



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

Nedarim Daf Chuf Hey

- **Q:** In the previous Gemara **R' Ashi** said that when a person makes a shevuah, he does so with the normal, accepted meaning of the words that he uses, and not his own understanding of the words. The Gemara now asks, a Braisa says that when we make a person swear for partial admission we tell him that he must swear based on the understanding of Beis Din, and not based on his own understanding. Presumably, this is to prevent him from saying that he gave "coins" to the creditor when he in fact gave him wood chips that he is now giving the name "coins". We see that typically a person does swear based on his own understanding!? **A:** It may be that a person never swears based on his own meaning. The reason Beis Din has to tell this to them is to prevent a case where the person's oath is technically truthful, but in a very deceptive way. The case would be like a case that happened in front of **Rava**, where the debtor asked the creditor to hold his cane while he held the Sefer Torah to swear upon. The debtor had hollowed out the cane and put the money that was owed to the creditor inside the cane. Therefore, he swore truthfully when he swore that he gave the money to the creditor. The creditor broke the cane out of anger and discovered the money inside. It was then realized what the debtor tried to accomplish. To prevent another case like this from happening, Beis Din tells the swearer to swear based on their understanding, which removes any meaning to such deceitful ways.
 - **Q:** We find that Moshe made the Yidden swear to keep the Torah and he told them that they are swearing based on Hashem's understanding and on his own. He did so, so that people should not say that they when they swore to serve G-d, they meant a god of avodah zarah. It must be that typically an oath may be made based solely on the swearer's understanding!? **A:** Typically an oath based on one's own understanding is not effective. The reason it would be effective by Moshe is because the word "god" is used to refer to avodah zarah. He also couldn't simply have them swear to keep the "mitzvos", because that can be understood as referring to the commandments of a king. He couldn't have them swear to keep "all the mitzvos", because that could be thought to refer to the mitzvah of tzitzis, which is considered as equivalent to all the mitzvos. He couldn't have them swear to keep "the Torah", because that would suggest that there is only one Torah, when in fact we have two (shebiksav and baal peh). He couldn't have them swear to keep "the Toros", because that can be understood as referring to the Toras Mincha, Toras Chatas, etc. (the laws of the different korbanos). He couldn't have them swear to keep "the Toros and the mitzvos", because that could be referring to the korbanos and the commandments of the king. He couldn't have them swear to keep "the entire Torah", because that could be referring to only avodah zarah, which a Braisa teaches is as severe as the entire Torah.
 - **Q:** Why couldn't he have them swear to keep "avodah zarah and the entire Torah" (which then can't simply refer to avodah zarah), or swear to keep "the 613 mitzvos"? **A:** Moshe used an easier way of getting the point across.

IHM LO RA'ISI NACHASH K'KORAS BEIS HABAD

- **Q:** Why is a snake of this size considered to be an exaggeration? We find that in the days of Shvor Malka there was a snake that was much larger than that!? **A:** **Shmuel** said, the Mishna means that he says the snake was ridged like an olive press. That is something that is not reality.
 - **Q:** All snakes are ridged!? **A:** All snakes are ridged on their stomach. This person says the snake was ridged on its back.

- **Q:** Why didn't the Mishna say that he said it was ridged instead of comparing it to a beam of an olive press? **A:** The Mishna is teaching that such a beam needs to be ridged on its back, and therefore if one was sold without being ridged, it is considered to be a mistaken purchase.

MISHNA

- The case of nedarim of shogeg is as follows:
 - If a person makes a neder that something should be assur to him if he had eaten that day, and he had forgotten that he had eaten that day.
 - He makes a neder that something should be assur if he eats that day, and he later forgot and ate something.
 - He makes a neder that his wife may not benefit from him, because she stole his wallet or hit his son, and it turns out that she did neither of those things.
 - If a person saw people eating his figs so he makes the figs assur to the group with a neder, and he then realizes that his father and brother were in that group (and he never would have made his figs assur to them had he known). **B" S** say that the father and brother may eat the figs, but the other people may not. **B" H** say that all the people in the group may eat the figs.

GEMARA

- A Braisa says, just as nedarim of shogeg are not effective nedarim, so too shevuos of shogeg are not effective shevuos.
 - **Q:** What is the case of a shevuah of shogeg? **A:** Like the case of **R' Kahana and R' Assi**, who each swore as to what **Rav** had taught regarding a particular topic. They each swore the opposite of the other, because they each believed that they were totally correct.

RA'AH OSAN OCHLIN

- A Mishna says, if a person made a neder making meat or wine assur to him for a year, and then he realized that he must eat meat and drink wine on Shabbos and Yom Tov, initially they said that he may eat the meat and drink the wine on the days of Shabbos of Yom Tov, but not on the other days of the neder. However, **R' Akiva** then came and taught that a neder that has been nullified in part is nullified in its entirety.