



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

Nedarim Daf Lamed Aleph

MISHNA

- If one makes a neder that he will not benefit from "those who rest on Shabbos", he is assur to benefit from a Yid or a Kuti.
- If one makes a neder that he will not benefit from "those who eat garlic", he is assur to benefit from a Yid or a Kuti.
- If one makes a neder that he will not benefit from "those who go up to Yerushalayim", he is assur to benefit from Yidden, but may benefit from Kutim.

GEMARA

- **Q:** What is meant by "those who rest on Shabbos"? If it means those who keep the laws of Shabbos, he should even be assur to goyim who keep the laws of Shabbos!? **A:** It refers to those who are *commanded* to keep the laws of Shabbos.
 - **Q:** If this is what is meant, why are Kutim not included in "those who go up to Yerushalayim", since they are also commanded to do so!? **A: Abaye** said, the Mishna refers to people who are commanded *and* practice the laws. Kutim do not practice the law to go up to Yerushalayim, and they are therefore not included in the promise of the person.

MISHNA

- If a person makes a neder that he will not benefit from the descendants of Noach, he is mutar to benefit from a Yid and assur to benefit from a goy.

GEMARA

- **Q:** Yidden also come from Noach!? **A:** Once Avrohom was singled out and made kadosh, Yidden are only known by being the descendants of Avrohom.

MISHNA

- If a person makes a neder that he will not benefit from the descendants of Avrohom, he is mutar to benefit from a goy and assur to benefit from a Yid.

GEMARA

- **Q:** Yishmael (who are goyim) come from Avrohom as well!? **A:** Hashem told Avrohom "ki b'Yitzchok yikarei lecha zara", and therefore Yishmael is not called a child of Avrohom.
 - **Q:** Eisav (who are goyim) came from Yitzchak!? **A:** The pasuk says "**B'**Yitzchak", which teaches that only part of Yitzchak are called the children of Avrohom, from which we can learn that Eisav is not.

MISHNA

- If someone makes a neder that he will not benefit from Yidden, he may still do business with Yidden if he buys for more than market price and sells for less than market price.
- If he says that Yidden may not benefit from me, he may do business with them, but he must charge them more than market price and buy from them at less than market price. However, people will not do business with him in this way.

- If he says that I will not benefit from Yidden and they will not benefit from me, he must do his business only with goyim.

GEMARA

- **Shmuel** said, if a prospective buyer picks up an item to look at it, and it falls and breaks (with an oneis), the buyer is chayuv to pay. We see that **Shmuel** must hold that the buyer is the one who benefits from a purchase.
 - **Q:** From our Mishna's first case it seems that he would not be allowed to sell at a fair price. Now, if a sale is a benefit to the buyer, why can't this person sell at a fair price (since it is not he who is benefitting)!? **A:** The Mishna is dealing with merchandise in low demand, so selling it is a benefit to the seller as well.
 - **Q:** If that is the case, why does the Mishna say that he must pay over value? Even if he buys at value, we have just said that with such items the benefit of the sale is for the seller!? Also, in the next case of the Mishna the one who made the neder should be able to sell even at market value, because it is the seller who is benefitting, and not the buyer!? **A:** The later part of the Mishna is discussing the sale of items in high demand.
 - **Q:** If that is true, why does the one who made the neder in the second case have to buy at less than value? Even at market value it is the buyer who is benefitting and not the seller!? **A:** Our Mishna is discussing items that are in moderate demand, whereas **Shmuel** is discussing items in high demand.
 - A Braisa is a proof to **Shmuel**. The Braisa says that someone who buys items to give as a gift and tells the seller that he will return them if the gift is not accepted and will pay small fee for having used them to send as a gift, the Halacha is that if the items break on their way to the recipient, the buyer is responsible, and if they break on the return trip the seller is responsible.
 - There was a case with a person who was selling a donkey on consignment, and the donkey was damaged as it was being brought back to the owner. **R' Nachman** said, the salesman was chayuv to pay. **Rava** asked, since it was damaged on the return he should be patur!? **R' Nachman** said, since the salesman would have sold the donkey on the return trip if he would have found a customer, it is not considered to be "on the way back".

MISHNA

- If one makes a neder that he will not benefit from "areilem" (uncircumcised people), he is mutar to benefit from Yidden who are areilem and assur to benefit from goyim even if they are circumcised. If he makes the neder not to benefit from circumcised people, he is assur to benefit from Yidden who are areilim and is mutar to benefit from goyim who are circumcised. This is because the term "arlah" (uncircumcised) is only used in reference to goyim. The Mishna brings 3 pesukim to show this is the case. Based on the first pasuk quoted **R' Elazar ben Azarya** says, we see that the "arlah" is considered to be a disgusting thing.
 - **R' Yishmael** says, milah is great because the Torah uses the word "bris" 13 times when discussing milah.
 - **R' Yose** says, milah is great because it overrides the stringent laws of Shabbos.
 - **R' Yehoshua ben Karcha** says, milah is great because we see that Moshe was at risk of punishment for delaying the milah of his son even a short time.
 - **R' Nechemya** says, milah is great because it overrides the laws of nega'im.
 - **Rebbi** says, milah is great because although he did many mitzvos, Avrohom was not called "complete" until he had a milah done.
 - **Another way** that we see that milah is great is because we darshen a pasuk to teach that if not for the mitzvah of milah Hashem would not have created His world.