

This month's Daf Digest is dedicated in memory of
Mr. Israel Gotlib of Antwerp and Petach Tikva, Yisrael Tzvi ben Zev.
By Mr. and Mrs. Manny Weiss

OVERVIEW of the Daf

1) Clarifying R' Yannai's ruling (cont.)

An attempt is made to refute R' Yannai's ruling that when a teruma onion is planted and the growth exceeds the root the entire onion is permitted.

The challenge is refuted.

The back-and-forth exchange related to this matter is recorded until the Gemara finally clarifies the exact novelty of R' Yannai's ruling.

הדרן עלך הנודר מן הירך

2) **MISHNAH:** The Mishnah presents numerous teachings related to how long a vow will continue if a person puts a limitation on the length of the vow.

3) A vow for today

R' Yirmiyah rules that even after nightfall, which is when the vow is completed according to the Mishnah, the vower must still have his vow annulled before he is permitted to drink wine.

R' Yosef suggests an explanation for this ruling.

Abaye challenges R' Yosef's explanation.

R' Yosef successfully defends his explanation.

Another explanation is suggested to explain R' Yirmiyah's ruling.

4) Clarifying the Mishnah

The novelty of the case of one who vows "for a week" is explained.

The novelty of the case of one who vows "for a month" is explained.

5) Vowing "for a day"

The Gemara inquires about the meaning of a vow "for a day." Does he mean today or does he mean one day?

An attempt is made to resolve this question from the Mishnah.

The Gemara rejects that proof.

R' Ashi cites another Mishnah that he will utilize to resolve this inquiry. ■

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ר' שלמה בן ר' פנחס, ע"ה

Distinctive INSIGHT

When do we apply the rule of מעת לעת?

ואם אמר יום אחד שבת אחת חודש אחד שנה אחת שבוע אחד
אסור מיום ליום

In his explanation of this Gemara, ר"ן explains that when a person prohibits something upon himself for a certain time period he intends that a full cycle of that time period elapse with the prohibition in effect. For example, if he states that something should be prohibited for a day, he intends for it to be off limits for twenty four hours from the moment he speaks. This is how the words are to be understood in terms of a neder. However, when the Torah uses the term "one day" it refers only until nightfall of that same day. For example, the Torah commands (Vayikra 22:28) that we not slaughter an animal and its offspring "on the same day— ביום אחד." The halacha in this case is that if one of the animals was slaughtered before twilight, the other may be slaughtered that same night (Yoreh Deah 16:4).

As mentioned above, the opinion of ר"ן is that a time framework mentioned in regard to a neder demands that the limits defined by the neder be observed for the complete time period prescribed. The clarification of מעת לעת refers specifically to the period of a day, which must be from the minute the neder is pronounced until the same minute a day later. Beis Yosef (#320, ד"ה קונם) writes that the words of ר"ן seem to suggest that we only require "to the minute" where the person said that the neder should be for "one day." But, if the neder was set for "one week" or any of the other units of time, the prohibition is only adopted until a full unit of that time has passed, but waiting to the exact moment of when the neder was made is not necessary. However, Tur (ibid.) and Rambam (Hilchos Nedarim 10:2-5) understand that all time units share the rule that the neder only expires when the minute of accepting the neder arrives. ■

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HALACHAH Highlight

Pidyon Haben on the thirtieth day that falls on Shabbos

חדש זה אסור בכל החדש וראש חדש להבא

[If a person vows for] "this month" he is prohibited for the entire month but Rosh Chodesh is part of the following month

Magen Avrohom¹ cites authorities who maintain that although normally a pidyon haben is done on the thirty-first day from the birth of the baby, to allow thirty full days to pass, nonetheless, if the thirtieth day occurs on Friday and 29 days, 12 hours and 793 חלקים have passed from the time of the baby's birth, the pidyon haben can be performed. The reasoning behind this ruling is that since 29 days, 12 hours and 793 חלקים is considered a month, and the pidyon haben may not be performed on the thirty-first day due to Shabbos, it is acceptable for the pidyon to be done on Friday as long as the baby is technically a month old. Magen Avrohom writes that one should not rely on these authorities, and he presents a number of reasons why he feels that their position is unreliable. One of the reasons he suggests is a Gemara in Megilla (5a) that teaches that months are counted by days and not by hours. This suggests that when it comes to calculating whether a month has passed one does not calculate based on the number of hours in a lunar month; rather a month is calculated based on the number of days in a month.

Rav Ovadiah Yosef² questions this proof from the Gemara in Megilla. Rashi³ there explains that if a man gave a גט to his wife with the condition that it is valid if he does not return in the next month, once the same date of the next month arrives the גט is valid even if the month was deficient (i.e. 29 days) and he returned less than 29 days, 12 hours and 793 חלקים from the time

REVIEW and Remember

1. When does "today" end?
2. What is R' Yirmiyah's qualification to the Mishnah's first ruling?
3. How did Ravina explain the rationale behind R' Yirmiyah's qualification?
4. Why is the Mishnah not instructive regarding the meaning of a vow that was made for "יום"?

the condition was made. Accordingly one could differentiate between the case in Megilla and the halacha of pidyon haben. The Gemara in Megilla refers to the way people use the word month and our Mishnah teaches that when a person makes a vow for "this month" he is prohibited to have wine for that month but Rosh Chodesh is considered part of the next month. The novelty of this ruling, the Gemara explains, is manifest when the month was deficient and technically a month has not passed. Nonetheless, since vows are defined by the way people use terms, the month is completed before Rosh Chodesh. In contrast, the month that is calculated for a pidyon haben may be calculated according to the span of a technical month which is 29 days, 12 hours and 793 חלקים. ■

1. מג"א סי' של"ט סק"ח
2. שו"ת יביע אומר ח"ה יו"ד סי' כ"ה אות ד'
3. רש"י מגילה ה ד"ה שעות לחדשים ■

STORIES Off the Daf

Night and day

קונם יין שאיני טועם היום

A certain man encountered great difficulty overcoming the temptation to engage in a number of negative behaviors. After trying to assert his willpower for a long period with no success, he finally decided that only drastic measures would be effective. It was time to bring in the strongest deterrent he could think of. So the man made a neder: "On any day that I slip into my failings, I will not eat bread **היום**—during that day—and the next."

Since bread was actually the mainstay of this man's diet and he found it almost

impossible to refrain from bread even for a single meal, he assumed that he had erected a strong defense against his evil inclination. "My days of wrongdoing are over!" he said to himself. However, as is so often the case regarding one who makes a neder, the yetzer which led him to fall to the bad behavior in the first place was not changed by the neder one iota. Eventually, the man acted out his bad behavior yet again, and violated his oath.

Despite his "slip," he nevertheless craved bread. So he tried to think of a halachic loophole that would allow him to eat bread during the stipulated time.

Suddenly he was struck with an inspiration. Why should the night between the two days be included in his vow? After all, he hadn't mentioned the night at all, only

the day that he transgressed and the next. Perhaps he could eat bread in the night!

This question reached the Rosh, ז"ל, who replied, "In Nedarim 60 we find regarding someone who said, 'קונם wine from me **היום**—today, he is prohibited from wine the entire day.' The same rule holds true in our case. **אותו היום** implies, 'I won't eat bread until the day ends.' Since he added the next day, the oath is activated on the first day and ends at nightfall of the second day. If he triggered his neder at night, he is prohibited that night, the subsequent day, and the following night and day. The fact that he didn't mention the night is irrelevant. Once he triggered the neder, it doesn't stop until the time is up... unless he made a stipulation regarding this at the outset!" ■

