



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

### Nedarim Daf Yud Ches

- **Q: R' Hamnuna** asked, a Braisa says, the pasuk of "nazir l'hazir" teaches that one nezirus can take effect upon another nezirus. We would think that since a shevua (which is more stringent) cannot take effect on another shevuah, then surely nezirus cannot take effect on another nezirus. The pasuk therefore teaches that it does. Now, the Braisa can't be referring to where he said I am hereby a nazir today and then said I am hereby a nazir tomorrow, because we wouldn't need a pasuk to say that the second nezirus takes effect in that case (since it goes one day longer than the first). The case must be where he says I am hereby a nazir today and then repeats I am hereby a nazir today. This refutes **R' Huna!**? **A:** The Braisa can be referring to where he accepted both nezirus simultaneously.
  - **Q:** What is the chumra of shevuah over neder? It can't be based on that a shevuah can take effect on a matter with no substance, because neder also has a chumra that it takes effect even when it prevents one from doing a mitzvah!? **A:** The chumra is that the pasuk regarding shevuah says "lo yinakeh", which teaches that a person is not forgiven when he makes a shevuah in vain.

SHEVUAH SHELO OCHAL SHEVUAH SHELO OCHAL V'ACHAL EINO CHAYUV ELAH ACHAS

- **Rava** said, if the person has the first shevuah annulled, the second shevuah takes effect at that time. We see this from the Mishna which says "he is chayuv only for one" which suggests that the other shevuah is "hanging" there and falls into place when the first one is annulled.
  - **Another version** said that the Mishna seems to say there is no chiyuv for the second shevuah, but that it does exist. This follows **Rava** who says that if the first shevuah is annulled, the second one falls into effect.
  - We can bring another proof to this from a Braisa. The Braisa says, if someone accepted 2 nezirus, observed the first one, separated animals for the korbanos to be brought at the completion of the first nezirus period, and then had the first one annulled, the second nezirus has been fulfilled with the previous observance. We see that that second neder falls into place upon annulment of the first one.
    - The Gemara says this is no proof, because the Braisa may be discussing where the 2 nezirus were accepted simultaneously.

MISHNA

- A "stam" neder (it is unclear what is meant by the neder) is treated stringently. The explanation given to a neder by the one who made the neder is accepted even if it creates a leniency. The Mishna now gives examples:
  - If someone says, this is to me like salty meat or like "yayin nesech" – if he was referring to meat and wine of a shelamim, he has created a neder. If he was referring to meat and wine of avodah zarah, no neder is created. If he did not specify, we go l'chumra.
  - If he says, this is to me like a cheirem – if he was referring to cheirem of hekdeshe he creates a neder. If he was referring to cheirem of Kohanim there is no neder. If it was stam, we go l'chumra.
  - If he says, this is to me like maaser – if he was referring to animal maaser he has created a neder. If he was referring to maaser of produce, no neder is created. If it was stam, we go l'chumra.

- If he says, this is to me like terumah – if he was referring to the terumas halishka (which is money of hekdesch) he has created a neder. If he was referring to terumah of produce, no neder is created. If it was stam, we go l'chumra. This is the view of **R' Meir**.
  - **R' Yehuda** says that stam terumah in Yehuda would be assur as a neder (they refer to the terumas halishka) and in the Galil would be mutar (they are not familiar with the terumas halishka).
  - With regard to stam cheirem, in Yehuda no neder would be created, but in the Galil a neder is created (in the Galil they were not familiar with cheirem of the Kohanim).

#### GEMARA

- **Q:** A Mishna says that we are lenient with a safek nezirus, so how could our Mishna say we go l'chumra by a stam neder? **A: R' Zeira** said, that Mishna follows **R' Elazar** and our Mishna follows the **Rabanan** of the following Braisa. The Braisa says, if a person said he is giving all his beheimos or all his chayos to hekdesch, he must give any "kvi" (an animal that is a safek whether it is a beheimah or a chaya) to hekdesch as well. **R' Elazar** says that he need not give his kvi to hekdesch. Based on this we can say that the **Rabanan** (the **T"K**) hold that just as a person means to subject his money to a promise even in a case of safek, he does the same when he promises about his own body (e.g. a nazir, and therefore nezirus and other nedarim take effect even when they are stam). **R' Elazar** holds that just as one doesn't subject his money to a promise in a situation of safek, he will also not subject his body to a promise in a situation of safek.