

HALAKHA

One who breaks his vow transgresses the prohibition: He shall not profane – נְדָרִים עֹבֵר בְּבֵל יַחֲלֵ – If one renders a kind of food forbidden to himself by means of a vow and then he transgresses and eats any amount of it, he has violated the prohibition against profanation and he is liable to be flogged by Torah law (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 1:5).

If he does not fulfill his vow in time, he transgresses the prohibition: You shall not delay – נְדָרִים בְּבֵל תֵּאַחֵר – If one took upon himself a vow to bring an offering or to donate money or any item to the Temple, and he does not fulfill this vow before three Festivals pass, he has transgressed the prohibition against delaying (Rambam *Sefer Avoda, Hilkhot Ma'aseh HaKorbanot* 14:13).

A father may nullify the vows of his daughter, etc. – הָאָב מֵיפֵר נְדָרֵי בְּתוּ וְכו' – A father is entitled to nullify his daughter's vows until she becomes a grown woman, and a husband is entitled to nullify his wife's vows. This applies to vows through which she prohibits herself from deriving benefit from a particular item, as well as vows by which she consecrates an item to the Temple (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 4:8, 12:1; *Shulhan Arukh, Yoreh De'a* 234:1–2, 234:55; see also 234:58).

So too, with regard to nazirite vows, a father may nullify, etc. – אָף נְזִירוֹת הָאָב מֵיפֵר וְכו' – A father is entitled to nullify the nazirite vow of his daughter if she is not yet a grown woman, and a husband is entitled to nullify the nazirite vow of his wife (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 2:17).

BACKGROUND

Nullification of vows – הִפְרַת נְדָרִים – The *halakhot* of vows and their nullification are stated in the Torah (Numbers, chapter 30). When a young woman still under her father's auspices or a married woman takes a vow, her father or her husband, respectively, may nullify the vow on the day that he hears of it if he does not approve of it. Based on the verses, the Sages explain that this is permitted only in certain situations. Only vows of affliction and vows taken with regard to matters between the woman and her husband or between the young woman and her father may be nullified. Vows that do not affect the woman's relationship with her husband or father cannot be nullified.

אֵלָּא לְאוּ דְּוֹקָא. זִימְנֵן מְפָרֵשׁ הֵוָּא דְּפִתַּח בְּרִישָׁא. זִימְנֵן הֵוָּא דְּסָלִיק מְפָרֵשׁ בְּרִישָׁא. וְאִיבְעִית אִימָא: יְדוּת, אִינְדִי דְּאֵתִין מְדָרְשָׁא – מְפָרֵשׁ לְהוֹן בְּרִישָׁא.

וְלִפְתַּח הֵדִין בְּרִישָׁא! – מִפְּתַח פְּתַח בְּכִינוּיֵין דְּאוּרִינְתָא בְּרִישָׁא, וְהֵדֵר מְפָרֵשׁ יְדוּת דְּאֵתִין לִיה מְדָרְשָׁא.

הִנְחָא לְמָאן דְּאָמַר: כִּינוּיֵין לְשׁוֹן נְבָרִים הֵן, אֵלָּא לְמָאן דְּאָמַר: לְשׁוֹן שְׂבָדוֹ לְהֵן חֲכָמִים לְהִיזוּת נִזְדַּר בּוֹ, מֵאִי אִיבָא לְמִימַר?

מִי קֵתְנֵי יְדוּת? וְלָאוּ חֲסוּרֵי קָא מְחַסְרַת לָהּ? אֶקְדִּים נְמִי וְתַנִּי יְדוּת: כָּל יְדוּת נְדָרִים כְּנְדָרִים, וְכָל כִּינוּיֵין נְדָרִים כְּנְדָרִים. וְאִילוּ הֵן יְדוּת: הָאוּמַר לְחִבְרוֹ, וְאִילוּ הֵן כִּינוּיֵין: קוֹנָם, קוֹנָה, קוֹנָם.

וְיְדוּת הִיכָא כְּתִיב – “אִישׁ... כִּי יִפְלֵא לְנֶדֶר נָזִיר לְהַזִּיר לַיהוָה” – וְתַנְיָא: “נִזִּיר לְהַזִּיר” – לְעִשׂוֹת כִּינוּיֵין נְזִירוֹת כְּנְזִירוֹת, וְיְדוּת נְזִירוֹת כְּנְזִירוֹת.

אִין לִי אֵלָּא בְּנְזִירוֹת, בְּנְדָרִים מִנֵּן – תְּלַמּוּד לֹאמַר “אִישׁ... כִּי יִפְלֵא לְנֶדֶר נָזִיר לְהַזִּיר לַיהוָה” – מִקִּישׁ נְזִירוֹת לְנְדָרִים וְנְדָרִים לְנְזִירוֹת; מַה נְזִירוֹת עֲשָׂה בּוֹ יְדוּת נְזִירוֹת כְּנְזִירוֹת – אָף נְדָרִים עֲשָׂה בְּהֵם יְדוּת נְדָרִים כְּנְדָרִים.

וּמַה נְדָרִים עֹבֵר בְּ“בֵל יַחֲלֵ” וּבְ“בֵל תֵּאַחֵר” – אָף נְזִירוֹת עֹבֵר בְּ“בֵל יַחֲלֵ” וּבְ“בֵל תֵּאַחֵר”. וּמַה נְדָרִים הָאָב מֵיפֵר נְדָרֵי בְּתוֹ וּבֵעַל מֵיפֵר נְדָרֵי אִשְׁתּוֹ – אָף נְזִירוֹת הָאָב מֵיפֵר נְזִירוֹת בְּתוֹ וּבֵעַל מֵיפֵר נְזִירוֹת אִשְׁתּוֹ.

Rather, the Mishna is not particular with regard to this matter, and there is no consistent pattern. Sometimes it explains first that subject with which it began, and sometimes it explains first that subject with which the introductory line in the mishna finished. And if you wish, say an alternate explanation of the order of the mishna here: With regard to intimations, since they are derived from the exposition of verses and are not explicitly mentioned in the Torah, the *tanna* cherishes them and explains them first.

The Gemara asks: If so, let him begin the mishna with that, i.e., intimations, first. The Gemara answers: The *tanna* begins with substitutes for the language of vows, which are written in the Torah, in the first clause, and then explains intimations, which are derived from the exposition of verses.

The Gemara asks: This works out well according to the one who said that substitutes for the language of vows are terms for vows in a foreign language. Consequently, they may be considered to have been written in the Torah, as vows are certainly valid regardless of the language in which they are expressed. However, according to the one who says that these substitute terms are simply language that the Sages invented for one to use in taking a vow so as to minimize using God's name in expressing a vow, what can be said? These include novelties just as intimations do.

The Gemara responds: Does the mishna explicitly teach the *halakha* of intimations of vows? Do you not consider it incomplete, missing the phrase that mentions intimations? Once you are inserting this phrase into the mishna, you can also have it precede the clause about substitutes for the language of vows and teach the *halakha* of intimations at the beginning, so that the mishna reads as follows: All intimations of vows are like vows, and all substitutes for the language of vows are like vows. And these are intimations: One who says to his fellow: I am avowed from you, etc. And these are substitutes for the language of vows: *Konam, konah, konas*.

S Apropos the discussion of intimations of vows, the Gemara asks: And where are intimations of vows written, i.e., from where in the Torah is the *halakha* of intimations of vows derived? The Gemara explains that it is from the verse: “When a man or a woman shall clearly utter a vow, the vow of a nazirite [*nazir*], to consecrate [*lehazir*] himself to the Lord” (Numbers 6:2). And it was taught in a *baraita* that the doubled term “*nazir le hazir*” serves to render substitutes for the language of nazirite vows like nazirite vows, and intimations of nazirite vows like nazirite vows.

I have derived only intimations of nazirite vows; from where do I derive intimations of general vows? The verse states: “When a man or woman shall clearly utter a vow, the vow of a nazirite, to consecrate himself to the Lord.” This verse juxtaposes nazirite vows to other vows and other vows to nazirite vows: Just as with regard to nazirite vows, the verse rendered intimations of nazirite vows like nazirite vows, so too, with regard to vows, it rendered intimations of vows like vows.

And just as with regard to vows, one who breaks his vow transgresses the prohibition: He shall not profane (see Numbers 30:3),<sup>h</sup> and if he does not fulfill his vow in time, he transgresses the prohibition: You shall not delay (see Deuteronomy 23:22),<sup>h</sup> so too, with regard to nazirite vows, he transgresses the prohibition: He shall not profane, and the prohibition: You shall not delay. And furthermore, just as with regard to vows, a father may nullify the vows of his daughter<sup>h</sup> and a husband may nullify the vows of his wife, as written explicitly in the passage concerning vows (Numbers, chapter 30), so too, with regard to nazirite vows, a father may nullify<sup>h</sup> the nazirite vows of his daughter and a husband may nullify the nazirite vows of his wife.<sup>b</sup>

מאי שנא גבי נזירות דכתיב "נזיר להזיר", נדרים נמי הא כתיב "לנדר נדר", והיקישא למא לי?

The Gemara questions this explanation: **What is different with regard to nazirite vows, with regard to which it is written "nazir lehazir," using the doubled term, when with regard to all vows as well it is written: "To utter a vow [lindor neder],"** also using a doubled term? **Why do I need the juxtaposition of all other vows to nazirite vows in order to derive that intimations of vows are like vows, when this can be derived from the doubled term with regard to general vows?**

אי כתב "נדר לנדר" בדכתיב "נזיר להזיר" – בדקאמרת, לא צריך היקישא. השתא דכתיב "לנדר נדר" – דברה תורה כלשון בני אדם.

The Gemara answers: **If the Torah had written: A vow to utter [neder lindor], as it wrote with regard to a nazirite: "The vow of a nazirite, to consecrate himself [nazir lehazir]," it would be as you said, and there would be no need for the juxtaposition. Now that it is written: "To utter a vow [lindor neder]," it is possible to say that the Torah spoke in the language of men, and nothing can be derived from the phrase lindor neder, which is simply a common manner of speech.**

הנחא למאן דאית ליה דברה תורה כלשון בני אדם, אלא למאן דלית ליה דברה תורה כלשון בני אדם, האי "לנדר נדר" מאי עביד ליה? דריש ליה: לעשות ידות נדרים פנדרים, ומקיש נזירות לנדרים. "נזיר להזיר" דריש ליה: מלמד

The Gemara asks: **This works out well according to the one who holds that the Torah spoke in the language of men, but according to the one who does not hold that the Torah spoke in the language of men, any doubled term comes to teach something. What does he do with this phrase: "To utter a vow [lindor neder]"?** The Gemara answers: **He expounds it to render intimations of vows like vows themselves. And the verse juxtaposes nazirite vows to other vows to teach that intimations of vows are like vows with regard to nazirite vows, and to teach the other halakhot mentioned above. With regard to the phrase: "The vow of a nazirite, to consecrate himself [nazir lehazir]," he expounds: This teaches**

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that a term of naziriteship takes effect upon a previously accepted term of naziriteship.<sup>NH</sup> Consequently, if one became a nazirite and then again declared: I am hereby a nazirite, then when his term of naziriteship is completed he must observe a second term of naziriteship.

ולמאן דאמר דברה תורה כלשון בני אדם, ו"נזיר להזיר" דריש לעשות ידות נזירות כנזירות, שהנזירות חל על הנזירות מנא ליה? הנחא אי סבירא ליה כמאן דאמר אין נזירות חל על נזירות, אלא אי סבירא ליה כמאן דאמר נזירות חל על נזירות מנא ליה?

The Gemara asks: **And according to the one who says that the Torah spoke in the language of men and therefore nothing can be derived from the phrase "to utter a vow [lindor neder]," and he expounds the phrase "the vow of a nazirite to consecrate himself [nazir lehazir]" to render intimations of nazirite vows like nazirite vows, from where does he derive that a term of naziriteship takes effect upon a previously accepted term of naziriteship? This works out well if he holds in accordance with the one who says that a term of naziriteship does not take effect upon a previously accepted term of naziriteship; however, if he holds in accordance with the one who says that a term of naziriteship takes effect upon a previously accepted term of naziriteship, from where does he derive this halakha?**

HALAKHA

That a term of naziriteship takes effect upon a previously accepted term of naziriteship – שהנזירות חל על הנזירות: If one says: I am a nazirite, I am a nazirite, he is obligated to observe two consecutive periods of naziriteship. He cuts his hair and brings his offerings at the end of each thirty-day period (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 4:2).

NOTES

That a term of naziriteship takes effect upon a previously accepted term of naziriteship – שהנזירות חל על הנזירות: This topic is discussed in greater detail later in the Gemara (18a). According to the opinion that a term of naziriteship takes effect upon a previously accepted term of naziriteship, as soon as the present term of naziriteship ends the next one begins. Similarly, if one's first

nazirite vow is absolved, his second term takes effect immediately (Rashi manuscript). Some commentaries explain this concept differently, stating that if one declares: I am hereby a nazirite as of today, and again: I am hereby a nazirite as of today, he is doubly subject to the halakhot of naziriteship, and if he drinks wine he is liable to be flogged twice (Rabbi Yitzhak Tzarfati; Meiri).

Let the verse say: To consecrate himself [*lizer*] – נִמָּא קְרָא לִיזוֹר – שְׁמַעְתָּ קְרָא לִיזוֹר: The Ran holds that this inference is not based upon a difference in meaning between *lehazir* and *lizer*, as their meanings are identical. Rather, the Gemara's point is based upon the linguistic style of the verse. It would be expected for the Torah to use the word *lizer*, which is comparable to the word *lindor* used previously in the verse. The fact that the Torah used the word *lehazir* indicates that the verse was hinting at an additional *halakha*. The Rashash, however, maintains that the derivation is based upon a difference in meaning between the two words, as the word *lizer* is the simple verb form [*binyan kal*], whereas *lehazir* is the causative verb form [*binyan hifil*]. Since the Torah did not employ the simple form, as it normally does, the causative form indicates an additional emphasis, the imposition of an additional naziriteship.

As he is a nazirite from that time – דָּמֵן הָיָא שְׁעָתָא הָהּ – לִיזוֹר: Most commentaries (Rosh; see also Ran) explain that this phrase is a continuation of Rava's statement. It means that since the individual has vowed to become a nazirite before his death, he is obligated to become a nazirite as soon as possible in order to ensure that he will be able to fulfill his vow, similar to the case of the woman who cannot partake of *teruma* due to the concern that her husband may die at any time. If the individual who took the vow fails to become a nazirite before three Festivals pass, he has transgressed the prohibition against delaying, like to one who fails to bring an offering within that time period. Rav Aḥa bar Ya'akov then provides an alternate answer to the Gemara's question (4a).

However, Rabbeinu Tam (cited in *Tosafot* and Rosh) explains that the phrase: He is a nazirite from that time, means that his term of naziriteship takes effect immediately and automatically. This is a challenge to the opinion of Rava because since he is automatically a nazirite, there is no possibility of violating the prohibition against delaying that term. Rav Aḥa bar Ya'akov then defends Rava's answer by explaining how it is possible for the term of naziriteship not to take effect immediately. The Rashba writes that even according to this opinion, the term of naziriteship never fully takes effect immediately, since the individual did not actually articulate an acceptance of naziriteship. However, he is immediately prohibited from drinking wine by rabbinic decree, similar to the case of the woman who is immediately prohibited from *teruma* due to the concern that her husband may die at any time (see also Rosh).

## BACKGROUND

The West – מַעְרָבָא: In the Babylonian Talmud, Eretz Yisrael is called the West, as it is southwest of Babylonia. Later, the customs in Eretz Yisrael were referred to as western, as opposed to the eastern customs of Babylonia.

From partaking of *teruma* – לְאָכּוֹל בְּתְרוּמָה: *Teruma* may be eaten only by a priest and the members of his household. These include his wife, his sons, his unmarried daughters, his non-Jewish slaves, and his animals. When a priest dies or divorces his wife, if his wife is from an Israelite or Levite family she may no longer partake of *teruma* unless she has borne him a son, in which case she may continue to eat *teruma* under certain circumstances (see Rambam, *Sefer Zera'im, Hilkhot Terumat*, chapter 6).

נִמָּא קְרָא לִיזוֹר – מָאִי לְהִזְרִי – שְׁמַעְתָּ מִינָּה תְרִיבָּה.

בְּמַעְרָבָא אָמְרִי: אֵיךְ תִּנָּא דְמַפְיָא לִיזוֹר מִן לְנִדְרֵי נְזִיר, וְאֵיךְ תִּנָּא דְמַפְיָא לִיזוֹר מִן כְּבָל הִיצָא מִפִּי וַעֲשֵׂהָ.

אָמַר מִן: וְמָה נְדָרִים עוֹבֵר בְּבַל יַחֲלֵי וְיִבְל תִּתְּחַר. בְּשִׁלְמָא בְּבַל יַחֲלֵי דְנְדָרִים מְשַׁבְּחָת לֵה, כְּגוֹן דְּאָמַר "כִּפְּרֵז אֹכְלֵי" וְלֵא אֹכְלֵהּ – עוֹבֵר מִשּׁוּם "בְּבַל יַחֲלֵי דְבָרוֹ".

אֵלֵא "בְּבַל יַחֲלֵי" דְנִזְרִיּוֹת – הֵיכִי מְשַׁבְּחָת לֵה? בִּיּוֹן דְּאָמַר "הִרִינִי נְזִיר" – הָהּ לִיזוֹר נְזִיר. אֹכְלֵי – קָם לִיזוֹר בְּבַל יֹאכְלֵי. שְׁתָּהּ – קָם לִיזוֹר בְּבַל יִשְׁתֶּה! אָמַר רַבָּא: לַעֲבוּר עֲלֵיוּ בְּשִׁמְסִים.

"בְּבַל תִּתְּחַר" דְנִזְרִיּוֹת הֵיכִי מְשַׁבְּחָת לֵה? בִּיּוֹן דְּאָמַר "הִרִינִי נְזִיר" – הָהּ לִיזוֹר. אֹכְלֵי – קָם לִיזוֹר בְּבַל יֹאכְלֵי! בְּאֹמַר "לְכַשְׁאָרְצָה אֵהָא נְזִיר". וְאֵי אָמַר "בְּשִׁאָרְצָה" – לִיבָא "בְּבַל תִּתְּחַר"!

אָמַר רַבָּא: כְּגוֹן דְּאָמַר "לֵא אִיפְטֵר מִן הָעוֹלָם עַד שְׁאֵהָא נְזִיר", דָּמֵן הָיָא שְׁעָתָא הָהּ לִיזוֹר. מִיֵּדֵי דְהָהּ הָאֹמַר לְאִשְׁתּוֹ "הִרִי זֶה גִּישְׁתִּיךְ שְׁעָה אַחַת קוּדְמֵי מִיתָתִי" – אִסּוּרָה לְאָכּוֹל בְּתְרוּמָה מִיֵּד. אֵלֵמָּא אָמְרִינֵן: כָּל שְׁעָתָא וְשְׁעָתָא דִּילְמָא מִיֵּת, הֵבָא נְמִי – לְאִלְתֵּר הָהּ נְזִיר, דְּאָמְרִינֵן: דִּילְמָא הִשְׁתָּא מִיֵּת.

## HALAKHA

To render him liable for two prohibitions – לַעֲבוּר עֲלֵיוּ בְּשִׁמְסִים: One who took upon himself a nazirite vow and then transgressed by cutting his hair, becoming ritually impure, or eating a grape product is liable to be flogged twice, once due to the violation of the *halakhot* of naziriteship and once due to the general prohibition against profanation, which applies to all vows (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 1:2).

I will not depart the world, etc. – לֵא אִיפְטֵר מִן הָעוֹלָם וְכוּ': One who says: I will not depart the world until I become a nazirite, is obligated to become a nazirite immediately due to the concern that he may die soon. If he delays his naziriteship, he has transgressed the prohibition against delaying, in accordance with the opinion of Rava (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 1:4).

The Gemara answers: Let the verse say: To consecrate himself [*lizer*].<sup>n</sup> What is the reason the verse expressed this same idea with the word *lehazir*? Learn two *halakhot* from this: That intimations of nazirite vows are considered nazirite vows, and that a term of naziriteship takes effect upon a previously accepted term of naziriteship.

The Gemara adds: In the West,<sup>8</sup> Eretz Yisrael, they say: There is a *tanna* who derives intimations of vows from the phrase "to utter a vow [*lindor neder*]," as he holds that the Torah did not speak in the language of men. And conversely, there is a *tanna* who holds that the Torah spoke in the language of men, and therefore derives this *halakha* of intimations from the verse: "He shall do according to all that proceeds out of his mouth" (Numbers 30:3). The inclusive formulation of this verse comes to include intimations of vows.

**S** The Master said in the *baraita* cited earlier: Just as with regard to vows, one who breaks his vow transgresses the prohibition: He shall not profane, and one who does not fulfill his vow in time transgresses the prohibition: You shall not delay, so too, the same is true with regard to nazirite vows. The Gemara asks: Granted, you can find a case where one transgresses the prohibition: He shall not profane, in the case of vows. For example, where one said: I will eat this loaf, and he does not eat it, he violates the prohibition: He shall not profane his word.

However, with regard to transgressing the prohibition: He shall not profane, in the case of nazirite vows, how can you find these circumstances? Once he said: I am hereby a nazirite, he is a nazirite as of that moment. If he then ate grapes, he is liable for violating the prohibition: He shall not eat (see Numbers 6:4), and if he drank wine, he is liable for violating the prohibition: He shall not drink (see Numbers 6:3). When would he ever become liable for violating the prohibition against profanation? Rava said: The prohibition against profanation serves to render him liable for violating two prohibitions.<sup>h</sup> Consequently, if he eats grapes or drinks wine, he transgresses the relevant prohibition in addition to the prohibition against profanation.

The Gemara further asks: With regard to violating the prohibition: You shall not delay, in the case of nazirite vows, how can you find these circumstances? Once he said: I am hereby a nazirite, he is a nazirite as of that moment. If he then ate grapes, he is liable for violating the prohibition: He shall not eat. When would he ever become liable for violating the prohibition against delaying? The Gemara answers: It is when he specifically says: I will become a nazirite when I wish, in which case he does not become a nazirite immediately. The Gemara asks: But if he said: When I wish, there is no prohibition of: You shall not delay, as there is no particular time by which he must become a nazirite.

Rava said: It is, for example, when he said: I will not depart the world<sup>h</sup> until I become a nazirite, as he is a nazirite from that time<sup>n</sup> because he does not know when he will depart this world. This is just as it is in the case of a man who says to his wife: This is your bill of divorce that will take effect one hour<sup>h</sup> before my death. If he is a priest and she is the daughter of a non-priest, she is prohibited from partaking of *teruma*<sup>8</sup> immediately. Apparently, we say every moment that perhaps he is now dead and she is therefore already divorced. Here, too, with regard to naziriteship, he is a nazirite immediately, as we say that perhaps he is now about to die.

This is your bill of divorce that will take effect one hour, etc. – הָהּ זֶה גִּישְׁתִּיךְ שְׁעָה אַחַת וְכוּ': If a priest says to his wife, who is the daughter of a non-priest: This is your bill of divorce that will take effect one hour before my death, she is prohibited from eating *teruma* immediately (Rambam *Sefer Zera'im, Hilkhot Terumat* 9:1).