

**Nedarim 6a**

On the last daf, the Gemara wanted to say that the machlokes between Abaye and Rava if שְׂאִינָן מוֹכִיחוֹת are effective or not, is in reality the machlokes between Reb Yehuda and the Chachamim regarding the wording of a get.

Abaye who holds שְׂאִינָן מוֹכִיחוֹת are yadayim, holds like the Chachamim who say that all a get has to say is that “הָרִי אֶתְּ” מוֹתֵרֶת לְכָל אָדָם” and this is good enough, and Rava who holds that שְׂאִינָן מוֹכִיחוֹת are not yadayim holds like Reb Yehuda that the words הָרִי אֶתְּ מוֹתֵרֶת לְכָל אָדָם are not sufficient.

The Gemara then proceeded to say that in reality both Abaye and Rava could say that their shita could fit with either the Chachamim or Reb Yehuda. The Gemara left off with Rava explaining why it could be that although normally the Chachamim would agree with him that שְׂאִינָן מוֹכִיחוֹת are not effective, a get is different, as we are about to explain.

For a man does not divorce his friend's wife but in the world (i.e. in general) did we hear to them (that they don't need 'clear yadayim)	דָּאִין אָדָם מִגְּרֵשׁ אֶת אִשְׁתּוֹ חֲבֵירוֹ אֲבָל בְּעֵלְמָא מִי שְׂמַעְתָּ לְהוּי צָרִיךְ לְהוּי (see footnote) <sup>29</sup>
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Since in this case it is obvious that a person does not divorce his friend's wife, this is why this 'unclear' language suffices for the get. However, with regard to everything else, there is no reason not to say that the Chachamim also hold that you need שְׂאִינָן מוֹכִיחוֹת, (see footnote)<sup>29</sup>

**Does the Fact that One Must Say הָרִי הוּא עָלַי Prove that שְׂאִינָן מוֹכִיחוֹת are Not Yadayim?**

They asked from a Baraisa מִיתִיבֵי

**29 The Machlokes R' Yehuda and the Chachamim with Regard to What You Need to Write in a Get**

Our Gemara implies that the machlokes between R' Yehuda and the Rabbanan is if you need to specify that this man is divorcing this woman. The Chachamim hold that you do not have to do this as a person does not divorce his friend's wife, and R' Yehuda holds that one must specify that this man is the one divorcing this woman.

However, the Gemara in Gittin (and this is how we explained the machlokes R' Yehuda and the Chachamim previously) says that there is a different machlokes. That R' Yehuda holds that you must specify that it is this get that is affecting the divorce, because if you do not specify this, there is the possibility that the man intends on divorcing his wife with his oral declaration of divorcing her and the get will only serve as a proof that the divorce took place. And the Chachamim hold that you do not have to write this.

The Ran explains that in reality our Gemara and the Gemara in Gittin complement each other as both points are true, as R' Yehuda and the Chachamim argue in both points. R' Yehuda holds that the get must specify that it is this man, with this get, that is divorcing his wife, and the Chachamim hold both these specifications are unnecessary.

(if one says) “This is on me”	הָרִי הוּא עָלַי
this is assur	הָרִי זֶה [עָלַי] אָסוּר
because	מִפְּנֵי
this is a yad to a korban	שֶׁהוּא יָד לְקֹרְבָן

The Gemara makes the following deduction:

It is for the reason that he said “on me”	טַעֲמָא דְאָמַר עָלַי
that he is assur	הוּא דְאָסוּר
but if he did not say “on me”	אֲבָל לֹא אָמַר עָלַי
no (it would not be considered a yad)	לֹא
this is an ‘upshlug’ (disproof) of Abaye	תִּיּוֹבָתָא דְאֲבָי

This Baraisa tells us that unless the person adds the words “on me” to what he says, his declaration will not work. The Gemara assumes that the reason for this is because if he does not add these words, this would be considered as שְׂאִינָן מוֹכִיחוֹת. If so, this disproves what Abaye said that שְׂאִינָן מוֹכִיחוֹת are considered as valid yados.

The Gemara answers:

Abaye will say to you it is for the reason that he said “on me”	אָמַר לָךְ אֲבָי טַעֲמָא דְאָמַר עָלַי
this is why it is assur	הוּא דְאָסוּר
but if he (just) said “It is”	אֲבָל אָמַר הָרִי הוּא
and did not say “on me”	וְלֹא אָמַר עָלַי
“it is hefker”	הָרִי הוּא דְהִפְקָר
“it is tzeddakah”	הָרִי הוּא דְצַדִּיקָה
(he could have meant) to say	קָאֻמַר

The Gemara answers that the reason that the person has to say “on me” is not because שְׂאִינָן מוֹכִיחוֹת are not yadayim but rather it is because the words “this is” by themselves are not

**Can Outside Circumstances Make שְׂאִינָן מוֹכִיחוֹת into מוֹכִיחוֹת?!**

The Ran brings the Rashba that asks that seemingly our Gemara's wording is not accurate. The Gemara was trying to say that with regard to Gittin one does not need מוֹכִיחוֹת, but this is not what the Gemara says. What the Gemara says is that this is considered מוֹכִיחוֹת. That is, since a person would not divorce his friend's wife, the intent of these words is obvious, and as such, they are considered מוֹכִיחוֹת! If so, why is the Gemara calling them שְׂאִינָן מוֹכִיחוֹת?

The Ran disagrees and says that the fact that it is obvious that the man is trying to divorce his own wife does not take away from the fact that the words of the get themselves (according to the Chachamim) are not clear, and they are therefore classified as שְׂאִינָן מוֹכִיחוֹת. And what Rava is saying is, that despite the fact that they are שְׂאִינָן מוֹכִיחוֹת they work because of the fact that a person never divorces his friend's wife.

In other words, the machlokes the Ran and the Rashba seems to revolve around the question of if outside circumstances can make a שְׂאִינָן מוֹכִיחוֹת into מוֹכִיחוֹת ויש בזה אריכות באחרונים ויש לפלפל הרבה בזה, ואכמ"ל. ד'ים מוֹכִיחוֹת

considered to be yadayim at all. When he says the words “this is” there is no reason to assume that he means to make a korban as opposed to saying that this is hefker or tzeddakah. Therefore, the words that he said are not considered as yadayim at all, and this is why they are ineffective. But it could very well be that this Baraisa agrees that מוכיחות שְׁאֵינָן מוֹכִיחוֹת are considered yadayim.

The Gemara asks:

**But** **וְהָא**  
it taught ‘because it is a yad to a korban’ מִפְּנֵי שֶׁהוּא יָד לְקִרְבָּן קִתְּנִי

The Ran explains as follows. When the Baraisa described this declaration, it does not say that it is a yad to a neder but rather it says that it is a yad to a korban. This is because the typical way of making a korban is to say “this is a korban”. Therefore, with regard to making a korban saying the words “this is” is certainly a yad, and if the Baraisa still says that one must add the words “on me”, it must be that the reason that one must add these words is because the Baraisa holds that נְדִים שְׁאֵינָן מוֹכִיחוֹת are not נְדִים.

The Gemara again tries to explain the Baraisa according to Abaye (who holds מוכיחות שְׁאֵינָן מוֹכִיחוֹת are yadayim).

**Only** **אֵלָא**  
say that it is for the reason **אֵימָא טַעמָא**  
that he said “on me” **דְּאָמַר עָלַי**  
that he is assur **הוּא אָסוּר**  
and his friend if mutur **וְחֻבְרֵירו מוֹתֵר**  
but if he (just) says “it should be” **אֲבָל אָמַר הָרִי הוּא**  
they are both assur **שְׁנֵיהֶן אָסוּרִין**  
for maybe **דְּדִלְמָא**  
he is saying that it is hekdesch **הָרִי הוּא הִקְדֵּשׁ קֶאָמַר**

If the person doesn’t say that it is assur on him, then by saying the words “it should be” will cause both him and his friend to be assur from each other. This is because it could be that the intent of this person is to say that it is hekdesch, and since hekdesch is assur to everyone, this could be his intent as well, to assur this on everyone.

The Ran explains that in hilchos nedarim we go l’chumrah (we are stringent). Therefore, since there is a possibility that this is the person’s intent, we have to be concerned that perhaps it is, and this is why both of them are going to be assur (unless he adds the words “on me”).

The Gemara again asks on Abaye.

**They asked from a Baraisa** **מִיתֵיבֵי**

(if a person says) “This is a chatas” **הָרִי זֶה חֲטָאֵת**  
(or if he says) “This is an asham” **הָרִי זֶה אֲשָׁם**  
even though **אֲף עַל פִּי**  
he is (presently) chayiv in a chatas **שֶׁהוּא חַיִּיב חֲטָאֵת**  
or an asham **וְאֲשָׁם**  
he has not said anything **לֹא אָמַר כְּלוּם**  
(but) if he says “This is my chatas” **הָרִי זֶה חֲטָאֵתִי**  
(or if he says) “This is my asham” **הָרִי זֶה אֲשָׁמִי**  
if he is (presently) **אִם הִיא**  
chayiv (to bring these korbanos) **מְחויֵב**  
his words are valid **דְּבִרְוֹ קִיְמִין**  
this is an ‘upslug’ (disproof) of Abaye **תִּיּוֹבְתָא דְאַבְיֵי**

The Ran explains that if a person is obligated to bring a korban chatas (or asham) and says the words “This is a chatas”, at the very least this would have to be considered as נְדִים שְׁאֵינָן מוֹכִיחוֹת, and yet the Baraisa said that this does not work. If so, we see not like the shita of Abaye who holds that נְדִים שְׁאֵינָן מוֹכִיחוֹת are yados.

Abaye will say to you **אָמַר לָךְ אַבְיֵי**  
who is this (i.e. the author of the Baraisa) **הָא מִנִּי**  
it is Reb Yehuda **רִבִּי יְהוּדָה הִיא**

But on this the Gemara asks:  
**But Abaye** **וְהָא אַבְיֵי**  
he was the one who said **הוּא דְאָמַר**  
“I say” **אֲנָא דְאָמַרִי**  
even according to Reb Yehuda” **אַפִּילוּ לְרִבִּי יְהוּדָה**

The Gemara answers:  
**He retracted from this** **הֲדַר בֵּיה**

At first, the Gemara wanted to answer that although Abaye holds מוכיחות שְׁאֵינָן מוֹכִיחוֹת are yadayim, one can still not ask from the previous Baraisa. This is because it could be that the previous Baraisa holds like the shita of Reb Yehuda that נְדִים שְׁאֵינָן מוֹכִיחוֹת are not yadayim and Abaye could just hold like the Chachamim that נְדִים שְׁאֵינָן מוֹכִיחוֹת are yadayim.

The problem with this answer is that previously we brought that Abaye wanted to say that in reality even Reb Yehuda agrees that נְדִים שְׁאֵינָן מוֹכִיחוֹת are yadayim and there is a specific reason with regard to a get that it has to be written in a clear manner.

But if so, we have lost our answer. Here we have a Baraisa that is not related to gittin and yet it still says that נְדִים שְׁאֵינָן מוֹכִיחוֹת are not yadayim.

To which the Gemara answers that Abaye retracted from what he had originally said and Abaye acknowledges that Reb

Yehuda and the Chachamim argue with regard to the question if **יְדִימֵי שְׂאִינְךָ מוֹכִיחוֹת** are yadayim are not. If so, we can say that the Baraisa is going according to Reb Yehuda and Abaye will hold like the Chachamim.

Based on this the Gemara asks:

But let us say	<b>אֵלֶּא לִימָא</b>
(that) Rava	<b>רְבָא</b>
says (holds like)	<b>דְּאָמַר</b>
(exclusively) like Reb Yehuda	<b>כְּרַבִּי יְהוּדָה</b>

The Ran explains the Gemara as follows. Originally the Gemara thought to say that the machlokes Abaye and Rava with regard to **יְדִימֵי שְׂאִינְךָ מוֹכִיחוֹת** is the same machlokes of Reb Yehuda and the Chachamim with regard to the wording of a get. The Gemara then brought that both Abaye and Rava give reasons why both Reb Yehuda and the Chachamim could hold like their shita. But now we are saying that Abaya is acknowledging that Reb Yehuda does not hold like his shita, and if so, perhaps Rava will now also agree that he cannot go like the shita of the Chachamim.

But to this the Gemara says:

Rava will say to you	<b>אָמַר לְךָ רְבָא</b>
I say (my shita)	<b>אֲנִי דְאָמַרִי</b>
even in accordance with the Rabbanan	<b>אֲפִילוּ לְרַבָּנָן</b>
(because) until here	<b>עַד כָּאן</b>
the Rabbanan did not say	<b>לֹא קְאָמְרִי רַבָּנָן</b>
that you don't need	<b>דְּלֹא בְּעִינָן</b>
'clear yadayim"	<b>יְדִימֵי מוֹכִיחוֹת</b>
only with regard to (the wording of) a get	<b>אֵלֶּא גַבִּי גֵט</b>
for a person does not	<b>דְּאִין אָדָם</b>
divorce his friend's wife	<b>מְגַרֵּשׁ אֶת אִשְׁתּוֹ חֲבִירוֹ</b>
but in the world (i.e. generally)	<b>אֲבָל בְּעֵלְמָא</b>
(they hold) that one needs	<b>בְּעִינָן</b>
'clear yadayim"	<b>יְדִימֵי מוֹכִיחוֹת</b>

The Gemara tells us that just because Abaye is forced into saying that he is only going like one shita, Rava is not forced to do this. Rava can continue to hold that his shita that **יְדִימֵי שְׂאִינְךָ מוֹכִיחוֹת** are not yadayim is in accordance with both Reb Yehuda and the Chachamim<sup>30</sup>

### 30 Why Does the Gemara Not Just Say that Rava Did Not Change His Mind?

The point of our Gemara is to tell that Rava did not change from what he said previously that he holds that both R' Yehuda and the Chachamim can be in accordance with his shita. But why did the Gemara not just say so? Why does the Gemara have to bring the entire explanation for a second time? The

Ritz (רי"ץ הובא בשיטה מקובצת) explains that this is another example of how meseches Nedarim and meseches Nazir are written in a different manner than the rest of Shas (לשון נדרים משונה היא) That even though the typical way of the Gemara is not to be overly lengthy, meseches Nedarim and meseches Nazir are different.

## Nedarim 6b

## Are there Yados with Regard to Kiddushin?

Rava asked בְּעֵי רַב פָּפָא  
is there a yad to kiddushin יֵשׁ יָד לְקִדּוּשִׁין  
or not אֵין לָא

That Ran explains that the Rav Pappa is asking with regard to all yados including מוכיחות נְדִימָם. That is, do we say that the same way that we find that yados work with regard to nedarim, they should work with regard to kiddushin, as well (i.e., we say that we have a ma matzinu)? Or do we say that yados only work with regard to nedarim as nedarim are more chamor (stringent) than kiddushin? Nedarim can take effect with just mere words as opposed to kiddushin that needs an action to take effect (the man must either give the woman he is trying to marry money, a shtar (marriage document), or live with her). One cannot affect a marriage with just words, and if so, perhaps yados will not work as well.

The Gemara clarifies the case of the Gemara's sofek (doubt).

What is the case	הִכִּי דָמִי
if you say	אֵילִמָּא
that he said to a woman	דָּאֲמַר לֵהּ לְאִשָּׁה
“You are married to me”	הָרִי אֶתְּ אִתְּ מְקוּדָשָׁתְּ לִי
and he (then) said	וְאָמַר
to her friend (i.e. a woman standing next to her)	לְחֻבֵּרְתָּהּ
“and you also”	וְאַתְּ נָמִי
it is obvious	פְּשִׁטָּא
this is	הֵיִינוּ
kiddushin itself	קִדּוּשִׁין עֲצֻמָּו

Since the person said the word “also”, it is obvious that the intent of the word ‘also’ is to include the second woman in what was just said to the first woman, that is, his intent is to say that

just like he married this first woman, he wants to marry this second one as well. Therefore, since his intent is perfectly clear from his words, his words are not considered as just yadayim but rather they are considered as an actual expression of marriage, and if so, this case can obviously not be the case of the Gemara's sofek.

The Gemara now explains what the question of the Gemara must be:

Rather (the case of our question is)	אֵלָא
for example	כְּגוֹן
that he said to a woman	דָּאֲמַר לֵהּ לְאִשָּׁה
“You should be married to me”	הָרִי אֶתְּ מְקוּדָשָׁתְּ לִי
and he (then) said to her friend	וְאָמַר לֵהּ לְחֻבֵּרְתָּהּ
“and you”	וְאַתְּ
do we say	מִי אֲמַרִינָן
“you also”	וְאַתְּ נָמִי
he said to her friend	אָמַר לֵהּ לְחֻבֵּרְתָּהּ
and the kiddushin is effective	וְתַפְסִי בֵּהּ קִדּוּשִׁין
for her friend (i.e. the other woman)	לְחֻבֵּרְתָּהּ
or maybe	אוּ דְלָמָּא
“and you will see”	וְאַתְּ חֲזָא
he said to her friend	אָמַר לֵהּ לְחֻבֵּרְתָּהּ
and the kiddushin is not effective	וְלֹא תַפְסִי בֵּהּ קִדּוּשִׁין
in her friend (the other woman)	בְּחֻבֵּרְתָּהּ

This person married one woman and then turned to the next and said, “And you”. The Gemara tells us that the words “and you” only constitute a yad, and as such, we have the question if this yad can make a kiddushin. The reason these words are considered only as a yad is because it could be that the man meant to tell her, “And you should see”. That is, he is telling the other woman that she should see how he is marrying this woman but not that he actually wants to marry the other woman at this point.<sup>32</sup>

this work. However, we bring the question here as it is an important point in understanding this Gemara.

**32 To Whom Did this Man Give the Perutos?**

The Ran explains that in this case he gave two perutos to the first woman and then said “You are hereby married to me” to the first woman, and then said “and you” to the second woman. And the first woman accepted one perutah for herself and one perutah for her friend as her shliach (messenger).

That is, when a person gets married to a woman, besides for his declaration of wanting to marry her, he must do one of the three acts of marriage (money, shtar (marriage document), or living with her). Therefore, if there is going to be a possibility of this person's declaration to the second person to be effective, it must be that the first woman accepted a perutah (the smallest currency) for her.

The Ran explains that it cannot be that he gave a perutah to each one of them, because if he did, then what he said to the second woman would not be considered as a yad but rather as a full declaration of kiddushin (as his act of

**31 How Could Yados Not Work for Kiddushin?**

The Achronim ask that seemingly it is difficult to understand how our Gemara could entertain the possibility that yados do not work for kiddushin.

That is, with regard to nedarim what makes the neder is the dibbur, the person's speech. If so, we can debate what is considered ‘speech’ that affects a neder. But with regard to kiddushin, what makes the kiddushin is not what the man says but rather the actual ‘marriage act’. As the Gemara in meseches Kiddushin tells us, if the man and woman are discussing topics related to marriage, and he then gives her a perutah (a small coin), this will cause her to be married to him, even though he did not actually say a ‘marriage proclamation’!

That is, since everyone understands why he gave her this perutah that is sufficient and the marriage is effective. If so, even if the halchaha of yados was not said with regard to kiddushin, how could this make a difference if you don't need the man to say anything at all? The answer to this question is the subject of a tremendous amount of discussion in the Achronim and beyond the scope of

The Ran explains that although his words do not imply that he just wants the second woman to watch how he married the first, at the end of the day, there is this possibility. And since there is this possibility, what the man said can only be considered as a yad, although it will certainly be considered as מוכיחות נדים and not שְׂאֵיִן מוכיחות נדים. And this is the question of our Gemara. With regard to kiddushin, it is good enough to just say a yad, or does he have to use a full expression of kiddushin?

The Gemara now asks:

And was it a question	ומי מיבעי ליה
to Rav Pappa	לרב פפא
but from what Rav Pappa said	והא מדאמר ליה רב פפא
to Abaye	לאבאי
“Does Shmuel “really” hold	מי סבר שמואל
that ‘unclear yadayim	נדים שְׂאֵיִן מוכיחות
are yadayim?”	הניין נדים
this implies	מכלל
that Rav Pappa holds	דסבירא ליה לרב פפא
that there is a yad to kiddushin	דיש יד לקידושין

The Ran explains that in meseches Kiddushin, Shmuel said that מוכיחות נדים שְׂאֵיִן are yadayim. And on this Rav Pappa asked, “Is this really true? Did Shmuel really say that מוכיחות נדים שְׂאֵיִן are yadayim?” In other words, what caused Rav Pappa to be surprised is this that Shmuel said that מוכיחות נדים שְׂאֵיִן are yadayim, but this that Shmuel holds yadayim works with regard to kiddushin did not seem to bother Rav Pappa at all. If so, we see that indeed Rav Pappa holds that yadayim work with regard to kiddushin and this leads to the Gemara’s question that if so, why is he now asking if there are yados for kiddushin?

To Gemara answers:

One within	חדא מגו
in what Shmuel holds	מאי דסבירא ליה לשמואל
he said (asked) to Abaye	אמר ליה לאבאי

Rav Pappa’s question that he asked Abaye with regard to Shmuel’s shita was not with regard to Rav Pappa’s own shita, but

giving her the perutah would make his words perfectly clear without any room for any doubt whatsoever).

<sup>33</sup> What is the Difference Between Gittin and Kiddushin?

Our Gemara leaves with the Rav Pappa’s sofek if yados work for kiddushin or not? But what is the difference between kiddushin and gittin? Earlier on in the sugya it was clear that the Gemara’s sofek if yados work for gittin was only with regard to מוכיחות נדים שְׂאֵיִן and it was obvious that מוכיחות נדים would work. If so, why should kiddushin be different? Why would yados work for gittin and not kiddushin? The Ran answers that with regard to gittin an action was done, that is, the man gave the get to the woman. Therefore, there was no question that

it was with regard to this that Shmuel had contradicted himself with regard to מוכיחות נדים שְׂאֵיִן. That is, although Shmuel certainly holds that yadayim work with regard to kiddushin, Rav Pappa for himself was not sure. And Rav Pappa in meseches Kiddushin was just coming to point out that seemingly in Shmuel’s shita there is a contradiction.<sup>33</sup>

**Are there Yados with Regard to Peah?**

Rav asked	בעי רב פפא
is there a yad	יש יד
for peah (the part of the field left for the poor)	לפאה
or is there no yad for peah	או אין יד לפאה

The Ran explains the question of the Gemara as follows. If we say that there are no yados with regard to kiddushin, is this because there is no hekesh between kiddushin and nedarim, and if so, with regard to peah for which there is a hekesh to nedarim (as will be explained shortly), there will be yados. Or perhaps even though there is a hekesh to nedarim, there are still no yados with regard to declaring one’s crops as peah.

The Gemara asks:

What is the case	היכי דמי
if you say	אילימא
that he said	דאמר
“This ‘row’ <sup>34</sup>	הדין אוגיא
should be peah	ליהוי פאה
and this one also”	והדין נמי
this is actual peah	ההיא פיאה מעלייתא היא

The Gemara asks as it did before, that the words ‘and this one also’ should be considered more than just a yad but rather it should be considered as a full declaration of his intent, and as such, there should be no doubt as to its effectiveness (i.e., it should work even if yados don’t).

The Gemara answers:

When do we have a question	כי קא מיבעיא ליה
for example	כגון

‘clear yados’ could work together with this action. However, with regard to kiddushin no action was done. As we previously brought from the Ran, the case of our Gemara has to be that the man gave two perutot to the first woman and none to the second. If so, this is the sofek of the Gemara. Since no action is being done, perhaps more is needed and although מוכיחות נדים work with regard to gittin, they do not work with regard to kiddushin.

<sup>34</sup> The Meaning of the Word אוגיא

The Ran explains that the word אוגיא literally means ditch, and the reason why a row of crops is called an אוגיא is because the row was surrounded by irrigation ditches.

that he said “and this one” דַּאֲמַר וְהַדִּין  
 and he did not say “also” וְלֹא אָמַר נְמִי  
 what is the halacha מאי

**Can One Make an Entire Field Peah?**

Before the Gemara answers its question with regard to peah having yados or not, the Gemara points out that from the question itself we can learn the following halacha.

(Does this) imply מְכַלל  
 that when he says דְּכִי אָמַר  
 that the whole field שְׂדֵה כּוֹלָה  
 should be peah תִּיהְיוּ פֶּאֶה  
 it is peah הֲיָנָא פֶּאֶה

The Gemara says that from the Gemara’s question if yados work with regard to peah or not, we see that one is able to make his entire field peah. The Ran (עיני הקורן אורה) explains that connection between the Gemara’s question with regard to yados and this halacha as follows.

The Ran explains that the Gemara understood that it must be that the first peah that the person designated was large enough to be the entire amount of peah that is required for this field, because if not, our Gemara would not have a question. If the person’s first declaration of peah did not cover the entire amount of peah for this field, then his second declaration (i.e., when he said ‘and this one’) would definitely work.

This would be because it would be obvious to all that his intent with his second declaration is to make this second row peah, because if not, he has still not fulfilled his obligation to take peah. Therefore, even if yados would not work, this declaration would. Therefore, if the Gemara has a question, it must be that the person had already separated enough for the amount needed for peah.

And yet, this person now wants to take more. And the Gemara tells us that if yados work with regard to peah, it would work in this case. That is, he would be able to take peah even though no more peah is needed. And if so, the same way he can take a little ‘unnecessary’ peah, there should be no reason why he can’t make the entire field into peah.

**35 How Can We Make a Hekesh Halfway?**

The Ran explains that although normally we do not say a hekesh halfway, that is, a hekesh will not teach us that two things are similar with regard to only some halachos and not others, with regard to peah is different. Even in the hekesh, it does not mention peah explicitly (as we will see shortly) and therefore

The Gemara answers:  
 Yes (it is true) אֵין  
 as we learned in a Baraisa וְהִתְנַיָּא  
 how do we know מִנֵּין  
 that if a person wants to make שְׂאֵם רוֹצֵה לַעֲשׂוֹת  
 his entire field peah כָּל שְׂדֵהוּ פֶּאֶה  
 he can make עוֹשֶׂה  
 ‘the posuk comes to teach’ תַּלְמוּד לֹמַר  
 “The peah of your field” פֶּאֶת שְׂדֵךְ

The Ran explains that the posuk does not say פֶּאֶה שְׂבִשְׂדֵךְ which would mean the peah in your field, but rather the posuk says פֶּאֶת שְׂדֵךְ, the peah of your field, which could mean the peah that is your field, that is, you can have a situation in which the peah and your field is the same thing, i.e., the entire field is peah.

The Gemara now returns to its question if there are yados with regard to peah.

Do we say מִי אָמְרִינוּ  
 since כִּיוֵן  
 ‘there is a hekesh’ דְּאִיתְקַשׁ  
 to korbanos לְקַרְבָּנוֹת  
 (we therefore say) just like korbanos מַה קְרָבָנוֹת  
 have a yad יֵשׁ לָהֶם יָד  
 so too peah has a yad אַף פֶּאֶה יֵשׁ לָהּ יָד  
 or maybe או דלמא  
 when is there a hekesh כִּי אִיתְקַשׁ  
 to (the lav) of ‘bal t’acher’ לְבַל תֵּאַחֵר  
 there is a hekesh הוּא דְּאִיתְקַשׁ

The Gemara tells us that there is a hekesh between korbanos and peah, and as such, we have our question. Do we say that the hekesh compares the halachos between them even with regard to yados, or is the hekesh only relevant for the halacha of ‘bal t’acher’ (i.e., the same way you cannot delay in bring korbanos, you cannot delay in fulfilling your declaration to take peah)?<sup>35</sup>

The Gemara told us that there is a hekesh between nedarim and peah, the Gemara will now tell us where that hekesh is.

And where is the hekesh וְהִכָּא אִיתְקַשׁ

The Gemara answers:  
 As we learned in a Baraisa דִּתְנַיָּא

we can say that the hekesh is only with regard to ‘bal t’acher and not with regard to yados (the Gemara will explain why the hekesh teaches us the halacha of bal t’acher and not of yados).