where one cannot retract at all.

Idol worship – עבודה זרה: Most commentaries maintain that this refers to one who verbally accepts an idol as his god. An alternative suggestion, which appears in the Responsa of the *Ge'onim* as well as in the Rashbam in tractate *Bava Batra* (129b), is that this is dealing with someone who dedicated an item to be used in idol worship. Such a person cannot retract his statement, and it is prohibited for him to receive benefit from the object.

הפר לתאנים אינו – If he nullified it for figs it is not nullified: There are two interpretations of this ruling. One is that if he nullified the vow for figs, the vow is nullified only with regard to the figs (Rashba; Rid). Others, following an interpretation implied in the *Tosefta* (7:4), maintain that the vow is not nullified at all, not even with regard to figs (*Tosafot*; Ritva; Rabbi Avraham min HaHar). The Ran and the Meiri cite both explanations.

Except for one who blasphemes – חוץ ממגדף: The Ran explains that due to the severity of these matters, the assumption is that one who says them must have thought seriously before he spoke. Since his words are unlikely to be an accidental slip of the tongue,

HALAKHA

Oath to each and every one – שְׁבוּעָה לְכָל אֶחָד וְאֶחָד – If several people accused one person of harboring their property, and he took a false oath, stating: I take an oath that you have nothing in my possession, nor you, nor you, and he was found to have lied, he is liable to bring an offering for each and every oath. The *halakha* does not follow the opinion of Rabbi Shimon that he is liable to bring separate offerings for each oath only if he mentions the word oath with respect to each person (Rambam *Sefer Hafla'a, Hilkhot Shevuot* 7:10).

הַפֶּר לְהַאֲנִים – אִינוּ מוֹפְרֵי עַד שֶׁיִּפְרֹ אֶף לְעִנְבִים, דְּבָרֵי רַבִּי יִשְׁמַעְיָאֵל. רַבִּי עֲקִיבָא אָמַר: הָרִי הוּא אֹמֵר "אִישׁוּהָ יִקְיַמְנוּ וְאִישׁוּהָ יִפְרְנוּ" מִה "יִקְיַמְנוּ" – מִמְּנוּ, אֶף "יִפְרְנוּ" – מִמְּנוּ. וְרַבִּי יִשְׁמַעְיָאֵל: מִי כְּתִיב "יִפְרֵי מִמְּנוּ"? וְרַבִּי עֲקִיבָא: מִקִּישׁ הַפְּרָה לְהַקְמָה, מִה הַקְּמָה מִמְּנוּ – אֶף הַפְּרָה מִמְּנוּ.

אָמַר רַבִּי חֵיְיָא בַר אַבְבָּא אָמַר רַבִּי יוֹחָנָן: זֶה דְּבָרֵי רַבִּי יִשְׁמַעְיָאֵל וְרַבִּי עֲקִיבָא, אֲבָל חֲכָמִים אֹמְרִים: מִקִּישׁ הַקְּמָה לְהַפְּרָה, מִה הַפְּרָה – מִה שֶׁהִפְרֵי הִפְרֵי, אֶף הַקְּמָה – מִה שֶׁקִּיִּים קִיִּים.

"אָמַרָה קֹנָם תִּאָּנֶה". אָמַר רַבָּא: מִתְּנִיתִין רַבִּי שְׂמַעוֹן הִיא. דְּאָמַר: עַד שֶׁיֹּאמֵר שְׁבוּעָה לְכָל אֶחָד וְאֶחָד.

But if he nullified it with regard to figs, it is not nullified until he will also nullify the vow for grapes. This is the statement of Rabbi Yishmael. Rabbi Akiva says that the verse states: "Her husband may uphold it, or her husband may nullify it." Just as the words "may uphold it" [*yekimennu*] should be understood as if they read: He may uphold part of it [*yakim mimmennu*], implying that if he upheld part of the vow he has upheld all of it, so too, the words "he may nullify it" [*yeferennu*] should be understood as if they read: He may nullify part of it [*yafer mimmennu*]. And Rabbi Yishmael retorts: Is it written: He may nullify part of it, with a *mem*, as it is written with respect to a husband who upholds the vow? And Rabbi Akiva replies: The verse juxtaposes nullification to upholding; just as upholding means part of it, so too, nullification means part of it.

Rabbi Ḥiyya bar Abba said that Rabbi Yoḥanan said: This opinion, that a vow is treated as a single unit, so that the entire vow is upheld even if the husband upheld only a part of it, is the statement of Rabbi Yishmael and Rabbi Akiva. But the Rabbis say: The verse juxtaposes upholding to nullification;ⁿ just as with regard to nullification, that which he nullified he has nullified, so too, with regard to upholding, that which he upheld he has upheld, but no more.

The mishna teaches that if a woman said: Tasting a fig and tasting a grape are *konam* for me, these are viewed as two separate vows. Rava said: The mishna is in accordance with the opinion of Rabbi Shimon, as Rabbi Shimon said that that one is not liable to bring multiple offerings for taking false oaths to multiple people in the same utterance, for example, if he says: I take an oath that I do not have your item, nor yours, nor yours, unless he states an expression of an oathⁿ to each and every one^h of the creditors, for example by stating: I take an oath I do not have yours; I take an oath I do not have yours. Here too, only if she says: Tasting, with respect to each fruit are they viewed as two separate vows.

NOTES

Juxtaposes upholding to nullification – מִקִּישׁ הַקְּמָה לְהַפְּרָה: The Commentary on *Nedarim* explains that in contrast to Rabbi Akiva, the Rabbis view the case of nullification as the primary *halakha*, from which they learn the *halakha* of upholding, rather than the reverse. According to the standard text of the Gemara, it is learned from the juxtaposition of upholding and nullification that just as the husband can nullify part of the vow, he can likewise uphold part of it, without his statement serving as a confirmation of the entire vow. Some derive this from the phrase "he may nullify it," which indicates that he nullifies "it," i.e., specifically the part of the vow he referred to. The Ran notes that the text of many early authorities states the reverse: Just as nullification, i.e., the part that he nullified, is not nullified, so too, upholding, i.e., the part that he

upheld, is not upheld. In other words, the Rabbis maintain that a vow cannot be partially nullified, and therefore neither can it be partially upheld. Rather, whether he nullifies or upholds part of it, his words are of no effect.

Unless he states an expression of an oath – עַד שֶׁיֹּאמֵר שְׁבוּעָה – Admittedly, the mishna does not specify that she said the word *konam* with regard to both grapes and figs, but since she mentions the word tasting in relation to each of them, it is as though she stated each as a separate vow, even according to Rabbi Shimon (Rid). The *Tosefot Yom Tov*, however, claims that according to the Rosh and the *Tur*, the mishna is referring to one who said *konam* each time (see *Tosafot*).

מתני' יודע אני שיש נדרים אבל איני יודע שיש מפירין – יפר. יודע אני שיש מפירין אבל איני יודע שזה נדר, רבי מאיר אומר: לא יפר, וחכמים אומרים: יפר.

MISHNA If a man's wife or daughter took a vow and he failed to nullify the vow on the day he heard it, but afterward he said: **I know that there are vows,^H but I don't know that there are those who can nullify them,** i.e., he was unaware of the possibility of nullifying vows, **he can nullify the vow of his wife or his daughter on the day he learned that he can nullify vows.** If, however, he said: **I know there are those who can nullify vows, but I refrained from nullifying the vow that I heard because I do not know that this is considered a vow,^N Rabbi Meir says he cannot nullify^N the vow at this point, but the Rabbis say that even in this case he can nullify the vow on the day that he learned of his mistake.**

גמ' ורמינהו: "בלא ראות" – פרט לסומא, דברי רבי יהודה. רבי מאיר אומר: לרבות את הסומא.

GEMARA The Gemara raises a contradiction from the following *baraita*: With regard to one who kills unintentionally, the verse states: **"Without seeing"** (Numbers 35:23), which serves to **exclude a blind person^{NH}** from the category of those who are exiled to a city of refuge due to having killed unintentionally, as the verse indicates that it was only in this instance that he did not see, but he is generally able to see. A blind person who kills another unintentionally is considered a victim of circumstances beyond his control. This is **the statement of Rabbi Yehuda. Rabbi Meir says the verse serves to include a blind person** in the category of those who are exiled, as he too does not see. This shows that Rabbi Meir does not distinguish between different kinds of lack of knowledge, whereas the mishna suggests that he does accept such a distinction. The opposite is true of Rabbi Yehuda, who, unless it is otherwise indicated, is assumed to be Rabbi Meir's disputant in all places.

NOTES

I do not know that this is a vow – איני יודע שזה נדר – In other words, either he was unaware that it is a proper vow, as he thought her statement was of no consequence and did not require nullification; or he was uncertain about the matter (Rashi); or he did not know that a husband can nullify this type of vow (Ran).

He cannot nullify – לא יפר – Rashi and many other commentaries explain that this dispute is based on the *halakha* that a husband or father can nullify a vow only on the days on which he hears of the vow. The Ran explains that Rabbi Meir maintains that he cannot nullify the vow, because the fact that he was aware that there are vows that can be nullified renders the day that he actually heard of the vow as the day upon which he must nullify it, even if he was unaware that this particular type of vow can be nullified. The Commentary on *Nedarim* explains that Rabbi Meir holds that while by Torah law the husband is able to nullify the vow on the day he realizes that it is of the type of vows that can be nullified, the Sages penalized him for not nullifying the vow out of uncertainty on the day he first heard it. By contrast, the Rabbis hold that since he did not know for certain that he can nullify the vow, he may do so on the day he learns that he can. The Rambam explains similarly. According to these explanations of the Gemara, if the husband nullified the vow on the day upon which he heard it, despite not knowing that it was a vow he could nullify, his nullification is effective. Other early authorities contend that according to Rabbi Meir he cannot nullify a vow of this type at all, as his nullification on the same day he heard the vow is ineffective and he cannot nullify it on a later date. As for the Rabbis, their ruling that he can nullify the vow refers to the day he heard the vow, but they too agree that he cannot nullify it after that day (Rabbi Eliezer of Metz; Rabbi Avraham min HaHar).

To exclude a blind person – פרט לסומא – There are various explanations as to the nature of this contradiction and its resolution. Some commentaries explain, following the final interpretation in the previous note, that the contradiction involves the opinions of both Rabbi Meir and Rabbi Yehuda, as the *tanna* in

the mishna here, who disagrees with Rabbi Meir, is presumed to be Rabbi Yehuda. Accordingly, the contradiction is that the ruling of Rabbi Yehuda in the case of a blind person who killed unintentionally seems to be predicated upon the assumption that partial knowledge is not considered knowledge, and therefore a blind person, who cannot perceive things fully, is exempt from punishment. By contrast, Rabbi Meir is of the opinion that even the limited awareness of the blind, who can distinguish people by voices and the like, is also classified as knowledge. This would appear to be the reverse of the dispute in the mishna here, in which the Rabbis, i.e., Rabbi Yehuda, claim that partial knowledge is considered knowledge, and therefore the husband can nullify a vow even if he is not certain that he can do so, while according to Rabbi Meir his incomplete knowledge that it is possible to nullify the vow is not viewed as knowledge and therefore he cannot nullify it (Ran).

The Rashba explains, in accordance with the first explanation in the previous note, that the contradiction refers only to Rabbi Meir's opinion. He contends that the difficulty arises from the first part of the mishna, which indicates that limited knowledge is not knowledge at all, as even when he heard the vow, if he was unaware that it can be nullified it is as though he had not heard it. By contrast, in the case of a blind person, Rabbi Meir includes him despite his incomplete awareness.

Yet other commentaries offer an entirely different interpretation. They claim that in the case of unintentional killing, Rabbi Meir does not accept the straightforward meaning of the verse, as "without seeing" does seem to exclude a blind person, who literally cannot see at all, not merely on this occasion. Instead, Rabbi Meir follows the logical reasoning of the *halakha*: Since a blind person cannot see, his actions also accord with the descriptions of an accident that occurred "without seeing," notwithstanding the fact that he can never see. The difficulty is therefore from the first part of the mishna: Why does everyone agree that the husband can nullify the vow in that case? By this reasoning, we should say that since he heard the vow and was silent, he should not be allowed to nullify it later on (*Tosafot*; Rosh).

יודע אני שיש נדרים – I know that there are vows – One neglected to nullify the vows of his wife or daughter, either because he was unaware he could nullify them, or because he knew he could nullify vows but mistakenly thought he could not nullify this particular vow (*Tur*), or because he was under the impression that this vow did not require nullification (Rambam). In all of these cases, even if he remained silent for a long time, his silence does not serve to uphold the vow. Rather, the day on which he becomes aware of the *halakha* is considered the day of his hearing, and he may nullify the vow all that day, in accordance with the opinion of the Rabbis (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 12:20; *Shulhan Arukh, Yoreh De'a* 234:21).

פרט לסומא – To exclude a blind person – A blind person who unintentionally killed another person is exempt from exile, as the victim's death is considered close to having been caused by factors beyond the blind person's control. The *halakha* follows the opinion of Rabbi Yehuda in opposition to that of Rabbi Meir (Rambam *Sefer Nezikin, Hilkhot Rotze'ah UShmirat HaNefesh* 6:14).