



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

Nedarim Daf Vuv

- **Q:** A Braisa says, if someone says about an object “it is to me” or “this is to me”, it becomes assur, because the phrases are considered a yad to making the item a korbon. Now, this seems to be so only because he added the words “to me”. If not, it would seem that it would not become assur, because the statement would be inconclusive. This refutes **Abaye** who says that even an inconclusive statement is effective to create a neder!? **A: Abaye** would say, that without saying the words “to me” the statement is completely ambiguous, because the statement of “this is” may just as easily mean the he intends to make the object hefker or tzedaka. However, in a less ambiguous case, we would still say that a yad need not be conclusive to be effective.
 - **Q:** The Braisa clearly says that the statement is effective in creating a *korbon*, meaning that it is not ambiguous as to the intent!? **A:** The Braisa actually means that even without the words of “to me”, it would still be assur. However, without the words “to me” the object becomes assur to everybody in the world. When he says “to me” he makes the object only assur to him, and to no one else.
- **Q:** A Braisa says, if a person says about an animal “this is hereby an asham” or “this one is hereby a chatas” it is not effective in creating the asham or the chatas. If he says “this is hereby my asham” or “my chatas” and he was obligated to bring a chatas or an asham, it is effective. This refutes **Abaye**!? **A: Abaye** would say that this Braisa follows **R' Yehuda**. Although **Abaye** said earlier that **R' Yehuda** would agree with him in areas other than get, **Abaye** must now retract from that statement.
 - Although **Abaye** now agrees that he can't hold like **R' Yehuda**, **Rava** would still say that he can hold like the **Rabanan**, and it is only in regard to a get that the **Rabanan** would say that inconclusive yados are effective.
- **Q: R' Pappa** asked, is there a concept of yados for kiddushin or not?
 - **Q:** The Gemara asks, what would be the case of yados for kiddushin? If the case is where he tells one woman “harei aht mikudeshes li” and tells a second woman “and you too”, that is a clear statement of kiddushin to the second woman, and not just yados. **A:** It must be where he tells the second woman “and you”. **R' Pappa** is asking whether that means he is giving her kiddushin as well, or whether it is a proposal for marriage, but not an actual kiddushin.
 - **Q:** We find that **R' Pappa** asked **Abaye** (when discussing the topic of kiddushin) whether **Shmuel** holds that an inconclusive yad is effective. By him asking that, it shows that he does agree that there is a concept of yados, and he is only questioning whether an inconclusive yad would be effective!? **A: R' Pappa** may have asked that to point out an inconsistency in the shitah of **Shmuel**, but he in fact may have not agreed that there is necessarily a concept of yados by kiddushin.
- **Q: R' Pappa** asked, is there a concept of yados for peyah or not?
 - **Q:** The Gemara asks, what would be the case of yados for peyah? If the case is where he says “this patch should be peyah, and this one too”, that is a clear statement of peyah, and not even a yad!? **A:** The case would be where he says “this patch should be peyah and this one”, without saying “also”.
 - **Q:** This suggests that if someone says “this entire field should be peyah” it all becomes peyah? **A:** That is correct, and a Braisa clearly says this as well.
 - **R' Pappa's** question is based on the fact that we have a hekesh from peyah to korbanos. His question is, do we compare that just as korbanos have the concept of yados, peyah does as well, or do we say that it is only compared for purposes of baal ti'acher.