

Until the second rain of the rainy season – עד שְׁתַּרְדּוּ רְבִיעֵה שְׁנֵי: The vow applies until the second rainfall because the individual spoke of rains in the plural (Commentary on *Nedarim*). The Ran explains that since he did not specify which rains, it is assumed that he meant the middle rainfall, as the early part of the rainy season, known as the *yoreh*, comprises three rainfalls. According to the Meiri, he was assumed to have been referring to the heavy rain that typifies the second rainfall.

Until the time of the second rainfall arrives – עד שִׁיגִיעַ זְמַנָּה שֶׁל רְבִיעֵה: Rabban Shimon ben Gamliel reasoned that although rain does not fall on a particular date, it is assumed that the vow was made with a predetermined date in mind (Ran).

Until the rain – עד הַגֶּשֶׁם: It is explained in the Commentary on *Nedarim* that since the vow mentioned rain in the singular, it refers to the first rainfall. According to the Rabbis, the reference is to the actual rainfall at that time, while Rabban Shimon ben Gamliel maintains that it refers to the time when the rainfall is expected. Other authorities claim that even the Rabbis agree that this refers to the time period rather than actual rainfall (*Tosafot*; Ra'avad; Rosh; Rashba; Ritva). The Ran agrees that this formulation refers to the time when the rain is expected rather than to actual rainfall, but argues that it refers to the second rainfall. The Rambam claims that the word rain refers either to the first actual rainfall or to the time when the third rainfall would be expected.

“עד הגשמים” – עד שיהו הגשמים – עד שתֵּרד רביעה שְׁנֵי. רבן שמעון בן גמליאל אומר: עד שיגיע זמנה של רביעה. “עד שִׁיפְסְקוּ גְשָׁמִים” – עד שיצא מִסָּן כּוֹלֵו, דְּבָרֵי רַבִּי מֵאִיר. רַבִּי יְהוּדָה אומר: עד שיעבור הפסח.

If one takes a vow until the rains, or until there are rains, the vow remains in effect until the second rain of the rainy season falls.⁸ Rabban Shimon ben Gamliel says: Until the time of the second rainfall arrives,⁸ even if rain does not fall. If one takes a vow until the rains end,⁸ the vow remains in effect until the entire month of Nisan has ended; this is the statement of Rabbi Meir. Rabbi Yehuda says: Until Passover has passed.

גמ' תנא: הנודר עד הקיץ בגליל, וירד למקום, אף על פי שהגיע הקיץ בעמקים – אסור עד שיגיע הקיץ בגליל.

GEMARA It is taught in a *baraita*: With regard to one who vows until the summer in the Galilee⁸ and subsequently descends to the valleys, even if the summer season has already arrived in the valleys, the subject of his vow remains forbidden to him until summer arrives in the Galilee, in accordance with the mishna's ruling that the duration of a vow is in accordance with the place where it was made.

“עד הגשמים” – עד שיהו גשמים – עד שתֵּרד רביעה שְׁנֵי. רבן שמעון בן גמליאל אומר: “עד שִׁיפְסְקוּ גְשָׁמִים” – עד שירד אומר רבי זירא: מחלוקת דאמר “עד הגשמים”. אבל אומר “עד הגשם” – עד זמן גשמים קאמר.

The mishna states that if one takes a vow until the rains, or until there are rains, he means until the second rain of the rainy season. Rabban Shimon ben Gamliel says: Until the time of the second rainfall arrives. The Gemara comments: Rabbi Zeira said: The dispute is in a case where one said: Until the rains. However, if he says: Until the rain,⁸ everyone agrees that he is saying that the vow should remain in effect until the time of the rains, but not necessarily until the rain actually falls.

HALAKHA

Until the rains end – עד שִׁיפְסְקוּ גְשָׁמִים: If one takes a vow until the rains end, the vow remains in effect until the conclusion of Passover, as *halakha* is ruled in accordance with the opinion of Rabbi Yehuda in his disputes with Rabbi Meir (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 10:11; *Shulḥan Arukh*, *Yoreh De'a* 220:19).

One who vows until the summer in the Galilee, etc. – הנודר עד – הקיץ בגליל וכו': A vow is interpreted based upon the place where it was taken, even if the individual subsequently went elsewhere. This applies regardless of whether the vow would have been interpreted more stringently or leniently in the next place the individual went (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 10:9–10; *Shulḥan Arukh*, *Yoreh De'a* 220:13).

Perek VIII

Daf 63 Amud a

מיתבי: איזוהי זמנה של רביעה? הפבירה – בשלשה, בינונית – בשבעה, אפילה בעשרים ושלושה, דברי רבי מאיר. רבי יהודה אומר: בשבעה, ובשבעה עשר, ובעשרים ושלושה.

The Gemara raises an objection against the statement by Rabbi Zeira from the following *baraita*: When is the time of the rainfall?⁸ The early rainfall occurs on the third of the month of Marḥeshvan; the intermediate rainfall is on the seventh of the month, while the late rainfall is on the twenty-third of the month. This is the statement of Rabbi Meir. Rabbi Yehuda says: The respective dates are on the seventh, on the seventeenth, and on the twenty-third of Marḥeshvan.

רבי יוסי אומר: בשבעה עשר, ובעשרים ושלושה, ובחודש כסליו. וכן היה רבי יוסי אומר: אין היחידים מתענין עד שיגיע ראש חודש כסליו.

Rabbi Yosei says: The first two time periods are on the seventh and on the twenty-third of Marḥeshvan, and the last period is at the beginning of the month of Kislev. And so too, Rabbi Yosei would say: The learned individuals, who would start to fast due to a drought at an earlier time than the rest of the community, do not start to fast until the New Moon of Kislev arrives and no rain has fallen.

BACKGROUND

Rainfall [*revia*] – רביעה: The word *revia* refers to rainfall in the first part of the rainy season, which is the winter in Eretz Yisrael. The Sages understood this term in a manner similar to the Hebrew term for mating, as in the verse: “You shall not let your cattle mate [*tarbia*] with a diverse kind” (Leviticus 19:19). This is because the rainfall causes the earth to grow vegetation, which is similar to birth, as in the verse: “When the rain and the snow fall from the heavens... to water the land, causing it to give birth and bloom” (Isaiah 55:10).

Not every rainfall is considered a *revia*; only a significant rainfall

has this status. Additionally, according to Rabban Shimon ben Gamliel, a very large rainfall may be considered more than one *revia*.

The time of the winter rainfall is dependent on the solar calendar and other factors, and therefore it does not occur at the same time every year according to the Jewish calendar. Nevertheless, the Sages disputed what date should be established as the average time for the rainfall. The main ramification of this pertains to the time when it is appropriate to begin praying for rain or fasting due to a drought.

For one who vows until the rain – לְנוֹדֵר: If one takes a vow until the rain, the vow remains in effect until the time of the first rainfall. Once this time arrives, on the seventh of Marḥeshvan in Eretz Yisrael and sixty days after the autumnal equinox in the Diaspora, the vow expires, even if rain has yet to fall. This is the ruling of the *Tur*, based upon the statement of Rabbi Zeira and the dates offered by Rabbi Yehuda, as understood by the Ra'avad and the Rosh. However, the ruling in the *Shulḥan Arukh* agrees with the Rambam's interpretation of the Gemara and the dates offered by Rabbi Yosei. Consequently, if rain actually falls from the seventeenth of Marḥeshvan and on, the vow expires when it rains. If rain does not fall, the vow expires on the New Moon of the month of Kislev. If the individual said that his vow applies until the rains, in plural, it applies until it actually rains after the twenty-third of Marḥeshvan (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 10:11; *Shulḥan Arukh, Yoreh De'a* 220:18; see *Shakh*).

I will not taste it for the entire year – שְׂאִינִי טוּעִים לְשָׁנָה: If one took a vow for this year, the vow applies until Rosh HaShana, regardless of whether the vow was taken in a leap year. If he took a vow for one year, the vow remains in effect until the same date the following year, even if he took the vow in a leap year (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 10:4; *Shulḥan Arukh, Yoreh De'a* 220:7).

Until the beginning of... Adar – עַד רֵאשִׁי אָדָר: In a leap year, if one takes a vow until the beginning of Adar, the vow remains in effect until the beginning of the first Adar, in accordance with the opinion of Rabbi Yehuda. The Rambam rules that if one knows it is a leap year when he takes the vow, the vow remains in effect until the beginning of the second Adar. The author of the *Shakh* rules that the dispute between the Rambam and others has not been fully resolved. Therefore, since the violation of a vow constitutes a violation of Torah law, one must be stringent and assume that the vow remains in effect until the second Adar (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 10:6; *Shulḥan Arukh, Yoreh De'a* 220:8).

Until the end of Adar – עַד סוֹף אָדָר: In a leap year, if one specifies that his vow applies until the end of Adar, the vow remains in effect until the end of the second Adar. This is in accordance with the version of the text of the mishna accepted by the Rambam and the Rosh (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 10:6; *Shulḥan Arukh, Yoreh De'a* 220:8).

BACKGROUND

Intercalation of the year – עֵיבוּר הַשָּׁנָה: The annual Jewish calendar follows a lunar cycle of twelve months of twenty-nine or thirty days. However, it is also related to the solar calendar because the Festivals must be held in their appropriate seasons. In particular, Passover must be at the time of the barley harvest, in the spring, and *Sukkot* at the time of the autumnal equinox. The solar year is slightly more than eleven days longer than the lunar year. To compensate for this difference, a thirteenth month is periodically added after the month of Adar. This month is called second Adar.

During the period when the calendar was still set every year by the Sanhedrin, the question of whether to add an extra month required a unique decision-making process. First, the matter was considered by three judges selected from the Sanhedrin. If they thought an additional month was necessary, two more judges were asked to join the deliberations. If this body also agreed, two more judges were added, bringing the total to seven. These judges would make the final decision. Among the factors the judges would consider, in addition to the need for the Festivals to fall in their appropriate seasons, were the climatic conditions and whether the crops had sufficiently ripened. Since the fourth century CE, the Jewish calendar has operated on a fixed astronomical system using a nineteen-year cycle, correlating the lunar and solar calendars. Months are added in the third, sixth, eighth, eleventh, fourteenth, seventeenth, and nineteenth years of each cycle.

וְאָמְרִינָּה עֲלֵהּ: בְּשִׁלְמָא רְבִיעָה רַאשׁוֹנָה – לְיִשְׂרָאֵל, שְׁלִישִׁית – לְהַתְעַנּוֹת, אֶלָּא שְׁנֵי לְמַאי? וְאָמַר רַבִּי זֵירָא: לְנוֹדֵר.

וְאָמְרִינָּה עֲלֵהּ: כִּמְאֵן אֶזְלָא הָא דְתַנְיָא, רַבִּין שְׁמַעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר: גְּשָׁמִים שְׁיִרְדוּ שִׁבְעָה יָמִים זֶה אַחַר זֶה – אֶתְהַ מוֹנָה בְּהֵן רְבִיעָה רַאשׁוֹנָה וְשְׁנֵי, כִּמְאֵן – כְּרַבִּי יוֹסִי!

הֵוא דְאָמַר "עַד הַגְּשָׁמִים".

מתני' "קונם יין שאיני טועים לשנה" – נִתְעַבְרָה הַשָּׁנָה – אֶסוּר בָּהּ וּבְעִיבוּרָה: "עַד רֵאשִׁי אָדָר" – עַד רֵאשִׁי אָדָר הָרַאשׁוֹן: "עַד סוֹף אָדָר" – עַד סוֹף אָדָר הָרַאשׁוֹן.

גמ' אלמא סתמא ד"אדר" דקאמר – ראשון הוא.

לִימָא מִתְנַתִּין רַבִּי יְהוּדָה הִיא, דְתַנְיָא: אָדָר הָרַאשׁוֹן בּוֹתֵב "אָדָר הָרַאשׁוֹן". אָדָר שְׁנִי בּוֹתֵב "אָדָר" סַתֵּם, דְבָרִי רַבִּי מֵאִיר. רַבִּי יְהוּדָה אוֹמֵר: אָדָר הָרַאשׁוֹן בּוֹתֵב סַתֵּם, אָדָר שְׁנִי בּוֹתֵב תִּינּוּן.

And we say about this: Granted, they disagreed over the time of the first rainfall, as this time is relevant with regard to asking for rain through prayer. The time when the third rainfall is expected is relevant with regard to fasting due to lack of rain. But as for the expected time for the second rainfall, for what purpose did they disagree about its date? And Rabbi Zeira said: It is significant for one who vows until the rain.^H

And furthermore, we say about this: In accordance with whose opinion is that which is taught in the *baraita*: Rabban Shimon ben Gamliel says: In the case of rains that fell for seven days, one after another, you count them as the first rainfall and the second. In accordance with whose opinion is this statement? In accordance with the opinion of Rabbi Yosei, who is the only *tanna* who holds that the first and second periods of rainfall span seven days. It is evident from this discussion that Rabban Shimon ben Gamliel argues that one who vows until the rain must wait until after the second actual rainfall. This contradicts the statement of Rabbi Zeira that until the rain is referring to the date when rain is supposed to fall.

The Gemara answers: That *baraita* is referring to one who said:^N Until the rains, rather than: Until the rain. Consequently, the expiration of his vow is determined by the actual time of rainfall.

MISHNA In the case of one who said: Wine is *konam* for me, and for that reason I will not taste it for the entire year,^H if the year was extended, i.e., it was declared to be a leap year,^B he is prohibited from drinking wine during the year and its intercalated month. If he vowed until the beginning of the month of Adar,^H the vow remains in effect until the beginning of the first Adar. Similarly, if he says that his vow applies until the end of Adar,^H the vow remains in effect until the end of the first Adar.^N

GEMARA The Gemara comments on the statement in the mishna that if one takes a vow until the beginning of Adar, it remains in effect until the beginning of the first Adar. Apparently, when one says Adar without specification, his statement is understood as a reference to the first Adar.

The Gemara asks: Shall we say that the mishna is in accordance with the opinion of Rabbi Yehuda? As it is taught in a *baraita*: In the first month of Adar, when dating a document, one writes that the document was composed in the first Adar. During the second Adar, one writes the name of the month of Adar without specification; this is the statement of Rabbi Meir. Rabbi Yehuda says the reverse: During the first Adar one writes the name of the month without specification, and in the second Adar he writes that the document was composed in the second Adar.

NOTES

ההוא דאמר וכו' – That *baraita* is referring to one who said, etc. – The Ran explains the discussion in the Gemara as follows: Rabbi Zeira states that the significance of the second rainfall is that if one takes a vow until the rain, the vow remains in effect until the second rainfall. Rabban Shimon ben Gamliel cites a case of actual rainfall for seven consecutive days, beginning from the expected date for the first rainfall and extending to the expected date of the second, and states that this counts as having arrived at the second rainfall. This indicates that arriving at the second rainfall refers to actual rainfall at a particular time, rather than merely arriving at a calendar date. Although in the mishna Rabban Shimon ben Gamliel himself holds that one does not need actual rainfall, his statement in the *baraita* is meant as a clarification of the opinion of the Rabbis, rather than as an expression of his own opinion. It is presumed that the discussion includes a case where one stated that the vow applies until the rain, in

singular. Consequently, this contradicts the statement of Rabbi Zeira (62b) that if one employs the expression: Until the rain, all agree that the vow applies only until a particular calendar date, regardless of whether rain has actually fallen. The Gemara then answers that the case here is limited to a case where one said that his vow applies until the rains.

עַד סוֹף אָדָר הָרַאשׁוֹן – This is the Gemara text as printed in the Vilna edition of the Talmud and was also the text in the manuscripts used by many early authorities. The Rashba justifies this text by explaining that, as noted in the Gemara, the mishna assumes that an unspecified reference to Adar is a reference to the first Adar. However, the Rosh records a version of the text that states that the vow applies until the end of the second Adar. He explains that the two months of Adar in a leap year are considered a single month, and therefore the end of Adar refers to the conclusion of the second month.

אמר אביו: אפילו תימא רבי מאיר, הא –
דידע דמעברא שתא, הא דלא ידע.

Abaye said: You can even say that the mishna is in accordance with the opinion of Rabbi Meir, as there is a difference between the cases: In this *baraita*, the case is one where the individual who took the vow knew that the year was extended, i.e., declared as a leap year, and the disagreement concerns which Adar is considered the principal one. Conversely, that mishna is referring to a case where he did not know that it is a leap year and that there are two months of Adar. Consequently, when he referred to Adar, all agree that he meant the first Adar.

Perek VIII
Daf 63 Amud b

והתנאי: "עד ראש חודש אדר" – עד
ראש חודש אדר הראשון, אם היתה שנה
מעוברת – עד ראש חודש אדר השני.

And, so too, it is taught in a *baraita*: If one vows until the New Moon of Adar, the vow remains in effect until the New Moon of the first Adar, and if it was a leap year, it remains in effect until the New Moon of the second Adar.

מכלל דרישא לאו במעוברת עסקינן!
שמע מינה: הא – דפשיטא ליה דמעברא
שתא, הא – דלא ידע.

The Gemara analyzes this *baraita*: Does the latter clause prove by inference that in the first clause, we are not dealing with a leap year? In a regular year there is only one month of Adar, so it is impossible to speak of a first or second Adar. Rather, learn from it that this latter clause is referring to a case where it is obvious to him that the year was extended, and therefore when he refers to the month of Adar he means the second Adar, whereas that first clause is referring to a case where he did not know that it was a leap year, in which case he means the first Adar.

מתני' רבי יהודה אומר: "קונם יין שאיני
טועם עד שיהא הפסח" – לא נתכוון זה
אלא עד ליל הפסח, עד שעה שדרך בני
אדם לשתות יין.

MISHNA Rabbi Yehuda says: In the case of one who says: Wine is *konam* for me, and for that reason I will not taste it until it will be Passover,ⁿ it is understood that this individual intended for his vow to apply only until the night of Passover,^h i.e., until the time when it is customary for people to drink wine in order to fulfill the mitzva of drinking the four cups, but he did not intend to prevent himself from being able to fulfill this mitzva.

אמר "קונם בשר שאיני טועם עד שיהא
הצום" – אינו אסור אלא עד לילי צום,
שלא נתכוון זה אלא עד שעה שדרך בני
אדם לאכול בשר. רבי יוסי בנו אומר:
"קונם שום שאיני טועם עד שתהא
שבת" – אינו אסור אלא עד לילי שבת,
שלא נתכוון זה אלא עד שעה שדרך בני
אדם לאכול בשום.

Similarly, if he said: Meat is *konam* for me, and for that reason I will not taste it until it will be the fastⁿ of Yom Kippur, he is prohibited from eating meat only until the eve of [*leilei*] the fast. This is because it is understood that this individual intended for his vow to apply only until the time when it is customary for people to eat meat in the festive meal before the fast, and he did not intend to prevent himself from being able to participate in that meal. Rabbi Yosei, his son, says: One who vows: Garlic^b is *konam* for me, and for that reason I will not taste it until it will be Shabbat, it is prohibited for him to eat garlic only until the eve of Shabbat, as it is understood that this individual intended for his vow to apply only until the time when it is customary for people to eat garlic.

BACKGROUND

Garlic – שום: During the Talmudic era and thereafter it was a common Jewish practice to eat garlic. This custom is also mentioned in non-Jewish records from that period. The Gemara (*Bava Kamma* 82a) mentions several benefits of eating garlic, one of

which is that eating cooked garlic increases one's sperm count. For this reason, Ezra the Scribe had instituted the practice of consuming garlic on Shabbat eve, when marital relations are particularly encouraged.

NOTES

Until it will be Passover – עד שיהא הפסח: A previous mishna (60a) states that when one says: Until it will be Passover, the vow applies until the end of Passover. However, Rabbi Yehuda maintains that in this particular instance, it is clear that the individual meant to apply his vow only until the beginning of Passover. Rabbi Yosei, the son of Rabbi Yehuda, adds that even in the case of eating garlic on Shabbat eve (see *Bava Kamma* 82a), which is an enactment of lesser stature than those mentioned by Rabbi Yehuda, it is assumed that the individual did not intend to apply his vow in a manner that would prevent him from upholding the custom.

It will be the fast – שיהא הצום: Most commentaries (Rosh; Ran) hold that whenever one refers to a fast and does not specify which one, he is presumed to be referring to Yom Kippur. Additionally, a mishna in tractate *Hullin* (83a) indicates that it was customary to eat meat on the eve of Yom Kippur. However, there is a difficulty with this explanation, because the mishna states that if one takes this vow, he is permitted to eat meat *leilei* Yom Kippur. The word *leilei* generally means: The nights of, but since it is prohibited to eat on the night of Yom Kippur, this term must be translated as: The eve of. Due to this difficulty, the Rashash explains that the reference is to whichever fast comes next on the Jewish calendar. It was customary to eat meat before fasts, and since most fasts begin in the morning, the word *leilei* can be interpreted literally to mean the night of the fast day, before the fast begins.

HALAKHA

This individual intended for his vow to apply only until the night of Passover – לא נתכוון זה אלא עד ליל הפסח: Many early authorities (Rambam; Ramban; see Ran) hold that the Rabbis disagree with Rabbi Yehuda and Rabbi Yosei. This is clear from the mishna on 60a, which discusses the case of one who vows that wine is forbidden to him until it will be Passover, and states that the vow remains in effect until the end of Passover. Therefore, the *halakha* is in accordance with the opinion of the Rabbis and not that of Rabbi Yehuda and Rabbi Yosei. However, some commentaries (Ra'ah; Ritva; see Ran) maintain that Rabbi Yehuda and Rabbi Yosei do not disagree with the Rabbis, but rather, they further explain the opinion of the Rabbis. They explain that the mishna on 60a mentions a vow that renders wine forbidden only with regard to the other periods of time mentioned there, but not with regard to the case of one who vows until it will be Passover. Consequently, in their opinion, the *halakha* is in accordance with the opinions of Rabbi Yehuda and Rabbi Yosei. This is the ruling of the Rosh (see *Tur*). The accepted ruling in the *Shulhan Arukh* is in accordance with the first opinion (*Shulhan Arukh, Yoreh De'a* 220:11).

אם אין – אם אינן – If you do not come and take for your son, etc. – **אם אין**: If one vows not to derive benefit from another unless that individual takes something from him as a gift, the intended beneficiary can dissolve the vow without recourse to a halakhic authority. He can simply say: You vowed for the sake of my honor; I prefer to be honored by not taking your gift. Even if the one who vowed did not say that this was his intention, it is assumed that it was his intention. The author of the *Shakh* writes that it follows that if the person who vowed insists that he had his own honor in mind, the vow remains in effect (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 8:14; *Shulḥan Arukh*, *Yoreh De'a* 232:20).

אם אין את בן – אם אינן את בן – If one vows not to derive benefit from another unless that person gives him a gift, he can dissolve his own vow without recourse to a halakhic authority by stating: I consider it as though I have already received the gift. The Rema adds that if one takes such a vow, unless the other person gives a gift to his son, the individual who made the vow can dissolve the vow in this manner only if his son lives in his home and is dependent upon him. However, if the son is independent, it is the son who has the right to dissolve the vow by stating: I consider it as though I have already received the gift (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 8:14; *Shulḥan Arukh*, *Yoreh De'a* 232:20).

היה מסרב בו לשאת בת אחותו וכו' – היה מסרב בו לשאת בת אחותו וכו': If one was under pressure to marry a woman, or was in the process of divorcing his wife, and said: Benefiting from me is *konam* for her forever, the woman is permitted to derive benefit from him, as he was referring only to the specific benefits of marriage (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 8:9; *Shulḥan Arukh*, *Yoreh De'a* 218:3).

היה מסרב – היה מסרב – One was urging another to eat with him, etc. – **היה מסרב**: If one urged another to eat with him, and the latter refused and said: Entering your house is *konam* for me, as is tasting even a drop of cold liquid of yours, he is permitted to enter his house and drink a cold beverage, as he was referring only to eating or drinking at that particular meal (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 8:10; *Shulḥan Arukh*, *Yoreh De'a* 218:4).

NOTES

שלא על פי – שלא על פי – Without the consent of a halakhic authority – **שלא על פי**: Even though unspoken intentions are generally not taken into account in *halakha*, when that intention is obvious to all, it is taken into account (*Tosafot*).

רבי מאיר אומר אסור – רבי מאיר אומר אסור – Rabbi Meir says it is prohibited – **רבי מאיר אומר אסור**: Some commentaries maintain that Rabbi Meir disagrees only with regard to the *halakha* in the latter case, where one who vowed wants his son to receive a gift. However, in the previous case, where one who vowed wishes to give a gift to someone else, Rabbi Meir agrees that since it is obvious that his intention is to honor his friend and to provide him with a benefit, if the friend waives his right to the gift, claiming that he will derive more pleasure if he does not accept it, his wish is respected (*Tosafot*). It is explained in the Jerusalem Talmud, however, that Rabbi Meir disagrees with the first *halakha* as well but that he waited until the first *tanna* stated his opinion in full before registering his dissent; the Rashba and Ran adopt this explanation.

האומר לחבירו "קונם שאני נהנה לך אם אין את בן ונוטל לבניך בור אחד של חטין ושתי חביות של יין" הרי זה יכול להפר את נדרו שלא על פי חכם, ויאמר לו: כלום אמרת אלא מפני כבודי – זהו כבודי.

וכן האומר לחבירו "קונם שאת נהנית לי אם אין את בן ונותן לבני בור אחד של חטין ושתי חביות של יין" רבי מאיר אומר: אסור עד שיתן, וחקמים אומרים: אף זה יכול להפר את נדרו שלא על פי חכם, ויאמר לו: הרי אני באילו נתקבלתי.

היה מסרב בו לשאת בת אחותו, ואמר "קונם שהיא נהנית לי לעולם" וכן המגרש את אשתו אומר "קונם אשתי נהנית לי לעולם" – הרי אלו מותרות להנות לו, שלא נתכוון זה אלא לשום אישות.

היה מסרב בחבירו שיאכל אצלו, אמר "קונם לביתך שאני נכנס, טיפת צונן שאני טועם לך" – מותר ליכנס לביתו, ולשתות ממנו צונן, שלא נתכוון זה אלא לשום אכילה ושתייה.

הדרן עלך קונם יין

In the case of one who says to another: Benefiting from you is *konam* for me, i.e., I am prohibited from deriving benefit from you, if you do not come and take for your son^H one *kor* of wheat and two barrels of wine as a gift, this other individual can dissolve his vow without the consent of a halakhic authority.^N This is because he can say to him: Did you say your vow for any reason other than due to my honor, in order to convince me to accept a gift for my son? This is my honor, that I refrain from accepting the gift, and consequently the vow is annulled.

And, so too, in the case of one who says to another: Benefiting from me is *konam* for you, i.e., you are prohibited from deriving benefit from me, if you do not come and give my son^H one *kor* of wheat and two barrels of wine, Rabbi Meir says: It is prohibited^N for the other individual to benefit from the speaker until he gives the gifts to his son. However, the Rabbis say: Even this individual who took the vow can dissolve his own vow without the consent of a halakhic authority. This is because he can say to him: I hereby consider it as though I have received the gift.

If an individual was urging another to marry the daughter of his sister,^H and in order to deflect the pressure, the other man said: Benefiting from me is *konam* for her forever, i.e., she is prohibited from deriving any benefit from me forever, and, so too, if there is one who divorces his wife and says: Benefiting from me is *konam* for my wife forever, these women are permitted to derive benefit from him, as this man intended to take this vow only for the purpose of prohibiting marriage between them, but not to prohibit all forms of benefit.

Similarly, if one was urging another to eat with him,^H and the latter said: Entering your house is *konam* for me, as is tasting even a drop of cold liquid of yours, the individual who took the vow is nevertheless permitted to enter his house and to drink a cold beverage of his. This is because this individual intended to take this vow only for the purpose of eating and drinking a meal, but not to prohibit himself from entering the house entirely or from drinking in small quantities (Commentary on *Nedarim*).