



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

Nedarim Daf Mem Daled

- A Braisa says, if someone makes his field hefker, he can retract this declaration for 3 days. After that time he can no longer retract it. If he says the field should be hefker for one day, for one week, for one month, for one year, or for one shmitta cycle, he may retract it as long as no one has come and claimed it from hefker. Once someone does, he may no longer retract his declaration.
 - **Q:** The first statement of the Braisa seems to follow the **Rabanan** (of our Mishna who say that a statement of hefker is effective even before someone else is koneh it from hefker) and the second statement seems to follow **R' Yose** (who says that he can retract until someone is koneh it from hefker)!? **A: Ulla** said, the entire Braisa follows the **Rabanan**. Since the case of someone making his field hefker for a definite amount of time (a day, a week, a month, etc.) is uncommon, we assume that this person also meant to only make this hefker effective once someone is koneh it from hefker. **A2: Reish Lakish** said, the entire Braisa follows **R' Yose**. The reason why in this case he may not retract after 3 days was so that people realize there is a concept of hefker, and it is not simply a gift from one person to another (if it only becomes hefker when someone takes it, we may look at it as a gift and would say that the produce is therefore subject to maaser, when in truth it is not, because hefker is patur from maaser).
 - **Q:** According to **Reish Lakish**, why didn't the **Rabanan** institute that it should become hefker and not be subject to retraction immediately? Why wait 3 days? **A: Rabbah** said, they did so because of the not honest people, who would make a field hefker and take it back themselves immediately, thus making it patur from maaser. However, since they intended from the very beginning to take it back themselves, it was never truly hefker and remains chayuv in maaser. To prevent this case, the **Rabanan** said that it must remain hefker for 3 days in order to truly be considered hefker and be patur from maaser.
 - **Q:** According to **Reish Lakish**, D'Oraisa **R' Yose** would say that even after 3 days a retraction may be done (and if a retraction was done it would be chayuv in maaser), and it is only the **Rabanan** who came along and said that it remains hefker (and is therefore patur from maaser). Why are we not concerned that this will cause him to separate maaser from what is chayuv D'Oraisa (this field) and use it for maaser for something that is only chayuv D'Rabanan (like a flowerpot without a hole), or visa-versa? **A:** We tell the person, when you take maaser for this field, make sure you only take maaser from this field for this field, and do not use this for maaser for any other produce.