

מתני' כל כינויי נזירות כנויות.

MISHNA One becomes a nazirite by taking a nazirite vow, in which he simply declares himself a nazirite, as detailed in the Torah (Numbers 6:1–21). Additionally, all substitutes for the language of nazirite vows^N are like nazirite vows^H and are binding. Furthermore, intimations of nazirite vows, i.e., incomplete statements that are understood from context to be meant as nazirite vows, are considered binding nazirite vows.

האומר "אהא" – הרי זה נזיר, או "אהא נאה" – נזיר. "נזיק", "נזיח", "פזיח" – הרי זה נזיר. "הריני כזה", "הריני מסלסל", "הריני מבלבל", "הרי עלי לשלח פרע" – הרי זה נזיר.

Consequently, one who says: I will be,^H without further clarification, is a nazirite, as this is his implied intention. Or, if he said: I will be beautiful, he is a nazirite. The substitutes for the language of nazirite vows are as follows: If one says: I will be a *nazik*,^N a *nazi'ah*, or a *pazi'ah*, he is a nazirite. If one says: I am hereby like this,^N I am hereby a hair curler,^N I am hereby growing my hair; or: It is incumbent upon me to grow long hair, he is a nazirite.

"הרי עלי ציפורים". רבי מאיר אומר: נזיר, וחכמים אומרים: אינו נזיר.

If one says: An obligation is hereby incumbent upon me with regard to birds,^H Rabbi Meir says: He is a nazirite. A nazirite brings two bird-offerings if he inadvertently becomes ritually impure from a corpse (Numbers 6:10), and it is understood that the individual used this indirect phrase to take a vow of naziriteship. And the Sages say: He is not a nazirite.

גמ' מכדי תנא בסדר נשים קאי, מאי טעמא תני נזיר?

GEMARA The Gemara begins by clarifying why this tractate appears in the order of *Nashim* within the six orders of the Mishna. Now, the *tanna* is engaged in the study of the order of *Nashim*, which discusses laws concerning marriage and the resulting obligations as well as with forbidden sexual relations. What then is the reason that he teaches the laws of the nazirite^N here?

HALAKHA

All substitutes for the language of nazirite vows are like nazirite vows – כל כינויי נזירות כנויות: All substitutes for the language of nazirite vows are like nazirite vows. For example, in a place where a nazirite is called a *nazik*, *nazi'ah*, or *pazi'ah*, one who uses one of those terms in a vow is a nazirite (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 1:8).

One who says, I will be, etc. – האומר אהא וכו' – If one says: I will be, or: I will be beautiful, he is a nazirite, subject to the conditions specified in the Gemara below (2b). The same applies to the other substitute terms mentioned in the mishna (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 1:6).

An obligation is hereby incumbent upon me with regard to birds – הרי עלי ציפורים – If one says: An obligation is hereby incumbent upon me with regard to birds, his statement is of no consequence, even if a nazirite is passing before him, and even if he intends to become a nazirite (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 1:7).

NOTES

All substitutes for the language of nazirite vows – כל כינויי – נזירות: The biblical source for the *halakha* that substitutes for the language of vows are considered vows is discussed at the beginning of tractate *Nedarim* (3a). The Gemara there explains that the verses that discuss naziriteship use the same word repetitively: "When a man or a woman shall clearly utter a vow [*lindor neder*], the vow of a nazirite, to consecrate himself [*nazir lehazir*] to the Lord" (Numbers 6:2). The doubled term *nazir lehazir* teaches that one can become a nazirite not only through a direct vow, but also through substitute expressions. The doubled term *lindor neder* indicates that the same is true for other types of vows.

Nazik, etc. – נזיק וכו' – The Gemara in tractate *Nedarim* (10a) relates that Rabbi Yohanan and Reish Lakish debate the explanation of these terms. The same dispute is found in the Jerusalem Talmud, where the opinions attributed to each *amora* are reversed. According to one opinion, these substitute terms are words in other languages, while according to the other opinion they are special terms invented by the Sages to prevent situations from arising where one might utter the name of God in vain.

Tosafot raise difficulties with each opinion: If these are simply words in other languages, what new *halakha* is being taught? One can declare a vow in any language. They answer that if one takes a vow in a foreign language it is necessary for him to understand the words that he is saying, whereas if one vows by using one of the terms listed in the mishna, the naziriteship takes effect even if he does not know the meaning of the words, because they are similar in pronunciation to the term *nazir* used in the Torah. It is noted in the Commentary on *Nazir* that these

words are also similar to the word *nazir* in their spelling. Even according to the opinion of *Tosafot* that the person taking the vow of naziriteship using these terms need not know precisely what they mean, he must intend to take a nazirite vow in order for it to take effect.

With regard to the second opinion, that these substitute terms are expressions invented by the Sages, *Tosafot* ask: If the Sages invented these terms, how does naziriteship take effect by Torah law when they are used? If the vow does not take effect by Torah law, how can the nazirite offer the sacrifices that mark the end of naziriteship? They explain that since the Sages established these particular terms, the person taking the vow intends to use these terms in order to accept naziriteship, and therefore the vow takes effect. The Jerusalem Talmud offers a similar resolution of this problem. Some commentaries claim that the dispute about the origin of these terms is only with regard to those used for ordinary vows. In the case of naziriteship, everyone agrees that these terms come from other languages and therefore take effect by Torah law (Rabbeinu Todros, cited in *Shita Mekubbetzet*).

Others argue that even according to the opinion that these terms come from other languages, they are not words in use in any specific language. Rather, gentiles, who did not know how to pronounce the word *nazir* properly, used these terms, and their corrupted versions in turn influenced some Jews (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 1:16, and see Radbaz there; Meiri).

I am hereby like this – הריני כזה – *Tosafot* cite the Gemara (3a), which explains that a nazirite was walking by when the person made this statement. They add that the novelty of this ruling

is that a vow is not effective if one merely says: I am hereby. Rabbeinu Azriel, cited in *Shita Mekubbetzet*, argues that the statement: I am hereby, certainly indicates naziriteship. He adds that this is explicitly stated in the Jerusalem Talmud (*Nazir* 1:2). The novel aspect of this *halakha* is that the phrase: I am hereby like this, is also considered a vow of naziriteship (see Rashash).

I am hereby a hair curler, etc. – הריני מסלסל וכו' – *Tosafot* point out that these expressions are not intimations, which is why they are not listed when the mishna gives an example of an intimation. This is because they are not partial statements, but rather full statements that do not explicitly mention naziriteship, although the intention of the individual taking the vow is clear from context.

What is the reason he teaches the topic of nazirite – מאי נזיר טעמא תני נזיר – Some commentaries had a version of the order of *Nashim* in which tractate *Sota* precedes tractate *Nazir*. They had a different version of the Gemara text here, which states: Since the *tanna* has finished with the *halakhot* of a heifer whose neck is broken, which appears at the end of tractate *Sota*, what is the reason that he now teaches tractate *Nazir* (Meiri)?

Tosafot reinforce the idea that *Nazir* does not belong in the order of *Nashim* by pointing out that since the nazirite must bring offerings, this tractate ostensibly belongs in the order of *Kodashim*. Rabbeinu Azriel, cited in *Shita Mekubbetzet*, adds to the Gemara's question by stating that tractate *Nazir* could have followed tractate *Karetot*, which deals with the prohibition barring priests serving in the Temple from drinking wine, a prohibition parallel to the prohibition against a nazirite's drinking wine (*Shita Mekubbetzet*).

HALAKHA

Should abstain from wine – יוֹזֵר עֲצָמוֹ מִן הַיַּיִן: It is proper for one to distance himself from levity, drunkenness, and flirtatious behavior, since all of these lead to sin (Rambam Sefer Kedusha, Hilkhhot Issurei Bia 22:21; Shulhan Arukh, Even HaEzer 25:1).

LANGUAGE

Without attribution [kedi] – כְּדִי: There are various opinions as to the meaning of this word. Rashi in several places suggests two possibilities: One explanation is that it is the name or nickname of a Sage (Maharatz Hayyut). Alternatively, it is a word used to introduce an unattributed statement. This appears to be the explanation of the ge'onim, who maintain that the word is an abbreviation of kedehi, meaning: As it is, i.e., without attribution.

תָּנָא אֶקְרָא קָאֵי: "וְהִיָּה אִם לֹא תִמְצָא חֵן בְּעֵינָיו כִּי מִצָּא בָּהּ עֲרוֹת דְּבַר". וְהָכִי קָאָמַר: מִי גֵרַם לָהּ לְעִבְיָהּ – יַיִן, וְקָאָמַר: כָּל הָרוֹאֶה סוֹטָה בְּקִלְקוּלָהּ – יוֹזֵר עֲצָמוֹ מִן הַיַּיִן.

פְּתַח בְּכִינוּיֵין וּמְפָרֵשׁ יְדוּת!

אָמַר רַבָּא וְאִיתִימָא כְּדִי: חֲסוּרֵי מִיחְסָרָא, וְהָכִי קָתַנְי: כָּל כִּינוּיֵי נְזִירוֹת בְּנְזִירוֹת, וְיְדוּת נְזִירוֹת בְּנְזִירוֹת; וְאֵלּוּ הֵן יְדוּת: הָאֹמַר "אֶהְיָא" – הָרִי זֶה נְזִיר.

וְלִפְרוֹשׁ כִּינוּיֵי בְּרִישָׁא! תָּנָא מִהֵוּא דְּסָלִיק הֵוּא מְפָרֵשׁ בְּרִישָׁא. בְּדַתְנָן: בְּמָה מְדַלִּיקִין וּבְמָה אֵין מְדַלִּיקִין, וּמְפָרֵשׁ "אֵין מְדַלִּיקִין" בְּרִישָׁא.

בְּמָה טוֹמְנִין וּבְמָה אֵין טוֹמְנִין, וּמְפָרֵשׁ "אֵין טוֹמְנִין" בְּרִישָׁא.

בְּמָה אִשָּׁה יוֹצֵאָה וּבְמָה אֵינָה יוֹצֵאָה, וּמְפָרֵשׁ "לֹא תֵצֵא אִשָּׁה" בְּרִישָׁא.

The Gemara answers: **The tanna is engaged in the study of the verseⁿ pertaining to divorce:** "Then it comes to pass, if she finds no favor in his eyes, because he has found some unseemly matter about her" (Deuteronomy 24:1). **And this is what he is saying:** What caused the woman to commit the transgression of adultery, alluded to in the verse by the phrase "unseemly matter"? It was wine. **And the tanna is saying:** **Anyone who sees a sota in her disgrace should abstain from wine.**^h Consequently, tractate *Nazir* is placed in the order of *Nashim*, immediately preceding tractate *Sota*, which is about a woman suspected by her husband of having been unfaithful, and tractate *Gittin*, which discusses divorce.

S The Gemara asks a question with regard to the mishna's presentation of the different topics it addresses: **The tanna began with the statement that all substitutes for the language of nazirite vows are considered nazirite vows, but then it explains the halakha of intimations of nazirite vows by providing examples of intimations rather than examples of substitutes for nazirite vows.** Why didn't the Gemara provide examples of substitutes immediately after stating the halakha concerning substitutes?

Rava said, and some say this statement without attribution [kedi]:^l **The mishna is incompleteⁿ and is teaching the following:** All substitutes for the language of nazirite vows are like nazirite vows. And similarly, all intimations of nazirite vows are like nazirite vows. And these are examples of intimations: **One who says: I will be, is a nazirite.**

The Gemara asks: **But nevertheless, let the tanna explain the cases of substitutes first, before providing examples of intimations, as the halakha of substitutes is mentioned before the halakha of intimations.** The Gemara answers: **The tanna employs the general style of the Mishna, which is that the subject with which it concludes is the one that it explains first, as we learned in a mishna (Shabbat 20b): With what may one light the Shabbat lamp and with what may one not light it? And the mishna explains the details of what one may not light first, before providing examples of fuel that may be used to light the Shabbat lamp.**

Similarly, another mishna (*Shabbat* 47b) states: **In what may one insulate a pot of cooked food on Shabbat eve, and in what may one not insulate it? And the mishna explains the cases of material in which one may not insulate it first, before providing examples of materials in which one may insulate a pot of cooked food.**

A third example of this style is in the following mishna (*Shabbat* 57a): **With what items may a woman go out into the public domain on Shabbat and with what items may she not go out? And the mishna explains the items with which a woman may not go out first, before providing examples of items with which she may go out.**

NOTES

תָּנָא אֶקְרָא קָאֵי – The tanna is engaged in the study of the verse: The Gemara in tractate *Sota* (2a) explains that tractate *Nedarim*, literally, vows, appears in the order of *Nashim* due to its connection to tractate *Ketubot*, which deals with the halakhot of one who imposes a vow on his wife. *Nazir* then follows *Nedarim*, as a central issue in *Nazir* is the nazirite vow. This explanation is ostensibly deemed insufficient by the Gemara here. However, Rashi is cited in *Sefer HaYashar (Hiddushim* 65) as explaining that the text of the entire discussion in the Gemara here has been corrupted and should be omitted, as there is already a satisfactory account of the order and placement of this tractate.

Another way to resolve the contradiction between the Gemara in tractate *Sota* and the Gemara here is to note that while the Gemara in tractate *Sota* explains the order of the tractates, it does not offer a suitable answer as to why tractate *Nazir* appears in the order of *Nashim* at all. It should have been placed in the order of

Kodashim, and then tractate *Nedarim* would have been taught there as well, due to its connection with this tractate (Rabbeinu Tam; *Tosafot*; Rabbeinu Todros, cited in *Shita Mekubbetzet*).

Is incomplete, etc. – חֲסוּרֵי מִיחְסָרָא וכו' – The early commentaries ask: Since the Gemara is inserting a ruling about intimations into the mishna, it should have simply inserted this ruling before the mishna's ruling about substitute expressions. This would have resolved the Gemara's upcoming question, which is why the mishna provides examples of intimations before it provides examples of substitute expressions, when the ruling about substitute expressions comes first in the mishna. They answer that there was a tradition that the tractate begins with the ruling about substitute terms, and therefore the Sages could not claim that the missing words actually comprised the opening line of the tractate (*Shita Mekubbetzet*).

There, where it is the individual's own prohibition, etc. – **התם דאיסורא דנפשיה וכו'**: Some commentaries explain that a prohibition that one violates himself is more severe than a prohibition that one violates through the behavior of his animal (Commentary on *Nazir*; *Tosafot*). Alternatively, since one must let his animals rest on Shabbat, it should be prohibited to allow one's animal to go to the public domain carrying anything at all. Consequently, the *halakha* that one's animal may enter the public domain while carrying certain items is of greater novelty than the *halakha* that it is prohibited to allow one's animal to enter the public domain while carrying other items, and the *tanna* discusses first the case that contains the greater novelty (Rabbeinu Azriel, cited in *Shita Mekubbetzet*).

והתנן: במה בהמה יוצאה ובמה אינה יוצאה, ומפרש "יוצא גמל" ברישא!

The Gemara challenges this explanation: **But didn't we learn in a mishna (*Shabbat* 51b): With what may an animal go out into the public domain on Shabbat, and with what may it not go out? And it explains the items with which a camel may go out first, before providing examples of items with which it may not go out.**

יש נוחלין ומנחילין, נוחלין ולא מנחילין, מנחילין ולא נוחלין, לא נוחלין ולא מנחילין, ומפרש "אלו נוחלין ומנחילין" ברישא!

Similarly, it is taught in another mishna (*Bava Batra* 108a): **There are some relatives who inherit and bequeath, e.g., a father and son, who are heirs to each other; some who inherit but do not bequeath; some bequeath but do not inherit; and some do not inherit and do not bequeath. And the mishna explains the cases of those who both inherit and bequeath first, before providing examples of the other categories that were mentioned later in the opening clause of the mishna.**

אלא, לעולם תני הכי ותני הכי.

Rather, the mishna actually teaches in this manner at times, and it teaches in that manner at other times. There are instances where the *tanna* begins by elaborating on the first principle mentioned in the mishna, while on other occasions he first elaborates upon the last principle mentioned.

אלא, התם דאיסורא דנפשיה הוא – מפרש איסורא דנפשיה ברישא. גבי בהמה דאיסורא אידי בהמה הוא דאמי – מפרש היתירא ברישא.

However, there is a rationale as to when the *tanna* employs each style. **There, in the passages concerning the fuels one may use to light the Shabbat lamp, the materials one may use to insulate a pot on Shabbat eve, and the items with which a woman may go out on Shabbat to the public domain, where it is the individual's own prohibition^N that is being discussed, the *tanna* explains the cases pertaining to the individual's own prohibition first.** By contrast, **with regard to the mishna that addresses an animal carrying into the public domain on Shabbat, where the prohibition comes by means of the animal, the *tanna* explains what is permitted first.**

Perek I

Daf 2 Amud b

גבי "יש נוחלין" נמי, מפרש עיקר נחלה ברישא.

Similarly, **with regard to the mishna that teaches that there are some relatives who inherit and bequeath, the *tanna* also had a reason for initially providing examples from the first category: He thereby explains the principal case of the Torah's *halakhot* of inheritance^N first.**

אלא [הכא], לפרוש כינוי ברישא! אלא, היינו טעם: ידות, הואיל ואתיין ליה מדרשא – תביבין ליה.

The Gemara now returns to its question: **But here, let the *tanna* explain the cases of substitutes first.**^N The Gemara explains: **Rather, this is the reason: Since intimations are derived from the exposition of verses and are not explicitly mentioned in the Torah, they are dear to the *tanna* and he therefore mentions them first.**

ולפתח בהון ברישא! תנא כי מתחיל – מתחיל בעיקר קרבן, ולענין פירושי – מפרש ידות ברישא.

The Gemara asks: **But if that is so, then let him begin with them first in the opening clause of the mishna as well.** The Gemara answers: **When the *tanna* begins, he begins with the main offering of the nazirite, i.e., with the *halakha* that has a basis in the Torah. But with regard to the explanation of these *halakhot*, he explains the cases of intimations first, as he favors that topic.**

"האומר אהא הרי זה נזיר." דלמא "אהא בתענית" קאמר! אמר שמואל: בגון שהיה נזיר עובר לפניו.

§ The mishna taught: **One who says: I will be, is a nazirite.** The Gemara asks: **Perhaps he is saying: I will be fasting,**^N i.e., his intention is to take a vow that will obligate himself to fast rather than to be a nazirite. The Gemara answers that **Shmuel said: The mishna is describing a case where a nazirite was passing before him,**^H so that it is clear that he is taking a nazirite vow.

HALAKHA

Where a nazirite was passing before him – בגון שהיה נזיר עובר – him becomes a nazirite, as stated by Shmuel (Rambam *Sefer Hafla'a*, *Hilkhot Nezirut* 1:6).

The principal case of the Torah's *halakhot* of inheritance – **עיקר נחלה**: The principal paradigm of inheritance is the category of relatives who both inherit and bequeath, meaning that there is a two-way relationship whereby each individual is an heir to the other. An example of this is fathers and sons. Sons inherit from their father and, if they do not have sons of their own, bequeath to their father. This is also the first case of inheritance mentioned in the Torah's passage on the topic (see Numbers 27:8 and *Bava Batra* 108b).

But here let the *tanna* explain the cases of substitutes first – אלא הכא לפרוש כינוי ברישא: The Rosh explains the Gemara's question in the following manner: Just as the mishna in *Bava Batra* explains the principal case of inheritance first, the mishna here should first provide examples of substitute language of vows, as they are a more primary manner of expressing a vow than employing an intimation of a vow.

דלמא אהא בתענית – I will be fasting – **קאמר**: The Rosh elaborates on the Gemara's question: If the intention of the person who takes the vow is unclear, as he could be merely taking a vow to fast, then the mishna should not rule that he is a nazirite and compel him to bring the offerings at the conclusion of his naziriteship, as doing so is prohibited if he is not in fact a nazirite. Furthermore, there is a principle that one is lenient in cases of naziriteship, which the mishna seems to ignore.

Some commentaries wonder why one does not simply ask the individual whether he intended to accept upon himself naziriteship or a fast. They answer that this is a case where the individual says that he himself did not have a particular intention. His intention was to accept upon himself whatever vow the Sages determine applies to one who says: I will be (*Shita Mekubbetzet*).

Ambiguous intimations – יָדִים שְׁאִינָן מוֹכִיחוֹת: Intimations of vows are considered vows as long they give some indication as to the intention of the speaker. For example, if one person says to another: I vow about you that I will eat not of yours, the vow is effective. However, intimations that are entirely ambiguous are not considered intimations (*Shulḥan Arukh, Yoreh De'a* 206:1).

Where he said in his heart – דִּקְאָמַר בְּלִבּוֹ: In order to accept upon oneself naziriteship, it is not necessary to make an explicit statement that everyone would understand to be the acceptance of naziriteship. Rather, as long as one intends to become a nazirite and vocalizes that intent in some way, and in a context in which that is the likely interpretation, he becomes a nazirite even if his words in themselves do not indicate that he is taking a nazirite vow (Rambam *Sefer Hafl'a, Hilkhot Nezirut* 1:5).

לִימָא קִסְבֵּר שְׁמוּאֵל יָדִים שְׁאִינָן מוֹכִיחוֹת לֹא הוּוּיָן יָדִים? אָמְרִי: בְּזִמְנֵי שְׁנוּיָר עוֹבֵר לְפָנָיו – לִיבָא לְסַפּוּקָא בְּמִילְתָּא אַחֲרֵינָא, אֲבָל וְדָאִי אִין הַנְּזִיר עוֹבֵר לְפָנָיו – אָמְרִינָן: דְּלִמָּא "אֵהָא בְּתַעֲנִית" קָאָמַר.

וְדִלְמָא לְפֻטְרוֹ מִן קְרִבְנֵתָיו קָאָמַר. דִּקְאָמַר בְּלִבּוֹ.

The Gemara asks: Shall we say that Shmuel holds as a principle that **ambiguous intimations^{HN} are not considered intimations^N**, i.e., they are not considered vows? The Gemara rejects this suggestion: Say that **when^N a nazirite is passing before him, there is no reason to doubt his intention.** There is no possibility that he is referring to another matter, and therefore his statement is definitely an intimation of naziriteship. However, it is **certainly** the case that when a nazirite is not passing before him, and he states: I will be, we say that **perhaps he is saying: I will be fasting.** It is only in the latter case, where one's intimation is so ambiguous that it offers no evidence whatsoever of his intentions, that Shmuel holds that one's statement is not considered a vow.

The Gemara asks: **But** even if he made his statement when a nazirite was passing before him, **perhaps he was saying** that he intends to purchase the animals the nazirite will need for his offerings and thereby **exempt** the nazirite from paying for his own offerings. The Gemara answers: This is a case **where he said in his heart^{HN}** that he accepts upon himself a nazirite vow.

NOTES

Ambiguous intimations – יָדִים שְׁאִינָן מוֹכִיחוֹת: Rabbeinu Todros and *Tosafot* (on *Nedarim* 5b) quote Rabbeinu Tam's opinion that there are two types of ambiguous intimations. One type is so ambiguous that it offers no evidence of the speaker's intention whatsoever. The other type is only mildly ambiguous, so that there is some indication as to the speaker's intention, although he did not clearly articulate that intention.

Are not considered intimations – לֹא הוּוּיָן יָדִים: The suggestion that Shmuel holds that ambiguous intimations are not valid vows is based upon the fact that even when no nazirite is passing before him, it is more likely that the expression: I will be, is referring to naziriteship than to a fast. This is because the language indicates the immediate acceptance of a vow, which is possible in the case of naziriteship, but not usually in the case of a fast, as once the day has begun one cannot accept upon himself a fast for that day. The later commentaries also point out that one must accept a vow to fast in the afternoon of the day before one intends to fast. Therefore, it is more likely that his intention was to accept a nazirite vow (*Tosafot; Shita Mekubbetzet*).

Say that when, etc. – אָמְרִי בְּזִמְנֵי וְכוּ': There are two explanations of this answer. Some claim that the Gemara's conclusion is that, according to Shmuel, ambiguous intimations are considered intimations. However, if a nazirite is not passing by when the individual makes this statement, his statement is not even considered an ambiguous intimation, as it is not at all clear what he means to say (Commentary on *Nazir*; Rosh).

Conversely, according to the first explanation of *Tosafot* and Rabbeinu Tam, the Gemara's conclusion is that according to Shmuel, ambiguous intimations are not considered intimations. However, if a nazirite is passing by when the individual makes this statement, it is obvious that his statement is meant as a

nazirite vow, and the vow takes effect. *Tosafot* point out that according to this interpretation, the Gemara's introduction of the question with the phrase: Shall we say, is imprecise, as this phrase usually indicates a suggestion that will be rejected, which is not the case here. However, the language in tractate *Nazir* in general is different from that of standard Gemara usage, and *Tosafot* provide an example from elsewhere in the tractate where this expression is used in a similar manner.

There is another opinion, based on a variant version of the text, in which the Gemara states: Shall we say that Shmuel holds that ambiguous intimations are considered intimations? According to this reading, the Gemara suggests that Shmuel holds that even if a nazirite is not passing before him at that precise moment, he becomes a nazirite. The Gemara concludes that there is a distinction between a person who says: I will be, at the exact moment when a nazirite is passing in front of him, and one who makes such a statement a little while later. In the latter case, the speaker does not become a nazirite, as ambiguous intimations are not considered intimations (Meiri).

Where he said in his heart – דִּקְאָמַר בְּלִבּוֹ: This is effective only when there was also a nazirite passing before him when he said: I will be. This is because the verse pertaining to naziriteship states that it applies when one "shall clearly utter a vow" (Numbers 6:2). Consequently, one must articulate his acceptance of naziriteship. The point in the Gemara is that if one says: I will be, while a nazirite is passing by and his intention is: I will be like that nazirite, his statement is considered an articulation of a nazirite vow (*Tosafot*). The Rid writes that, in general, intentions that are not articulated are inconsequential as far as the *halakha* is concerned, unless there is some action proving one's intention. Other commentaries disagree, claiming that in certain cases intention and thought alone are of consequence.

אֲנֵאָה לְפָנָיו – I will be beautiful before Him in mitzvot – **בְּמִצְוֹת**: One should perform all mitzvot in the most beautiful manner possible. One should write a Torah scroll with correct, fine letters; one's phylacteries should be elegant; and likewise with regard to all the mitzvot. Some authorities state that if one has a choice between two *etrogim*, he should take the more beautiful one if its cost does not exceed the other by more than one-third (Rambam *Sefer Ahava, Hilkhot Sefer Torah* 7:4; *Shulhan Arukh, Oraḥ Ḥayyim* 32:4, 656:1).

שְׂתָמוּס בְּשַׁעֲרוֹ – Where one is holding his hair – One who said while holding his hair: I will be beautiful, or: I will hereby be a hair curler, or: I am hereby accepting upon myself to tend to my hair, or: It is hereby incumbent upon me to grow my hair, is a nazirite, provided his intent was to take a nazirite vow (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 1:6).

LANGUAGE

שִׁירָאִין – **שִׁירָאִין**: From the Greek *σηρικόν*, *sērikon*, meaning silk.

אִי הָכִי מָאִי לְמִימְרָא? מַהוּ דְּתִימָא:
בְּעִינָן פִּי וְלִבּוֹ שְׂוִין, קָא מְשַׁמְעַ לָן.

The Gemara asks: **If that is so, then what is the purpose of stating this halakha?** Isn't it obvious that he becomes a nazirite? The Gemara answers: It is necessary to state this *halakha*, **lest you say that we require his mouth and heart to be identical.**^N If that were the case, then if one did not clearly articulate his nazirite vow, he would not become a nazirite even if he intended to become one. Therefore, the mishna **teaches us**^N that since his words can be interpreted as referring to a nazirite vow, and that was his intention, he becomes a nazirite.

“אֵהָא נָאָה נְזִיר.” וְדַלְמָא אֲנֵאָה
לְפָנָיו בְּמִצְוֹת? כִּדְתַנְיָא: “זֶה אֱלִי
וְאֵנִיחוּ” – אֲנֵאָה לְפָנָיו בְּמִצְוֹת.
אֶעֱשֶׂה לְפָנָיו סוּכָה נָאָה, לוֹלֵב נָאָה,
צִיצִית נָאָה, אֶכְתוֹב לְפָנָיו סֵפֶר תּוֹרָה
נָאָה, וְאֶכְרַכְנוּ בְּשִׁירָאִין נָאִים!

§ The mishna taught that if one says: **I will be beautiful** [*na'e*], he is a nazirite. The Gemara asks: **But perhaps** when he said: I will be beautiful, he meant: **I will be beautiful^N before Him in mitzvot? As it is taught in a baraita: “This is my God and I will glorify Him [anvehu]”** (Exodus 15:2). *Anvehu* has the same root as the word *na'e*; therefore, the verse means: **I will be beautiful before Him in mitzvot.**^H How is this done? **I will make before Him a beautiful sukka, a beautiful lulav, beautiful ritual fringes. I will write before Him a beautiful Torah scroll, and I will wrap it in beautiful silk cloths [shira'in].**^L

אָמַר שְׂמוּאֵל: שְׂתָמוּס בְּשַׁעֲרוֹ, וְאָמַר
“אֲנֵאָה.”

The Gemara answers that **Shmuel said**: The mishna is referring to a case **where one is holding his hair^{HN} and says: I will be beautiful.** This clearly indicates that he is referring to naziriteship.

נְזִירָא מִילְתָּא דְּעֵבִירָה, וְאָמְרִין לִיה
“נָאָה”?

The Gemara asks: Since **naziriteship is a matter of transgression,**^N can we say about a nazirite that he is beautiful?

NOTES

His mouth and heart to be identical – **פִּי וְלִבּוֹ שְׂוִין**: It is not enough for there to be no contradiction between one's statement and his thoughts. He must express what he has in mind, and if he fails to do so in a clear manner, the naziriteship does not take effect (Commentary on *Nazir*).

The mishna teaches us – **קָא מְשַׁמְעַ לָן**: The conclusion is that one does not need to fully articulate everything he is thinking. However, it is still necessary to give some verbal expression to one's thoughts. Consequently, one becomes a nazirite only if he said: I will be, while a nazirite was passing by (Commentary on *Nazir*).

Perhaps he meant I will be beautiful, etc. – **וְדַלְמָא אֲנֵאָה וכו'**: The Rosh explains that although he could have been referring to naziriteship, it is not clear that this was his intention, and therefore he cannot be considered a nazirite, because one is lenient in cases of doubt concerning naziriteship. The Jerusalem Talmud derives the *halakha* that one who says: I will be beautiful, is a nazirite by *a fortiori* inference, as one who merely says: I will be, is considered a nazirite. The mishna is presumably not referring to a *halakha* that can be derived independently. Therefore, it must be referring to a case where one says, while a nazirite is passing by: No one is as beautiful as this individual. The mishna's point is that this statement should be interpreted as praise and as an acceptance of naziriteship rather than as a critique.

Where one is holding his hair – **שְׂתָמוּס בְּשַׁעֲרוֹ**: In this case, the fact that a nazirite was passing before him is insufficient, as he could be understood to be saying that he intends to beautify

himself by performing other mitzvot, just as the nazirite beautifies himself by means of his mitzva of naziriteship (*Tosafot*). The Rosh and Rabbeinu Todros add that if one takes hold of his hair, not only is it unnecessary for a nazirite to be passing before him, but he does not even require a definitive intention of naziriteship, since his statement is self-evident. The Rambam, however, maintains that even in this case he must fully intend to become a nazirite.

Naziriteship is a matter of transgression – **נְזִירָא מִילְתָּא דְּעֵבִירָה**: The Gemara's question is as follows: The Gemara in tractate *Nedarim* (9a) establishes that a nazirite vow is considered a vow of the wicked. Consequently, acceptance of naziriteship is a kind of transgression, and the Gemara asks how it can be initiated by the statement: I will be beautiful (Commentary to *Nazir*). Rabbeinu Todros, cited in *Shita Mekubbetzet*, offers a different interpretation of the question, according to which the Gemara is asking rhetorically: Is naziriteship undertaken in order to beautify oneself? *Tosafot* and other early commentaries cite an alternative version of the text. Instead of: Naziriteship is a matter of transgression [*da'aveira*], it reads: Is naziriteship a matter that is done [*de'avida*], such that a nazirite may be called beautiful? In other words, is it recommended to take on naziriteship *ab initio*?

Rabbeinu Azriel, cited in *Shita Mekubbetzet*, cites this alternative version of the text. However, he reads it not as a question but as the continuation of Shmuel's statement, so that it reads: The case is where one is holding his hair and says: I will be beautiful, as naziriteship is matter that one ought to do; it is a mitzva, and as such it is beautiful.