

HALAKHA

However with regard to a ritually pure nazirite Rabbi Elazar HaKappar does not call him a sinner – אָבֵל נָזִיר: One who undertakes a vow of naziriteship as an act of dedication to God is considered holy and praiseworthy (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 10:14).

I am hereby like this – הֲרִינִי כֹה: If one said: I am hereby like this, as a nazirite passed before him, he is a nazirite, as stated by Shmuel (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 2:4).

PERSONALITIES

That maidservant of the house of Rabbi Yehuda HaNasi – הַהֵיאָ אֲמָתָא דְּבִי רַבִּי: The maidservant of the house of Rabbi Yehuda HaNasi is mentioned here and in several other contexts. Because she used the purest, most ancient form of the Hebrew language, including words that the Sages themselves were no longer familiar with, it seems that she was no ordinary servant and was possibly even raised among the family of the *Nasi*. Her conduct and the witty, wise manner of speech that she would employ are recounted in the Gemara. It appears that she may have served as Rabbi Yehuda HaNasi's housekeeper.

LANGUAGE

Curling [*silsul*] – סִלְסוּל: Although this word is found in the Bible, its primary meaning is unclear. Some claim that it refers mainly to raising or elevating, as this is one of the meanings of the root *samekh, lamed, lamed*. This is plausible based on the continuation of the verse in Proverbs cited in the Gemara, and this is how it is explained by several commentaries. The term also has the connotation of decorating or beautifying, which could be its meaning both in the verse in Proverbs and in the Gemara here. *Silsul* also means making things round, perhaps like the words *sal* and *salsala*, which both mean basket. This meaning can also pertain to styling hair.

אֵין, דְּאִפִּילוּ לְרַבִּי אֶלְעָזָר הַקָּפָר דְּאָמַר: נָזִיר חוּטָא, הֲנִי מִיְלֵי גִבִּי נָזִיר טָמֵא. דְּאִיִּדִי דְּבִיעֵי מִסִּתְרָ, דְּאָמַר רַחֲמָנָא "וְהַיָּמִים הָרִאשׁוֹנִים יִפְלוּ כִּי טָמֵא נָזִיר". הֲתָם הוּא דְּלָמָא אֲתֵי לְמִיעֵבַר עַל נְזִירוּתֵיהּ, אָבֵל נָזִיר טָהוֹר – לָאוּ חוּטָא קָרִי בֵּיהּ.

"הֲרִינִי כֹה". נְהִי נִמְי דְּתַפּוּס בְּשַׁעְרוֹ, "הֲרִינִי כֹה" לָא אָמַרְוּ אָמַר שְׂמוּאֵל: כְּגוֹן שְׁהֵיָּא נָזִיר עוֹבֵר לְפָנָיו.

"הֲרִינִי מִסִּלְסוּל". מִמַּאי דְּהָדִין סִלְסוּל שְׁעָרָא? כְּדָאֲמַרְהָ לֵיהּ הֵיאָ אֲמָתָא דְּבִי רַבִּי לְהֵוּא גְבָרָא: עַד מַתִּי אֲתָהּ מִסִּלְסוּל בְּשַׁעְרָהּ?

אֵימָא תּוֹרָה, דְּכָתִיב "סִלְסַלְהָ וְתִרְוַמְמָךְ" אָמַר שְׂמוּאֵל: הֲכָא נִמְי שְׁתַּפּוּס בְּשַׁעְרוֹ.

The Gemara answers: Yes, as even according to Rabbi Elazar HaKappar, who said that a nazirite is a sinner, that applies only with regard to a ritually impure nazirite.^N This is because it is necessary for him to void the days of his vow that have been observed and to begin his term anew, as the Merciful One states in the Torah: "But the first days will be void, because his consecration was defiled" (Numbers 6:12). It is there that Rabbi Elazar HaKappar called the nazirite a sinner, because perhaps he will come to transgress^N his naziriteship now that he is a nazirite for a longer period than he originally intended. However, with regard to a ritually pure nazirite, Rabbi Elazar HaKappar does not call him a sinner.^H

§ The mishna taught that one who says: I am hereby like this,^H is a nazirite. The Gemara asks: Though this is indeed a case where he is holding his hair at the time, since he did not say: I am hereby like this,^N how can this statement constitute an acceptance of naziriteship? Shmuel said: It is a case where a nazirite was passing^N before him when he made his statement. His intention was to declare himself a nazirite like the individual passing before him, and his statement therefore constitutes a nazirite vow.

The mishna rules that one who says: I am hereby a hair curler is a nazirite. The Gemara asks: From where is it known that this term is referring to the curling [*silsul*]^L of hair by allowing it to grow? The Gemara answers: As that maidservant of the house of Rabbi Yehuda HaNasi^P said to a certain man who grew his hair long: Until when will you curl [*mesalsel*] your hair? This shows that *mesalsel* means to grow hair.

The Gemara suggests: Say that the word *mesalsel* is referring to the study of Torah, as it is written with regard to Torah: "Extol her [*salseleha*] and she will exalt you" (Proverbs 4:8). The Gemara responds that Shmuel said: Here too, the case is where he was holding his hair^N at the time of his pronouncement.

NOTES

That applies only with regard to a ritually impure nazirite – הֲנִי מִיְלֵי גִבִּי נָזִיר טָמֵא: The early commentaries point out that this appears to contradict the Gemara (19a) that states that according to Rabbi Elazar HaKappar, even a pure nazirite is a sinner. They answer that although the pure nazirite is considered a sinner to a certain extent because of the discomfort he causes himself by abstaining from wine, the mitzva of naziriteship and its sanctity nevertheless override this sin, and therefore he can be called beautiful (see *Tosafot* on 2b). Rabbeinu Todros, cited in *Shita Mekubbetzet*, attributes a similar opinion to Rabbeinu Tam. Among other possibilities, it is suggested in the Meiri that this might be one of those variant talmudic discussions in which the opinion of the Gemara is not consistent, especially as tractate *Nedarim* and tractate *Nazir* differ from other tractates in many ways.

Perhaps he will come to transgress, etc. – דְּלָמָא אֲתֵי לְמִיעֵבַר וְכוּ: The Gemara later in the tractate (19a) explains that an impure nazirite is considered a sinner because by becoming impure he is forced to undergo a second period of naziriteship and thereby repeat his initial sin of becoming a nazirite. The Gemara here does not cite this reason because this reason assumes that naziriteship is inherently sinful, whereas that is not the opinion of the Gemara here (Rabbeinu Azriel, cited in *Shita Mekubbetzet*).

It is explained in the Commentary on *Nazir* that an impure nazirite is called a sinner because he might regret his vow over the course of time. Regret is the basis for dissolving a vow, and therefore, since there was basis for dissolving his nazirite

vow, when the nazirite brings his offering at the conclusion of his term of naziriteship, it is somewhat similar to sacrificing non-consecrated animals in the Temple. Other commentaries maintain that there are two separate reasons why an impure nazirite is called a sinner, both of which relate to the fact that he must begin his term of naziriteship anew: He might come to transgress his vow due to the unanticipated length of time it is taking to complete it, and alternatively he might regret his vow and bring offerings that are similar to the sacrifice of non-sacred animals (Rosh).

He did not say, I am hereby like this – הֲרִינִי כֹה לָא אָמַר: Many early commentaries found this statement puzzling, as the mishna explicitly states that he said: I am hereby like this. For this reason, *Tosafot* dismiss this version of the text as a scribal error and cite an alternate version, which reads: He did not say: I am hereby a nazirite.

The Rosh and Rabbeinu Azriel hold that the correct version of the text states: Although this is a case where he was holding his hair at the time, he did not say anything that indicated a nazirite vow. Another version of the text is cited by Rabbi Avraham min HaHar: He did not say: I am hereby in this. According to this version, had he said: I am hereby in this, while holding his hair, his statement would be interpreted to mean: I am hereby a nazirite in regard to this hair I am holding. It is therefore considered an intimation of a nazirite vow, which is binding. This is the version of the text that is recorded by the author of the *Mishne LaMelekh*, and it appears in some older editions of the Talmud.

Where a nazirite was passing, etc. – שְׁהֵיָּא נָזִיר עוֹבֵר וְכוּ: *Tosafot* explain that according to this answer, since one said: I am hereby like this, when a nazirite was passing before him, he becomes a nazirite even if he was not holding his hair when he made this statement. The Rosh wonders why it was necessary to mention that a statement such as this constitutes a nazirite vow. He explains that one might have thought that the individual meant to say that he is like the nazirite with regard to beauty or wisdom rather than naziriteship. Therefore, it was necessary for the mishna to state that this constitutes a nazirite vow. The Meiri explains that the novelty is not that this statement constitutes a nazirite vow, but that if one says only: I am hereby, he is not considered a nazirite even if a nazirite is walking by at that moment.

Here too, the case is where he was holding his hair, etc. – הֲכָא וְכוּ: The early commentaries explain that the terms *mesalsel* and *mekhalkel* are insufficient when said alone, even if a nazirite was passing before him, since these words do not on their own indicate naziriteship (Rosh; Rabbeinu Azriel, cited in *Shita Mekubbetzet*; Meiri). These statements are effective only if one was holding his hair at the time. Conversely, the explanation of the *Shita Mekubbetzet* is that the Gemara could have said that this is a situation where a nazirite was passing in front of him, but it preferred to explain the mishna as referring to the simpler case of one who was holding his hair.

Growing [*kilkul*] – כִּלְכּוּל: This word is found in several places in the Mishna. In Syriac, it means a full head of hair. Its precise definition in the Mishna is the hair growing on the temples. The word *kilkul* is also used to describe excessive hair growth on different parts of the body (see *Nidda* 52b).

BACKGROUND

To spread – לְסוּד: For many generations, women have considered body hair an aesthetic blemish and have used different methods to remove it. One method, employed mostly by women who could not afford expensive materials, was to dissolve the hair by plastering the specific area with lime, found in chalk deposits. One needed to be particularly careful about this treatment, since the lime could cause serious burns on the skin. In a few cases described in the Talmud, it even caused fatal injuries.



Chalk deposit in the Negev

HALAKHA

Where he was holding his hair – שְׁתַּפּוּס בְּשָׂעָרוֹ: If one said: I am hereby a hair curler, or: I am hereby growing my hair, or: It is hereby incumbent upon me to grow long hair, and when he made this statement he was holding his hair and intended to become a nazirite, his statement is considered a nazirite vow (Rambam *Sefer Hafla'a*, *Hilkhot Nezirut* 1:6).

”הָרִינִי מִכְּלִכּוּל”. מִמָּאֵי דְהָדִין כִּילְכּוּל שְׂעָרוֹ הוּא? בְּדָתְנָן: סִיד, רַבִּי יְהוּדָה אָמַר: בְּדֵי לְסוּד כִּילְכּוּל. וְאָמַר רַב: בֵּת צִידְעָא.

The mishna rules that one who says: **I am hereby growing my hair** is a nazirite. The Gemara asks: **From where** is it known that this term is a reference to **growing** [*kilkul*]¹ his hair? The Gemara answers: **As we learned** in a mishna (*Shabbat* 78b): With regard to the measure that determines liability for carrying out lime on Shabbat from a private to a public domain, **Rabbi Yehuda says**: The measure is **equivalent** to that which is used to **spread**² on one’s *kilkul*. **And Rav said**: This is referring to the hair that grows on the areas beneath the temple.³

אֵימָא מִיּוֹן עֲנִי, בְּדָתְתִיב ’וִיכְלְכּוּל יוֹסֵף אֶת אָבִיו וְאֶת אֶחָיו! אָמַר שְׁמוּאֵל: הֲכָא נִמְי שְׁתַּפּוּס בְּשָׂעָרוֹ.

The Gemara suggests: **Say that he vowed to sustain the poor, as it is written**: “**And Joseph sustained** [*vaykhalkel*] **his father and his brethren**” (Genesis 47:12). The Gemara responds that **Shmuel said**: **Here too**, in the mishna, the case is one **where the individual was holding his hair**⁴ when he made his pronouncement, so that it was clear that he was referring to growing his hair.

”הָרִי עָלַי לְשַׁלַּח פְּרַע הָרִי זֶה נָזִיר.” מִמָּאֵי דְהָדִין שְׁלוּחַ רִיבּוּאָא הוּא? בְּדָתְתִיב ’שְׁלַחְיֶיךָ פְּרָדִים רְמוּנִים”.

The mishna rules that with regard to one who says: **It is incumbent upon me to grow** [*leshale’ah*] long hair, he is a nazirite. The Gemara asks: **From where** is it known that this term *shilu’ah*, which is a different form of the word *leshale’ah*, is an expression of **increase and growth**? The Gemara answers: **As it is written**: “**Your tresses** [*shelahayikh*] **are a park of pomegranates**” (Song of Songs 4:13).⁵

אֵימָא מִיַּדֵּי דְעִבּוּרֵי, בְּדָתְתִיב ’וְשַׁלַּח מִים עַל פְּנֵי הוֹצֹאוֹת!”

The Gemara suggests: **Say that it is referring to a matter involving transfer**,⁶ as it is written: “**And sends** [*shole’ah*] **water upon the earth**” (Job 5:10), where the word *shole’ah* is referring to the transport of water from one place to another. Here too, the individual taking the vow might mean that he intends to transfer, i.e., to remove, his hair.

תַּנָּא ’פְּרַע” ’פְּרַע” יִלְיָן. בְּתִיב הֲכָא ’קִדְשׁ יְהוָה גְּדֹל פְּרַע”. וּבְתִיב הָתָם גַּבֵּי בַהֲן הָדִיּוֹט ’וּפְרַע לֹא יִשְׁלַחוּ”.

The Gemara answers: The *tanna*⁷ derives the meaning of this term based upon a verbal analogy of the term **long locks** [*pera*] written with regard to a nazirite and the term **long locks** [*pera*] written with regard to a priest. **It is written here**, with regard to a nazirite: “**He shall be holy, he shall let the hair of his head grow** [*gadel*] **long locks** [*pera*]” (Numbers 6:5). **And it is written there, with regard to a common priest serving in the Temple**: “**And they will not let their locks grow long** [*pera lo yeshalehu*]” (Ezekiel 44:20). Just as the word *pera* with regard to a nazirite indicates growing long hair, so too, in the case of a priest it is referring to growing long hair. This proves that the term *shilu’ah* means letting one’s hair grow.

וְאֵיבְעִית אֵימָא: הָאֵי ’שׁוּלַח מִים’ נִמְי רִיבּוּי הוּא. (בְּדָמְתָרְגִּים רַב יוֹסֵף:) דְּבַד מְשָׁקִין לִיה מִיָּא לְפִירָא וְרַבִּי.

The Gemara offers an alternate answer: **And if you wish, say that the meaning of the word** *shole’ah* in that phrase: **Sends** [*shole’ah*] **water, is also increase and growth, as Rav Yosef translated**⁸ this verse into Aramaic in the following manner: **When one waters produce**,⁹ **it grows**. Consequently, the verse is referring to growth by means of water.

NOTES

The areas beneath the temple – בֵּת צִידְעָא – *Tosafot*, on *Nidda* 52b, cite a different version of the Gemara, which states: The temple and the areas beneath the temple. This version of the text is consistent with the Gemara in *Shabbat* (80b), where Rav says that *kilkul* is referring to the hair on the temple itself. According to this understanding, the phrase: The areas beneath the temple, is not the definition of the word *kilkul*, and it is cited here only because it appears in that passage in *Shabbat* in addition to the word *kilkul* (*Orah Mishor*).

Your tresses are a park of pomegranates – שְׁלַחְיֶיךָ פְּרָדִים רְמוּנִים: See the Commentary on *Nazir*. Rabbi Avraham min HaHar explains, citing Rashi, that the verse should be understood as follows: The hairs that grow on your head are like an orchard of pomegranates.

Say that it is referring to a matter involving transfer, etc. – אֵימָא מִיַּדֵּי דְעִבּוּרֵי וְכוּ’: It is explained in the Commentary on *Nazir* that, according to the conclusion of the Gemara, even if *shilu’ah* means transfer, the phrase: It is incumbent upon me *leshale’ah* long hair, is still understood as referring to naziriteship. The individual is understood to be saying: It is incumbent upon

me to remove the long hair from my head after growing it for the thirty days of naziriteship.

The *tanna*, etc. – תַּנָּא וְכוּ’: *Tosafot* explain that this is not a reference to the *tanna* of the mishna here, but rather the *tanna* cited in *Sanhedrin* 22b, who states that a priest must cut his hair every thirty days. The Gemara there explains that this is because thirty days’ growth is considered long locks, as derived from a verbal analogy based on the verse concerning a priest and the one pertaining to a nazirite. The Gemara here also cites this verbal analogy as proof of the meaning of the term *shilu’ah*. However, the Rosh maintains that the Gemara here is referring to the *tanna* of the mishna here, who derived from the verbal analogy that just as the term *shilu’ah* in the context of priests is referring to growing long hair, so too with regard to a nazirite.

As Rav Yosef translated – בְּדָמְתָרְגִּים רַב יוֹסֵף: The early commentaries prove that the Aramaic translation of the book of Job existed already in the time of the *tanna’im* (see *Tosafot* on *Shabbat* 115a). Consequently, Rav Yosef is not the author of the translation, and the statement is attributed to him because he would often cite it. The Maharatz Hayyut notes that the Aramaic

translation that is currently extant does not render the verse in the manner cited here in the Gemara. It is therefore possible that this was actually Rav Yosef’s own translation.

דְּבַד מְשָׁקִין לִיה מִיָּא וְכוּ’: *Tosafot* point out that even if the verse in Job is explained as referring to growth, the usual meaning of the word *shilu’ah*, when it appears in the Torah, is transfer rather than growth (see Deuteronomy 22:7). They explain that the Gemara’s question is: Perhaps there is no source at all that the word could mean growth, and the verse in Song of Songs should be understood differently. For this reason, the Gemara demonstrates that the verse in Job may be understood to use this word to mean growth. Consequently, it is reasonable to assume that when an individual employs the term *leshale’ah* in reference to his hair, he is using the word in the sense of growth and intends to become a nazirite (*Tosafot*; Rabbeinu Todros, cited in *Shita Mekubbetzet*). It is explained in the *Shita Mekubbetzet* that although *shilu’ah* is often used in the Torah to mean removal, that is the case when the word is used in the context of living creatures. The discussion here pertains to the word *shilu’ah* when it is used in other contexts.

NOTES

An obligation is hereby incumbent upon me with regard to birds [tzipporin] – הָרִי עָלַי צִפּוֹרִין – Rav Natan Av HaYeshiva cites an alternative version of the text in his commentary to the mishna: An obligation is hereby incumbent upon me with regard to nails [tzippornayyim]. According to this version, the speaker has vowed to grow his nails long. The idea is similar to that of the common version of the Gemara text: Since the verse mentions growing nails right next to growing hair, the implication of his statement is that he intends to grow his hair long as a nazirite. However, it is difficult to reconcile this version of the text with the continuation of the Gemara.

The birds that are juxtaposed in a verse to hair – צִפּוֹרִין לְשִׁיעַר In the Jerusalem Talmud, it is Rabbi Yohanan who explains that the statement is considered a nazirite vow due to the placement of the word “birds” in the verse in Daniel. The word “eagles” is a substitute term for a nazirite vow, as hair is compared to eagles in the verse: “Until his hair was grown like eagles’ feathers.” Since the verse continues and mentions birds, stating: “And his nails like birds’ claws,” birds are viewed a substitute for the original substitute term, which is eagles.

Tosafot claim that Reish Lakish’s explanation is based not only on the juxtaposition of the words in the verse but on a combination of that juxtaposition and the fact that an impure nazirite must bring birds for his purification. According to the Commentary on *Nazir*, the Gemara is referring to a case where one took this vow as a nazirite was passing before him or as he was holding his hair (see Rosh).

”הָרִי עָלַי צִפּוֹרִין רַבִּי מֵאִיר אֹמֵר נֹזֵר.” מֵאִי טַעְמָא דְרַבִּי מֵאִיר? אָמַר רִישׁ לָקִישׁ: צִפּוֹרִין סְמוּכִין לְשִׁיעַר קִיבֵל עָלָיו, דְּכָתִיב ”עַד דֵּי שְׁעָרֵיהָ כְּנִשְׂרֵין רַבָּה וְטַפְרוּהִי כְּצִפּוֹרִין.”

רַבִּי מֵאִיר סָבַר: מִתְּפִיס אִינִישׁ בְּמִידֵי דְסַמִּיךְ לֵיהּ.

S The mishna taught that if one says: An obligation is hereby incumbent upon me with regard to birds,^N Rabbi Meir says: He is a nazirite, and the Sages say: He is not a nazirite. The Gemara asks: What is the reason for the opinion of Rabbi Meir? Reish Lakish said: He accepted upon himself an obligation with regard to the birds that are juxtaposed in a verse to hair,^N as it is written: “Until his hair was grown like eagles’ feathers, and his nails like birds’ claws” (Daniel 4:30). Since the verse juxtaposes birds with growing hair, it is understood that when this individual accepted an obligation with regard to birds, he was referring to growing his hair as a nazirite.

The Gemara explains the basis of the dispute: **Rabbi Meir holds that a person associates the object of his vow with something that is juxtaposed to it in a verse, so that when he says that it is incumbent upon him to bring birds, he means that it is incumbent upon him to grow his hair.**

Perek I

Daf 3 Amud b

NOTES

We are concerned, etc. – חִיִּישִׁין קְאָמַר וכו' – The Gemara’s question is as follows: According to Rabbi Yohanan, his vow is not necessarily a nazirite vow. Rather, it is uncertain whether he intended to take a nazirite vow or a different vow. Since a nazirite vow must be expressed clearly, as explained in the Gemara (34a), why is this considered a nazirite vow (Commentary on *Nazir*)?

Another explanation of the Gemara’s question is: Since a nazirite vow includes many more stringencies than a vow to bring a gift offering, it should be assumed that he meant to accept the less stringent vow (*Tosafot*). Alternatively, there is a principle that one is lenient in cases of uncertainty with regard to naziriteship (Rosh).

Other commentaries explain the question in the following manner: Since it is not clear from his statement whether he intended to become a nazirite or to bring gift offerings, he should be required to fulfill both of the vows (*Shita Mekubetzet*; Meiri; see Rosh).

It is hereby incumbent upon me to bring a nest, etc. – הָרִי עָלַי קֵן וכו' The term nest was typically used in reference to voluntary bird offerings, which is why the tractate that deals with this topic is called *Kinnim*, which means nests. If the individual intended to obligate himself to bring a voluntary bird offering, he would have used the standard term (*Tosafot*). The Rosh adds that since there is a principle that vows are interpreted according to the vernacular, and people generally call voluntary bird offerings nests, it cannot be assumed that he was referring to a voluntary bird offering when he did not use that term. It is explained in the Jerusalem Talmud that the Rabbis, who disagree with Rabbi Meir in the mishna, maintain that although the individual cannot be assumed to have been referring to a voluntary bird offering, it may be assumed that he meant to donate birds to the Temple treasury. This is in accordance with the principle found in the Jerusalem Talmud that vows are interpreted according to the language of the Torah (*Tziyyun Yerushalayim*).

וּרְבִנְיָא סָבְרִין: לֹא מִתְּפִיס אִינִישׁ בְּמִידֵי דְסַמִּיךְ לֵיהּ.

רַבִּי יוֹחָנָן אָמַר: דְּכוּלֵּי עֲלָמָא לֹא מִתְּפִיס. אֲלֵא הֵינּוּ טַעְמָא דְרַבִּי מֵאִיר: דְּחִיִּישִׁין שְׂמָא צִפּוֹרִין נֹזֵר טַמְא קִיבֵל עָלָיו.

מִכְּדֵי חִיִּישִׁין קְאָמַר. דְּלָמָא צִפּוֹרִין נֹזֵר קִיבֵל עָלָיו! אִם כֵּן ”הָרִי עָלַי קֵן” מְבַעֵי לֵיהּ.

And the Rabbis hold that a person does not associate the object of his vow with something that is juxtaposed to it in a verse, and the individual did not mean to take a nazirite vow.

Rabbi Yohanan said: Everyone agrees that one does not associate the object of his vow with something juxtaposed to it in a verse. Rather, this is the reason of Rabbi Meir: We are concerned that perhaps he accepted upon himself the birds of an impure nazirite.^B Since an impure nazirite must bring two birds as offerings if he inadvertently becomes impure from a corpse (Numbers 6:10), when the individual accepts upon himself an obligation pertaining to birds, he means that he is becoming a nazirite and will be responsible for bringing an offering of birds if he becomes impure.

The Gemara asks: **Since Rabbi Yohanan said that, even according to Rabbi Meir, we are concerned^N that the individual intended to become a nazirite, but it is not clear that this was his intention, it can be argued that perhaps he accepted upon himself a gift offering of birds as a burnt-offering. Consequently, why is he considered a nazirite?** The Gemara answers: **If it was so, that his intention was to bring a gift offering, he should have said: It is hereby incumbent upon me to bring a nest,^N which is the common expression used to accept an obligation to bring a gift offering of birds.**

BACKGROUND

The birds of an impure nazirite – צִפּוֹרִין נֹזֵר טַמְא: According to the Torah (Numbers 6:9–12), when a nazirite becomes ritually impure through contact with a corpse, whether intentionally or not, he must first purify himself. He then brings

two pigeons to the Temple as offerings, one as a sin-offering and the other as a burnt-offering, as well as a lamb as a guilt-offering. Afterward, he must start his term of naziriteship over again.

The birds of a leper – צִפּוּרֵי מְצוּרַע: The Torah prescribes the use of two birds in the purification ceremony undergone by a cured leper or by the owner of a previously leprous house (see Leviticus 14:4–7, 49–53). Both these birds must be alive, unblemished, non-domesticated, and from a kosher species. The general practice was to use a kind of sparrow. One of the birds is slaughtered over an earthenware vessel filled with springwater, and its blood is drained into the water in this vessel. This mixture is sprinkled on the cured leper or house. The other bird is dipped in the mixture of blood and water and set free. The second bird is not considered sacred. If it is captured after being set free, it may be slaughtered and eaten or used for any other purpose.

LANGUAGE

Right [*yamin*] – יָמִין: Apparently, the connotation is influenced by the root of the word, since the root *yud*, *mem*, *nun* is similar to the root *alef*, *mem*, *nun*, which indicates faith, trustworthiness, and proper conduct. The connection between right and righteous is also found in other languages. In light of this, one who merely employs the word *yamin* in accepting an obligation has thereby expressed an oath, as this term connotes acceptance with faith.

HALAKHA

That in the case of one who says: Right...one who says: Left – לְאוֹמֵר יָמִין...לְאוֹמֵר שְׂמאל: One who uses the term right has uttered an oath, and the same applies to one who uses the term left. The Rema writes, citing the *Tur*, and in accordance with the opinion of the Ra'avad, that this is the case only if one had in mind the right hand and left hand mentioned in the verse "God has sworn by His right hand" (Rambam *Sefer Hafl'a'a, Hilkhos Shevuot* 2:6; *Shulhan Arukh, Yoreh De'a* 237:8).

וְדַלְמָא "הָרִי עָלַי צִפּוּרֵי מְצוּרַע" קָאָמַר! כְּגוֹן שְׁהִיָּה נְזִיר עוֹבֵר לְפָנָיו. וְדַלְמָא נְזִיר טְמֵא. וְלְפוּטְרוֹ מִן קְרִבְנוֹתָיו קָאָמַר! כְּגוֹן שְׁהִיָּה נְזִיר טְהוֹר עוֹבֵר לְפָנָיו.

The Gemara asks further: **But perhaps he was saying: It is incumbent upon me to bring the birds of a leper,**^{BN} rendering himself liable to bring a leper's offerings on a leper's behalf (see Leviticus 14:4). The Gemara answers: This is a case where a nazirite was passing before him when he spoke, and he clearly had naziriteship in mind. The Gemara asks: **But perhaps it was an impure nazirite, and he was saying that he accepts the obligation to exempt the nazirite from his offerings** by sacrificing them on the nazirite's behalf. The Gemara answers: This is a case where a pure nazirite was passing before him.^N

מַאי בִּינְיָהוּ?

The Gemara asks: **What is the difference between the opinions of Reish Lakish and Rabbi Yohanan?** After all, according to both explanations it is necessary to say that this is a case where a nazirite was passing before him.

אִיכָא בִּינְיָהוּ כְּגוֹן דְּאָמַר "צִפּוּרֵי הַסְּמוּכִין לְשַׁעַר עָלַי". לְרַבִּי יוֹחָנָן, אָף עַל גַּב דְּאָמַר הַבֵּי, אֵי נְזִיר עוֹבֵר לְפָנָיו – אֵין, אֵי לֹא – לֹא. לְרַבִּי שְׁמַעוֹן בֶּן לָקִישׁ – אָף עַל גַּב דְּאֵין נְזִיר עוֹבֵר לְפָנָיו.

The Gemara answers: **There is a practical difference between them in a case where he explicitly said:** An obligation is hereby incumbent upon me with regard to the birds juxtaposed in the verse to hair. **According to Rabbi Yohanan, although he said this, if a nazirite was passing before him, yes, Rabbi Meir considers it a nazirite vow; if not, no, it is not considered a nazirite vow.** Conversely, **according to Rabbi Shimon ben Lakish, although no nazirite was passing before him, Rabbi Meir considers it a nazirite vow, as he holds that according to Rabbi Meir, one associates the object of his vow with something juxtaposed to it in a verse.**

מִי אִיכָא לְמַאן דְּאָמַר לֹא מִתְפִּים אֵינִישׁ בְּמִילְתָּא דְּסַמִּיךְ לֵיהּ? וְהִתְנַנְּא: הָאוֹמֵר "יָמִין" – הָרִי זֶה שְׁבוּעָה. מַאי טַעְמָא – לְאוֹ מְשׁוּם דְּכְתִיב "וַיִּשְׁבַּע יְהוָה וַיִּשְׁמָאֵלוּ אֶל הַשָּׁמַיִם וַיִּשְׁבַּע בְּחַי הַעוֹלָם"?

The Gemara asks: **Is there, in fact, anyone who says that a person does not associate the object of his vow with something juxtaposed to it in a verse? Isn't it taught in a baraita that in the case of one who says: Right [*yamin*],^L that is an expression of an oath? What is the reason for this? Is it not because it is written: "When he lifted up his right hand and his left hand unto heaven, and swore by Him that lives forever" (Daniel 12:7)?** It seems evident that the term "right" indicates an oath merely because in the verse it is juxtaposed to an oath.

אָמְרִי: לֹא, מְשׁוּם דִּימִין גּוֹפִיָּה אִיקְרִי שְׁבוּעָה. דְּתַנְּיָא: מִנְיִן לְאוֹמֵר "יָמִין" שְׁהִיָּה שְׁבוּעָה – שְׁנֵאָמַר "נִשְׁבַּע ה' בְּיָמִינוֹ". וּמִנְיִן לְאוֹמֵר "שְׂמאל" שְׁהִיָּה שְׁבוּעָה – שְׁנֵאָמַר "וַיִּבְרָוּעַ עוֹזוֹ".

The Gemara rejects this: **Say no, it is because the right hand itself is called an oath, as it is taught in a baraita: From where is it derived that in the case of one who says: Right, that it is an oath? It is derived from the verse where it is stated: "The Lord has sworn by His right hand" (Isaiah 62:8).^N And from where is it derived that in the case of one who says: Left,^H that it is an oath? It is derived from the continuation of that verse, where it is stated: "And by the arm of His strength" (Isaiah 62:8).** Since this is the complementary phrase for the right hand, it must refer to the left hand. It is clear from here that both right and left are themselves expressions of an oath and do not indicate an oath merely because they are juxtaposed in a verse to an expression of an oath.

NOTES

Birds of a leper, etc. – צִפּוּרֵי מְצוּרַע וכו': One explanation of the Gemara's question is that he might have intended to bring two birds and offer them in the manner of the leper's purification ritual (Commentary on *Nazir*). However, most commentaries maintain that he meant to obligate himself to bring bird offerings in order to exempt a leper from having to bring his own birds (*Tosafot*; Meiri). Some explain that the Gemara is not suggesting that he should be required to bring only an offering of leper's birds. Rather, in addition to becoming a nazirite, he should be required to bring an offering of birds (see Rosh).

Where a pure nazirite was passing before him – כְּגוֹן שְׁהִיָּה נְזִיר: *Tosafot* ask: Even if a pure nazirite passed by, the speaker might have intended to bring the bird offerings in place of the nazirite, in the event that the nazirite became impure. They answer that this is a case where the speaker explains that he meant to accept naziriteship upon himself. This raises a further difficulty: If the speaker is asked to clarify his intention, why is it necessary for a nazirite to be passing before him when he mentions birds? *Tosafot* answer that one's statement must accurately reflect one's

intention when he accepts naziriteship. However, *Tosafot* also cite the opinion of Rabbeinu Peretz, who contends that the answer cannot be that the speaker is asked to clarify what he meant, since this requirement is not mentioned in the Gemara. Rather, it is not assumed that he would be referring to the birds the nazirite would have to offer if he were to become impure, since one does not accept upon himself an obligation that does not yet exist. This is not similar to the discussion concerning the birds of a leper, since there it can be assumed that there is a leper somewhere who is already in need of them.

The Lord has sworn by His right hand – נִשְׁבַּע ה' בְּיָמִינוֹ: In other words, it is as though God has sworn by something that can be used in an oath, His right hand. This is considered a sacred article, like one who swears by the Torah or any other sacred item. The Ra'avad learns from here that if one takes an oath using the words: By the right, without intending to refer to God's right hand, the oath is not effective. Other commentaries maintain that the term right itself indicates an oath, even if one does not intend to refer to God's right hand.

I am hereby a nazirite and therefore will refrain from grape seeds, etc. – הרניני נזיר מן התרצנים וכו' – If one said: I am a nazirite and therefore will refrain from grape seeds, or: I am a nazirite and therefore will refrain from grape skins, or: I am a nazirite and therefore will refrain from impurity, or: I am a nazirite and therefore will refrain from shaving, then he is a nazirite, and all the *halakhot* of naziriteship apply to him. Even if he intended to accept only one of the prohibitions of naziriteship, he becomes a nazirite in every sense (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 1:9).

Kiddush and havdala – קדושתא ואבדלתא: A nazirite is prohibited from drinking wine in the performance of a mitzva. Consequently, it is prohibited for him to drink the wine from *kiddush* or *havdala* (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 7:11).

מתני' "הרניני נזיר מן התרצנים"
 ו"מן הזגים" ו"מן התגלחת" ו"מן
 הטומאה" – הרניני נזיר, וכל דקדוקי
 נזירות עליו.

גמ' מתניתין דלא כרבי שמעון.
 דתניא. רבי שמעון אומר: אינו חייב
 עד שיידור מכולם, ורבנן אמרי: אפילו
 לא נזר אלא בחד מנהון הוי נזיר.

מאי טעמא דרבי שמעון? אמר קרא
 "מכל אשר יעשה מגפן היין מחרצנים
 ועד זג". ורבנן מאי טעמא? אמר קרא
 "מיין ושכר יזיר".

ורבי שמעון נמי, הכתיב "מיין ושכר
 יזיר"! והוא מיבעי ליה לאסור יין
 מצודה כיון הרשות.

מאי היא – קדושתא ואבדלתא?

MISHNA If one said: I am hereby a nazirite and therefore will refrain from grape seeds,^h or: I am hereby a nazirite and therefore will refrain from grape skins, or: From shaving, or: From impurity, he is a nazirite. And all details of naziriteship are incumbent upon him.ⁿ Not only does the prohibition he mentioned take effect, he is bound by all of the strictures of naziriteship.

GEMARA The Gemara comments: The mishna is not in accordance with the opinion of Rabbi Shimon,ⁿ as it is taught in a *baraita* that Rabbi Shimon says: One is not obligatedⁿ as a nazirite until he vows that all items and actions forbidden to a nazirite are forbidden to him. And the Rabbis say: Even if he vowed to abstain from only one of them, he is a nazirite.

The Gemara explains: What is the reason for the opinion of Rabbi Shimon? The verse states with regard to a nazirite: "All the days of his naziriteship he shall not eat from anything that is made of the grapevine, from pits to grape skin" (Numbers 6:4),ⁿ which indicates that his vow of naziriteship must include all the prohibitions of a nazirite. The Gemara continues to clarify: And according to the Rabbis, what is the reason that he becomes a nazirite even if he specified only one of the prohibitions of a nazirite? The verse states: "He shall abstain from wine and strong drink" (Numbers 6:3). This implies that even if one vows to abstain only from wine and strong drink, all of the *halakhot* of a nazirite take effect.

The Gemara asks: And also according to Rabbi Shimon, isn't it written "he shall abstain from wine and strong drink"? The Gemara answers: Rabbi Shimon requires that verse to prohibit a nazirite from drinking wine that is consumed for a mitzva just as he is prohibited from drinking wine whose consumption is optional.

The Gemara asks: What is wine that is consumed for a mitzva? Is it the wine of *kiddush* and *havdala*?^h

NOTES

וכל – And all details of naziriteship are incumbent upon him – דקדוקי נזירות עליו: The commentaries write that it was necessary for the mishna to specify this because the mishna on 4a discusses the *halakhot* of a permanent nazirite and a nazirite like Samson, and not all the details of naziriteship apply to the latter. The mishna here therefore states that in the case under discussion, all of the *halakhot* of a nazirite are in effect, despite the fact that one mentioned only one aspect of the *halakhot* of naziriteship (*Tosafot*; Rosh).

The mishna is not in accordance with the opinion of Rabbi Shimon – מתניתין דלא כרבי שמעון: Rabbeinu Todros explains that Rabbi Shimon similarly disagrees with the Rabbis concerning one who says: I am hereby a hair curler, since he is referring only to the prohibition against cutting hair. Most commentaries disagree, however, and hold that one who says: I am hereby a hair curler, intends to accept standard naziriteship. Since he does not say that he will curl his hair, but that he is becoming a hair curler, his point is that he intends to be like a nazirite, who is someone who curls his hair. Rabbi Shimon disagrees only in a case where one explicitly states that he is accepting upon

himself just a single aspect of naziriteship. This is also indicated by the Jerusalem Talmud (Rosh; *Shita Mekubbetzet*).

One is not obligated – אינו חייב: Some commentaries explain that Rabbi Shimon does not hold that the statement is entirely meaningless. Rather, the speaker has taken a regular vow to render grape seeds forbidden. This vow takes effect, but it is not a nazirite vow (Meiri; see Rabbi Avraham min HaHar).

From pits to grape skin – מחרצנים ועד זג: Once the verse states: "From anything that is made of the grapevine," the phrase "from pits to grape skin" is unnecessary. Rabbi Shimon derives from this seemingly unnecessary phrase that just as one is a nazirite only if he accepts all the prohibitions associated with grape products, one is a nazirite only if he accepts all the prohibitions of naziriteship. However, one does not have to specify all the relevant prohibitions, as one who says simply: I am a nazirite, is bound by all aspects of naziriteship. It is only in a case where one goes into detail that he must specify all the prohibitions of a nazirite (Rosh).