

Nedarim 23a

The last daf ended off with the story of R' Shimon bar Rebbi who had a neder that he wanted to become mutur. As such, he came to the Rabbanan to have them be matir it. However, although they asked him many questions, they could not find a pesach for him. The Gemara now tells us that as a result of them not being able to find him a pesach:

The Rabban were pained
(as they went) from the sun
to the shade
and from the shade to the sun

וְהוּוּ מִצְטַעְרֵי רַבָּנָן
מִשְׁמֵשׁ
לְטוֹלָא
וּמִטוֹלָא לְשִׁמְשָׁא

The Mefaraish explains that they went (paced) back-and-forth (between the sun and shade) as a result of their great aggravation at not being able to find a pesach for R' Shimon bar Rebbi.¹¹⁸

On the side of the Gemara it is written that these next words are printed here mistakenly, and their proper place is later on.

(לִישְׁנָא אַחֲרָא אֲדַעְתָּא דְהַכִּי אִין כַּמָּה זִימְנִין וְהוּוּ מִצְטַעְרֵי רַבָּנָן
מִשְׁמֵשׁ לְטוֹלָא וּמִטוֹלָא לְשִׁמְשָׁא)

He said to him
Botnis the son of Abba Shaul
the son of Botnis (to R' Shimon bar Rebbi)
When Botnis the son of Abba Shaul (the son of Botnis) saw the Rabbanan being pained as they paced back-and-forth between the sun and the shade, he turned to R' Shimon bar Rebbi and said.

אָמַר לֵיהּ
בְּטַנִּית בְּרִיָּה דְאַבָּא שְׂאוּל
בְּן בְּטַנִּית

“Would you have made the neder
with the knowledge
that it would pain the Rabbanan
(as they pace) from the shade to the sun
and from the sun to the shade”
he said
“No”
and they permitted it

מִי נְדַרְתָּ
אֲדַעְתָּא
דְּמִצְטַעְרֵי רַבָּנָן
מִטוֹלָא לְשִׁמְשָׁא
וּמִשְׁמֵשׁ לְטוֹלָא
אָמַר
לֹא
וְשָׂרְיָה

That is, this was considered a good pesach, as R' Shimon would not have made his neder had he known that it would result in the Rabbanan being pained as they try to find him a pesach.

The Gemara brings another story along these same lines:

R' Yishmael bar R' Yosie
had a neder
(that he needed) to be permitted
(and as such) he came
before the Rabbanan
they said to him
“Did you make the neder
with this knowledge”
He said to them
“Yes”
“Did you make the neder
with this knowledge”
He said to them
“Yes”
(this happened) many times
Since

רַבִּי יִשְׁמָעֵאל בַּר רַבִּי יוֹסִי
הָוָה לֵיהּ נְדָרָא
לְמִשְׁרָא
אַתָּא
לְקַמְיָהּ דְּרַבָּנָן
אָמְרוּ לֵיהּ
נְדַרְתָּ
אֲדַעְתָּא דְהַכִּי
אָמַר לְהוּ
אִין
נְדַרְתָּ
אֲדַעְתָּא דְהַכִּי
אָמַר לְהוּ
אִין
כַּמָּה זִימְנִין

a certain clothes-washer saw
that the Rabbanan were pained
he hit him
with a washer's sieve

כִּיּוֹן
דְּחִזָּא הֵוָא קַצְרָא
דְּמִצְטַעְרֵי רַבָּנָן
מַחֲיָה
בְּאוּכְלָא דְקַצְרֵי

This clothes-washer saw how R' Yishmael bar R' Yosie's neder was causing the Rabbanan pain, and as such, he hit R' Yishmael bar R' Yosie with this utensil.

Rashi in Meseches Shabbos describe this utensil as a copper utensil that had many holes (similar to a sieve) that the washer would place on the clothing and the washer would then springle water over it.

(As a result of to this) he (R' Yishmael) said
“With this knowledge
that the clothes-washer would hit me
I did not make the neder”
and he permitted it for himself”

אָמַר
אֲדַעְתָּא
דְּמַחֲי לִי קַצְרָא
לֹא נְדַרִי
וְשָׂרְיָה לְנַפְשִׁיהּ

After the washer hit R' Yishmael bar R' Yosie, R' Yishmael said that he would never have made his neder if he would have known that it would cause this to happen, and as such, he now had a pesach for his neder.

¹¹⁸ **Did the Rabbanan Purposely Cause Themselves Pain?**

The Shita M'kubetzes brings from the Rit"z, that the Chachamim did this purposely in order to give themselves pain, and by giving themselves pain, Reb Shimon bar Rebbi would now have a pesach.

Seemingly, this would still need explanation as to why it is considered that R' Shimon bar Rebbi's neder caused them the pain, and it is not considered that

they caused it to themselves. That is, the Rit"z says that the reason why they went back and forth was not just as a result of them trying to find a pesach, but rather they did it on purpose, in order to give R' Shimon bar Rebbi a pesach. But if it is really true, that they did not have to do this, why is their pain considered a pesach, ויש לישב ואכמ"ל.

What is and What is not Considered Nolad with Regard to Finding a Pesach for a Neder

He said to him	אָמַר לִיה
Rav Acha M'Difti	רַב אַחָא מְדִיפְתִי
to Ravina	לְרַבִּינָא
but this is nolad	הָאֵי נוֹלָד הוּא
for he did not think	דְּלֹא מְסִיק אֲדַעְתָּא
that the clothes-washer would it him	דְּמַחֵי לִיה קַצְרָא
and we learn in the Mishna	וְתִנְיָנָא
we don't 'open' (be matir) for him	אֵין פּוֹתְחִין לוֹ
with nolad	בְּנוֹלָד

Nolad is defined as something that happens later (after the fact), or as something that cannot be expected to happen. At first, the Gemara assumes that this that the washer hit R' Yishmael bar R' Yosie was an unusual act, and as such, the Gemara is asking why this would not be considered a case of nolad, see footnote.¹¹⁹

He said to him	אָמַר לִיה
this is not nolad	הָאֵי לֹא נוֹלָד הוּא
for 'low-life people' ¹²⁰ are common	דְּשְׂכִיחֵי אַפִּיקוֹרֵי
that give pain to the Rabbanan	דְּמַצְעָרֵי רַבָּנָן

At that time there were many 'low-people' who would cause pain to the Rabbanan. Therefore, it could have been expected that there would be those that would see these people giving pain to the Rabbanan and would come to their defense. Therefore, when R' Yishmael bar R' Yosie's causing the Rabbanan pain provoked a reaction from the washer, this was something that definitely could have been predicted at the time the neder was made, and as such, using this as a pesach is not considered nolad.

¹¹⁹ Understanding the Two Types of Nolad that Do Not Work as a Pesach?

Nolad is defined as something that happens later (after the fact), or as something that cannot be expected to happen. The literal translation of the word nolad is something that is born, and the connotation is that this thing was born, i.e., came into existence after the fact.

An example of nolad that is given by the Mishna is the case of a person who makes a neder not to benefit from a certain person, and that person then becomes a sofer. He then says that if he would have known that this person would become a sofer, he would not have made a neder against him. This is a classic example of nolad. This person was not a sofer at the time the neder was made, and therefore, the fact that he eventually became a sofer, cannot be used as a pesach.

The basic explanation for why a person cannot use something that is nolad as a pesach is because the concept of a pesach is that the neder was made under false pretense, i.e., it is a mistaken neder. That is, the person says that if he would have known all the information that he should of, he would not of made the neder. But in the case of nolad, this logic does not apply. The person did know everything that he could have known at the time of the neder, and as such, things that happen in the future cannot be considered a pesach.

Our case is similar in this aspect as well. The classic case of a pesach is when the person says that he would not have made the neder if he would have known

The Fulfillment of a Neder Acting as a Pesach

The wife of Abaye	דְּבִיתָהּ דְּאַבְיָי
had a certain daughter (from a previous	הָזָה לָהּ הָיְתָא בְּרַתָּא
marriage)	לְקַרְיָבָה
he (Abaye) said	הוּא אָמַר
(that the daughter should be married) to his relatives	לְקַרְיָבָי
(and) she said	הִיא אָמְרָה
to her relatives	לְקַרְיָבָה
he said to her	אָמַר לָהּ
"My benefit should be assur	תִּיתְסַר הַנְּאֻתִי
on you	עָלָךְ
if you go transgress	אִי עֲבַרְתְּ
my 'daas (opinion, wishes)	אֲדַעְתָּא
and marry her	וּמִינְסַבַּת לָהּ
to your relatives	לְקַרְיָבָךְ

Despite Abaya's neder, the Gemara tells us:

She went	אֲזַלַת
and transgressed his 'daas	וְעִבְרַת עַל דְּעֵתֶיהָ
and married her (daughter)	וְאִינְסַבָּא
to her relatives	לְקַרְיָבָה
he (Abaya) came	אַתָּא
before Rav Yosef	לְקַמֵּיהּ דְּרַב יוֹסֵף
he (Rav Yosef) said to him	אָמַר לִיה
"If you would have known	אִילוּ הָזָה יְדַעְתָּ
that she would transgress your daas	דְּעִבְרַת עַל דְּעֵתְךָ
and would marry her	וּמִנְסַבָּא לָהּ

that this would happen, that is, in a sense, at the time of the neder he goes through all the possibilities of what his neder could do and he accepts some of them. Therefore, if later on one of the possibilities that he was not willing to accept happens, the neder is considered as being made as a mistake. But if the event that happens later on is so outlandish that the person would never think of it at the time of the neder, this cannot be used as a pesach. He cannot say that he would not have made the neder if he would have known that this would happen. He cannot say this because this possibility never occurred to him. And therefore, he cannot say that it is as if he made the neder on condition that this would not happen, as this possibility never occurred to him in the first place. That is, it is considered that this possibility was 'born' later, and therefore, it cannot serve as a pesach וְיִתְרָא אֲכַמְ"ל יוֹתֵר.

¹²⁰ The Meaning of the Word אַפִּיקוֹרֵי

The word אַפִּיקוֹרֵי comes from the word הִפְקָר – something that is ownerless. The connotation being that this is a low-life person does not live by any rules or morals.

to her relatives לקריבה
 would you have made the neder מי אדירתה
 he (Abaye) said אמר
 “No” לא
 and Rav Yosef permitted it ושרייה רב יוסף

But on this the Gemara asks:

But it is permitted ומי שרי
 like this (i.e., in this circumstance) כי האי גוונא

The Gemara is asking the simple question of how this can be considered a pesach. What Abaya’s wife did was exactly what Abaye made the neder about. That is, Abaye made a neder that this should be assur if she does this, and she went ahead and did it. If so, how could the fulfillment of the condition be the reason that we say the neder is mutur?

The Gemara answers:

Yes אין
 And we learned (this way) in a Baraisa והתניא
 There was one man מעשה באדם אחד
 that made a neder (forbidding) שהדיר
 his wife את אשתו
 from being oleh regel (going up to Yerusalayim) מלעלות לרגל
 and she transgressed his ‘daas ועברה על דעתו
 and she was oleh regel ועלתה לרגל
 And he (the person) came ובא
 before R' Yosie לפני רבי יוסי
 He (R' Yosie) said to him אמר לו
 “And if you would have known ואילו היית יודע
 that she would transgress your daas שעוברת על דעתך
 and would be oleh regel ועולה לרגל
 would you have made the neder at all” כלום הדירתה
 He said (responded) to him אמר לו

“No” לא
 and R' Yosie was matir (the neder) והתירו רבי יוסי
 Since the person never expected his wife to transgress what he said, the fact that she did can be considered a valid pesach.¹²¹

משנה

What To Do if One Does Not Want Any of His Nedarim to be Chal?

R' Eliezer ben Yaakov says רבי אליעזר בן יעקב אומר
 also one who wants אף הרוצה
 to make a neder (to pressure) his friend להדיר את חברו
 to eat next to him שיאכל אצלו
 he should say to him יאמר לו
 “Any neder כל נדר
 that I am destined to make as a neder שאני עתיד לידור
 it should be posul (null and void)” הוא בטל

The Mishna tells us that this declaration will work:

but only ובלבד
 that he should remember (this) שיהא זכור
 at the time of the neder בשעת הנדר

The Gemara will explain what this person is trying to accomplish with this declaration.

גמרא

¹²¹ Why is this Not Considered as נדר ירוזין?

The Ran asks that seemingly even without finding a pesach this neder should not be chal. The Mishna previously told us that if one makes a neder solely in order to motivate his friend to do something, then this neder is considered as נדר ירוזין, and is not chal. If so, in this case as well we should say that since he only made the neder in order to motivate his wife to do something, it should be considered as being from the נדר ירוזין.

The Ran says that one could answer that there is no comparison between the Mishna and our case. In the Mishna, the people did not mean what they said. Although they both said that they only want the sale at a certain price, the reality is that they were agreeable to a different price. This is not true in our case. In our case, the husband in actuality did not want his wife to be oleh regel, and if so, how can we say that the fact that she actually did what he did not want her to do serve as a reason that the neder should not be chal.

However, the Ran continues and brings that one could still ask from the next Mishna. In the next Mishna, the person makes a neder, and yet the Mishna says that the person does not have to be matir this neder as the neder was only made

in order to pressure his friend to do something. But in that case, the person wants what he said! And yet the Mishna still says that he does not need to be matir it as it is considered נדר ירוזין. If so, in our case as well. Since we know that the husband only made the neder in order to pressure his wife, it should be considered as נדר ירוזין, and as such, it should not need a pesach in order for the neder to be mutur.

The Ran answers, that in the Mishna’s case it is obvious to all that the person does not really mean what he says. The person made a neder that all of his property should be assur to this person if he does not eat from him. But this is something that seems outlandish. No one desires his friend to eat with him so badly that he is willing to assure all of his property to him if he does not come. And if the person does make such a neder, everyone understands that it was done only to pressure the person but not that he really means to make such a neder.

However, in our case it is perfectly reasonable that the husband would make such a neder, and as such, it cannot be considered as נדר ירוזין, and that is why the person needs a pesach in order to be matir the neder.

The Mishna told us that if one wants to make a neder in order to force his friend to eat with him, he should declare that all of his future nedarim should be batul, and on this the Gemara immediately asks:

And since he says

“Any neder

that I am destined to make as a neder

it should be batul (null and void)”

he (the other person) will not listen to him

וְכִיּוֹן דְאָמַר

כָּל נֶדֶר

שֶׁאֲנִי עֹתִיד לַיְדוֹר

יְהֵא בָטֹל

לֹא שָׁמַע לִיָּהּ

and he will not come with him

וְלֹא אֶתִי בְהִדְיָהּ

The person in the Mishna’s case wants his friend to come to him to eat. If so, how does his declaring all of his future nedarim null and void help convince his friend to come? The opposite is true. When his friend hears how this person declares all of his nedarim null and void, he certainly will not come (as he does not have to be concerned about any of the nedarim that this person will make, because even if he does make nedarim, they will be batul).

Nedarim 23B

It is missing (words) **חסורי מחסרה**
 and this is how it should be learned **והכי קתני**
 one who wants **הרוצה**
 that his friend should eat with him **שיאכל אצלו חברו**
 and he refuses him **ומסרב בו**
 and he then makes a neder against him **ומדירו**
 this is (a case of) nedarim of zerizus **נדרי זרזין הוא**

The Gemara answers that there are missing words from the Mishna, and in reality, the Mishna is telling us two distinct halachos. The first halacha is that if a person's friend refuses his invitation to eat with him, and as a result of this refusal, the person makes a neder against his friend, this neder is only considered as נדרי זרזין, and as such, it is not chal.

The second halacha of the Mishna is the halacha of declaring all of his future nedarim to be null and void, as the Mishna will explain.

**Declaring All of One's Future Nedarim Null and Void
 (does one have to remember this declaration at the time that
 he makes his future nedarim?)**

After the Mishna tells us the halacha of נדרי זרזין, the Mishna tells us a second halacha that:

And one who wants **והרוצה**
 that his nedarim should not go into effect **שלא יתקיימו נדריו**
 the entire year **כל השנה**
 he should get up on Rosh Hashana **יעמוד בראש השנה**
 and he should say **ויאמר**
 "Any neder **כל נדר**
 that I **שאני**
 will make as a neder in the future **עתיד לידור**
 it should be batul" **יהא בטל**
 (and this works) but only **ובלבד**
 that he remembers (his declaration) **שיהא זכור**
 at the time of the neder **בשעת הנדר**

The Gemara understands the Mishna to mean that this person's declaration will work only if he remembers it at the time that he makes his neder, and on this the Gemara immediately asks:

(But) if he remembers (it) **אי זכור**
 he has uprooted **עקריה**

his condition (i.e., the declaration) **לתנאיה**
 and has fulfilled his neder **וקיים ליה לנדריה**

If at the time that the person makes his neder, he remembers that he said that all his future nedarim should be batul, and even so he made his neder, he obviously changed his mind from what he said then and now wants to make a neder. If so, why would the neder now not be chal?

Abaye said **אמר אביי**
 learn (the Mishna to say) **תני**
 (this works) but only **ובלבד**
 that he does not remember **שלא יהא זכור**
 at the time of the neder **בשעת הנדר**

Abaye explains that what the Mishna means to say is that the person did not remember his declaration at the time he made his neder. And this is the chiddush of the Mishna. That a person has the ability to cancel all future nedarim that he will make.

Rava said **רבא אמר**
 really **לעולם**

it is like we said in the beginning **כדאמרנו מעיקרא**
 (and) here what are we dealing with **הכא במאי עסקינן**
 for example **כגון**
 that he made the condition (declaration) **שהתנה**

on Rosh Hashana **בראש השנה**
 and (now) he does not know **ולא ידע**
 what he made the condition about **במה התנה**
 and now he makes a neder **והשתא קא נדר**
 (therefore) if he remembers **אי זכור**
 at the time of the neder **בשעת הנדר**
 and he says **ואמר**

"According to my original intent **על דעת הראשונה**
 "I am making the neder" **אני נודר**
 his neder (that he makes now) **נדריה**
 does not have substance (it isn't chal) **לית ביה ממשא**
 (but if) he did not say **לא אמר**

"According to my original intent **על דעת הראשונה**
 I am making the neder" **אני נודר**
 (we say that) he has uprooted **עקריה**
 his condition **לתנאיה**

and established his neder¹²²

וקיים לנדריה

Rava explains that the Mishna is dealing with the following case. On Rosh Hashana a person declared that if he makes a particular type of neder in the future, that neder should be null and void. After the person makes this condition (that all future nedarim of this type should be batul), he forgets which nedarim he was referring to. For example, he remembers that he was referring to nedarim with regard not to eat a certain food, but he doesn't remember if he was referring to bread or to wine.

Now the person gets up and makes a neder not to eat bread, and at the time he makes the neder he remembers that he made such a condition, but he does not remember with regard to what. Rava says that the halacha will depend on the following. If at the time that he makes his neder he says that he is making the neder but only if it is in accordance with what he said previously, if he later remembers that indeed his original declaration was with regard to bread, that declaration will have the power to override the neder that he is now making. This is for the simple reason that he had said that he is only making his neder if it is in accordance with what he said previously.

However, if at the time that he makes his neder he remembers the condition that he had made earlier but he doesn't say anything, then his neder that he makes now will be chal even if it is later discovered that the person's declaration was in regard to the neder that he is now making (for example, he made a neder not to eat bread, and afterwards he remembers that indeed his declaration was in regard to making a neder not to eat bread).

The reason for this is because we say that if he really would want his original declaration to override the neder that he is now making, he should have said so. That is, the fact that he remembers the original declaration, and yet he still does not mention it, shows that his intent of his neder is to make this neder and to have it override that declaration.

¹²² Is Rava Arguing on the Halacha of Abaye?

Although Rava explains the Mishna differently than Abaye, the Ran explains that there is no machlokes in halacha. Rava's difficulty with Abaya's explanation is that it doesn't fit the words of the Mishna. The Mishna said that it works as long as he remembers it and Abaye interprets this to mean as long as he does not remember. This is what Rava was not willing to say; that you can interpret the Mishna in such a manner. But with regard to what Abaye said, that if the person completely forgets the declaration at the time of his new neder, the declaration works to stop the neder, this is something that Rava does agree to. Although this is the shita of the Ran, other Rishonim argue and they hold that Rava does argue on Abaye, and according to these Rishonim, Rava's shita is that the person's declaration will never work unless he remembers it at the time, he makes his neder (i.e., he remembers it as Rava explained), וזוהו, ואכמ"ל.

¹²³ Which Nedarim Are We Trying to be Matir When We Say Kol Nedrei?

The Ran brings what he calls the minhag of a minority of kehillos that say kol nedrei on the night of Yom Kippur. The Ran explains that the point of this tefillah

And this is what the Mishna means when it says, "But only if he remembers". This person's declaration will only work if he verbalizes it, that is, if at the time of the neder he remembers his declaration, it will only work if he verbalizes that the neder that he is now making should be in accordance with that declaration.

The Reason the Mishna 'Hid' this Halacha?

Rav Huna bar Chanina	רב הונא בר חנינא
held	סבר
to darshin (expound this halacha)	למידרשיה
'in the public shiur'	בפירקא
At one point, Rav Huna bar Chanina wanted to teach this halacha in a public lecture. That is, although the halacha that one has the ability to declare future nedarim as batul is not clear in the actual words of the Mishna, as the Gemara has shown, if one learns the Mishna properly, this is one of the halachas that the Mishna is teaching us. At one point, Rav Huna bar Chanina wanted to teach this publicly, that is, he wanted to teach the proper way to learn the Mishna which would include this halacha.	
And with regard to this the Gemara tells us:	
Rava said to him	אמר ליה רבא
the Tanna	תנא
(wrote it) 'in a general sense'	קא מסתים לה סתומי
in order	כדי
that they should not become accustomed	שלא ינהגו
(to having) lightheadedness	קלות ראש
with regard nedarim	בנדריים
and you	ואת
are going to darshin on it	דרשת ליה
in a 'public shiur'	בפירקא ¹²³

is to accomplish what our Gemara describes. They say kol nedrei in order to be mevatul any future nedarim that a person might make. The Ran points out that if this is really true, then the wording that is used is incorrect. The wording of kol nedrei seems to indicate that we are also referring to past nedarim, and the Ran says that this is impossible as this declaration can only work for future nedarim but not past ones. The Ran brings that indeed Rabbenu Yaakov changed the wording to indicate that we are just discussing future nedarim and not past ones). The nusach of the exact wording of kol nedrei is a discussion in the Rishonim and is beyond the scope of this word. However, in regard to this discussion if kol nedrei is also said with regard to past nedarim, we do not hold like the Ran and Rabbenu Yaakov as we say explicitly that we are trying to be mevatul those nedarim that we made from last Yom Kippur to this Yom Kippur and those nedarim that will be made from this Yom Kippur until the next Yom Kippur.

This halacha that one has the ability to be mevatal (to nullify) future nedarim is not explicit in the Mishna but rather is only known once one learns the Mishna well. Rava explains that this was done purposely in order that this halacha should not become well-known. The Tanna was concerned that if this halacha would become well-known, this would lead people not to take making nedarim seriously. People would not be concerned about making nedarim, as they will say to themselves that making nedarim is not 'that bad' as one can just go ahead and declare all of them to be batul. Therefore, since the Tanna had this concern, he purposely wrote this halacha in a roundabout way.

And this was Rava's complaint against Rav Huna bar Chanina. Rava expressed shock that Rav Huna bar Chanina would teach this halacha publicly, if the Tanna took the pains to make sure that the general public would not know this halacha.¹²⁴

Do the Rabbanan Argue on R' Eliezer ben Yaakov?

They asked a question	איבעיא להו
(Do) the Rabbanan argue	פליגי רבנן
on R' Eliezer ben Yaakov	עליה דרבי אליעזר בן יעקב
or no	או לא
and if you are going to say	ואם תמצא לומר
they argue	פליגי

is the halacha like him
or not

הלכתא כותיה
או לא

Reb Eliezer ben Yaakov holds that if someone makes a neder in order to force his friend to eat by him (that is, the person says that if his friend does not eat by him then all of this person's property should be come assur to his friend), this neder is only considered as נדרי זרוזין, and as such, it is not going to be chal (that is, even if his friend does not end up coming to eat by him, the neder will still not be chal, as we assume that the neder was only made to pressure his friend but not that it should actually be chal).

The Gemara now wants to know if the Rabbanan agree with him, or if they hold this is not considered a case of נדרי זרוזין, and the neder will be chal if the friend does not eat by him. The Gemara continues and asks that even if we say that the Rabbanan argue on R' Eliezer ben Yaakov, is the halacha like him or not?

The Case in which a Person Can Say that He Does Not Want to Appear as a Dog

The Gemara brings a proof to this question:

Come and hear	תא שמע
as we learned in a Mishna	דתנן
one who says to his friend	האומר לחבירו

¹²⁴ **How Are We Allowed to Say Kol Nedrei Publicly if Our Gemara Says Not to?**

Our Gemara brings what Rava said with regard to teaching the halacha of being mevatal future nedarim. Rava said that from this that the Mishna did not say it explicitly, tells us that this halacha was not meant to be known to the masses (as knowing this halacha would cause people to not take nedarim seriously). If so, how can we get up on the night of Yom Kippur and say kol nedrei? If everyone knows that you can just declare all future neder to be batul, this will lead to people not taking nedarim seriously. And this is actually the conclusion of the Ran, that it is not proper to say kol nedrei in light of our Gemara's concern.

Although the Ran says that it is not proper to say kol nedrei, our minhag is to say it and the Mefarshim give various explanation has to why the Gemara's concern does not apply to what we do.

The Ritva explains that it was only in that time that nedarim were chamor (stringent) in the eyes of the amie ha'aretz that we did not to tell them the

halacha. That is, if they would not tell them the halacha, they would make sure not to make nedarim. However, in our time, when there are so many amie ha'aretz who do not take nedarim seriously at all and make many nedarim, we have everyone say kol nedrei in order that they should not transgress the nedarim that they have made.

The Meiri explains that the reason why they said to 'hide' this halacha was because there were so many Ami ha' erez at that time. However, in our time where there are not so many amei ha'aretz, there is no need to hide the halacha.

Tosefos explains that the only problem is to give a shiur (lecture) explaining this halacha. Since the shiur would be in the language of the people, everyone would understand this halacha and that would lead to people not taking nedarim seriously. But what we do is not a problem. We say kol nedrei in Aramaic, and as such, the ignorant people do not understand it and the Gemara's concern is not applicable.