



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

### Nedarim Daf Samach Daled

#### PEREK REBBI ELIEZER -- PEREK TESI'I

#### MISHNA

- **R' Eliezer** says, "an opening" to annul a neder may be based on the honor of the person's father or mother (that is, we ask him if you knew that making this neder would embarrass your parents, would you have made the neder, and if he says he would not have made the neder we can annul the neder based on that). The **Chachomim** say that this would not be an effective "opening".
  - **R' Tzadok** says that **R' Eliezer** would also say the opening may be based on the Honor of Hashem. The **Chachomim** said to him, if so, there will never be a neder at all!
  - **The Chachomim** would agree with **R' Eliezer**, that a neder that is between him and his parents may use his parent's honor as an opening to annul that neder.
- **R' Eliezer** also said that an opening for a neder may be based on "nolad" (a new development that did not exist at the time of the neder). The **Chachomim** say, a neder cannot be annulled based on nolad.
  - An example of nolad would be where a person made a neder prohibiting benefit from a particular person and that person later on became a sofer, or married off a child, and the one who made the neder said, had I known that this person would become a sofer or would so soon marry off a child I would not have made the neder!
  - Another example would be where a person made a neder not to enter a particular house, and that house then became a shul. He then says, had I known this house would become a shul, I would have never made the neder!
  - In all these cases, **R' Eliezer** would say the neder can be annulled based on this, and the **Chachomim** say that it could not be annulled based on this.

#### GEMARA

- **Q:** What did the **Chachomim** mean when they said, "If so there will no longer be nedarim!"? **A:** **Abaye** said, it means that there will no longer be proper annulment of nedarim, because a person will always say that had he known it would be a slight to the Honor of Hashem he would not have made the neder. He will say this even when he doesn't mean it (i.e. he would have made the neder even had he known that), because he is embarrassed to say otherwise. Therefore, there will be improper annulments. **Rava** said, the concern was that people will know this can be used as an opening for annulment, and will therefore no longer go to a chochom for annulment (which must be done as part of the process).
  - **Q:** Our Mishna said that the **Chachomim** agree, that where a person made a neder between himself and his parents, that his parent's honor may be used as an opening. Now, this makes sense according to **Abaye**, because if a person had enough chutzpah to make a neder between himself and his parents, he will also not be embarrassed to say that he would have made the neder even though he knew it would embarrass his parents. However, according to **Rava**, why are the **Chachomim** not concerned in this case that people will use this opening to annul a neder on their own, without going to a chochom? **A:** Since he knows that for all other nedarim he would have to go to a chochom, he will go to a chochom in this case as well.

#### V'OHD AMAR R' ELIEZER POSCHIN B'NOLAD...

- **Q:** Why does **R' Eliezer** say that nolad can be used to annul a neder? **A:** **R' Chisda** said, he learns it from Moshe, who made a neder to Yisro that he will not leave Midyan without permission.

The pasuk says that Hashem told Moshe to return to Mitzrayim because “all the people (Dasan and Aviram) who wanted to kill you have died”. This occurrence is a case of nolad, and yet it was used to annul Moshe’s neder and allow him to leave Midyan.

- The **Rabanan** say that Dasan and Aviram did not actually die, rather they became poor (which is the equivalent of death). Therefore, the annulment of Moshe’s neder had nothing to do with their death (since they did not actually die), and as such, there is no proof that nolad may be the basis for an annulment.
  - **R’ Yehoshua ben Levi** learns from a pasuk that a person without children is considered dead (Rachel told Yaakov, “give me children, and if not, I am dead”).
  - A Braisa learns from pesukim that there are 4 people who are considered as if they are dead: a poor person, a metzora, a blind person, and one who doesn’t have children.