



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

Nedarim Daf Chuf Daled

- **Q:** Do the **Rabanan** argue on **R' Eliezer ben Yaakov** and say that when the inviter makes a neder it does not become batul as a neder of zeiruzin or do they agree with him that it is batul? **Q2:** If they argue with him, who does the Halacha follow?
 - There is a Mishna that says, if a person tells his friend "I make a neder not to benefit from you if you don't accept a gift of a kor of wheat and 2 barrels of wine for your son", that neder can be annulled even without a chochom, because the friend can respond, "you want to give me these gifts to honor me, however, my non-acceptance is itself an honor". Now, this seems to say that if not for the fact that the friend can respond "my refusal is my honor", the neder would be effective. The Mishna can't follow **R' Eliezer ben Yaakov**, because he would say this was a neder of zeiruzin and would anyway not be effective. It must be that the Mishna follows the **Rabanan**, and we see that the **Rabanan** argue with **R' Eliezer ben Yaakov**.
 - It may be that the Mishna follows **R' Eliezer ben Yaakov**, and he would agree that the neder would be effective in this case, because the person made that promise so that he should not always be on the "taking" end, but should rather be a "giver" as well. For that reason it was not a neder of zeiruzin and is effective.
 - That Mishna then says, if a person says to his friend "I make a neder that you are assur to benefit from me if you don't give a kor of wheat and 2 barrels of wine to my son", **R' Meir** says the neder is effective, and the **Rabanan** say that it is ineffective, because the person can say "it is as if I have received the gift from you" and in that way remove the neder. Now, this seems to say that if not for the fact that the friend can respond "it is as if I have received the gift from you", the neder would be effective. The Mishna can't follow **R' Eliezer ben Yaakov**, because he would say this was a neder of zeiruzin and would anyway not be effective. It must be that the Mishna follows the **Rabanan**, and we see that the **Rabanan** argue with **R' Eliezer ben Yaakov**.
 - It may be that the Mishna follows **R' Eliezer ben Yaakov**, and he would agree that the neder would be effective in this case, because the person made that promise so that he should not always be on the "giving" end, but should rather be a "taker" as well. For that reason it was not a neder of zeiruzin and is effective.
 - **Mar Kashisha the son of R' Chisda** said to **R' Ashi**, we can bring a proof from a Mishna. The Mishna explains "nidrei onsin" to be where a person made a neder against his friend if he doesn't come to eat by him, and the friend was prevented from going to eat by him because the friend was sick, or there was a flood, etc. The neder is not effective, because it is a neder of onsin. Now, this seems to say that if not for the fact that it is a neder of onsin the neder would be effective. The Mishna can't follow **R' Eliezer ben Yaakov**, because he would say this was a neder of zeiruzin and would anyway not be effective. It must be that the Mishna follows the **Rabanan**, and we see that the **Rabanan** argue with **R' Eliezer ben Yaakov**.
 - It may be that the Mishna follows **R' Eliezer ben Yaakov**. The case in this Mishna is where the friend was pressuring the person to be given an invitation to a meal, and when the person agreed to invite him, the friend asked the person to make a neder if the friend doesn't end up showing up for the meal. This is not a

case of zeiruzin (since the person was not trying to persuade the friend to come) and therefore it would be effective, if it was not a case of oneis.

- We have learned, furthermore, **R' Eliezer ben Yaakov** says, if a person says to his friend "I make a neder not to benefit from you if you don't come to eat by me, and eat hot bread and a hot drink" and the friend doesn't come, this is a neder of zeiruzin, however the **Rabanan** do not agree with him. Presumably this means that the **Rabanan** disagree with him regarding the first case as well (this case is said as "furthermore", referring to an addition to the case of the Mishna). We have proof that the **Rabanan** do argue on **R' Eliezer ben Yaakov**.
- With regard to how we pasken, we find that **R' Huna** and **R' Ada bar Ahava** both paskened like **R' Eliezer ben Yaakov**.

MISHNA

- A neder of "havai" (i.e. exaggeration) would be where someone says "this items should be assur to me with a neder if I did not see 600,000 people on this road" or if he says "... if I did not see a snake like the beam of an olive press".

GEMARA

- A Braisa says, a neder of havai is not effective, but a shevuah of havai is effective.
 - **Q:** What is the case of a shevuah of havai? It can't be where he says "I make a shevuah if I did not see 600,000 people", because he has truly made no shevuah, since he did not mention what would become assur!? **A:** The case is where he says "I make a shevuah that I saw 600,000 people".
 - **Q: Rava** asked, it is obvious that since he didn't see 600,000 people the shevuah will make him assur!? What is the Braisa teaching us? Also, this explanation is different than the case of neder of havai, and it should really be similar since the Braisa compares the two!? **A:** Rather, **Rava** said, the case of shevuah of havai is where a person says "All the fruit of the world should be assur to me through a shevuah if I didn't see 600,000 people on this road". The Braisa is teaching that the **Rabanan** were machmir and considered this to be a shevuah. Although it is common for people to exaggerate, we only allow that as an excuse by nedarim. By shevuos we require people to be very deliberate in their wording.
 - **Q: Ravina** asked **R' Ashi**, maybe the person actually saw 600,000 ants, and that is what he meant when he said that he saw "like the number that left Mitzrayim", in which case it was a valid shevuah (it was meant literally)!? **A: R' Ashi** said, when a person swears his verbiage is given the meaning that is common to popular understanding. Therefore, we do not say that he was referring to ants, but was rather referring to people.