

כל שכן דלא מעייל לסמיקא.

אמר ליה אביי: במאי אוקימתא לספק נזירות להקל – כרבי אליעזר, אימא סיפא: ספק בכורות, אחד בכורי אדם ואחד בכורי בהמה, בין טמאה בין טהורה – המוציא מחבירו עליו הראיה,

ותני עלה: ואסורים בגיזה ועבודה!

אמר ליה: אמאי קא מדמית קדושה הפאה מאליה לקדושה הפאה בידו אדם?

אלא, אי קשיא הא קשיא: ספק משקין, לטמא – טמא, לטמא אחרים – טהור, דברי רבי מאיר, וכן היה רבי אלעזר ואמר בדבריו.

ומי סבירא ליה לרבי אליעזר לטמא טמא?

holds that **all the more so**, one does not enter himself into uncertainty either. Therefore, uncertainty with regard to naziriteship is treated leniently.

Abaye said to Rabbi Zeira: **In what manner did you establish the mishna that states that uncertainty with regard to naziriteship is treated leniently?** You established it in accordance with the opinion of Rabbi Eliezer. Say the latter clause of that mishna: If there is uncertainty with regard to firstborns,¹¹ whether human firstborns,¹² or animal firstborns, whether non-kosher firstborns, i.e., the firstborn of a donkey,¹³ or the firstborn of kosher animals,¹⁴ the burden of proof rests upon the claimant. In other words, the priest cannot take the redemption money from the father of the child, or the animal from its owner, and conversely, if the father or owner mistakenly gave it to a priest, he does not get it back.

And it is taught in a *baraita* in that regard: **But with regard to shearing and working these uncertain animal firstborns, they are forbidden,**¹⁵ just like definite firstborns. This indicates a difference between the monetary issue, with regard to which it is ruled that the animal cannot be taken from the owner by the priest, and the prohibition, which applies despite the uncertainty. Evidently, even the *tanna* of this mishna does not hold that all uncertainties with regard to consecration are to be treated leniently.

Rabbi Zeira said to Abaye: This is not difficult. **Why do you compare sanctity that emerges by itself**, i.e., the sanctity of a firstborn, which results from objective reality and not human intent, **to sanctity that emerges by the volition of a person** and is dependent on his intention? Only with regard to the latter type of sanctity can it be established that a person does not intend to consecrate an item in an uncertain manner.

Rather, if Rabbi Zeira's answer is difficult, this is what is difficult. It is stated in that same mishna: In the case of liquid with regard to which there is uncertainty¹⁶ whether it became ritually impure through contact with someone who was ritually impure, the *halakha* is as follows: It is considered impure with regard to its being impure in and of itself, but it is considered pure with regard to its ability to render other items impure. This is the statement of Rabbi Meir. And Rabbi Elazar would also say in accordance with the statements of Rabbi Meir.

According to Rabbi Zeira's assertion that the rulings of this mishna with regard to uncertainty are in accordance with the opinion of Rabbi Eliezer, this causes a difficulty: **But does Rabbi Eliezer hold that with regard to liquid of uncertain ritual status being impure, it is considered impure?**

BACKGROUND

Firstborns – בכורות: It is stated in the Torah: "Sanctify to Me every firstborn, whatever opens the womb... both of man and beast, it is mine" (Exodus 13:2). In practical terms, the sanctity of a firstborn son is limited to the obligation to redeem him from the priest for five pieces of silver (Exodus 13:13; Numbers 18:15–16). Similarly, the Torah requires that all firstborn male donkeys be redeemed by giving a sheep in exchange for them to a priest. If the donkey is not redeemed, its neck must be broken (Exodus 13:13).

The male firstborn of cattle, sheep, or goats belonging to a Jew is consecrated from birth and must be sacrificed on the altar in the Temple. Its flesh is eaten by the priests and their families (Numbers 18:17–18). If a firstborn animal acquires a physical blemish which disqualifies it from being sacrificed as an offering, it can be slaughtered and eaten like any other non-sacred, kosher animal. Nevertheless, it still must be given to a priest.

NOTES

Uncertainty with regard to firstborns – ספק בכורות: Uncertainty with regard to a firstborn can arise in several ways: Doubt as to whether or not the mother had given birth or miscarried prior to this birth (Commentary on *Nedarim*); a male and female are born together and it is not clear which one emerged first (Ran); or a firstborn and another animal of the same species who got mixed up and are indistinguishable (Rosh).

HALAKHA

Uncertainty with regard to firstborns... human firstborns – ספק בכורות... בכורי אדם: Wherever there is uncertainty whether one is a firstborn, or whether a firstborn has been redeemed, he is exempt from redemption, as the burden of proof rests upon the claimant. If the father died before the son was thirty days old, it is presumed that he was not redeemed unless it is proven otherwise. However, after thirty days it is presumed that he was redeemed, and the burden of proof rests upon the priest (Rambam *Sefer Zera'im*, *Hilkhot Bikkurim* 11:19; *Shulhan Arukh*, *Yoreh De'a* 305:13, 25).

The firstborn of a non-kosher animal – בכור בהמה – טמאה: If a female donkey that had not previously given birth gives birth to both a male and a female, and it is unclear which was born first, the owner separates one sheep for redemption of the firstborn donkey in order to remove its sanctity, but may keep the sheep for himself and does not give it to a priest. This is because the burden of proof rests upon the claimant (Rambam *Sefer Zera'im*, *Hilkhot Bikkurim* 12:19; *Shulhan Arukh*, *Yoreh De'a* 321:10).

The firstborn of a kosher animal – בכור בהמה טהורה: If a kosher animal gives birth to male offspring and it is unknown whether it had previously given birth, or if it gives birth to a male and female and it is unknown which emerged first, the male's status as a firstborn is uncertain. The owner does not have to give it to a priest; he may keep it until it gets a blemish and then eat it. If a priest takes it away from him, the priest may keep it. The Rema states that some authorities (Rosh, *Tur*) hold that the priest must return it to the owner, while the *Piskei Maharai* adds that this is the *halakha* even if the owner gave it to him voluntarily, under the assumption that he was obligated to do so (Rambam *Sefer Korbanot*, *Hilkhot Bekhorot* 53; *Shulhan Arukh*, *Yoreh De'a* 315:1).

With regard to shearing and working them, they are forbidden – אסורים בגיזה ועבודה: It is prohibited to shear or work animals about whom it is uncertain whether they are consecrated, e.g., an uncertain firstborn. One who shears or works them is in violation of a prohibition, although he is not liable to be flogged (Rambam *Sefer Avoda*, *Hilkhot Me'ila* 1:8; *Shulhan Arukh*, *Yoreh De'a* 315:1).

Liquid of uncertain ritual status – ספק משקין: A liquid of uncertain ritual status cannot render other items impure, as it is considered pure in that regard. However, it is rendered impure with regard to its own status. For example, if an impure liquid possibly touched a vessel or other liquids, they are still considered pure. However, an impure person who possibly touched pure liquids renders them impure (Rambam *Sefer Tahara*, *Hilkhot Avot HaTumot* 14:7).

BACKGROUND

Eil kamtza – אֵיל קַמְצָא: Various kosher species of grasshoppers are listed in the Torah (Leviticus 11:21–22). However, since the Torah identifies them not only by means of their kosher attributes but by the names of the species as well, the Sages added additional indications, so that these specific species may be identified. There were also oral traditions with regard to species of grasshoppers whose attributes caused uncertainty. The Gemara describes the eil kamtza as being different from other kosher grasshoppers in the form of its head and the length of its wings. For this reason, special testimony was required to ascertain that this was one of the kosher species.

Many researchers identify the eil kamtza as the slant-faced grasshopper, known scientifically as *Acrida bicolor*. This grasshopper has antennae that are shaped like horns; therefore its name, eil kamtza, literally means grasshopper ram. There is a certain problem with this since the horns of a ram are generally curved while the antennae of the slant-faced grasshopper, similar to the horns of gazelles, are straight. It is possible that the term ayil, generally used to refer to a male sheep, may have also been used to refer to a gazelle, since there are sources which indicate that the names for rams and gazelles were used interchangeably in ancient times.



Slant-faced grasshopper



Gazelle

HALAKHA

I am hereby a nazirite if there are in this heap, etc. – הֲרִינִי: נָזִיר אִם יֵשׁ בְּכַרְי הַזֶּה וְכוּ': If one said: I am hereby a nazirite if there are one hundred kor in this heap, and when he went to measure it he found that the heap had been stolen, he is not rendered a nazirite. This is in accordance with the opinion of Rabbi Yehuda, as opposed to the opinion of Rabbi Shimon (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 2:9).

וְהִתְנַא: רַבִּי אֶלְעָזָר אָמַר: אֵין טוּמְאָה לְמִשְׁקִין כָּל עֵינָר, תִּדְעוּ, שֶׁהָרִי הָעֵיד יוֹסִי בֶן יוֹעֶזֶר אִישׁ צְרִידָה עַל אֵיל קַמְצָא דְבָן, וְעַל מִשְׁקִין בֵּית מִטְבַּחְתָּא דְבָן!

הַנִּיחָא לְשִׁמוּאֵל, דְאָמַר: דְבָן – מְלִטְמָא אַחֲרִים, אֲבָל טוּמְאָת עֵצְמָן – יֵשׁ בְּהֶן, שְׁפִיר.

אֶלְא לְרַב, דְאָמַר: דְבָן מִמּוֹשׁ – מֵאֵי אֵיבָא לְמִימָר?

אֶלְא, הָא רַבִּי יְהוּדָה וְהָא רַבִּי שְׁמַעוֹן.

תִּתְנַא: "הֲרִינִי נָזִיר אִם יֵשׁ בְּכַרְי הַזֶּה מֵאָה כּוֹר", וְהִלֵּךְ וּמָצָא שְׁנַגְגָב אוֹ שְׂאָבָד, רַבִּי יְהוּדָה מְתִיר, וְרַבִּי שְׁמַעוֹן אוֹסֵר.

וְרַמִּי דְרַבִּי יְהוּדָה אֲדַרְבֵּי יְהוּדָה; מִי אָמַר רַבִּי יְהוּדָה לֹא מַעֲיִל אֵינִישׁ נִפְשִׂיהַ לְסַפִּיקָא? וְרַמִּינְהִי רַבִּי יְהוּדָה אָמַר: סַתָּם תְּרוּמָה, בִּיהוּדָה – אֶסְוֶה, וּבְגָלִיל – מוֹתֶרֶת, שְׂאִין אַנְשֵׁי הַגָּלִיל מְכִירִין אֶת תְּרוּמַת הַלְשָׁכָה. טַעְמָא – דְאִין מְכִירִין,

But isn't it taught in a *baraita* that Rabbi Eliezer says: By Torah law, impurity does not apply to liquids at all? Know that this is so, as Yosei ben Yo'ezer of Tzereida^a testified concerning a grasshopper species called *eil kamtza*^b that it is kosher, and concerning the liquids of the Temple slaughterhouse that they are pure. Liquids are susceptible to ritual impurity only by rabbinic law, and liquids in the Temple were not included in this decree so as not to cause additional impurity there. Since Rabbi Eliezer holds that by Torah law liquids are not susceptible to impurity, how can it be his opinion that liquids of uncertain ritual status are considered impure?

The Gemara comments: **This works out well according to Shmuel, who said that the meaning of Rabbi Eliezer's ruling that the liquids of the Temple slaughterhouse are pure is that they cannot render other items impure, but they themselves are susceptible to impurity.** Accordingly, liquids are susceptible to impurity by Torah law; only their ability to render other items impure is by rabbinic law. The ruling in the mishna that liquid of uncertain ritual status is considered impure is therefore consistent with the opinion of Rabbi Eliezer, and Rabbi Zeira's answer works out well.

However, according to Rav, who said that they are actually pure, i.e., they are not susceptible to impurity, what is there to say? The mishna that is lenient with regard to uncertain naziriteship and stringent with regard to liquid of uncertain ritual status is clearly not in accordance with the opinion of Rabbi Eliezer.

Rather, Rabbi Zeira's answer should be rejected, and the contradiction between the mishna here, which states that unspecified vows should be treated stringently, and the mishna in tractate *Teharot*, which states that uncertain naziriteship should be treated leniently, should be resolved as follows: **That mishna, in *Teharot*, is in accordance with the opinion of Rabbi Yehuda, and this mishna is in accordance with the opinion of Rabbi Shimon.**

As it is taught in a *baraita* that if someone says: **I am hereby a nazirite if there are in this heap^h of grain one hundred kor, and he went to measure the heap and found that it was stolen or that it was lost and cannot be measured, Rabbi Yehuda permits him to perform actions forbidden to a nazirite, as he holds that this uncertain naziriteship does not take effect. And Rabbi Shimon prohibits him from doing so, as he maintains that it does take effect.** This indicates that Rabbi Shimon is of the opinion that uncertain naziriteship is treated stringently.

And the Gemara raises a contradiction between the statement of Rabbi Yehuda and another statement of Rabbi Yehuda. **Did Rabbi Yehuda actually say that a person does not enter himself into a state of uncertainty, and therefore as long as the volume of the heap is unknown, naziriteship does not take effect? And the Gemara raises a contradiction from the mishna, where Rabbi Yehuda says: Unspecified *teruma* in Judea is forbidden but in the Galilee it is permitted, as the people of the Galilee are not familiar with the collection of the chamber.** The Gemara infers: **The reason it is permitted is that they are not familiar;**

PERSONALITIES

Yosei ben Yo'ezer of Tzereida – יוֹסִי בֶן יוֹעֶזֶר אִישׁ צְרִידָה: Yosei ben Yo'ezer of Tzereida was the first *Nasi* of the paired Sages and a student of Antigonus of Sokho. In those generations Sages were not given titles of honor, and they were known only by their names. According to the narrative in the Talmud, Yosei ben Yo'ezer, who was a priest, lived at the time when the Hellenists ruled in Jerusalem. He was apparently executed by the wicked priest Elkias, who was his cousin, and died a martyr. He was described as a pious one of the priests, as he

was exceedingly careful about the priestly *halakhot* of ritual purity. He and his partner, Yosei ben Yohanan, decreed that lands outside Eretz Yisrael be impure and that glass vessels be susceptible to impurity. In contrast to this stringency, several lenient testimonies of his are cited in tractate *Eduyyot*, which earned him the nickname Yosei the Lenient. It was said that his death brought an end to the *eshkolot*, clusters, the scholars with expertise in all areas of the Torah.

הא מכירין – אסורין!

אמר רבא: גבי פרי קסבר: כל שספיקו חמור מודאי – לא מעייל נפשיה לספיקא, דאילו גבי נזיר ודאי – מגלח ומביא קרבן ונאכל, על ספיקו – לא מצני מגלח.

אמר ליה רב הונא בר יהודה לרבא: אמר "הריני נזיר עולם" מאי?

אמר ליה: נזיר עולם נמי ספיקו חמור מודאי, דאילו ודאי – הכביד שערו מיקל בתער ומביא שלוש בהמות, ואילו ספיקו – לא.

אמר "הריני נזיר שמשון" מאי?

אמר ליה: "נזיר שמשון" לא תנא. אמר ליה: והאמר רב אדא בר אבהו: תנא "נזיר שמשון"! – אמר ליה: אי תנא – תנא.

רב אשי אמר: ההיא רבי יהודה משום רבי טרפון היא. דתנא, רבי יהודה משום רבי טרפון אומר: אין אחד מהם נזיר, לפי שלא ניתנה נזירות אלא להפלאה.

but where they are familiar, it is forbidden, even if the person mentioned *teruma* without specification, and there is still uncertainty with regard to which *teruma* he was referring.

Rava said that the contradiction can be resolved as follows: **With regard to the case of a vow conditioned on the volume of a heap, Rabbi Yehuda holds that wherever uncertainty is more stringent than certainty, one does not enter himself into a state of uncertainty.** Uncertain naziriteship is more stringent than definite naziriteship, as while a definite nazirite has a remedy, i.e., at the end of his naziriteship he shaves his hair and brings an offering and it is eaten, one cannot shave his hair for uncertain naziriteship. He cannot bring an offering in case he is not a nazirite, which would render his offering a non-sacred animal in the Temple courtyard. Since he cannot bring an offering he may not shave.

Rav Huna bar Yehuda said to Rava: According to your answer, that Rabbi Yehuda holds that he is not a nazirite only because uncertain naziriteship is more stringent than definite naziriteship, if one said: If there are a hundred *kor* in this heap **I am hereby a permanent nazirite,**^H what is the *halakha*? In this case, uncertainty is apparently not more stringent than certainty, as the naziriteship will never end even if it is definite.

Rava said to him: Even with regard to a permanent nazirite, his uncertainty is more stringent than certainty with regard to a different *halakha*: As when the hair of a definite nazirite is too heavy for him he may lighten the hair with a razor and bring the three animal offerings that a nazirite brings when he has completed his term of naziriteship, before continuing to observe naziriteship; whereas in a case of uncertainty he cannot do so. Since it is not certain that he is a nazirite, he cannot bring these offerings and is therefore prohibited from shaving. Therefore, uncertainty is more stringent than certainty with regard to a permanent nazirite as well.

Rav Huna further asked him: If one said: If there are one hundred *kor* in this heap, **I am hereby a nazirite like Samson** (Judges, chapters 13–16), i.e., he would be like Samson, whose permanent naziriteship could not be dissolved and who had no remedy at all, even by bringing offerings, and therefore could never shave, what is the *halakha*? Uncertainty is definitely not more stringent than certainty in this case.

Rava said to him: The concept of a nazirite like Samson is not taught.^N It was not mentioned at all by the Sages, as the naziriteship of Samson could not have been created through a vow. It was a one-time, divine order that cannot be emulated. Rav Huna said to him: **But didn't Rav Adda bar Ahava say that the concept of a nazirite like Samson is taught in a baraita,** which shows that it takes effect? Rava said to him: **If this baraita is taught, it is taught,**^N and I cannot take issue with it. Apparently, Rabbi Yehuda acknowledges that in this case even uncertain naziriteship takes effect.

Rav Ashi said a different resolution to the contradiction between the statements of Rabbi Yehuda. That *baraita*, in which Rabbi Yehuda treats uncertain naziriteship leniently, is the statement of Rabbi Yehuda in the name of Rabbi Tarfon. As it is taught in a *baraita*: **If a number of people wager on the truth of a statement, and they stipulate that whoever is correct will be a nazirite, Rabbi Yehuda says in the name of Rabbi Tarfon: None of them is a nazirite no matter who is correct, because naziriteship was given to take effect only through explicitness of intent.** A vow of naziriteship takes effect only if it is taken unconditionally. Therefore, in the case of the heap, since the speaker was uncertain of its volume at the time the vow of naziriteship was taken, the vow does not take effect.

HALAKHA

Permanent nazirite – נזיר עולם: A permanent nazirite may cut his hair once every twelve months if it is too heavy for him. He brings an offering of three animals when he cuts his hair and then goes back to being a nazirite as before (Rambam *Sefer Hafla'a*, *Hilkhot Nezirut* 3:12).

NOTES

נזיר שמשון לא – נזיר שמשון לא תנא: It is explained in the Commentary on *Nedarim* that the entire concept of naziriteship like Samson is not taught, as there is no such naziriteship at all. The naziriteship of Samson was a divine decree and cannot be created through a vow. This explanation is difficult, as in tractate *Nazir* (4a) there is a mishna that discusses the *halakhot* of a nazirite like Samson, and the Gemara there (4b) cites a dispute among *tanna'im* on the subject. Additionally, Rabbi Yehuda is cited there as one who maintains that this type of naziriteship does take effect. Several commentaries (*Tosafot*; Ran; Rosh) explain the response of Rava differently: The concept of a nazirite like Samson is taught, but the ruling of Rabbi Yehuda with regard to the heap does not refer to that type of naziriteship. Accordingly, the statement of Rav Adda bar Ahava, which Rav Huna cited as support for his question, is that the ruling of Rabbi Yehuda with regard to the heap refers also to a vow to be a nazirite like Samson.

אי תנא תנא – אי תנא תנא: According to the explanation of the Commentary on *Nedarim* (see previous note), this means that if naziriteship like Samson takes effect, Rabbi Yehuda apparently accepts the opinion of Rabbi Shimon in this case, as uncertainty with regard to it is not more stringent than certainty. Those who disagree with the Commentary on *Nedarim* offer a couple of ways to understand this statement. Some explain that Rava retracts his solution to the contradiction in light of the *baraita* that teaches that there is a possibility of a nazirite like Samson, which would negate Rava's resolution. Others explain that according to Rava, there is apparently a dispute between *tanna'im* with regard to the opinion of Rabbi Yehuda (Ran).

אי הכי מאי איריא שנגנב או שאבד? – אלא להודיעך כחו דרבי שמעון, דאף על גב דנגנב או שאבד – קסבר: מעייל איניש נפשיה לספיקא.

”רבי יהודה אומר סתם תרומה ביהודה” כו. הא מכירין – אסורין. אלמא: ספיקא לחימרא.

אימא סיפא: סתם תרמים, ביהודה – מותרין, ובגליל – אסורין, שאין אנשי הגליל מכירין את חרמי הכהנים. הא מכירין – מותרין. אלמא ספיקא לקולא!

אמר אביי: סיפא רבי אלעזר ברבי צדוק היא. דתניא, רבי יהודה אומר: סתם תרומה ביהודה אסורה, רבי אלעזר ברבי צדוק אומר: סתם תרמים בגליל אסורין.

The Gemara asks: **If so, why is it specifically stated that the heap was stolen or that it was lost?** Even if it was still present and measured, the naziriteship would not have taken effect as it was conditioned and was not a clear expression. The Gemara answers: Rather, that detail was established to convey the far-reaching nature of the opinion of Rabbi Shimon, that even if it is the case that it was stolen or that it was lost and consequently cannot be measured, nevertheless he holds that a person enters himself into uncertainty, and therefore the vow takes effect.

It is stated in the mishna that Rabbi Yehuda says: **Unspecified teruma in Judea is forbidden, but in the Galilee it is permitted,** as the people of the Galilee are unfamiliar with the collection of the Temple treasury chamber. The Gemara infers: Where they are familiar with the collection of the chamber, it is forbidden. Apparently, uncertainty with regard to vows is treated stringently.

However, say the latter clause of the mishna: **Unspecified dedications in Judea are permitted, but in the Galilee they are forbidden, because the people of the Galilee are unfamiliar with dedications allotted to the priests.** It may be inferred that where they are familiar with dedications allotted to the priests they are permitted, due to the uncertainty. Apparently, uncertainty with regard to vows is treated leniently.

Abaye said: The latter clause is the opinion of Rabbi Elazar, son of Rabbi Tzadok, not of Rabbi Yehuda, as it is taught in a *baraita*: Rabbi Yehuda says that unspecified *teruma* in Judea is forbidden. Rabbi Elazar, son of Rabbi Tzadok, says that unspecified dedications in the Galilee are forbidden.

Perek II
Daf 20 Amud a

HALAKHA

One who took a vow by associating an item with a dedication [*herem*], etc. – נדר בהרם וכו' – In the case of one who took a vow by associating an item with a dedication [*herem*], and afterward said that he was referring to a sea net [*hermo shel yam*], if he is a Torah scholar the vow does not take effect, and there is no need for him to request dissolution from a halakhic authority. If he is an ignoramus he is told that the vow takes effect and must be observed. However, a halakhic authority may dissolve it by suggesting a different extenuation (*Bah*, based on Rambam), or through regret. The same *halakha* applies to the other cases in the mishna here. The one who took the vow must also be reproached for taking such a vow and taught not to take vows lightly, as ruled by the Rabbis in the mishna (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 2:12; *Shulhan Arukh, Yoreh De'a* 208:2).

LANGUAGE

Sea net [*hermo shel yam*] – חרמו של ים – The word *herem*, in addition to meaning something that is dedicated, distanced, or forbidden, also carries an entirely different meaning: A fishing net. It is used in this context in the Bible as well (see Ezekiel 32:3). The *herem* was a special net which was not flat but shaped like a receptacle. At the bottom of the net was the likeness of a pocket, woven densely to catch the fish.

מתני' נדר בהרם, ואמר: לא נדרתי אלא בהרמו של ים. בקרבן ואמר: לא נדרתי אלא בקרבנות של מלכים.

”הרי עצמי קרבן”, ואמר: “לא נדרתי אלא בעצם שהנחתי לי להיות נודר בו.” “קונם אשתי נהנית לי”, ואמר: לא נדרתי אלא באשתי הראשונה שגירשתי.

על כולן אין נשאלין להם, ואם נשאלו – עונשין אותן, ומחמירין עליהן, דברי רבי מאיר.

וחכמים אומרים: פותחין להן פתח ממקום אחר, ומלמדין אותן, כדי שלא ינהגו קלות ראש בנדורים.

MISHNA One who took a vow by associating an item with a dedication [*herem*],^h saying: This item is hereby forbidden to me like an item dedicated to the Temple, and then said: I took a vow only with the intention that it would be like a sea net [*hermo shel yam*][†] that is used to catch fish; or one who took a vow by associating an item with an offering, and then said: I took a vow only with reference to offerings to kings, i.e., a gift for a king, not an offering to God.

Or one who said: I am hereby an offering myself [*atzmi*], and then said: I took a vow only with reference to a bone [*etzem*] that I set aside for myself to vow with, as *atzmi* means both myself and my bone, i.e., he set aside a bone so as to pretend to take a vow upon himself; or one who said: Deriving benefit from me is *konam* for my wife, and then said: I took a vow only with regard to my first wife whom I divorced, not with regard to my current wife.

For all of the above vows, those who took them do not need to request of a halakhic authority to dissolve them, as the speaker interpreted the vows in a manner that caused them not to take effect at all. However, if they requested dissolution, apparently due to their being uncertain of their explanations, the court punishes them and treats them stringently and the vows are not dissolved. This is the statement of Rabbi Meir.

And the Rabbis say: These vows are not treated stringently. Rather, dissolution is broached with them by suggesting a different extenuation, i.e., the halakhic authority suggests extenuating circumstances that undermine the vow but do not pertain to its wording. And we teach them that they should not take this kind of vow in the future, in order that they will not take vows lightly.