The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן ש"מ סעיף א'-ג'

Overview

Siman 341 Seif 1:

We release people from vows on Shabbos if it is necessary for Shabbos even if he had time to be released from them before Shabbos, for example, if someone vowed not to eat or drink. A husband may nullify his wife's vow, even if they are not necessary for Shabbos since if they are not nullified on Shabbos he will no longer be capable of nullifying them.

- If they are not related to Shabbos he should not be released from them, even if there was no time to seek release before Shabbos since he could be released after Shabbos so why should they invest the effort on Shabbos. One may also be released if it is for the sake of a *mitzvah*. (M.B. 1)
- Even if one vowed to refrain from meat and wine he may be released from that vow on Shabbos since that involves a *mitzvah* related to Shabbos. He may also be released from a vow he made to refrain from wearing a garment that he needs for Shabbos. One may also be released from a vow to refrain from sleeping on Shabbos. (M.B. 2)
- The same is true concerning a father and his daughter who is a *na'arah*. On Shabbos he does not verbalize the nullification and instead mentally nullifies it and gives that food to his wife to eat. If the husband is unaware of his wife's vow and it does not relate to Shabbos, he should not be informed of the vow so that he should not have to nullify it on Shabbos. (M.B. 3)
- He may only nullify it on the day that he heard it and if he heard it shortly before dark he must nullify it before nightfall. (M.B. 4)

Siman 341 Seif 2:

If someone vowed to perform a particular *melacha* before a given date and did not have the opportunity to perform that *melacha* until the day of the deadline which fell on Shabbos, if he can find an opening for release from the vow he may seek that release on Shabbos.

- The *melacha* is something that may not be performed on Shabbos. (M.B. 5)
- The same is true if he does not have an opening but regrets having taken the vow he may be released so that he should not violate his vow. (M.B. 6)
- If he is not released today from his oath, he will violate לא יחל דברו. (M.B. 7)

Siman 341 Seif 3:

The custom is to release bans on the *kehilla* on Shabbos even though they are not for the sake of Shabbos (See above the end of *siman* 306).

- The community gathers on Shabbos and if they are not released on Shabbos, they will not secure a release since they will not gather together on another day. (M.B. 8)

Halacha Highlight

Hataras nedarim on Shabbos

Shulchan Aruch Siman 341 Seif 1
מתירים נדרים בשבת אם הם לצורך השבת
We release a person from his vows on Shabbos provided that it is necessary for Shabbos

Shulchan Aruch (סע' א') rules that we may release a person from a vow only if the vow is related to Shabbos. For example, if someone took a vow that he will not eat or drink, even though there was time before Shabbos to arrange to be released from the vows before Shabbos, nevertheless, it is permitted to release him from those vows on Shabbos. Mishnah Berurah (סק"א) adds that if the vow does not relate to Shabbos, even if there was no time before Shabbos to arrange to be released from the vow, it is prohibited to release him from that vow on Shabbos since there is no reason for the exertion on Shabbos necessary to release the person from his vow. In the event that the person who took the vow accepted Shabbos before nightfall and there is a *bais din* who did not yet accept Shabbos, Teshuvas Shoel U'Meishiv (תנינא ח"ב סי' כ"ג) ruled that it is permitted for the *bais din* to release him from his vow. His reasoning is that the essential reason why it is prohibited to release a person from a vow on Shabbos is that it resembles the convening of *bais din*. Such a concern applies specifically to the judges who will affect the release rather than the one who took the vow. A similar sentiment is found in Teshuvas Torah LiShmah (סי' קי"ז).

A similar idea is found in the context of *kol nidrei* where Rema rules (סי' תרי"ט סע' א') that it should be recited during the day and Mishnah Berurah (סק"ה) explains that the recitation of *kol nidrei* resembles releasing someone from a vow which under normal circumstances may not be done on Shabbos or Yom Tov. Rav Nissim Karelitz (חוט שני ר"ה ויו"כ פי"א סע' ג') notes that according to this explanation it is only necessary for one of the three recitations to be completed before nightfall. It is the first recitation that actually affects release from vows and it is repeated another two times only to strengthen the idea but has no effect on releasing people from their vows.