



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

Shavuos Daf Chuf Ches

- **Rava** said, if someone made an oath that he would not eat a loaf of bread and then ate it, if he left over a kezayis of the loaf he may ask to get the oath annulled, but if he ate the entire loaf he may not ask to get it annulled.
 - **Q: R' Acha the son of Rava** asked **R' Ashi**, what is the case that **Rava** discusses? If he said "I will not eat this loaf", he is chayuv from when he eats the first kezayis!? If he said "I will not eat it", then even if there is less than a kezayis left over, as long as there is *something* left over he should be able to ask to get it annulled!? **A:** We can answer that the case is where he said "I will not eat this loaf", and since each kezayis is another issur, he can ask for annulment even for the last remaining kezayis. **Rava** holds that since he can annul for the last kezayis, he can also annul retroactively for the first kezayis as well. We can also answer that the case is where he said "I will not eat it", and he may still only seek annulment if there is a kezayis left, because anything less than that is not considered to be significant enough for annulment.
 - **Q:** A Braisa says, if someone made a neder to observe two terms of nezirus, and he then observed the first term and set aside an animal to be used for his korbon, and then annulled the first neder of nezirus, the observed period counts for his neder of the second term of nezirus. We see that the neder can be annulled even when the entire term was completed, which seems to refute **Rava** (who requires that at least a kezayis remain in order to annul)!? **A:** The Braisa is discussing where the korbon was not yet offered. Therefore, the neder is still in effect
 - **Q:** Another Braisa says that he may annul the first term even after the korbon was offered!? **A:** The Braisa is discussing before the nazir cut his hair, and follows **R' Eliezer**, who says that cutting the hair is essential to ending the nezirus term.
 - **Q:** Another Braisa says that he may annul the first term even after the nazir shaved his head!? **A:** **R' Ashi** said, you can't refute **Rava** from the case of nazir, because in that case even after the first term was completed it still has affect in that it requires the second term to now be observed. Therefore, it can still be annulled (it still has affect), and its removal allows the time observed to count for the second term.
 - **Ameimar** said, even if the entire loaf was eaten he may ask for annulment of the oath, because if it was violated b'shogeg he is still missing the bringing of the korbon, and if he violated it b'meizid he is still missing the getting of malkus. However, once he is tied to the post to get malkus he may no longer annul the oath, because at that point he is already considered to have gotten the malkus, as **Shmuel** says, that if one was tied to the post to get malkus and then freed himself and ran away he is patur from getting malkus.
 - The Gemara says this is not so, because the case of running away is what makes him patur. Just being tied to the post does not.
- **Rava** said, if one makes an oath "I will not eat this "loaf 1" if I eat this other "loaf 2"", and he then ate "loaf 2" b'shogeg and ate "loaf 1" b'meizid, he is patur from malkus. If he ate "loaf 2" b'meizid and then ate "loaf 1" b'shogeg, he would be chayuv a korbon. If he ate both b'shogeg he would be patur. If he ate both b'meizid, then if he first ate loaf 2 and then ate loaf 1 he would be chayuv malkus. If he first ate loaf 1 and then ate loaf 2 it would be subject to the machlokes between **R' Yochanan** and **Reish Lakish** – according to the view that a warning given in safek is a valid warning, he would be chayuv, and according to the view that such a warning is not a valid warning, he would be patur.

- If a person made an oath regarding two loaves, making one dependent on the other – he said “I will not eat this loaf if I eat the other loaf” and then says “I will not eat the other loaf if I eat this loaf”, and he then ate both loaves, if when he ate the first loaf he remembered that he made a conditional oath to prohibit that first loaf, but forgot about the second oath to make the second loaf assur that was now triggered by his eating of the first loaf, and when he ate the second loaf he remembered that he made a conditional oath to prohibit that second loaf, but forgot about the first oath which would now make it retroactively assur for him to eat the first loaf, he is patur from any punishment for eating either loaf. However, if when he ate the first loaf he remembered only the second oath, which makes the second loaf assur to eat from the fact that he now ate the first loaf, but did not remember that this first loaf would become assur if he were to eat the second loaf, and when he ate the second loaf he remembered only that doing so would make the first loaf assur, but not that this second loaf was now assur to eat with his eating of the first loaf, he would be chayuv for eating this second loaf. If he ate both loaves without remembering either of the oaths he would be patur. If he ate them when he was aware of both oaths, he is chayuv malkus for eating the second loaf, and the liability with regard to the first oath would be subject to the machlokes between **R’ Yochanan and Reish Lakish** regarding a warning given in safek.
- **R’ Mari** said, we have learned this concept in a Mishna as well, which says that a conditional neder that was triggered b’shogeg is not effective, and a Braisa says, the same would be true of an oath.
- **Eifa** was learning the laws of oaths by the yeshiva of **Rabbah**. His brother **Avimi** met him and asked him, what is the halacha if someone makes the oath “I did not eat today” and then makes a second oath “I did not eat today”, and he had in fact eaten? **Eifa** said, he would only be chayuv for one oath (as in our Mishna). **Avimi** said, you are mistaken. In this case, as soon as he said the first oath it was false and does not block the second oath from taking effect as well. Therefore, he would be chayuv for both false oaths. **Avimi** then asked, what if he made the oath “I will not eat nine figs” and then made a second oath “I will not eat 10 figs”? **Eifa** said, he would be chayuv for both oaths. **Avimi** said, you are mistaken. If he cannot eat 9 figs, he cannot eat 10 (it is impossible to eat 10 figs without first eating 9 figs). The second oath does not make anything new assur and therefore is not effective. **Avimi** then asked, what if he made the oath “I will not eat ten figs” and then made a second oath “I will not eat nine figs”? **Eifa** said, he would only be chayuv for the first oath. **Avimi** said, you are mistaken. The first oath only makes it assur to eat 10, but eating 9 would be mutar. The second oath comes and makes even eating 9 assur. Therefore it takes effect, and if he eats 10 figs, he would be chayuv for both oaths.
 - **Abaye** said, there are times when **Eifa’s** ruling in this last case would be correct – as in the case of **Rabbah**, who says that if one makes an oath not to eat figs and grapes, and then makes a second oath not to eat figs, and he then ate figs b’shogeg and therefore separated an animal for a korbon, and then ate only grapes, he would not be chayuv for the first oath, because eating grapes at this point is like eating only half of the amount needed to make him chayuv, and therefore he would not be chayuv a korbon for that. With regard to **Eifa’s** case as well, if he first ate 9 figs and separated an animal for a korbon, and he then ate a tenth fig, that 10th fig does not combine with the earlier 9, and he would therefore not be chayuv for the oath not to eat ten figs.