

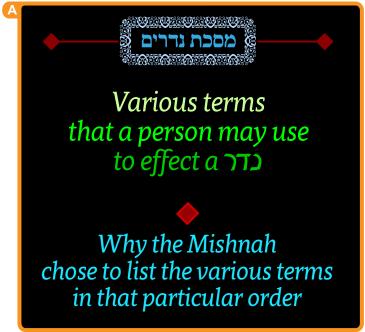


בס"ד Intro

Today we will בע"ה learn מסכת נדרים of מסכת נדרים

Our Masechta begins with listing and discussing various terms that a person may use in order to effect a נדר. The Gemara on עכווד ב' primarily deals with the structure of the Mishnah, and explains why the Mishnah chose to list the various terms in that particular order.

Some of the terms and concepts that are basic to this Daf, as well as to the entire Masechta Nedorim, as explained by the Ran, are:



דר B

A נדר in its basic understanding is a

The person making the נדר places a restriction on an item, by stating

דבר זה אסור עלי

This specific item is prohibited to me.

As such, he may prohibit to himself not only an item which belongs to him, but also an item that belongs to someone else.

He can also prohibit his item to others.

However, he cannot prohibit someone else's item to others – certainly not to its owner, neither to anyone else.

Another way to effect a נדר is through

By associating an item with another item which is already אסור to him;

For example, by saying;

דבר זה אסור עלי כקרבן

This item shall be forbidden to me as a Korban.

However, התפסה only works

בדבר הנדור

If the association is to an item whose Issur was effected by man such as a קרבן, but not

בדבר האסור

To an item which is inherently אסור.

Therefore, if he were to say

דבר זה אסור עלי כנבילה

Which is an איסור מן התורה - the נדר does not take effect.

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שבועה

A שבועה in its basic understanding is an

The person making the שבועה places a restriction upon himself, by stating for example

שבועה שלא אוכל דבר זה

I swear that I will NOT eat this item.

Or for that matter,

שבועה שאוכל דבר זה

I swear that I WILL eat this item.

In contrast to a נדר, which can only take effect on a physical entity, a שבועה can also take effect on an action or behavior, because essentially, it takes effect upon the person.

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כנויין

The Masechta begins with the word כנוי:

A כנוי is when one uses an alternate or slang expression while making a התפסה through התפסה. For example, instead of saying

דבר זה אסור עלי כקרבן

Or,

קרבן עלי ככר זה

He said

קונם עלי ככר זה

The word קרבן is substituted with a similar sounding, or slang version of this word, such as,

קונם, קונח, קונס

The Mishnah teaches that such a נדר is also effective.

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ידות

Although, when making a זכח one should לכתחילה express himself clearly – however, the Mishnah teaches that even if he makes only a partial statement, this too is considered a זכח, since his intent is evident.

The expression of ידות is used, because, it's like the יד or handle of a pot which enables one to lift the entire pot.

The Mishnah will discuss what type of ידות are considered נדרים.





Dedicated By: _





1 So Let's review...

We begin בע"ה Maseches Nedarim:

Zugt di Mishnah כל כינויי נדרים כנדרים וחרמים כחרמים ושבועות כשבועות ונזירות כנזירות

2 Our Mishnah begins by teaching that a person wishing to make a דדי - or one of the other איסורים created by the person - does not necessarily need to use a proper לשון phrase such as דבר זה אסור עלי כקרבן But can even use a יום, or slang phrase;
Or for that matter even a די, an incomplete phrase - as long as his intention is evident;

Examples of a כנוי would be where he said:

דבר זה אסור עלי כקונם

Or

קונס or דבר זה אסור עלי כקונח,

The Mishnah continues with examples of ידות:

האומר לחברו

מודרני ממך

מופרשני ממך

מרוחקני ממך

In that

שאני אוכל לך

שאני טועם לך

In other words, he says for example;

מודרני ממך שאני אוכל לך

I am in a Neder, or separated or distanced from you, in that which I eat or taste from yours;

אסור

He becomes forbidden.

While each of these statements is incomplete, it is considered a valid גדר, because his intention is readily understood.

The earlier statement of the Mishnah וחרמים כחרמים וחרמים לשבועות שבועות כשבועות ננזירות כנזירות כנזירות

Applies to ידות as well

The Mishnah concludes with

מנודה אני לך

ר"ע היה חוכך בזה להחמיר

This statement is discussed at length on ז'דף.

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The Gemara on Amud Bais analyzes the structure of the Mishnah, and questions several points:

First;

מאי שנא גבי נזיר דלא קתני להו לכולהו ומאי שנא גבי נדרים דקתני לכולהו

Our Mishnah begins with

כל כינויי נדרים כנדרים

And although our Masechta primarily deals only with נדרים, the Mishnah also mentions the other forms of vows, namely:

חרמים שבועות ונזירות

Whereas, the first Mishnah of the next Masechta נזיר similarly begins with

כל כנויי נזירות כנזירות

Yet it does not mention any of these other forms of vows?

The Gemara answers;

משום דנדר ושבועה כתיבי גבי הדדי

תני תרתין

וכיון דתני תרתין

תני לכולהו

Since נדרים and שבועות are mentioned in the same Pasuk איש כי ידור נדר לה

או השבע שבועה וגו'

Therefore, the Mishnah mentions them both together. And once it mentions these two, it goes on to mention the other types of vows as well; namely מנזירות and נזירות.









4 However, the Gemara questions the order of the Mishnah,

נדרים

חרמים

שבועות

ונזירות

According to this explanation, it should be

נדרים

שבועות

חרמים

ונזירות

The Gemara explains that the order was determined by another factor:

איידי דתנא נדרים

דמיתסר חפצא עליה

תנא נמי חרמים

דמיתסר חפצא עליה

חרמים are similar to נדרים in that the object becomes forbidden upon the person.

לאפוקי שבועה

דקאסר נפשיה מן חפצא

Whereas in שבועות - and so too נזירות - the person becomes forbidden in the object.

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The Gemara also asks;

פתח בכינויין

כל כינויי נדרים

ומפרש ידות

האומר לחבירו מודר אני ממך

This is actually two questions:

1.

Why does the Mishnah give examples of ידות, when it didn't even mention the category of ידות?

To which the $\boldsymbol{G}emara\ answers$ - indeed

חסורי מיחסרא והכי קתני

כל כינויי נדרים כנדרים

וידות נדרים כנדרים

These words must be inserted in the Mishnah.

Question number two;

וליפרוש כינויין ברישא

Since כינויין were mentioned before ידות, they should be explained first as well?

Why does the Mishnah first explain ידות, and only in the next Mishnah are כינויין explained?









After some discussion the Gemara concludes; זימנין מפרש ההוא דפתח ברישא

זימנין ההוא דסלק מפרש ברישא

When the Mishnah lists two or more Halachos, sometimes it goes back to the first Halachah and explains in order;

As we see in the Mishnah in Mesechta Bava Basra regarding ירושה, inheritance.

יש נוחלין ומנחילין

נוחלין ולא מנחילין

ואלו נוחלין ומנחילין

As well as several other Mishnayos

And sometimes it first explains the last Halachah and works its way backward, which is the case in our Mishnah;

As we see in the Mishnah in Mesechta Shabbos regarding the materials for Nairos Shabbos;

במה מדליקין ובמה אין מדליקין

יאין מדליקין וכו As well as several other Mishnayos

And לאו דווקא

There is no set pattern that all Mishnayos follow - and the Gemara lists many Mishnayos which explain one way or the other

This discussion continues into the next Daf where the Gemara deals with one more question: Why does the Mishnah mention ידות before ידות, rather than ידות? זימנין ההוא רסלק מפרש ברישא

Sometimes it explains the last Halachah first and works its way backward,

במה מדליקין ובמה אין מדליקין אין מדליקין וכו זימנין מפרש ההוא דפתח ברישא

When the Mishnah lists two or more Halachos, it sometimes goes back to the first Halachah

יש נוחלין ומנחילין נוחלין ולא מנחילין ואלו נוחלין ומנחילין

And - לאו דווקא – There is no set pattern that all Mishnayos follow and the Gemara lists many Mishnayos which explain one way or the other.



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