

HALAKHA

For one who vows that grain [*dagan*] is forbidden to him – הנודר מן הדגן – For one who vows with regard to eating *dagan* or *tevua*, it is prohibited to eat only the five species of grain (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 9:9; *Shulhan Arukh*, *Yoreh De'a* 217:18).

NOTES

Any produce that is placed in a pile – כל דמידגן משמע – Based on the conclusion of the Gemara, the dispute is whether the term *dagan* when used in a vow is to be interpreted as grain, which is its biblical meaning, or whether common parlance is different, and any produce harvested at one time and placed in a pile is included in that term (Rabbi Natan bar Yosef).

What is the meaning of the words: As soon as the matter was publicized, the children of Israel gave in abundance – מאי כפרץ הדבר הרבו בני ישראל – Rashi explains this question based on the version of the text cited in the Gemara: If *dagan* includes all produce placed in a pile, in what sense did the children of Israel give in abundance beyond that which they were required to tithe according to *halakha*? One is obligated to tithe all the other types of produce listed as well. The *She'iltot* cites a variant reading of the question: What is the meaning of the phrase “and all the produce of the field in abundance”? According to this reading, the question is: If *dagan* in this verse means any produce placed in a pile, all the produce of the field is included. Why the redundancy? Although the Rosh adopts the version of the text that appears in the Gemara, he too maintains that the difficulty arises from the phrase “and of all the *tevua* of the field.” He claims that when the Gemara cited the phrase: And as soon as the matter was publicized, the children of Israel gave in abundance, it was merely citing the beginning of the verse. Some early commentaries explain that although everyone, even Rabbi Meir, agrees that the term *dagan* in the Torah refers only to the five species of grain, the language in the book of Chronicles corresponds to the common parlance (*Tosafot*; *Rashba*).

מתני' הנודר מן הדגן אסור בפול המצוי יבש, דברי רבי מאיר. והכמים אומרים: אינו אסור אלא מחמשת המינין. רבי מאיר אומר: הנודר מן התבואה – אינו אסור אלא מחמשת המינין, אבל הנודר מן הדגן – אסור בכל, ומותר בפירות האילן ובירק.

גמ' למימרא דדגן כל דמידגן משמע. מתיב רב יוסף: וכפרץ הדבר הרבו בני ישראל [ראשית] דגן תירוש ויצהר וכל תבואת שדה לרב וגו', ואי אמרת דגן כל דמידגן משמע – מאי כפרץ הדבר הרבו? אמר אביי: לאתווי פירות האילן וירק.

”רבי מאיר אומר: הנודר מן התבואה וכו'. אמר רבי יוחנן: הכל מודים בנודר מן התבואה שאין אסור אלא מחמשת המינין. תניא נמי הכי: שוין בנודר מן התבואה שאין אסור אלא מחמשת המינין. פשיטא! מהו דתימא: תבואה – כל מלי משמע, קמשמע לן דלא משמע כל מלי.”

מתיב רב יוסף: וכפרץ הדבר הרבו בני ישראל כו'! אמר רבא: תבואה לחוד, תבואת שדה לחוד.

MISHNA For one who vows that grain [*dagan*] is forbidden to him,ⁿ it is prohibited to eat the dry cowpea, because, like grain, its final stage of production involves being placed in a pile; this is the statement of Rabbi Meir. And the Rabbis say: It is prohibited for him to partake of only the five species of grain: Wheat, barley, oats, spelt, and rye, as that is the connotation of the term *dagan* in the Torah. Rabbi Meir says: For one who vows that grain is forbidden to him, and therefore he will refrain from eating grain [*tevua*], it is prohibited for him to eat from only the five species of grain. However, for one who vows that grain is forbidden to him, and therefore he will refrain from eating grain [*dagan*], it is prohibited to eat all produce whose final stage of production involves being placed in a pile, e.g., dry cowpea, and it is permitted for him to eat fruits of the tree and vegetables.

GEMARA The Gemara asks: Is this to say that according to Rabbi Meir, the term *dagan* means any produce that is harvested at one time and placed in a pile [*midgan*]?ⁿ Rav Yosef raised an objection: After King Hezekiah called upon the people to give *teruma* and tithes properly, the verse states: “And as soon as the matter was publicized, the children of Israel gave in abundance the first fruits of *dagan*, wine, and oil, and honey, and of all the *tevua* of the field; and the tithe of all that they brought in abundance” (II Chronicles 31:5). And if you say that *dagan* means any produce that is placed in a pile, what is the meaning of the words “As soon as the matter was publicized, the children of Israel gave in abundanceⁿ the first fruits of *dagan*... and of all the *tevua* of the field”? There is no need to list both *dagan* and all *tevua* of the field. Abaye said: *Tevua* comes to include fruits of the tree and vegetables, which they tithed although they are not included in *dagan*, as they are not harvested at one time and placed in a pile.

§ We learned in the mishna that Rabbi Meir says: For one who vows that grain [*tevua*] is forbidden to him, it is prohibited for him to eat from only the five species of grain. Rabbi Yoḥanan said: Everyone concedes with regard to one who vowsⁿ that *tevua* is forbidden to him that it is prohibited for him to eat from only the five species of grain. The Rabbis do not disagree with Rabbi Meir in that regard. That is also taught in a *baraita*: And they agree with regard to one who vows that *tevua* is forbidden to him that it is prohibited for him to eat from only the five species of grain. The Gemara asks: Isn't that obvious, as it is only those species that are called *tevua*. The Gemara answers: It is necessary; lest you say that *tevua* means all items that grow from the ground, therefore, the *tanna* teaches us that this expression does not mean all items that grow from the ground.

Rav Yosef raised an objection: With regard to the verse “And as soon as the matter was publicized, the children of Israel gave in abundance... and of all the *tevua* of the field,” the phrase “and of all the *tevua* of the field” comes to include all crops that grow in the field. Rava said: *Tevua* is discrete and refers to only the five species of grain, and *tevua* of the field is discrete and refers to all crops that grow in the field.

NOTES

Everyone concedes with regard to one who vows – הכל מודים בנודר: Although this is cited in the mishna as an individual opinion, it is in fact a consensus opinion (Ran). The Rosh writes that one could assume that the two *tanna'im* have conflicting understandings of the terms in question, as Rabbi Meir holds that *dagan* is a general term and *tevua* refers specifically to the five species of grain, and the Rabbis, who restrict the meaning of

dagan to the five species of grain, hold that *tevua* has a broader meaning, including all produce that grows. That is the Gemara's question: Isn't it obvious that one who vowed to refrain from eating *tevua* would not eat from the five grains? The answer that follows is based on the understanding that *tevua* has a broader connotation (Rashba).

Panya River – נְהַר פְּנִיאָה: Some hold that the reference here is not to a river but to a city named Hurpanya, which people assumed was a contraction of *Nehar Panya*, Panya River. Others maintain that the reference is to the city *Nehar Ban*, located on the east bank of the Tigris River.

NOTES

From the crop on the banks of the Panya River – מִן עֲלֵלְתָא דְנְהַר פְּנִיאָה: On the one hand, this stipulation for repayment of the debt is favorable for Rava, as it grants him monetary rights over the property on the banks of the river until the debt is repaid. On the other hand, it is unfavorable, as it restricts his ability to collect the debt to the crops that grow there (Rabbi Natan bar Yosef). Apparently, those crops were insufficient to repay the debt. That is why Rava asked if he had rights to other profits from Master Shmuel's property.

What is called *alalta* – עֲלֵלְתָא הִיבֵי מִקְרָא: The early commentaries state that Rav Yosef based his opinion on Onkelos's translation of *tevua* as *alalta*, indicating that the two terms are synonymous (Ran). Although Abaye and Rava maintain that the connotation of *alalta* is broader than that of the biblical *tevua*, many early commentaries (see *Piskei HaRoshi*) rule in accordance with the opinion of Rav Yosef that at least when the term is written in a document, it is understood in its most limited sense, as the burden of proof rests upon the claimant who seeks to collect his debt with the document.

Since they depreciate – כִּינּוּ דְפַחְתָּן: According to most commentaries, the question is: Does the fact that the profits from houses and boats involve depreciation of the property itself mean that these should not be considered profits at all? They understand that the term *alalta* is a variation of the term *ilui*, meaning increase. The Rosh explains that because the rent of houses and animals fluctuates wildly, perhaps it does not fall within the category of *tevua* (*Shita Mekubbetzet*).

The Rabbis stated, etc. – אֲמִירוֹהוּ רַבֵּן וְכוּ': Apparently, they did not report Rava's comments in their entirety. They told Rav Yosef that Rava said: That was not a dilemma for me. They did not tell Rav Yosef Rava's explanation why that was not his dilemma. That is why Rav Yosef took umbrage (Haver ben Hayyim).

On Yom Kippur eve – בְּמַעְלֵי יוֹמָא דְכַפּוּרֵי: Based on the *halakha* that Yom Kippur does not atone for interpersonal transgression until the sinner appeases the injured party, he went to appease him on Yom Kippur eve (Rabbi Eliezer of Metz).

Do not sit on your feet – לֹא תִיָּתִיב אַבְרָעָךְ: Apparently Rav Yosef was well aware of the homiletic interpretation of the verse, and that Rava was aware of that interpretation as well (*Shita Mekubbetzet*). He asked Rava to repeat it to him as an allusion that he should conduct himself with greater humility (Rashi; Ran). Other commentaries explain to the contrary, that he sought to honor him by having him recite the homiletic interpretation in his presence, after seeing that he humbled himself and deferred to him (*Shita Mekubbetzet*).

What is the meaning of that which is written: And from the wilderness, etc. – מֵאֵי דְכַתִּיב וּמִמַּדְבָּר וְכוּ': This cannot be read as a simple list of the travels of the children of Israel, as its style is different from the standard record of their journeys, e.g., the preposition "to" is lacking (Riaf). Furthermore, these places are not among those enumerated in the list of the encampments of the children of Israel (see Numbers, chapter 33; *Torah Temima*).

Deserted before all – שְׁהוּא מוֹפְקָר לְכָל: The commentaries explain that he teaches Torah to all, and does not believe that the Torah is his and he will teach it only when and to whom he chooses.

בְּרַב שְׁמוּאֵל פְּקִיד דְּלִיתָנּוּן תְּלִיסָר אֲלָפֵי זָוִי לְרַבָּא מִן עֲלֵלְתָא דְנְהַר פְּנִיאָה. שְׁלַחַה רַבָּא לְקַמְיָה דְרַב יוֹסֵף: עֲלֵלְתָא הִיבֵי מִקְרָא? אֲמַר רַב יוֹסֵף, מִתְנִיתִין הִיא: וְשׂוֹיִן בְּנֹדֵר מִן הַתְּבוּאָה שְׂאִין אֲסוּר אֲלָא מִחֻמְשַׁת הַמִּינִין. אֲמַר לִיה אַבְיִי: מִי דְמִי? תְּבוּאָה לֹא מִשְׁמַע אֲלָא מִחֻמְשַׁת הַמִּינִין, עֲלֵלְתָא – כָּל מִילֵי מִשְׁמַע.

אֲהַרְוּהוּ לְקַמְיָה דְרַבָּא. אֲמַר: הָא לֹא קָא מִבְּעֵינִי לִי דְעֲלֵלְתָא כָּל מִילֵי מִשְׁמַע, הָדָא הוּא דְאִיבְעֵינִי לִי: שְׂכָר בַּתִּים וְשְׂכָר סְפִינּוֹת מֵאִי? מִי אֲמַרִינּוּ: כִּינּוּ דְפַחְתָּן – לֹא עֲלֵלְתָא הִיא, אוּ דִילְמָא כִּינּוּ דְלֹא יָדִיעַ פְּחַתִּיהוּ – עֲלֵלְתָא הִיא. אֲמַרוּהוּ רַבֵּן קַמְיָה דְרַב יוֹסֵף. אֲמַר: וְכִי מֵאַחַר דְלֹא צְרִיךְ לָן אֲמַאי שְׁלַח לָן? אִיקְפַּד רַב יוֹסֵף.

שָׁמַע רַבָּא וְאֲתָא לְקַמְיָה בְּמַעְלֵי יוֹמָא דְכַפּוּרֵי. אֲשַׁבְּחִיה לְשִׁמְעִיה דְהָהּ קָא מְוִיג קַמְיָה כְּסָא דְחַמְרָא. אֲמַר לִיה: הֵב לִי דְאֲמוּיָג לִיה אֲנָא, יְהֵב לִיה וְקָא מְוִיג אִיהוּ כְּסָא דְחַמְרָא. כִּי קָא שְׁתִּי, אֲמַר: הֲדִין מְוִיגָא דְמִי לְמִיגָא דְרַבָּא בְרִיה דְרַב יוֹסֵף בְּרַב חַמָּא. אֲמַר לִיה: הוּא נְהוּ.

אֲמַר לִיה: לֹא תִיָּתִיב אַבְרָעָךְ עַד דְאֲמַרְתָּ לִי פִירוּשָׁא דְהָדִין מִלְּתָא: מֵאֵי דְכַתִּיב "וּמִמַּדְבָּר מִתְנָה וּמִמַּתְנָה נַחְלִיאֵל וּמִנַּחְלִיאֵל בְּמוֹת?"

אֲמַר לִיה: כִּינּוּ שְׁעוּשָׁה אֲדָם אֶת עֲצָמוֹ כְּמַדְבָּר, שְׁהוּא מוֹפְקָר לְכָל – תּוֹרָה נִתְּנָה לוֹ בְּמַתְנָה, שְׁנֵאָמַר "וּמִמַּדְבָּר מִתְנָה". וְכִינּוּ שְׁנִיתְנָה לוֹ בְּמַתְנָה – נַחְלוֹ אֵל, שְׁנֵאָמַר "וּמִמַּתְנָה נַחְלִיאֵל". וְכִינּוּ שְׁנִתְּלוֹ אֵל – עוֹלָה לְגִדּוּלָה, שְׁנֵאָמַר "וּמִנַּחְלִיאֵל בְּמוֹת". וְאִם הִגְבִּיָּה עֲצָמוֹ – הִקְדוּשׁ בְּרוּךְ הוּא מִשְׁפִּילוֹ, שְׁנֵאָמַר "וּמִבְּמוֹת הַגֵּיא", וְלֹא עוֹד אֲלָא שְׁשׂוּקְעוּן אוֹתוֹ בְּקַרְקַע, שְׁנֵאָמַר "וְנִשְׁקַפָּה עַל פְּנֵי הַיְשׁוּמוֹן". וְאִם חוּר בּוֹ – הִקְדוּשׁ בְּרוּךְ הוּא מְגַבִּיהוּ,

The Gemara relates: The son of Master Shmuel commanded his workers that they give thirteen thousand dinars to Rava from the crop [*alalta*] produced in his fields on the banks of the Panya River.^{8B} Rava sent this question before Rav Yosef: What is called *alalta*?^{8C} what crops are included in the category of *alalta*? Rav Yosef said: It is as it is taught in the *baraita* cited above: And they agree with regard to one who vows that *tevua* is forbidden to him that it is prohibited for him to eat from only the five species of grain; just as *tevua* includes only the five species, so too *alalta* includes only the five species. Abaye said to him: Are the two cases comparable? Although *tevua* means grain and includes only the five species, *alalta* means crop and includes all items that grow.

The messengers returned with the answer to his question and came before Rava. He said: That was not a dilemma for me, i.e., the fact that *alalta* means all items that grow. This is the matter that is a dilemma for me: What is the legal status of profits from the rent of houses and the rent of boats? Do we say: Since they depreciate,^{8D} their legal status is not comparable to that of a crop? Only items that are consistently profitable are similar to crops. House boats deteriorate with use, and their depreciation diminishes the profits. Or perhaps, since their depreciation is not conspicuous, their legal status is comparable to that of a crop. The Rabbis stated^{8E} Rava's reaction before Rav Yosef. Rav Yosef said: And since he does not need us, and he believes that he knows the answer himself, why did he send us the question? Rav Yosef became angry with Rava.

Rava heard that Rav Yosef was angry and came before him on Yom Kippur eve^{8F} to appease him. He found the attendant of Rav Yosef, who was diluting a cup of wine with water before him. Rava said to the attendant: Give me the cup so that I will dilute the wine for him. The attendant gave it to him and Rava diluted the cup of wine. While Rav Yosef, who was blind, was drinking the wine, he said: This dilution is similar to the dilution of Rava, son of Rav Yosef bar Hama, who would dilute wine with more than the standard amount of water. Rava said to him: Correct, it is he.

Rav Yosef said to Rava: Do not sit on your feet^{8G} until you tell me the explanation of this matter: What is the meaning of that which is written: "And from the wilderness^{8H} Mattana and from Mattana Nahaliel, and from Nahaliel Bamot" (Numbers 21:18–19)?

Rava said to him that it means: Once a person renders himself like a wilderness, deserted before all,^{8I} the Torah is given to him as a gift [*mattana*], as it is stated: "And from the wilderness Mattana." And once it is given to him as a gift, God bequeaths [*nahalo*] it to him,^{8J} as it is stated: "And from Mattana Nahaliel." And once God bequeaths it to him, he rises to greatness, as it is stated: And from Nahaliel, Bamot, which are elevated places. And if he elevates himself and is arrogant about his Torah, the Holy One, Blessed be He, degrades him, as it is stated: "And from Bamot the valley" (Numbers 21:20). And not only is he degraded, but one lowers him^{8K} into the ground, as it is stated: "And looking over [*nishkafa*] the face of the wasteland" (Numbers 21:20), like a threshold [*iskopa*] that is sunken into the ground. And if he reverses his arrogance and becomes humble, the Holy One, Blessed be He, elevates him,

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God bequeaths it to him – נַחְלוֹ אֵל: Rabbi Yitzhak Tzarfati explains that he inherits both worlds. According to the *Hatam Sofer*, his reward is that the Torah is given to him as a full-fledged gift, like an inheritance that is never taken from him. Others state that it means God will forgive his sins (*Iyyun Ya'akov*).

One lowers [*shoke'in*] him – שׂוּקְעִין אוֹתוֹ: There is a variant reading cited in the early commentaries, *shoke'fin*, meaning that he is lowered and sunk into the ground, which more closely bears a resemblance to the term *nishkafa* in the verse. It means that not only will he be degraded by Heaven, and from Bamot the valley, but if he is arrogant, people will degrade him as well (Meiri).

LANGUAGE

Wheat kernels split into two parts [*hilka*] – חילקא: Some claim that this is from the Latin *alica*, meaning grits. According to this opinion, the explanations for this word cited here are attempts to find an allusion in a foreign language for a foreign word, a common phenomenon in the Talmud.

Wheat kernels crushed into three parts [*targeis*] – טרגיס: From the Greek *τράγος*, *tragos*, meaning, among other things, wheat grits.

Wheat kernels crushed into four parts [*tisnei*] – טיסני: From the Greek *πτισανή*, *ptisanē*, meaning grits, particularly barley grits.

HALAKHA

One who vows that produce of the year is forbidden to him – הנודר מן פירות השנה: For one who vows that produce of the year is forbidden to him, it is prohibited to eat fruits and vegetables, but not animals born that year, nor milk, nor eggs. However, for one who said: The growths of this year are forbidden to me, it is prohibited to eat all of those foods (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 9:12; *Shulḥan Arukh*, *Yoreh De'a* 217:22).

One who vows that produce of the land is forbidden to him – הנודר מן פירות הארץ: For one who vows that produce of the land is forbidden to him, it is prohibited to eat produce of the ground and fruits of trees, but it is permitted to eat truffles and mushrooms. For one who said: The growth of the land is forbidden to me, it is prohibited to eat all those foods (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 9:11; *Shulḥan Arukh*, *Yoreh De'a* 217:23).

שנאמר "כל גיא ינשא".

תניא הנודר מן הדגן – אסור אף בפול המצרי יבש, ומותר בלח. ומותר באורז, בחילקא, בטרגיס ובטיסני. הנודר מן פירות השנה – אסור בכל פירות השנה, ומותר בגדיים ובטלאים ובחלב ובביצים ובגוזלות, ואם אמר "גידולי שנה עלי" – אסור בכלן.

הנודר מן פירות הארץ – אסור בכל פירות הארץ, ומותר בכמהין ופטרויות. ואם אמר "גידולי קרקע עלי" – אסור בכלן.

as it is stated: "Every valley shall be lifted" (Isaiah 40:4).^N When Rav Yosef heard that interpretation, he understood that Rava was aware of the error of his ways in acting arrogantly toward his teacher, and was pacified by Rava's display of humility.

It is taught in a baraita: For one who vows that grain [*dagan*] is forbidden to him, it is prohibited to partake of the dry cowpea, and it is permitted for him to partake of fresh cowpea. And it is permitted for him to partake of rice,^N as well as of wheat kernels split into two parts [*hilka*],^{LN} of wheat kernels crushed into three parts [*targeis*],^L and wheat kernels crushed into four parts [*tisnei*].^L For one who vows that produce of the year^N is forbidden to him,^H it is prohibited to partake of all produce of the year that grew from the ground or on trees, and it is permitted for him to partake of goats, and of lambs, and of milk, and of eggs, and of chicks born that year, as they are not included in the category of produce. And if he said: Growths of the year^N are forbidden to me, it is prohibited for him to eat all of them.

For one who vows that produce of the land is forbidden to him,^H it is prohibited for him to partake of all produce that grow from the land, and it is permitted for him to partake of truffles and mushrooms^N that are not in the category of produce of the land. But if he said: The growths of the ground are forbidden to me, it is prohibited for him to eat all of them.

NOTES

Every valley shall be lifted – כל גיא ינשא: Although this is a verse from the Prophets and is not adjacent to the Torah verse that is being interpreted, once it was taught that an arrogant person is degraded like a valley, the phrase "every valley shall be lifted" can be interpreted as his remedy (Ran).

And it is permitted for him to partake of rice – ומותר באורז: This is because rice is not placed into a pile (Rosh). Even according to the opinion of Rabbi Meir, which is the opinion cited in this *baraita*, the case of one who vows that *dagan* is forbidden to him does not come to exclude all produce from the vow. Rather, it comes to exclude produce similar to grain or that originates from grain. The reason that rice is mentioned in particular is to exclude the opinion of the *tanna* who holds that rice is a species of grain with regard to leavened bread on Passover (Rabbi Eliezer of Metz).

Of wheat kernels split into two parts, etc. – בחילקא וכו': These wheat kernels broken into halves, thirds, or quarters are excluded from the vow, as, due to their change in form, they are not called grain in the common parlance (Rashi). The Rosh suggests two possible explanations. One is that the grains were split before he vowed, and therefore he never considered including them in his vow. Alternatively, when he vowed, they were in the form

of whole kernels. Once their form is altered, the prohibition no longer applies.

Produce of the year – פירות השנה: The early and later commentaries write that with regard to both produce and the growths of the land, the term has different meanings in different contexts. In certain contexts, animals are in the category of produce, and with regard to second-tithe money in Jerusalem, one may purchase animals as growths of the ground. Here, however, the decisive factor is common parlance, and animals do not fall into the category of produce.

Growths of the year – גידולי שנה: The Ran states that this applies only to one who vows that growths of the year are forbidden for a limited period. If, however, he vows for an extended period, or forever, it is impossible to fulfill that vow, and therefore, it is considered a vow taken in vain.

And it is permitted for him to partake of truffles and mushrooms – ומותר בכמהין ופטרויות: Rashi explains that these are not considered produce of the land because they can grow on trees and other surfaces. In any case, the main reason is as stated, that there is a difference between items that grow and receive their sustenance from the ground, and truffles and mushrooms that grow from the ground but are not sustained by it.

And over a food item whose growth is not from the ground – **עַל דְּבַר שְׂאִין גִּידוּלוֹ מִן הָאָרֶץ** – Before partaking of food or drink that does not grow from the ground, one recites the blessing: By Whose word all things came to be (Rambam *Sefer Ahava, Hilkhot Berakhot* 8:1; *Shulhan Arukh, Oraḥ Hayyim* 204:1).

One who vows that a garment is forbidden to him – **הַנּוֹדֵר** – For one who vows that a garment is forbidden to him, and therefore he will refrain from wearing one, it is permitted to wear sacks, sheets, and coarse curtains (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 9:15; *Shulhan Arukh, Yoreh De'a* 217:27).

For one who said: Wool is *konam* for me, etc. – **אָמַר קוֹנָם** – **צָמַר וְכוּ**: For one who was carrying a burden of wool or linen and was sweating and suffering from the odor he produced, and he vowed that it is forbidden for wool or linen to be placed upon him, it is permitted to wear wool or linen clothes and cover himself with them; it is prohibited only to carry them. For one who was wearing a woolen garment that was causing him discomfort, and his vow rendered it forbidden for wool or linen to be placed upon him, it is prohibited to wear woolen garments and it is permitted to carry woolen clothes and cover himself with wool fleece, as his intent was to prohibit wearing garments. The *halakha* is in accordance with the opinion of Rabbi Yehuda in the mishna and the *baraita* (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 8:8; *Shulhan Arukh, Yoreh De'a* 218:1).

LANGUAGE

Brine [*zomit*] – **זָמִית**: A Hebrew form of the Greek ζυμός, *zomos*, meaning soup or sauce. The Sages used it to refer to gravy, salty soup, or brine.

Coarse curtain [*hamila*] – **חֲמִילָה**: Similar to the Aramaic *hamalta*, meaning a very thick curtain.

ורמינהי: על דבר שאין גידולו מן הארץ אומר "שהכל נהיה בדברו", ותנא: על המלח ועל הזמית ועל כמהין ופטרייות אומר "שהכל נהיה בדברו"! אמר אביי: מירבא רבו מארעא, מינק – מאוירא ינקי, ולא מארעא. והא קתני "על דבר שאין גידולו מן הארץ"! תני: על דבר שאין יונק מן הארץ.

And the Gemara raises a contradiction from a mishna (*Berakhot* 40b): And over a food item whose growth is not from the ground,^H one recites: By Whose word all things came to be. And it is taught in a *baraita*: Over salt and over brine [*zomit*],^{LN} and over truffles and mushrooms, one recites: By Whose word all things came to be. Apparently, truffles and mushrooms are not in the category of growths of the ground. Abaye said: They grow from the earth, but with regard to sustenance, they draw sustenance from the air and not from the earth. The Gemara asks: Why is that distinction significant? Isn't it taught: Over a food item whose growth is not from the ground one recites the blessing: By whose word all things came to be? Even according to Abaye, mushrooms grow from the ground. The Gemara answers: Emend the mishna to read: Over a food item that does not draw sustenance from the ground, one recites: By Whose word all things came to be.

מתני' הנודר מן הכסות – מותר בשק וביריעה ובחמילה. אמר "קונם צמר עולה עלי" – מותר להתכסות בגיזו צמר. "הפשתן עולה עלי" – מותר להתכסות באניצי פשתן.

MISHNA For one who vows that a garment is forbidden to him,^{HN} it is permitted to wear sackcloth, and to wear a sheet, and to wear a coarse curtain [*hamila*],^{LN} as these are not in the category of garments. For one who said: Wool is *konam* for me^H and I will therefore not place it upon myself, it is permitted for him to cover himself with wool fleece, which is not considered a garment, and it is prohibited for him to wear only a woolen fabric. For one who said: Flax is *konam* for me and I will therefore not place it upon myself, it is permitted for him to cover himself with uncombed flax in bundles, and it is prohibited for him to wear only a flaxen fabric.

Rabbi Yehuda says: Everything is determined according to the one who vows.^N If one was bearing a burden of wool and linen, and was sweating, and its smell was unpleasant for him, and in reaction, he said: Wool and linen are *konam* for me and I will therefore not place them upon myself, it is permitted for him to cover himself with wool and linen garments, but it is prohibited for him to sling them over his shoulder behind him as a burden. The circumstances of his vow make it clear that he intends to forswear carrying wool and linen as a burden rather than the wearing of them as a garment.

רבי יהודה אומר: הכל לפי הנודר; טען והייע והיה ריחו קשה, אמר "קונם צמר ופשתנים עולה עלי" – מותר להתכסות, ואסור להפשיל לאחוריו.

NOTES

Brine – **זָמִית**: Various interpretations were suggested for this term. Some say it is a type of soup (Rabbeinu Hananel) or brine (Rashi). Others maintain that it is the foam that forms in a pot (Rav Hai Gaon). Yet others claim that it is congealed soup (Rav Hai Gaon, cited in *Shita Mekubbetzet*). *Ba'al Halakhot Gedolot* cites an opinion that it is the liquid strained from *kutah*, a Babylonian dip made from sour milk and breadcrumbs, and others say it refers to the *kutah* itself.

One who vows that a garment is forbidden to him – **הַנּוֹדֵר מִן** – **הַכְּסוּת**: In the Jerusalem Talmud there is a distinction between one who vows with regard to a garment using the term *kesut*, in which case he may not cover himself with any fabric with which people cover themselves, and one who vows with regard to a garment using the term *malbush*, in which case he is prohibited only from wearing garments typically worn.

Coarse curtain – **חֲמִילָה**: Rashi explains that this means a kind of curtain. Others claim that it is a thick head-covering (Ram-

bam's Commentary on the Mishna; Meiri), or a fabric used by merchants to cover their goods (*Talmidei Rabbeinu Peretz*, cited by Meiri).

Everything is determined according to the one who vows – **הַכֹּל לְפִי הַנּוֹדֵר**: Even if one spoke in general terms, the vow is interpreted based on his intent when he vowed. At times, his intent limits the meaning of the statement, or invests it with particular meaning. Some commentaries maintain that Rabbi Yehuda does not disagree with the Rabbis but merely explains their statement: They referred only to a non-specific vow. However, if it is clear from the circumstances that he had a particular meaning in mind, his vow is interpreted accordingly. Others explain that Rabbi Yehuda disagreed with the Rabbis, as the latter consider intent evident only from his actual words. Either way, the *halakha* is in accordance with the opinion of Rabbi Yehuda, as there is an unattributed mishna (63b) according to his opinion, as explained in the Jerusalem Talmud (Rashba).

Money belt [*punda*] – פּוּנְדָא: From the Latin *funda*, or the Greek *φούνδα*, *funda*, meaning belt or purse. Sometimes it appears in the Talmud as *apunda*. It is a hollow belt containing a compartment for coins, and was used both as a belt and as a money belt.

Sash [*pesakiyya*] – פֶּסְקִיָּא: From the Greek *φασκία*, *fas-kiya*, or the Latin *fascia*, meaning a wide belt or sash.

Sekurtiyya – סְקוּרְטִיָּא: From the Latin *scortea*, an upper leather garment.

Leather spread [*katavoliyya*] – קַטְבִּלְיָא: From the Greek *καταβόλη*, *katabolē*, meaning mat or foundation.

Leather sock [*anpilya*] – אַנְפִּילְיָא: From the Greek *ἐμπίλια*, *empilya*, meaning felt shoes.

Leather apron [*pelinya*] – פֶּלִינְיָא: There are many versions of this word. Most scholars maintain that the proper reading is *pamalanya*, from the Latin, or from the Greek by way of Latin, *feminalia*, meaning a type of trousers that cover the area from the waist to the shins.

Coarse woolen blanket [*sagos*] – סָגוּס: Probably from the Greek *σάγος*, *sagos*, meaning a coarse cloak, perhaps a cloak with a hood. This garment was occasionally used as bedding, and even as a blanket for horses. Others claim that it is from the Greek *σάκκος*, *sakkos*, which originated in the Hebrew term for sackcloth.

HALAKHA

Shepherds may go out on Shabbat covered in sackcloth – הוֹעִים יוֹצְאִין בְּשִׁקִּים: It is permitted to go out into the public domain on Shabbat in a sack, a sheet, a coarse curtain, and the like as protection against the rain. That is because they are considered a form of garment. One may not, however, carry a box, container, or a mat to protect himself from the rain, as they are not classified as garments at all (Rambam *Sefer Zemanim, Hilkhot Shabbat* 19:17; *Shulḥan Arukh, Orach Hayyim* 301:21).

גַּמְי' תִּנְיָא: הַגְּדוּר מִן הַכְּסוּת – מוֹתֵר בְּשִׁק וּבִירֵיעָה וּבַחֲמִילָה, וְאֶסוּר בְּפוּנְדָא וּבְפֶסְקִיָּא וּבְסְקוּרְטִיָּא וּבְקַטְבִּלְיָא וְאֶנְפִּילְיָא וּפְלִינְיָא וּמְכַנְסִים וְכוּבַע. מֵאֵי אִיִּסְקוּרְטִיָּא? אָמַר רַבָּה בַּר חֲנָה: כִּיִּתּוּנָא דְצִלָּא.

תִּנְיָא: יוֹצְאִין בְּשִׁק עֵבֶה וּבְסָגוּס עֵבֶה וּבִירֵיעָה וּבַחֲמִילָה מִפְּנֵי הַגְּשָׁמִים, אֲבָל לֹא בְתִיבָה וְלֹא בְקוּפָה וְלֹא בְמַחְצֵלֶת מִפְּנֵי הַגְּשָׁמִים. הַרְוֵעִים יוֹצְאִין בְּשִׁקִּים. וְלֹא רוּעִים בְּלֶבֶד אֶמְרוּ אֶלָּא כָּל אָדָם, אֶלָּא שְׂדֵדְבוּ חֲכָמִים בְּהוֹדָה.

רַבִּי יְהוּדָה אוֹמֵר הֵבֵל לְפִי הַגְּדוּר" כּו'. תִּנְיָא, מֵיִצֵּד אָמַר רַבִּי יְהוּדָה הֵבֵל לְפִי הַגְּדוּר? הֵיאָה לְבוּשׁ צְמֵר, וְהַצֵּר, וְאָמַר "קוֹנָם צְמֵר עוֹלָה עָלַי" – אֶסוּר לְלָבוֹשׁ וּמוֹתֵר לְטַעוֹן. הֵיאָה טַעוֹן פְּשִׁתָּן, וְהוֹיַע, וְאָמַר "קוֹנָם פְּשִׁתָּן עוֹלָה עָלַי" – מוֹתֵר לְלָבוֹשׁ וְאֶסוּר לְטַעוֹן.

GEMARA It is taught in a *baraita*: For one who vows that a garment is forbidden to him, it is permitted to wear sackcloth, and to wear a sheet and to wear a coarse curtain, and it is prohibited for him to wear a money belt [*punda*],^L or to wear a sash [*pesakiyya*],^L or to wear a *sekurtiyya*,^L or to wear a leather spread [*katavoliyya*],^L or to wear a leather sock [*anpilya*]^L or to wear a leather apron [*pelinya*],^L and trousers, and a hat. The Gemara asks: What is the meaning of *iskurtei*, mentioned in the *baraita* as *sekurtiyya*? Rabba bar Ḥana said: It means a tanner's apron.^N

It is taught in a *baraita*: One may go out into the public domain on Shabbat covered in thick sackcloth^N or in a coarse woolen blanket [*sagos*],^L or in a sheet or in a coarse curtain as protection from the rain. They are considered garments, not burdens. However, he may neither go out covered in a box, nor in a basket, nor in a mat as protection from the rain, as they are considered burdens, not garments. Shepherds may go out on Shabbat covered in sackcloth,^H as they typically go out in sackcloth garments. And the Sages did not say this only with regard to shepherds; rather, they said that all people may go out wearing sackcloth; however, the Sages spoke in the present, addressing situations that were prevalent.

S We learned in the mishna that Rabbi Yehuda says: Everything is determined according to the one who vows. It is taught in a *baraita*: How,^N i.e., in what circumstances, did Rabbi Yehuda say: Everything is according to the one who vows? If one was wearing a woolen garment and it caused him discomfort, and in reaction he said: Wool is *konam* for me, and I will therefore not place it upon myself, it is prohibited for him to wear woolen garments, but it is permitted to place a burden of woolen garments upon him. If one was burdened with flax and was sweating, and said: Flax is *konam* for me, and I will therefore not place it upon myself, it is permitted for him to wear flaxen garments and it is prohibited for him to place a burden of flaxen garments upon him.

NOTES

A tanner's apron – כִּיִּתּוּנָא דְצִלָּא: There is a variant reading cited by the Meiri: *Kituna detzila*, meaning a robe made of coarse flax that is so thick that it does not cling to the skin of the one wearing it.

May go out in thick sackcloth – יוֹצְאִין בְּשִׁק עֵבֶה: These *baraitot* refer to the *halakhot* of Shabbat, not the *halakhot* of vows. These *halakhot* are cited here to give examples of materials with which one occasionally covers himself that are not full-fledged garments, but with regard to Shabbat they are considered to be garments, not burdens. However, materials that are not considered garments at all, e.g., boxes or baskets, are considered burdens on Shabbat, and all the more so with regard to vows, despite the fact that people use them as protection against the rain.

It is taught in a *baraita*: How, etc. – מֵיִצֵּד וְכו': The Ran maintains that the opinion in this *baraita* is not identical to the opinion of Rabbi Yehuda in the mishna. The mishna indicates that for one who vows with regard to wool and linen in general, it is prohibited to wear them unless the circumstances make it clear that his intent was otherwise. In contrast, the *baraita* rules that everything depends on the circumstances of the vow. However, the Rambam and the Rosh both contend that there is no difference between the sources, as Rabbi Yehuda agrees that absent evidence to the contrary, his vow prohibits wearing wool and linen garments.