



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

### Nedarim Daf Yud Tes

- **Q: R' Zeira** had just said that the Mishna that says we are lenient regarding a questionable nezirus follows **R' Elazar** (whereas our Mishna which is machmir by nedarim follows the **Rabanan**). **Abaye** now asks, that same Mishna then says that a questionable bechor need not be given to a Kohen, but the bechor remains assur to have its wool sheered or work done with it. We see that the safek is treated stringently, so how can we say the Mishna follows **R' Elazar** who is lenient regarding a safek!? **A: R' Zeira** said, the case of nazir and bechor are very different, because nazir is something created by a person whereas a bechor is born with kedusha.
  - **Q:** We find that **R' Elazar** holds like **R' Meir** in a Braisa and says that if there is a safek whether liquids are tamei, we are machmir and consider them tamei. However, we are meikel and will not consider them tamei in the sense to make something else tamei. However, **R' Elazar** says in a Braisa that liquids cannot become tamei D'Oraisa (so why would he be machmir in the first Braisa)!? **A:** Based on this we cannot say that **R' Elazar** is the Tanna of the Mishna that says that we are meikel by a safek nezirus. We must say that that Mishna follows the view of **R' Yehuda**, and our Mishna (which says we are machmir by nedarim) follows the view of **R' Shimon**. We find them to argue in a Braisa. The Braisa says, if a person says "I am hereby a nazir if there are 100 kor of produce in this pile", and the pile is gone before they are able to measure, **R' Yehuda** says he is not a nazir and **R' Shimon** says that he is.
    - **Q:** How can we say that **R' Yehuda** says that a person does not intend to effectuate a neder when it is a safek? In our Mishna **R' Yehuda** said that when one in the Galil says something should be assur as terumah it is not assur as a neder, because he means to refer to the terumah of produce, since they are unfamiliar with the terumah of the lishka. This suggests that if they were familiar, we would go l'chumra and say that the neder takes effect even though it is a safek!? **A: Rava** said, **R' Yehuda** really holds that one intends for the neder to take effect even in a safek. However, in the case of the pile of produce that went missing, the reason why he says the nezirus does not take effect there is because a nazir out of doubt is in a more difficult position than a regular nazir (and a person would therefore not mean to place himself into such a safek), because the safek nazir cannot bring the korban chatas and then cut his hair, thus making him remain a nazir forever.
      - **Q: R' Huna bar Yehuda** asked, what about a case where one promised to be a nazir forever if the pile had 100 kor? In that case a safek nazir is not worse off, so why would he not become a nazir? **A: Rava** said, he is worse off, because a regular permanent nazir may decide to bring the korbanos and cut his hair, and then begin nezirus again. A safek could not do that.
        - **Q:** What about if he promised to be a "nazir Shimshon", who may never cut his hair? **A:** The Braisa is not discussing that case.
          - **Q:** We find that **R' Adda bar Ahava** said that there is a Braisa where **R' Yehuda** is meikel even when one promised to be a nazir Shimshon!? **A: Rava** said, if so then **R' Yehuda** of the second Braisa cannot be explained. **A2: R' Ashi** said, the shita of **R' Yehuda** in this

Braisa which says that we are even meikel by a nazir Shimshon is actually the shita of **R' Yehuda in the name of R' Tarfon**, who says that a person does not become a nazir until his statement of accepting nezirus is 100% clear and certain at the time the statement is made.

R' YEHUDA OMER STAM TERUMAH B'YEHUDA...

- **Q:** This suggests that if the people of the Galil would be familiar with terumas halishka the neder would take effect, and the safek would be dealt with l'chumra. However, the next part of the Mishna suggests that if the people of the Galil would be familiar with the cheirem of Kohanim it would not create a neder if they said "cheirem". This means that we would be meikel for the safek!? **A: Abaye** said, the last case of the Mishna (of cheirem) is actually the view of **R' Elazar the son of R' Tzadok**, as we see clearly in a Braisa. Therefore, it is not a self-contradiction.