

רב אחא בר יעקב אמר: כגון דגדר והוא בבית הקברות.

הניחא למאן דאמר לא חייילא עליה נזירות מאלתר, אלא למאן דאמר מאלתר חייילא עליה – מי איבא “בל תאחר” ועוד, האמר מר בר רב אשי: חייילא נזירות עליה מאלתר, וכי פליגי – לענן מלקות פליגי!

אפילו הכי – קם ליה ב”בל תאחר”, משום דקא מאחר נזירות דטהרה. אמר רב אשי: הואיל וכן, נזיר שטימא עצמו במייד – עובר משום “בל תאחר” דנזירות טהרה.

רב אחא בריה דרב איקא אמר: עובר ב”בל תאחר” תגלחתו.

ולא מיבעיא למאן דאמר תגלחת מעבבת, אלא אפילו למאן דאמר תגלחת אינה מעבבת – מצות גילוח מיהא לא מיקיים.

Rav Aḥa bar Ya’akov said: The prohibition against delaying applies to a nazirite in a case where one vowed to become a nazirite while he was in a cemetery.^H Since it is prohibited for a nazirite to be in a cemetery, his term of naziriteship does not come into effect until he leaves the cemetery and ritually purifies himself. If he delays this process, he prevents the vow from taking effect and thereby transgresses the prohibition against delaying.

The Gemara asks: **This works out well according to the one who says that if one takes a vow of naziriteship while in a cemetery the naziriteship does not apply to him immediately. However, according to the one who said that the naziriteship applies to him immediately,^N is there a violation of the prohibition: You shall not delay? And furthermore, didn’t Mar bar Rav Ashi say that all agree that the naziriteship applies to him immediately and he need not repeat his vow of naziriteship when he leaves, and when they disagree it is only with regard to the matter of flogging, and it’s only about this that they disagree,^N i.e., whether the nazirite is flogged if he drinks wine or otherwise violates the prohibitions of a nazirite.**

The Gemara answers: **Even so, he is liable for violating the prohibition: You shall not delay,^H because by remaining in the cemetery he delays a naziriteship of ritual purity.** Although the *halakhot* of naziriteship take effect upon him immediately, he is still obligated to fulfill a term of naziriteship in a state of ritual purity, and if he delays doing so, he violates the prohibition against delaying. **Rav Ashi said: Since this is so, a nazirite who intentionally renders himself ritually impure^{HN} violates the prohibition: You shall not delay, with regard to a naziriteship of ritual purity,^N as he thereby prevents himself from completing his naziriteship in a state of ritual purity on time.**

Rav Aḥa, son of Rav Ika, stated another explanation of how the prohibition against delaying applies with regard to naziriteship: The nazirite is commanded to shave his hair at the conclusion of his term, and if he causes this shaving to be delayed, he violates the prohibition: **You shall not delay, with regard to his shaving.^N**

The Gemara adds: **And this explanation is not necessary to say, i.e., it is obvious, according to the one who says that shaving is indispensable for a nazirite and he is subject to all the prohibitions of a nazirite until he shaves, but even according to the one who says that shaving is not indispensable^H and the *halakhot* of naziriteship are terminated for him immediately after he brings his offerings, at least it can be said that he does not fulfill the mitzva of shaving until he actually shaves, and therefore if he delays, he violates the prohibition against delaying.**

HALAKHA

He vowed to become a nazirite while he was in a cemetery – נדר – והוא בבית הקברות: If one vows to be a nazirite while in a cemetery, the naziriteship takes effect upon him and he is liable to be flogged for being in the cemetery as a nazirite. This is in accordance with the opinion of Mar bar Rav Ashi and Rabbi Yohanan in tractate *Nazir* (17a). The time that he is in the cemetery is not considered part of the naziriteship period (Rambam *Sefer Hafla’a*, *Hilkhot Nezirut* 6:8).

He is liable for the prohibition: You shall not delay – קם ליה – בבל תאחר: One who vows to be a nazirite while in a cemetery is liable to be flogged for violating the prohibition against delaying, in accordance with the opinion of Rav Aḥa bar Ya’akov (Rambam *Sefer Hafla’a*, *Hilkhot Nezirut* 5:21).

A nazirite who intentionally renders himself ritually impure –

נזיר שטימא עצמו במייד: If a nazirite rendered himself ritually impure intentionally, he is liable to be flogged for having rendered himself impure while a nazirite, for violating the additional prohibition against profanation, and also for violating the prohibition against delaying, because he performed an action that delayed a naziriteship of ritual purity. This is in accordance with the opinion of Rav Ashi (Rambam *Sefer Hafla’a*, *Hilkhot Nezirut* 5:21).

Shaving is not indispensable – תגלחת אינה מעבבת: Shaving is not indispensable for the process of concluding a naziriteship. Consequently, if one brings his offerings he may drink wine that very evening even if he has not shaven his head. Nevertheless, he is obligated to shave even if a prolonged period of time has passed since the conclusion of his term as a nazirite (Rambam *Sefer Hafla’a*, *Hilkhot Nezirut* 8:5).

NOTES

מאלתר – Naziriteship applies to him immediately – חייילא עליה: This is the subject of a dispute in tractate *Nazir* (16b). Some explain that according to Reish Lakish, who holds that naziriteship does not take effect upon him immediately, naziriteship actually does not go into effect at all. However, since he took it upon himself to become a nazirite, he must fulfill this commitment by taking another nazirite vow when he is pure, and if he delays doing so, he violates the prohibition against delaying. Rabbi Yohanan holds that the naziriteship takes effect due to the statement he already made, but is held in abeyance until he becomes pure; at that point, he automatically becomes a nazirite even without taking another nazirite vow. The Gemara’s question is that according to Rabbi Yohanan, how can one violate the prohibition against delaying naziriteship (*Shita Mekubbetzet*).

With regard to the matter of flogging they disagree – לענן מלקות פליגי: The commentaries debate how to interpret this statement. Some explain that all agree that naziriteship takes effect without one having to take another nazirite vow. However, the *amora’im* still dispute whether he is liable to be flogged for violating the prohibitions of a nazirite while he remains ritually impure. Rabbi Yohanan holds that he is liable to be flogged if, for example, he drinks wine or cuts his hair. Reish Lakish maintains that naziriteship has not yet fully taken effect, and therefore he is exempt from lashes (Ran; Meiri). Others explain that he is certainly liable to be flogged for violating one of the other prohibitions of a nazirite because the naziriteship has fully taken effect. The dispute is whether he is liable to be flogged for violating the prohibition against contracting impurity from a corpse, which applies to a nazirite. According to Rabbi Yohanan, if he was warned to leave the cemetery and he refused, he is liable to be flogged, whereas Reish Lakish disagrees (*Tosafot*; *Tosafot Yeshanim*).

A nazirite who intentionally renders himself ritually impure – נזיר שטימא עצמו במייד: The Rosh holds that this likewise applies to one who becomes impure against his will but then intentionally delays his purification until three Festivals have passed. However, it appears that according to the Rambam, the nazirite violates a prohibition only if he actively renders himself impure, and if he does so, he is flogged. This is consistent with the general opinion of the Rambam that although passive transgressions do not incur liability to receive lashes, if one actively violates a prohibition which normally does not involve any action, he is liable to be flogged. The Rosh would apparently hold that one can violate the prohibition even passively by delaying his purification but is not liable to be flogged even if he violates it actively (see Rashba and *Sukkat David*).

You shall not delay, with regard to a naziriteship of ritual purity – בבל תאחר דנזירות טהרה: Some commentaries maintain that the nazirite is immediately in violation of this prohibition and is liable to receive the appropriate punishment, even if he does not delay his process of purification (Ran). Others contend that he violates the prohibition only if he remains in a state of ritual impurity until three Festivals have passed (Rosh).

You shall not delay, with regard to his shaving – בבל תאחר תגלחתו: The Rambam does not cite this *halakha*. He apparently holds that since cutting one’s hair is not indispensable, and one fully completes his vow of naziriteship even without it, the prohibition against delaying does not apply. The Meiri rules that he does transgress the prohibition against delaying with regard to his shaving (see also *Keren Ora*).

The sin-offering of forbidden fat, which one cannot accept through a vow – חטאת חלב שאין מתפסה בגדר – One cannot obligate himself to bring a sin-offering or guilt-offering voluntarily through a vow. Consequently, if one who is not obligated to bring these offerings says: I hereby obligate myself to bring a sin-offering or a guilt-offering, or he designates an animal as a sin-offering or guilt-offering, his statement is meaningless (Rambam *Sefer Avoda, Hilkhot Ma'aseh HaKorbanot* 14:8).

I am hereby a nazirite, even if he accepted upon himself only to abstain from grape seeds – הריני נזיר אפילו – One who says: I am hereby a nazirite only from grape seeds, or: I am hereby a nazirite only with regard to shaving, or the like, becomes a full-fledged nazirite and must keep all of the *halakhot* of naziriteship (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 1:9).

מִרְזוּטָא בְרִיָּה דְרַב מָרִי אָמַר: עוֹבֵר בְּבִלְתַּאֲחֵר קְרַבְנֹתָיו.

וּמִן הַכָּא נִפְקָא לִיה? מִהֵתֵם נִפְקָא לִיה: "כִּי דְרַשׁ יְדִרְשֶׁנּוּ" – אֵלּוּ חֲטָאֵת וְאִשְׁמוֹת!

מֵהוּ דְתִימָא: חִידוּשׁ הוּא שְׁחִידָשָׁה תּוֹרָה בְּנִזְיֹר.

מֵאִי חִידוּשׁ? אֵילִימָא דְלֹא מִתְפִּיס לִיה לְחֲטָאֵת נִזְיֹר בְּגִדְר – הֲרֵי חֲטָאֵת חֶלֶב, שְׂאִין מִתְפִּיסָה בְּגִדְר, וְעוֹבֵר בְּבִלְתַּאֲחֵר!

אֵלָּא מֵאִי חִידוּשִׁיה – סְלִקָא דְעֵתָךְ אָמִינָא: הוּאִיל וְאִם אָמַר "הֲרִינִי נִזְיֹר" אָפִילוּ מִן חֲרִצָן – הָיִי נִזְיֹר לְכֹל, אֵימָא: לֹא לִיעֲבוֹר עֲלֵיהּ מִשּׁוּם "בִּלְתַּאֲחֵר" – קָא מִשְׁמַע לָן.

הֵנִיחָא לְמֵאן דְאָמַר: כִּי נִזְיֹר מִן חֲרִצָן – הָיִי נִזְיֹר לְכֹל, אֵלָּא לְרַבֵּי שְׁמַעוֹן דְאָמַר: אֵין נִזְיֹר עַד שְׁנִיזִיר מִכּוּלָן, מֵאִי אֵיכָא לְמִימַר? וְעוֹד: הֲאִי חִידוּשׁ לְחוּמְרָא הוּא!

אֵלָּא מֵאִי חִידוּשִׁיה – דְסִלְקָא דְעֵתָךְ אָמִינָא: הוּאִיל

Mar Zutra, son of Rav Mari, stated another explanation of how the prohibition against delaying applies to a nazirite vow: **He transgresses the prohibition: You shall not delay**, with regard to his offerings. When he completes his term as a nazirite he is obligated to bring certain offerings, and if he delays bringing them, he violates this prohibition.

The Gemara asks: **Is this halakha**, that the prohibition against delaying applies to a nazirite vow, **derived from here**, i.e., the juxtaposition of vows and naziriteship? **It is derived from there**, a different exposition based upon the verse: "When you shall take a vow...you shall not delay to pay it; for the Lord your God will surely require it of you" (Deuteronomy 23:22). **Those items included in the phrase "will surely require it" are sin-offerings and guilt-offerings**, including the sin-offering and guilt-offering of a nazirite.

The Gemara explains: The derivation based on the juxtaposition of vows and naziriteship is still necessary **lest you say that** these offerings are a novelty that the Torah innovated with regard to a nazirite and therefore their *halakhot* cannot be derived from *halakhot* of other offerings.

The Gemara asks: **What is the novelty** that the Torah introduced with regard to the nazirite? **If we say it is that he cannot accept upon himself the sin-offering of a nazirite through a vow**, i.e., if one who is not a nazirite says: I hereby vow to bring the sin-offering of a nazirite, his vow has no validity, this is not a unique *halakha* with regard to sin-offerings of a nazirite. There is also the case of **the sin-offering of forbidden fat**,ⁿ i.e., a typical sin-offering that one brings when he inadvertently violates certain prohibitions, one of which is eating forbidden fat, **which one cannot accept through a vow**,^h as only one who has violated the prohibition may bring it; **and nevertheless, one still transgresses the prohibition: You shall not delay**, if he delays bringing the offering.

Rather, what is its novelty that makes the juxtaposition between vows and naziriteship necessary? It might **enter your mind to say that since if he said: I am hereby a nazirite, even if he accepted upon himself only one of the prohibitions of a nazirite**, e.g., the requirement to abstain **from grape seeds**,^h **he is nevertheless a nazirite with regard to all aspects of naziriteship**, therefore **say that he does not transgress the prohibition: You shall not delay**. Since this *halakha* is a novelty, perhaps the principles of vows do not apply. The verse therefore **teaches us** through the juxtaposition of vows and naziriteship that the prohibition against delaying applies even in this case.

The Gemara asks: **This works out well according to the one who said that when one vows to be a nazirite from grape seeds he is a nazirite in all respects. However, according to the opinion of Rabbi Shimon, who said that he is not a nazirite unless he explicitly vows to be a nazirite in all respects, what is there to say? And furthermore, this novelty is stringent** in that it renders the individual a nazirite even if he did not explicitly accept all of the *halakhot* of naziriteship. How could this novelty indicate that the prohibition against delaying does not apply in this case, which is a leniency, so that the juxtaposition would be necessary?

Rather, what is its novelty that makes the juxtaposition between vows and naziriteship necessary? It might **enter your mind to say that since**

NOTES

The sin-offering of forbidden fat – חטאת חלב – Every sin-offering that is brought for transgressing a prohibition that carries a punishment of *karet* in a case of intentional transgression is referred to as a sin-offering of forbidden fat. This is in contrast to communal sin-offerings or the sin-offering of a nazirite. Rashi on *Sota* 15a explains that the name: Sin-offering of forbidden fat, is used due to the fact that immediately after the Torah delineates the

prohibition: "You shall eat neither fat nor blood" (Leviticus 3:17), it details the *halakhot* of sin-offerings. The Rosh explains that the source of the use of this term is the fact that this particular sin is common; when one slaughters an animal in order to eat its meat, it could easily happen that one fails to remove all of the forbidden fats (see *Tosafot Yeshanim*).

ואם גילה על אחת משלושתן – יצא.
לא ליעבור עליה ב"בל תאחר", קא
משמע לן.

ואיבעית אימא: מאי חדושיה – משום
דלא מתפיסו בנדר. והא דקא קשיא
לך חטאת חלב – חטאת חלב קאתינא
לכפרה, חטאת נזיר למאי אתינא?

והרי חטאת יולדת דלא אתינא לכפרה,
ועבר עליה משום "בל תאחר"! והיא
קא שריא לה למיכל בקדשים.

אמר ר' זמא: ומה נדרים האב מיפר נדרי
בתו ובעל מיפר נדרי אשתו – אף
נזירות, האב מיפר נזירות בתו ובעל
מיפר נזירות אשתו. למה לי ה'קשוא'
תייתי ב"מה מצנינו" מנדרים!

if he shaves upon bringing one of the three^h offerings that a nazirite must bring when completing his term as a nazirite, i.e., a burnt-offering, a sin-offering, and a peace-offering, **he has fulfilled his obligation to shave and the restrictions of a nazirite are lifted, he therefore does not violate the prohibition: You shall not delay, for delaying the other offerings. Consequently, it teaches us that the prohibition against delaying applies to these offerings.**

And if you wish say: What is the novelty of the nazirite? The *halakha* of naziriteship is considered a novelty because the offerings of a nazirite cannot be accepted through a vow. And that which poses a difficulty for you based on the fact that one cannot accept upon himself a sin-offering of forbidden fat through a vow either, and nevertheless the prohibition against delaying applies, can be resolved. A sin-offering of forbidden fat comes for the purpose of atonement, and therefore if one delays bringing it he violates the prohibition against delaying. However, for what does the sin-offering of a nazirite come?^N Since it does not come to atone for a sin, one might have thought that the prohibition against delaying does not apply.

The Gemara asks: **But there is the precedent of the sin-offering of a woman who gave birth,^{NB} which also does not come for the purpose of atonement,^N and yet if she does not bring the offering on time she still transgresses due to the prohibition: You shall not delay.** The Gemara answers: **That sin-offering of a woman who gave birth permits the woman^N to eat consecrated food.^h** Although it does not come to effect atonement, it does come to permit a matter. On the other hand, the sin-offering of a nazirite does not permit anything, and therefore the fact that one cannot accept upon himself an obligation to bring this offering is a novelty. Consequently, it was necessary for there to be a separate source to indicate that one is liable for violating the prohibition against delaying in the case of this offering.

S The Master said in the *baraita* cited above: **Just as with regard to vows, a father may nullify the vows of his daughter and a husband may nullify the vows of his wife, so too, with regard to nazirite vows, a father may nullify the nazirite vows of his daughter and a husband may nullify the nazirite vows of his wife.** The Gemara asks: **Why do I need the juxtaposition in the verse to teach us this *halakha*? Let this *halakha* come through the method of analogy known as: What do we find, from the *halakha* with regard to vows.** In other words, the *halakha* in the case of regular vows should serve as a legal precedent that can be applied to nazirite vows even without a biblical juxtaposition.

HALAKHA

ואם גילה – יצא – על אחת משלושתן: When a nazirite finishes his naziriteship in a state of ritual purity, the proper procedure is that he first brings a sin-offering, then a burnt-offering, then a peace-offering, and afterward he shaves. However, if he shaves after slaughtering the sin-offering or the burnt-offering, he has fulfilled his obligation to shave (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 8:2).

It permits the woman to eat consecrated food – קא שריא לה למיכל בקדשים: Those who are lacking atonement, including a woman after childbirth, are prohibited from eating consecrated food until they bring their sin-offering (Rambam *Sefer Korbanot, Hilkhot Mehusrei Kappara* 1:5).

BACKGROUND

חטאת – תולדת: The Torah describes various *halakhot* that applied to a woman after she gave birth. She was considered ritually impure for seven days if she gave birth to a boy, and for fourteen days if she gave birth to a girl. Later, after immersion in a ritual bath, she was ritually pure for the following thirty-three days if she gave birth to a boy or sixty-six days if she gave birth to a girl, even if she experienced uterine bleeding. Nevertheless, during this period of forty days in total for a boy, or eighty days in total for a girl, she was prohibited from entering the Temple and partaking of the meat of offerings. After the fortieth or eightieth day, she sacrificed a purification offering in the Temple. This offering consisted of a lamb that was younger than one year old, which was brought as a burnt-offering, and a young pigeon or turtledove, which was brought as a sin-offering. If she could not afford the cost of a lamb for the burnt-offering, she could bring two turtledoves or two young pigeons, one as a burnt-offering and the other as a sin-offering. She could then enter the Temple and partake of sacrificial foods (Leviticus 12:1–8).

NOTES

חטאת – תולדת: Although according to Rabbi Elazar HaKappar a nazirite brings a sin-offering because he sinned by causing himself anguish by abstaining from wine, this is a minority opinion (Rashi manuscript). Moreover, this is not the primary reason for the sin-offering, since one who causes himself even great anguish by abstaining from other pleasures is not obligated to bring a sin-offering (*Tosafot Yeshanim*).

But there is the precedent of the sin-offering of a woman who gave birth – תולדת חטאת יולדת: *Tosafot Yeshanim* ask: How does the Gemara know that one violates the prohibition against delaying with regard to the sin-offering of a woman who gave birth? Since one is not obligated to bring it due to sin or to a vow, perhaps it is not subject to this prohibition. *Tosafot Yeshanim* answer that the Gemara could have responded that the sin-offering of a woman who gave birth is also exceptional,

but it provided a different answer (see *Gilyon HaShas*). In the *Keren Ora* it is explained that since a woman who gave birth must also bring a burnt-offering, which all agree is subject to the prohibition against delaying, it is unreasonable to say that she does not transgress this mitzva with regard to the sin-offering, which is her primary obligation (see *Tosafot*).

Which also does not come for the purpose of atonement – דלא אתינא לכפרה: Although Rabbi Shimon states that a woman who gives birth brings a sin-offering because the pain of childbirth caused her to swear that she will no longer have relations with her husband, this is not the primary reason for the offering because all women who give birth are obligated to bring the offering, even if they did not take such an oath (Rabbi Eliezer of Metz). Moreover, this comment of Rabbi Shimon is of an aggadic nature, and even in that context it is refuted (Rashba; Meiri).

היא קא שריא – ליה וכו': Although the sin-offering of a nazirite permits him to drink wine, there is a distinction between the cases because eating consecrated foods fulfills a mitzva, while drinking wine does not (*Tosafot*; Ran). It is for this reason that a blessing is recited before one eats consecrated food. Although it appears that eating consecrated food is a mitzva that applies only to priests, according to some commentaries it is a general mitzva that applies to non-priests as well. The verse states: "And they shall eat these things through which atonement was made" (Exodus 29:33), and this verse applies even to Israelites with regard to the portions of offerings that are theirs to eat. The Ran adds that all agree that there is a mitzva for Israelites to eat the Paschal lamb. Although the sin-offering of a nazirite allows him to drink the wine of *kiddush* and *havdala*, these are rabbinic ordinances and are not mandated by Torah law (Meiri).

דלא – Because there is no time limit with regard to vows – אית ליה קיצותא: If one renders a matter forbidden to himself without specifying a time limit, it becomes forbidden to him forever (Shulhan Arukh, Yoreh De'a 219:3).

Unspecified naziriteship is for thirty days – קתם נזירות – שלשים יום: Unspecified naziriteship is for thirty days. Consequently, one who says: I am hereby a nazirite, becomes a nazirite for thirty days. This is also the minimum amount of time for which one may be a nazirite (Rambam Sefer Hafla'a, Hilkhoh Nezirut 3:1).

In all these cases, the vow does not take effect until he says: I am avowed from you with regard to that which I eat of yours – בכולן עד שיאמר שאני אוכל לך: If one says to another: I am avowed from you with regard to that which I eat of yours, the vow takes effect due to the halakha of intimations of vows, and he is prohibited from eating any item belonging to the other individual (Rambam Sefer Hafla'a, Hilkhoh Nedarim 1:23; Shulhan Arukh, Yoreh De'a 206:1).

דילמא גבי נדרים הוא דמיפר, משום דלא אית ליה קיצותא. אבל גבי נזירות דאית ליה קיצותא, דסתם נזירות שלשים יום – אימא לא. קא משמע לן.

”האומר לחבירו מודר אני” וכו'. אומר שמואל: בכולן עד שיאמר ”שאיני אוכל לך”, ”שאיני טועם לך”.

מיתבי: ”מודר אני ממך”, ”מופרשני ממך”, ”מרוחקני ממך” – הרי זה אסור. ”שאיני אוכל לך”, ”שאיני טועם לך” – הרי זה אסור! הכי קתני: במה דברים אמורים – באומר ”שאיני אוכל לך”, ”שאיני טועם לך”.

והתניא איפכא: ”שאיני אוכל לך”, ”שאיני טועם לך” – אסור: ”מודרני ממך” ו”מופרשני ממך”, ”מרוחקני ממך” – הרי זה אסור! תני הכי: וכבר אמר ”מודרני”.

אי הכי היינו רישא! ועוד: ”אסור”, ”אסור” למה ליה למתני?

אלא אומר שמואל: טעמא דאמר ”שאיני אוכל לך”, ”שאיני טועם לך” – הוא דאסור וחבירו מותר,

The Gemara responds: If not for the juxtaposition, one might have said that perhaps it is only with regard to vows that he may nullify her statements because there is no time limit with regard to vows,^h but with regard to naziriteship, which has a time limit, as unspecified naziriteship is for thirty days,^h one might say no, he may not nullify her vows. Therefore, it teaches us through juxtaposition that he may nevertheless nullify her vows.

It is taught in the mishna with regard to one who says to his fellow: I am avowed from you, or another intimation of a vow, that the vow takes effect. Shmuel said: In all these cases, the vow does not take effect until he says: I am avowed from you with regard to that which I eat of yours,^h or: That which I taste of yours. Without this addition, the statement: I am avowed from you, is not considered even an intimation of a vow.

The Gemara raises an objection based on the following baraita: If one says: I am avowed from you, or: I am separated from you, or: I am distanced from you, he is prohibited from benefiting from that individual. If he says: That which I eat of yours, or: That which I taste of yours, he is prohibited from eating or tasting that individual's food. This indicates that the phrases mentioned in the first clause of the baraita take effect as vows even if he does not add the phrases mentioned in the latter clause. The Gemara answers: This is what the baraita is teaching: In what case is this statement said i.e., if one says: I am avowed from you, or the like, the vow takes effect? It is in a case of one who says: That which I eat of yours, or: That which I taste of yours.

The Gemara asks: But isn't it taught in a baraita in the opposite order? If one says: That which I eat of yours, or: That which I taste of yours, he is prohibited from eating or tasting that individual's food, i.e., the vow takes effect. If he says: I am avowed from you, or: I am separated from you, or: I am distanced from you, he is likewise prohibited. In this case, the baraita cannot be interpreted as explained above, and it appears that if one said: I am avowed from you, the vow takes effect even if he did not say: I am avowed from you with regard to that which I taste of yours. The Gemara answers: Teach the baraita as follows: The vow takes effect in the cases mentioned in the first clause when he already said: I am avowed.

The Gemara asks: If so, this is the same as the first baraitaⁿ cited above. And furthermore, if the vow takes effect only if he combined the statements mentioned in the first and latter clauses of the baraita, why does the baraita teach that he is prohibited in the first clause of the baraita and then repeat that he is prohibited in the second clause of the baraita? The repetition of this ruling indicates that these are two separate cases.

Rather, Shmuel actually said as follows: The reason is that he said: I am avowed from you with regard to that which I eat of yours, or with regard to that which I taste of yours; it is for this reason that he is prohibited from benefiting from his fellow, and his fellow is permitted to benefit from him, as this formulation indicates that he is applying his vow only to himself.

NOTES

This is the same as the first baraita [reisha] – תיני רישא: Some explain that the two baraitot cited here are actually one continuous baraita, which is why the Gemara refers to the two citations as the reisha and seifa, terms that generally refer to the first and latter clauses of a single source (Ritz). However, most commentaries maintain that these two citations are actually two separate baraitot, and these terms simply refer to the baraita that was cited first and the one that was cited later. According to this explanation, the Gemara could have answered that since these

are two separate baraitot that were not taught together, they need not be teaching different halakhot. However, since the Gemara asks another question as well, which it cannot answer, it does not answer this question either (Rid).

The Ran and the Rosh explain that the Gemara's question is as follows: If the second baraita meant to teach the same halakha as the first, it should have been formulated in the same way. The fact that it is formulated differently indicates that it is teaching something different.