



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

### Nedarim Daf Beis

#### MESECHTA NEDARIM

#### PEREK KOL KINUYAY -- PEREK RISHON

#### MISHNA

- All equivalent terms ("kinuyim"): of nedarim are effective to create a neder, of charamim (that something should become assur and go to bedek habayis, or to the Kohanim) are effective to create a cheirem, of shavuos are effective to create a shavuah, of nezirus are effective to create a nezirus.
- With regard to partial statements ("yados"), if someone says to another: I am vowed from you, I am separated from you, I am distanced from you, in what I eat from you, or in what I taste from you, it makes the person assur as a neder. If he says, I am "menudah" from you (this may be used as a language of excommunication or as language of detaching), **R' Akiva** was uncertain and therefore was machmir in this case as well.

#### GEMARA

- **Q:** Why is it that our Mishna discusses kinuyim for not just nedarim, but even for charamim, shavuos, and nezirus, whereas in Mesechta Nazir, the Mishna only states that kinuyim for nezirus are effective in creating nezirus? **A:** Since nedarim and shavuos are discussed together in the Torah, the Tanna wanted to mention both here. Once it mentions the two of them, it mentions the others as well.
  - **Q:** If so, why not mention shavuos right after nedarim? **A:** Nedarim is where someone makes an object assur on a person, and charamim does the same. After finishing that category, the Mishna then lists shavuos, which is where the person makes himself assur on the item.
- **Q:** Why does the Mishna open with kinuyim (stating that they are effective), and then begin giving examples of yados (without first explaining and giving examples of kinuyim)? Also, the Mishna never even states the rule that yados are effective! It goes straight into giving examples and explanation!? **A:** The Mishna is missing words and should be read as saying – all kinuyim of nedarim are effective to make a neder, and all yados of nedarim are effective in making a neder.
  - **Q:** Why isn't the explanation for kinuyim given first? **A:** The Mishna first explains the one stated last, which is a method used by Mishnayos elsewhere as well (the Gemara cites examples).
    - **Q:** We find many examples of where the Mishna begins explaining the first item of a list before the last!? **A:** That is done when the stated list was longer, and beginning with the later case will therefore lead to confusion.
      - **Q:** We find Mishnayos with short lists that also begin explaining the first case first!? **A:** It must be that sometimes a Tanna explains the first thing first, and other times explains the last thing first. There is no real reason as to why a particular method is chosen. **A2:** The concept of yados is learned from a drasha and is therefore more beloved to the Tanna. That is why he explained it first.
      - **Q:** If so, why not list it first in the Mishna as well? **A:** Kinuyim are D'Oraisa, and they are therefore listed first. However, when it comes to giving the explanation, yados are first, because they are learned from a drasha.