Some authorities (Rashi; Tosafot; Rema) say that within thirty days of their marriage, she requires halitza along with a bill of divorce (Rambam Sefer Nashim, Hilkhot Yibumot 2:5; Shulhan Arukh Even HaEzer 167:6). If she says after thirty days: I engaged in sexual intercourse with him, and he says: I did not engage in sexual intercourse with her, this situation requires both a bill of divorce and halitza. The fact that the baraita requires a bill of divorce indicates that the entire passage is referring to a case when she did not yet have a bill of divorce.

Rabbi Ami says: When the baraita says that she requires a bill of divorce, it means that she requires halitza with her bill of divorce" that she already received. Rav Ashi says: There, where Rav explained the mishna as referring to a case where she has already received a divorce, it is referring to a bill of divorce that he gave her for his levirate bond, before he consummated the levirate marriage. Upon its reception, it is prohibited to consummate the levirate marriage, but she still requires halitza. Here, in the baraita, it is referring to a bill of divorce that he gave for his consummation of the levirate marriage. After he engaged in sexual relations with her he becomes his wife and requires a regular divorce in order to remarry.

It was told: A certain couple, a yavam and yevama, who both admitted that they had not consummated the levirate marriage, came before Rava. Rava said to the Sages who sat before him: Arrange halitza for her, and resolve her case. Rav Sherevya said to Rava: But it is taught in a baraita that she requires a bill of divorce and halitza. He said to him: If this baraita is taught, it is taught, and I retract my ruling on account of it.
Although the claims that they have not consummated the marriage affect their own status, these claims do not have the power to affect the status of others. The reason for this is the legal presumption that a person, and all the more so a husband, does not restrain himself from permitted intercourse. The yevamot requires halitza despite this presumption only because of the halakha that a person who claims to be subject to a prohibition becomes a forbidden object, i.e., is considered subject to that prohibition so long as no one else is affected.

Heaven is between me and you – The Rashi, based on the Jerusalem Talmud, explains this expression is a metaphor for the woman’s claim that her husband does not engage in sexual intercourse with her. She is indicating that just as heaven is distant from earth, so too is my husband distant from me. The Babylonian Talmud in tractate Nedairim (9a) offers a different interpretation of the expression. It means that the husband does not “shoot like an arrow,” meaning that he cannot ejaculate normally. Some argue that there is no fixed meaning for this expression; the point is that the wife is making some kind of claim about a private matter for which no evidence can be provided (see Meiri).

Deals with the matter by way of a request – This expression is not entirely clear either. Rabbeinu Tam (see Tosafot), in accordance with the understanding that the woman’s claim is that he cannot ejaculate normally, explains that the court prays that the man be healed. The Jerusalem Talmud in tractate Nedairim explains this phrase to mean that a feast should be held in order to make peace between the couple. Rabbeinu Hananel explains that this does not necessarily mean that there must be an actual feast. The point is that the court makes an effort to bring about a reconciliation without compulsion. Rashi apparently understands it this way, as well.

The Ramban explains why the ruling in this case is to deal with the matter by way of request, as opposed to the previous case where the priest’s wife, who claims she was raped, must bring evidence to that effect. The claim in the previous case is not accepted at all without evidence as the woman is suspected of desiring another man. In contrast, no evidence is available, in principle, for the claim that Heaven is between them. In addition, her claim could well be motivated by the desire to have children, and as such is more credible (see Rashba).

What is the halakha with regard to her rival wife – If in the case of a yevamot whose yevam married her, even if they both say within thirty days that he did not engage in intercourse with her, her rival wife is still permitted to remarry, on the presumption that the levirate marriage was in fact consummated. This halakha is in accordance with Rav Nahman’s opinion (Rashi; Rabbeinu Hananel). Some authorities (Tur, based on Rosh and Rema) say that within thirty days, if he claims that he did not have sexual relations with her, the rival wife is forbidden to remarry without halitza (Shulhan Arukh Even HaEzer 16:41).

A woman who says I am impure for you – If a woman tells her husband that she committed adultery and is forbidden to him, she is not believed, and she is not forbidden to him. The Sages did not grant credibility to this statement lest it provide her with a way to force him to divorce her because she is interested in someone else. However, if he believes her, or if there is some evidence short of testimony (Rema), he is obligated to divorce her though he is not forced to do so.

A woman who admits to adultery loses the rights to the settlement in her marriage contract, both the basic sum, any additional settlement, and any lost value from her dowry. However, if she was raped, she does not lose her marriage settlement in her marriage contract, regardless of whether she is the wife of a priest or a non-priest. This halakha is in accordance with the ultimate version of the mishna (Rambam Sefer Nashim, Hilkhot Ishut 14:23; Shulhan Arukh, Even HaEzer 15:6).

Heaven is between me and you – Heaven is between me and you – This is a halakha: If a man claims that his wife is rebellious and that she withholds sexual relations from him while she denies his claim, or if she claims that it is he who is withholding sexual relations from her but he denies it, the judges excommunicate whoever is lying. If neither one admits to lying, they are secluded together in the presence of witnesses, and if they still persist with their claims, the judges negotiate a compromise between the two parties according to the power of the court, in accordance with the ruling that the matter is dealt with by way of a request (Rambam Sefer Nashim, Hilkhot Ishut 14:16; Shulhan Arukh, Even HaEzer 17:4).

I am withdrawn from the Jews – If a woman vows to prohibit herself from sexual intercourse with any Jew, her husbandnullifies his part in the vow and she may engage in intercourse with him. If he dies or divorces her, she is forbidden to all men. This ruling is in accordance with the mishna (Rambam Sefer Hafetz Hayyim, Hilkhot Nedairim 12:8, Shulhan Arukh, Yoreh De’ah 234:68).

It is taught in the mishna: If a woman vows during her husband’s lifetime to derive no benefit from her yevam, the court forces him to perform halitza. We learned in a mishna elsewhere (Nedarim 90b): At first they said: Three categories of women are divorced from their husbands against their will, and even so they receive payment of their marriage contract.

They are: A woman who says I am defiled to you: When a priest’s wife tells her husband that she was raped, he is obligated to divorce her as she is forbidden to him. Since she became forbidden due to circumstances beyond her control, she is entitled to receive payment of her marriage contract. Likewise, a woman who says: Heaven is between me and you: There are no witnesses to the matter, but Heaven will testify that you are incapable of having normal sexual relations with me. Since this is not her fault, she receives the settlement in her marriage contract. The same halakha applies if a woman vows: I am withdrawn from the Jews, meaning, she vows not to engage in sexual relations with any Jew, because conjugal relations are difficult for her.
As for a woman who says: I am withdrawn from the Jews, her husband must nullify his part in the vow, that is, the part of the vow that concerns him, so that she should be permitted to him, and she may have relations with him. But she is withdrawn from all other Jews, so that if he divorces her, she is forbidden.

A dilemma was raised before the scholars: If the wife said: I am withdrawn from the Jews and the husband nullifies his part in the vow, what is the halakha with regard to the yevamah once the husband has died? Does this vow apply to him? When she takes the vow, does it enter her mind that her husband will die and she will happen before a yevamah, or not? If she did entertain the thought, then the vow applies to the yevamah, as the husband’s nullification only affects himself, and she must perform halitza. If she did not consider the possibility of becoming a yevamah, then the vow does not apply to the yevamah and she can enter into levirate marriage. Her vow was directed only against any potential suitors she might have if her husband divorced her.

Rav says: A yevamah is not like a husband. She did not intend that her vow be directed against him at all, and he may enter into levirate marriage with her. And Shmuel says: A yevamah is like a husband in this respect and the vow applies to him as well, so he must perform halitza. Abaye said: Ruling according to Rav’s opinion stands to reason, as we learned in the mishna: If a woman vows during her husband’s lifetime to derive no benefit from her yevamah, the court forces him to perform halitza. And if it is the case that it enters her mind that the husband will die and she will become a candidate for levirate marriage with the yevamah, the mishna should have said that the court asks the yevamah to perform halitza rather than forces him. The court would not force him to perform halitza in a case where she deliberately attempted to avoid fulfilling the mitzva of levirate marriage. The Gemara answers: With what are we dealing here? With a woman who has children with her husband when she vows, so that it did not enter her mind to the extent that her children would die, and later her husband would also die, and she would happen before his brother for levirate marriage.

The Gemara asks: But if she has no children, what is the halakha? Is it that we ask him to perform halitza, but do not force him? If so, then instead of teaching the more remote case that if she intended to do so, to avoid levirate marriage in the event of her husband’s death, even if she vowed during her husband’s lifetime, the court merely asks him to perform halitza with her, let the mishna distinguish and teach the distinction within this halakha itself, as follows: In what case is this statement said? When she has children, but if she does not have children, the court merely asks him.

Rather, learn from it that there is no difference between when she has children and when she does not have children. Either way the court forces him to perform halitza, in accordance with the opinion of Rav, as there is no assumption that the woman planned to avoid levirate marriage unless she says so explicitly. The Gemara concludes: Indeed, learn from it that the halakha follows Rav’s opinion.
MISHNA

With regard to a deaf-mute who married a halakhically competent woman, and a halakhically competent man who married a deaf-mute: If either man wants to divorce his wife, he may divorce her, and if he wants to maintain her as his wife, he may maintain her. The reason why a deaf-mute man can divorce his wife is that just as he marries her by intimation, i.e., his marriage is not performed by explicit speech, as deaf-mutes rely on gestures, so too, he divorces her by intimation.⁴

Likewise, in the case of a halakhically competent man who married a halakhically competent woman, and she later became a deaf-mute: If he wants to divorce her, he may divorce her, as a wife does not have to have intellectual capacity to receive a bill of divorce, and if he wants to maintain her as his wife, he may maintain her. If she became an imbecile,⁹ he may not divorce her, i.e., a bill of divorce is ineffective in this case. If he became a deaf-mute or an imbecile after they were married, he may never divorce her, as he does not have the legal competence to give a bill of divorce.

Rabbi Yoḥanan ben Nuri said: For what reason is the halakha that in the case of the woman who becomes a deaf-mute, her husband may divorce her, but in the case of the man who becomes a deaf-mute, he may not divorce his wife? If the bill of divorce written by someone who formerly possessed all his senses and later became a deaf-mute is invalid, it stands to reason that it should not be valid when she becomes a deaf-mute either. They said to him: The man who divorces his wife is not similar to the woman who is divorced, as the woman is divorced whether she is willing or unwilling. Since the woman’s consent is not required, she may be divorced even if she is a deaf-mute. And, conversely, the man divorces his wife only willingly, and therefore the bill of divorce of a deaf-mute, who is not legally competent, is ineffective.

Rabbi Yoḥanan ben Gudgada testifed with regard to a female deaf-mute whose father married her off when she was a minor, which means her marriage was valid by Torah law, that she can be divorced with a bill of divorce even when she matures and is no longer under her father’s authority, despite the fact that she is not legally competent. They said to him: This woman, too, has a similar status. In other words, a woman who possessed all her faculties and later became a deaf-mute is comparable to a minor whose marriage was valid by Torah law and later, when she matured and was no longer under the authority of her father, received a bill of divorce. Both of these women can receive a bill of divorce, in accordance with the principle stated in the previous paragraph.

NOTES

If he wants to maintain her – Some commentators maintain that this section of the mishna is superfluous, as this halakha is obvious (Tosafot). However, others claim that it does teach a novel halakha, as one might have thought that if the halakhically competent man was a priest he may not maintain a deaf-mute as his wife, in case she commits licentious acts due to her incompetence. Although in such a case she would be considered like a raped woman, nevertheless the wife of a priest who was the victim of a rape is forbidden to her husband (Arukh Laḥer).

So too, he divorces her by intimation – In the Jerusalem Talmud, it is stated that this refers specifically to betrothal by means of money. If, however, the betrothal was performed by sexual intercourse, since intercourse constitutes a legal act by Torah law, he cannot divorce her with a bill of divorce that applies by rabbinic law. Several early commentators cite this opinion of the Jerusalem Talmud. However, the Babylonian Talmud does not accept this difference between the various methods of betrothal. Some commentators maintain that the Jerusalem Talmud’s opinion does not indicate that a deaf-mute’s betrothal by intercourse actually applies by Torah law. Rather, the idea is that sexual intercourse is such a significant act that a mere intimation cannot nullify its effects (Koren Ora).
Two deaf-mute brothers – אחים

These detailed cases provide a list of all possible combinations, but in terms of their content they offer no original ideas. These halakhot are based on three principles. First, deaf-mutes can enter into levirate marriage but they cannot perform halitza. Second, a man who married a woman by Torah law and later became incompetent, e.g., a halakhically competent man who became a deaf-mute after his regular marriage or levirate marriage, may not divorce his wife. Third, if a yevamah came for levirate marriage before a man was married by rabbinic law to a relative of hers, he must leave both of them, one by means of a bill of divorce and the other by means of halitza (Rambam’s Commentary on the Mishna).

HALAKHA

Two deaf-mute brothers married to sisters – אחים

Several different cases are discussed here. The first scenario is that of two brothers who were both deaf-mutes, or both halakhically competent, or one was halakhically competent and the other was a deaf-mute; and they were married to two deaf-mute sisters. The second scenario is that of two deaf-mute brothers who were married to two deaf-mute sisters, or both halakhically competent, or one of them was halakhically competent while the other was a deaf-mute. In any of these cases, if one of the brothers died without children, his wife is exempt from levirate marriage due to the prohibition against marrying one’s wife’s sister (Rambam Sefer Nashim, Hilkhut Yibbum 7:16, Shulhan Arukh, Even HaZer 175:13). If they were unrelated women – לא אחים

If the two brothers were married to unrelated women, and one of the brothers dies, the surviving brother may consummate his marriage or perform halitza (Shulhan Arukh, Even HaZer 175:13).

A halakhically competent man and a deaf-mute married to sisters – יהודי וחצי

There are two scenarios discussed here. The first scenario involves two brothers, one halakhically competent and one a deaf-mute, married to two halakhically competent sisters. In the second scenario the halakhically competent brother was married to a halakhically competent sister and the deaf-mute was married to a deaf-mute sister, and the deaf-mute brother died childless. In both cases, the yevamah is exempt from levirate marriage due to the prohibition against marrying a woman’s sister. If the halakhically competent brother died, the deaf-mute must divorce his own wife, and there is no remedy for his brother’s wife, who is forbidden to him forever and cannot be released by halitza (Rambam Sefer Nashim, Hilkhut Yibbum 7:17, Shulhan Arukh, Even HaZer 175:12).

Brothers married to sisters, one a deaf-mute and one a halakhically competent woman – אחיין

If two halakhically competent brothers were married to two sisters, one of whom is a deaf-mute and the other halakhically competent, and the deaf-mute’s husband died, she is exempt from levirate marriage due to the prohibition with regard to a wife’s sister. If the husband of the halakhically competent sister died, the deaf-mute’s husband must divorce his wife and perform halitza with his brother’s wife (Rambam Sefer Nashim, Hilkhut Yibbum 7:16, Shulhan Arukh, Even HaZer 175:10).

The mishna continues: In a case where there were two deaf-mute brothers¹ married to two deaf-mute sisters² or to two halakhically competent sisters, or to two sisters, one of whom was a deaf-mute and the other one halakhically competent; or in a case where there were two deaf-mute sisters married to two halakhically competent brothers or to two deaf-mute brothers or to two brothers, one of whom was a deaf-mute and the other one halakhically competent, all these women are exempt from halitza and from levirate marriage. Each of them is forbidden to her own brother because he is married to her sister. And if they were unrelated women, i.e., the women are not sisters, the men may marry them in levirate marriage, and if they want to divorce them later, they may divorce them.

However, if two brothers, one of whom is a deaf-mute and other one halakhically competent, were married to two halakhically competent sisters,³ and the deaf-mute married to the halakhically competent sister died, what should the halakhically competent brother married to the halakhically competent sister do? His brother’s wife is released without levirate marriage or halitza, due to the prohibition with regard to a wife’s sister.

If the halakhically competent brother married to the halakhically competent sister died, what should the deaf-mute brother married to the halakhically competent sister do? He divorces his wife with a bill of divorce, as his wife’s sister came before him for levirate marriage by Torah law, and the legal status of her marriage and her levirate marriage is higher than his own marriage, which applies only by rabbinic law. And his brother’s wife is forbidden to him forever, and there is no remedy for her. He cannot marry her, as by rabbinic law she is the sister of his ex-wife, nor can he exempt her by means of halitza, as he is a deaf-mute.

If two halakhically competent brothers were married to two sisters, one of whom is a deaf-mute and the other one halakhically competent,⁴ and the halakhically competent brother married to the deaf-mute sister died, what should the halakhically competent brother married to the halakhically competent sister do? The deaf-mute sister is released due to the prohibition with regard to a wife’s sister. If the halakhically competent brother married to the halakhically competent sister died, what should the halakhically competent brother married to the deaf-mute sister do? He divorces his wife with a bill of divorce, as the halakhically competent sister came before him for levirate marriage, and the status of her levirate bond is higher than the status of his marriage to his wife, a deaf-mute. And he releases his brother’s wife, who is not a deaf-mute, by means of halitza, as they are both legally competent and can therefore perform halitza.

If two brothers, one of whom is a deaf-mute and the other one halakhically competent, were married to two sisters, one of whom is a deaf-mute and the other one halakhically competent, and the deaf-mute brother married to the deaf-mute sister died, what should the halakhically competent brother married to the halakhically competent sister do? The deaf-mute woman is released due to the prohibition with regard to a wife’s sister.

If the halakhically competent brother married to the halakhically competent sister died, what should the deaf-mute brother married to the deaf-mute sister do? He divorces his wife with a bill of divorce, which is as valid as their original marriage. And his brother’s wife is forbidden to him forever. There is no remedy for her, as he may not consummate levirate marriage with her because she is the sister of his ex-wife by rabbinic law, and he cannot perform halitza with her either, as he is a deaf-mute.
If two brothers, one of whom is a deaf-mute and the other one halakhically competent, were married to two unrelated, halakhically competent women, and the deaf-mute married to the halakhically competent woman died, what should the halakhically competent brother married to the halakhically competent woman do? He either performs halitza or enters into levirate marriage. If the halakhically competent brother married to the halakhically competent woman died, what should the deaf-mute brother married to the other halakhically competent woman do? He cannot perform halitza with her, as he is a deaf-mute. Rather, he marries her, and he may never divorce her, as sexual intercourse between a yavam and his yevama creates a valid marriage that cannot be broken by the bill of divorce of a deaf-mute.

If two halakhically competent brothers were married to two unrelated women, one of whom is halakhically competent and the other one a deaf-mute, and the halakhically competent brother married to the deaf-mute woman died, what should the halakhically competent brother married to the halakhically competent woman do? The brother cannot perform halitza with her, as she is a deaf-mute. Rather, he marries the deaf-mute, and if he wishes to divorce her, he may subsequently divorce her with a bill of divorce. If the halakhically competent brother married to the halakhically competent woman died, what should the halakhically competent brother married to the deaf-mute do? Either he performs halitza or he enters into levirate marriage.

If two brothers, one of whom is a deaf-mute and the other one halakhically competent, were married to two unrelated women, one of whom is a deaf-mute and the other one halakhically competent, and the deaf-mute brother who was married to the deaf-mute woman died, what should the halakhically competent brother married to the halakhically competent woman do? He may marry her if he desires the deaf-mute woman, and if he wishes afterward to divorce her, he may divorce her. If the halakhically competent brother married to the halakhically competent woman died, what should the deaf-mute brother married to the deaf-mute woman do? He marries his yevama and may never divorce her, as he does not have the legal capacity to end a valid marriage.

GEMARA Rami bar Hama said: What is the difference between the case of a deaf-mute man and a deaf-mute woman, that the Sages enacted rabbinic marriage for them despite their condition, and the case of an imbecilic man and an imbecilic woman, that the Sages did not enact marriage for them? As it is taught in a baraita: With regard to an imbecilic man and a minor who married women and died, their wives are exempt from halitza and from levirate marriage. This indicates that the marriages of an imbecile and a minor are of no significance.

HALAKHA

A deaf-mute and a halakhically competent brother who were married to unrelated women – ספירה וזו היא שניים בדואים. בּוֹזִי וּנְשׂוֹת. If two brothers, one a deaf-mute and the other halakhically competent, were married to two halakhically competent, unrelated women, and the deaf-mute died, the yavam may perform halitza or consummate levirate marriage. If the halakhically competent brother died, the deaf-mute cannot perform halitza; rather, he must marry his brother’s former wife and cannot never divorce her (Shulhan Arukh, Even HaEzer 172:13).

Brothers married to a halakhically competent woman and a deaf-mute woman – דְּשׁוֹטֶה לַפִּקַּחַת נְשִׂיָּה דמוֹקְשָׁט. This case involves two halakhically competent brothers who were married to two unrelated women, one of whom was halakhically competent while the other was a deaf-mute. If the deaf-mute's husband died and she came before the yavam for levirate marriage, the yavam may not perform halitza with her. Rather, he marries her, and afterward he may divorce her. If the husband of the halakhically competent woman died, she may perform halitza or enter into levirate marriage (Shulhan Arukh, Even HaEzer 172:14).

A male deaf-mute married to a female deaf-mute, etc. – וּפִּקֵּחַ נְשָׁתָם פִּקְּחִין. This case involves two brothers, where one is a deaf-mute and the other is halakhically competent. If the deaf-mute man married a deaf-mute woman while the halakhically competent brother married a halakhically competent woman, and the deaf-mute brother died, the halakhically competent brother marries the deaf-mute woman and afterward he may divorce her. If the husband of the halakhically competent woman died, the deaf-mute enters into levirate marriage with the halakhically competent woman and he may never divorce her (Shulhan Arukh, Even HaEzer 172:15).

The marriage of deaf-mutes – ספירה מִישָׁה אוֹתוֹ מְיַיבֵּם. A deaf-mute man and woman are not eligible for marriage by Torah law. However, the Sages enacted a decree enabling them to marry by rabbinic law (Rambam Sefer Nashim, Hilkhot Ishut 4:9; Shulhan Arukh Even HaEzer 441).

The marriage of an imbecile – ספירה שֵׁיָם שִׁיָּתָם. Imbeciles are ineligible for marriage, both by Torah law and by rabbinic law, whether they wish to marry halakhically competent people or other imbeciles. Some authorities claim that this halakha applies specifically to a fully-fledged imbecile; however, the marriage of a feeble-minded man is valid (Rema). If a man is at times competent and at times incompetent, and his state of mind during the betrothal is unknown, his betrothal is doubtfully valid (Rambam Sefer Nashim, Hilkhot Ishut 4:9; Shulhan Arukh, Even HaEzer 442).
The marriage of a male minor – קַיְּמָא קְטַנָּה: If a minor betrothed a woman or married her, his action is of no consequence, as the Sages did not enact betrothal for a minor. There is even a prohibition for a minor boy to live with a woman as his wife. If he transgressed and did so, he need not leave her and it is permitted for her to stay with him until he matures and they have relations, at which point they are considered fully married, according to most opinions (Rambam Sefer Nashim, Hilkhot Ishut 11:6; Shulhan Arukh, Even HaEzer 431, and in the comment of Rema, based on Mordehai).

The marriage of a female minor – קְטַנָּה נִישּׂוּאֵי: This scenario involves a female minor who has no father, or whose father married her off and then died; or a female minor who was divorced while she was a minor. If her mother or brothers married her off with her consent, her betrothal is not valid by Torah law but it does apply by rabbinic law. Therefore, she may leave her husband only by a declaration of refusal. The Sages enacted a decree enabling this type of a marriage so that people should not treat her in a disrespectful manner (Rambam Sefer Nashim, Hilkhot Ishut 11:6; Shulhan Arukh, Even HaEzer 155:1).

The enactment of the Sages with regard to the marriage of a deaf-mute – בִּתְרוּמָה חֵרֵשׁ: Rashi indicates that the Sages enacted marriage for a deaf-mute man so that he will not neglect the mitzva to be fruitful and multiply. Although a deaf-mute is not obligated in mitzvot, as he is not legally competent, the general instruction: “He created not a waste; He formed it to be inhabited” (Isaiah 45:18), applies to him as well. Apparently, the Sages enacted this decree for his own good, so that he would have someone to help him and attend to his needs.

A deaf-mute, as he will not reach the stage of eligibility for marriage – תַּקִּינוּ חֵרֶשׁ: It cannot be suggested that it is possible for someone else to acquire a wife on behalf of a deaf-mute by Torah law. The reason is that a deaf-mute will never be able to contract a marriage himself by Torah law, and therefore no one else can act as his agent for this purpose either (Noda Bihuda).

NOTES

Others would refrain – קְטַנָּה נִישּׂוּאֵי: Rashia explains that the difference between a minor and a deaf-mute is that there is a time limit to the refusal of a minor, as she cannot refuse her husband once she reaches the age of maturity, whereas there is no time limit to the refusal of a deaf-mute, as her status is unlikely to change. Other commentaries add another reason: Since a deaf-mute is more impaired than a minor, if the Sages gave her permission to leave her marriage by means of refusal, no one would want to marry her (Rashi).