

OVERVIEW of the Daf

1) **MISHNAH:** The Mishnah presents a number of examples of declarations that the declarer can explain did not refer to sacred items. The Mishnah concludes with a dispute between R' Meir and Chachamim whether these vows require an annulment.

2) Clarifying R' Meir's opinion

A contradiction regarding the validity of these vows in R' Meir's position is noted.

R' Yehudah suggests an explanation of the Mishnah.

R' Meir's language in the Mishnah is clarified in light of this explanation.

3) A Beis Din that improperly annuls a vow

R' Yosef rules that a Beis Din that annuls the vow mentioned in the Mishnah has behaved improperly.

R' Acha bar Yaakov rules that the Beis Din should be banned.

4) Improper gazing

The Gemara cites a Baraisa that begins with the danger of becoming accustomed to nedarim, proceeds to discuss people one should not frequent and concludes with the admonition against speaking excessively to women.

This leads the Gemara to digress to the topic of improper gazing at women.

R' Yochanan ben Dehavai identifies the origin of certain physical conditions.

The implication that it is prohibited to speak during תשמיש is challenged.

R' Yochanan notes that Chachamim disagree with the guidelines of R' Yochanan ben Dehavai.

In light of R' Yochanan's comment, Ameimar adds an explanation to R' Yochanan ben Dehavai's original statement.

Two related incidents are recorded.

The source for the prohibition against thinking about another woman during תשמיש is presented.

R' Levi mentions nine conditions which could lead to improper children, ר"ל.

The last condition (a woman who solicits תשמיש from her husband) is unsuccessfully challenged.

הדרן עלך ואלו מותרין

5) **MISHNAH:** The Mishnah enumerates four types of vows that do not apply and פ the first type. ■

Gemara GEM

Torah scholars and the ministering angels

מאן מלאכי השרת? רבנן וכו' ואמאי קרו להו מלאכי השרת דמציינו כמלאכי השרת

The ר"ן explains that the term "ministering angels" refers to Torah scholars. They are referred to by this term because they remain distinguished and separate from the general population due to their intense commitment to Torah study, just as the heavenly angels are separate from humans due to their unique nature. The מפרש explains that Torah scholars are similar to angels in that they sit wrapped in their tallis. Rashi (to Kiddushin 72a) writes that the Gemara is referring to the fact that Torah scholars are distinguished in that they wear nice clothes.

Rebbe Tzadok Hakohen of Lublin (שיחת מלאכי השרת, א') explains the association of Torah scholars to angels in that all ways and manners of a true Torah scholar are guided by Torah law. He will not engage in endeavors which are purely mundane, unless he sees it as necessary for Torah and to fulfill the will of Hashem. This is the motivation for his thoughts, his speech, and his actions. This is similar to the function of the heavenly angels, in that they are created solely to fulfill a mission, and they do not waver from it.

שם משמואל (Vayishlach, 5678) writes that according to this Gemara we can understand the difference between the angels of Eretz Yisroel and those who serve outside Eretz Yisroel. The angels of Eretz Yisroel influence the people there and help them develop a closeness and love in the service of Hashem. The angels which minister outside Eretz Yisroel stir people to anger and fury. The Jewish people, in their holy manner, utilize all these traits and direct them to enhance their service of Hashem. Those in Eretz Yisroel grow in their love of Hashem, and they cleave to Hashem as they perform many good deeds. Those outside the land use their combative traits to battle the yetzer hara and use their fury to fight evil. ■

REVIEW and Remember

1. Why are those ignorant of Torah treated more stringently by nedarim than those who are knowledgeable in Torah?

2. What are the advantages of the trait of shame?

3. Why did R' Yochanan ben Dehavai refer to the rabbis as angels?

4. What four types of nedarim are automatically void?

HALACHAH Highlight

Compensating for the days a vow was violated

כדתניא מי שנזר ועבר על נזירותו אין נוקקין לו עד שינהג בו איסור כימים שנהג בהן היתר דברי ר"י

As was taught in a Baraisa: One who vowed to be a nazir and violated his nezirus, we do not address him until he properly observes the days that he behaved permissively, these are the words of R' Yehuda

Shulchan Aruch¹ rules that one who takes a vow and subsequently violates that vow is fined and may not have his vow annulled until he compensates for the number of days that he violated his vow. [In other words if he violated the vow for five days he must observe the vow for five days before he may have the vow annulled.] If, however, forcing the vower to compensate for the missing days will pose a stumbling block, i.e. his vow involved refraining from something that he will be unable to refrain from, his vow may be annulled without requiring him to compensate for the missing days. Therefore, if someone vowed to refrain from meat and wine if he will transgress a particular prohibition and after transgressing the prohibition has violated his vow, he may have his vow annulled immediately without compensating for the days he violated his vow since it is likely that he will

continue to violate his vow. Rema² adds, however, that if the Torah scholar thinks it is possible for the vower to compensate for the missing days the vow should not be annulled until that time.

Shulchan Aruch³ adds that the requirement to compensate for the days that were violated applies only when those days are few in number, i.e. fewer than thirty days. If he violated the vow for many days he does not have to compensate any more than thirty days. Shach⁴, however, notes that Tosafos and Rosh maintain that even if the vower violated his vow for many days he must compensate for all those days before he may have his vow annulled. He also notes that since Tur does not distinguish between one who violated his vow for a few days or for many days it seems that he agrees with Tosafos and Rosh. Therefore, in light of all these authorities Shach concludes that one should not be lenient on this matter and one should compensate for all the missing days even when they number more than thirty.

1. שו"ע יו"ד סי' ר"ח סע' ב'
2. רמ"א שם
3. שו"ע שם סע' ג'
4. ש"ך שם ס"ק י"ג ■

STORIES Off the Daf

Shamefacedness

זו בושה

The verse states, "In order that the fear of Hashem will be on your face so you will not sin." Today's daf explains that a feeling of shame and modesty leads to fear of sin.

Rav Aryeh Adler, shlit"a, a student of Rav Shach, zt"l, once went to see his Rebbi. Immediately after they exchanged pleasantries, the Rosh Yeshivah asked him a question, "You work in chinuch, tell me how you explain the vast spiritual descent of our generation?"

Rav Adler was noticeably confused, "Does the Rosh Yeshivah really believe

that I need to know the answer to that question in my capacity as a mechanech?"

"Absolutely," responded the Rosh Yeshivah decisively. "Everyone in chinuch must understand this essential point."

"I assume the reason is the natural yeridas hadoros from Har Sinai downwards," responded Rav Adler.

Rav Shach disagreed. "It is true that there is a yeridah from generation to generation, but that surely doesn't explain the extent of the present generation's descent."

Rav Adler did not respond.

After a short pause Rav Shach answered his own question. "The solution is simply a deficiency of shame and a natural sense of propriety in the present generation. When I was young,

it is true that the haskalah was making inroads everywhere, pushing people to all sorts of follies and sin. They instigated all kinds of big changes in much of the populace and caused many to change priorities in a shocking and damaging way. But with all this, people had a natural sense of shame and this protected them from doing the terrible indecencies of the present generation. The curse of **דמשיחא**, עקבתא, a lack of common decency, has come upon us and there is no stopping the resultant **ירידה**."

The Rosh Yeshivah concluded, "You are mistaken if you think we have reached the worst of it, Hashem should protect us. Where there is a marked lack of common decency, anything is possible. Who knows to what depths we can fall, **רחמנא ליצלן**." ■

