



Hafarah on Shabbat

During much of this week we have been learning about *hafarat nedarim*. Recall that this refers to a father or husband ability to terminate a *neder* of his daughter or wife. Previously we discussed the difference between *hafarat nedarim* and the *Chachamim's* ability to *matir nedarim* (Volume 3, Issue 23). Similarly, we have also discussed the limited scope of *hafarat nedarim* (Volume 9, Issue 23). In this article we shall focus on the *hafarat nedarim* on *Shabbat*.

The *Mishnah* (10:8) teaches that *hafarat nedarim* can only be employed on the day that the, e.g. father hears the *neder*. The *Mishnah* brings the example of a father that hears a *neder* on *Shabbat* and explains that he would only be able to *meifer* the *neder* until the end of *Shabbat* – the day he learned of the *neder*.

The *Bartenura* explains that normally *hafarat nedarim* involves the father declaring explicitly “*mufar lach*”. The *Gemara* (77b) teaches that on *Shabbat* however he would not make that declaration. Instead, he would instruct her to act against the *neder* she made. For example, if she made a *neder* against eat something, his instructing her to eat it would be sufficient. The *Ran* explains that this different way of *hafarah* is required where possible for *kavod Shabbat*. If however, he is not able to compel her to do so, then annulling the *neder* in his mind without articulating would be sufficient. The *Bartenura* continues however, that for *hafarah*, it must be articulated. This is also the opinion of the *Rambam*.

The *Kesef Mishnah* (*Nedarim* 13:7) explains that according to the *Rambam* there are two ways the father or husband can put an end to a *neder*. One is called *bitul* and the other *hafarah*. *Bitul* is where he annuls the *neder* mentally and instructs to act against the *neder*. *Hafarah* involves the declaration “*mufar lach*”. The *Kesef Mishnah*

suggests that for *hafarah* the declaration alone is enough, even if mentally he does not agree to it.

The *Raavad* however disagrees, citing the *Mishnah* in *Nazer* (9:1) that differentiates between *nashim* and *avadim*. One of those distinctions is that a father or husband cannot force her to go against her *neder*, where as he can for an *eved*. The *Raavad* explains that in our case *hafarah* is indeed required, yet on *Shabbat* it is sufficient if it is done mentally.¹

The *Lechem Mishnah* however explains that the *Rambam's* position does not contradict the *Mishnah* in *Nazir*. Indeed, the husband cannot force the wife to go against the *neder* like the *Mishnah* taught. The instruction to go against the *neder*, even if he cannot force her to do so, simply demonstrates that he is not happy with *neder* which is necessary for *bitul*.

One can ask a different question. According to the opinions that there is only *hafarah*, if it must be articulated, why does it work without the declaration on *Shabbat*?

The *Ran* (77b) explains that when the *Gemara* required articulation, that was when it was only a mental exercise. In this case however, since he has the intention of *hafarah* and gave instruction to go against the *neder*, that would be sufficient for *hafarah*. The *Ran* notes that the *Gemara* discounted other inexplicit declarations like “I cannot have you making *nederim*”. Yet that was because he did not have the intention for *bitul*.

It would seem that unlike the *Kesef Mishnah's* understanding where for *hafarah* that the declaration alone is sufficient, according to the *Ran* the intention is indeed a critical ingredient.

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¹ The *Kesef Mishnah* however finds the *Raavad's* implication that it only works on *Shabbat* difficult because the *Gemara* implies that if he instructed her to go against the *neder* during the week it would also work (see 77b).

Revision Questions

נדריים ט' ו' – י"א: א'

- What did this same *Tana* change with respect to how particular *nedarim* are undone? (ט: ו')
 - Give an example of when we say that since part of the *neder* is undone, we undo the entire *neder* and give an example of when this principle does not apply. (ט: ו')
 - In what situation would a singularly phrased *neder* require multiple *petachim*? (ט: ו')
 - What is the law regarding a case where a person makes a *neder* against drinking wine because it is bad for the stomach, and then after is told that old wine is indeed good for the stomach? (ח: ט')
 - Can personal honour be used as a *petach*? (ט: ו')
 - What is the law regarding one who makes a *neder* not to marry someone because they are short, yet in truth they are tall? (ט: ו')
 - What is *R' Yishmael's* opinion regarding *bnot Yisrael*? (י: ט')
 - Which two people can *meifer* the *nedarim* of a *na'arah meorasah*? Is it enough if only one of these people is *meifer*? (יא: א')
 - If one of these two people dies, can the other *meifer* her *nedarim*? (יב: ב')
 - If the *na'arah* gets engaged, makes a *neder*, gets divorced, and gets engaged to another person all in the same day, who can *meifer* her *nedarim*? (יג: י')
 - What was the *minhag* of the *talmidei Chachamim* with respect to *nedarim* of their daughters? (יד: י')
 - What are the two opinions regarding when a *chatan* can be *meifer* the *nedarim* of his *bogeret kalah*? (יז: י')
 - Explain the three opinions regarding who can be *meifer* the *nedarim* of a *shomeret yabam*. (יז: י')
 - Explain the two opinions regarding whether a husband can be *meifer* his wife's future *nedarim*. (יז: י')
 - Complete the following rule: (יח: י')
- _____ הפרת נדריים כל
- Explain how that rule can be both stringent and lenient. (יח: י')
 - Which two cases are debated as to whether they are *nedarim she'yesh bahem inui*? (יט: א')

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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
31 March כ"א אדר	1 April כ"ב אדר	2 April כ"ג אדר	3 April כ"ד אדר	4 April כ"ה אדר	5 April כ"ו אדר	6 April כ"ז אדר
Nedarim 11:2-3	Nedarim 11:4-5	Nedarim 11:6-7	Nedarim 11:8-9	Nedarim 11:10-11	Nedarim 11:12 - Nazir 1:1	Nazir 1:2-3

