



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

### Nedarim Daf Tes Vuv

#### MISHNA

- If someone says “konam my sleeping”, “konam my speaking”, “konam my walking”, or if someone says to his wife “konam my having tashmish with you”, in all these cases he is subject to the lav of “lo yacheil devaro” (i.e. it is an effective neder).

#### GEMARA

- If someone says, konam my eyes from sleeping today if I sleep tomorrow – **R' Yehuda in the name of Rav** says he may not sleep today, because we are afraid that he may sleep tomorrow. **R' Nachman** says he may sleep today and we are not concerned for tomorrow. **R' Yehuda** would agree that if he says konam my eyes from sleeping tomorrow if I sleep today, that he may sleep today, because the neder is on tomorrow, and we are not concerned that one will not keep to his neder, we are only concerned that one will not keep the condition.
  - **Q:** Our Mishna says, if someone says “konam my sleeping” it is an effective neder and he is subject to the lav of lo yacheil. Now, this can't be referring to where he makes a neder on the sleeping, because a neder is only effective on something of substance. It can't be referring to where he just says konam on my eyes from sleep, without giving any time limit, because we have learned that in such a case **R' Yochanan** says we would give him malkus immediately and then allow him to sleep. It can't be that the case is where he makes a neder not to sleep tomorrow if he sleeps today, because since today is the “condition day” and not the “issur day”, we have said that we would allow him to sleep today. Rather, the case must be where he makes a neder not to sleep today if he sleeps tomorrow, and the Mishna is teaching that if he sleeps today and then sleeps tomorrow he would be subject to lo yacheil. This suggests that he would be allowed to sleep today (as long as he doesn't sleep tomorrow) and refutes **R' Yehuda** who says that we would not allow him to sleep today!? **A:** The Mishna is saying that if he does sleep today (although we would not allow him to do so) he can be subject to the lav if he then also sleeps tomorrow. However, we would not allow him to sleep today. **A2: Ravina** says that the Mishna is talking about where he promises not to sleep. Although it is a matter of no substance, the neder is effective D'Rabanan, and that is what the Mishna means that he is subject to the lav of lo yacheil. We in fact find a Braisa where the pasuk of lo yacheil is said to be referring to a neder D'Rabanan.
  - **Q:** A Mishna says, if a husband tells his wife, konam that you can't benefit from me until Pesach if you go to your father's house before Succos, as long as she doesn't go to her father's house before Pesach she may benefit from her husband. We see that we allow benefit even though there is the possibility that she will go to her father's house during the period of the condition (until Succos). This refutes **R' Yehuda** who says that we would not allow that!? **A: R' Abba** said, the Mishna means, if she went to her father's house before Pesach she would be assur to benefit and get malkus if she does benefit. However, if she didn't go to her father's house before Pesach she is still assur to benefit.
    - **Q:** The Mishna continues and says that if she ends up going to her father's house after Pesach, she is subject to the lav of lo yacheil. This clearly must refer to a case where she had benefit from her husband before Pesach (which is the period of issur under the neder), because if she did not have benefit she would not be subject to lo yacheil! This refutes **R' Yehuda** who would say that we

would not allow her to have benefit!? **A:** The Mishna means to say that if she had benefit she would be subject to lo yacheil. The Mishna does not mean that we would allow her to have benefit.

- **Q:** The Mishna continues and says, if he made a neder that she cannot benefit from him until Succos if she goes to her father's house before Pesach, the Halacha is, that if she went to her father's house before Pesach she is assur to benefit from him until Succos, however she may go to her father's house after Pesach. This suggests that if she didn't go to her father's house she may benefit from him, even before Pesach. This refutes **R' Yehuda's** view!? **A: Rava** said, even if she didn't go before Pesach she would be assur to benefit from him before Pesach, because of the chance that she may still go before Pesach. The Mishna means to say that if she went and then benefitted, she would even be subject to malkus.
- **Q:** A Braisa says, if someone says "this bread should be assur to me today if I go to a certain place tomorrow", and then he ate the bread, he may not go to that place tomorrow. This suggests that we do not prevent him from eating the bread today and are not concerned that he will go to that place tomorrow!? **A:** The Braisa says "if he ate the bread", and does not say that we would allow him to do so!
- **Q:** The Braisa continues and says, "if he went" ("b'dieved") to that place the next day he is subject to lo yacheil. This means that we allowed him to eat the bread the previous day and refutes **R' Yehuda**!? **A:** The Braisa means that he may go to the place the next day (since we would not allow him to eat the bread). The reason the Braisa says "if he went" was to match the beginning of the Braisa where it says "if he ate".

HAOMER L'ISHA KONAM SHE'ANI MESHAMSHEICH...

- **Q:** He is obligated in the Torah to have tashmish with her, so how can a neder take effect to prohibit that!? **A:** That obligation would prevent him from prohibiting her to have benefit from his tashmish. The Mishna is discussing where he says that *he* may not benefit from tashmish. In that case the neder would take effect (since he does not make it assur on her) and would prevent them from having tashmish.

MISHNA

- If someone says "shevuah that I will not sleep" or "that I will not speak" or "that I will not walk", he is assur under a shevuah.
- If a person says "korbon I shall not eat from you" or "ha korbon that what I eat from you" or "la korbon I shall not eat from you" he is mutar to eat from the other person's food.

GEMARA

- The Mishna must follow **R' Meir**, because **R' Yehuda** says the shevuah is not effective unless he says "like a korbon".
  - **Q:** The Mishna says that if he says "lakorbon I shall not eat from you" he is mutar to eat from him. However, we find in a previous Mishna that **R' Meir** says that in such a case he would be assur, and **R' Abba** explained, it is because we understand it as if he said, "your food should have the status of a korbon to me and therefore I shall not eat it"!? **A:** In the previous Mishna he says "lakorbon" in one word, which can be understood as **R' Abba** explained. In this Mishna he says "la korbon" which can only be understood as saying "this should not be a korbon".