

NOTES

Like the vows of the wicked – כְּנִדְרֵי רָשָׁעִים: The Ritva explains that this does not refer literally to the wicked, who have no interest in naziriteship and offerings, which are discussed in the mishna. Rather, any individual who is accustomed to making vows is referred to as wicked in this regard, in accordance with the Gemara's statement (22a) that one who makes a vow, even if he fulfills it, is called wicked. The Rashba holds that the vows of the wicked refer to vows that one makes due to fear of punishment for one's sins, whereas the gift offerings of the virtuous are offerings dedicated voluntarily when one feels genuinely moved to bring an offering as a gift to Heaven (see Meiri).

A vow and a gift offering – נִדְרָה וְנִדְבָה: The difference between a gift offering and a vow to bring an offering is that when one vows, one accepts upon himself the obligation to bring an offering, whereas a gift offering entails consecrating a specific item as an offering. One of the practical ramifications of this difference is that if the item consecrated as a gift offering is lost, the individual is no longer responsible to bring the offering. In contrast, in the case of a vow, the individual remains responsible to bring the offering. Consequently, virtuous individuals would customarily dedicate a gift offering rather than take a vow, as there is less of a chance that one will fail to live up to his obligation in the case of a gift offering. The Ran explains that in this passage, a vow refers to an obligation that one accepts with some reticence, whereas the term gift offering refers to an obligation that one accepts wholeheartedly.

I am not making a vow like the vows of the wicked – כְּנִדְרֵי רָשָׁעִים לֹא נִדְרָנָא: If this is what the individual intended, his statement would appear to be inherently meaningless. Why, then, would the Gemara suggest that his statement should be understood in this manner? One suggestion is that the case is one where others were pressuring him to take a vow and he responded that he did not wish to take a vow, which is an action taken only by the wicked (see Meiri on the mishna).

Perhaps he is saying: I am hereby accepting upon myself to fast – דִּלְמָא "הָרִינִי בְּתַעֲנִית" קָאָמַר: Even a vow to fast is considered a vow of the wicked, according to Rabbi Elazar HaKappar (10a), who holds that one who fasts is called a sinner. This is also the opinion of Shmuel (*Ta'anit* 11a). Furthermore, since he did not specify when he would fast, there is a possibility that he will delay fulfilling his vow or neglect to fulfill it entirely (*Tosafot*).

מתני' "כְּנִדְרֵי רָשָׁעִים" – נִדְרָה בְּנִזְוִיר, וּבְקָרְבָן, וּבְשִׁבוּעָה. "כְּנִדְרֵי כְּשָׁרִים" – לֹא אָמַר כָּלוּם. "כְּנִדְבוֹתָם" – נִדְרָה בְּנִזְוִיר וּבְקָרְבָן.

גמרא וְדִלְמָא הֲכִי קָאָמַר: כְּנִדְרֵי רָשָׁעִים לֹא נִדְרָנָא? אָמַר שְׁמוּאֵל: בְּאִמְרָא "כְּנִדְרֵי רָשָׁעִים הָרִינִי", "עָלִי", וְ"הִמְנוּ"; "הָרִינִי" – בְּנִזְוִיר; "עָלִי" – בְּקָרְבָן; "הִמְנוּ" – בְּשִׁבוּעָה.

"הָרִינִי" נִזְוִיר? דִּלְמָא "הָרִינִי בְּתַעֲנִית" קָאָמַר? אָמַר שְׁמוּאֵל: בְּשִׁהָיָה נִזְוִיר עוֹבֵר לְפָנָיו.

"עָלִי" בְּקָרְבָן). "הִמְנוּ" בְּשִׁבוּעָה! דִּלְמָא "הִמְנוּ דְּאִכִּילָנָא" קָאָמַר! אָמַר רַבָּא: דְּאָמַר "הִמְנוּ שְׁלֵא אוֹכְלִי."

אי הֲכִי מֵאִי לִמְיֻמְרָא? מַהוּ דְּתַעֲנִית? הָא לֹא מִפִּיק שְׁבוּעָה מִפּוּמִיָּה, קָא מְשַׁמְעָ לָן הֲדִין.

MISHNA The mishna continues to explain the rules of intimations of vows. If an individual states that he accepts an obligation upon himself **like the vows of the wicked,**^{NH} **he has vowed with regard to becoming a nazirite, or bringing an offering, or taking an oath.** This is considered a real formulation of a vow, just as the wicked customarily take vows. If he says: **Like the vows of the virtuous,**^H **he has not said anything,** because virtuous people do not generally take vows. If he says: **Like their gift offerings,**^H **he has vowed with regard to becoming a nazirite or bringing an offering.**^N

GEMARA The Gemara asks a question with regard to the first clause of the mishna. **And perhaps this is what he is saying: I am not making a vow like the vows of the wicked,**^N in which case he does not intend to take a vow. **Shmuel said:** It is referring to one who said: **Like the vows of the wicked I am hereby,** or: **I accept upon myself, or: From it.** If he says: **I am hereby,** he is referring to his acceptance of naziriteship. If he says: **I accept upon myself,** he is referring to an offering.^H If he says: **From it,** he means to restrict himself from a particular activity through an oath.

The Gemara challenges this explanation: If he says: **I am hereby,** does he necessarily intend to accept naziriteship? **Perhaps he is saying: I am hereby accepting upon myself to fast.**^N **Shmuel said:** This is not a case where he simply said: I am hereby like the vows of the wicked; rather, it is a case where a nazirite was passing in front of him,^H and the meaning of his statement is understood based on that context.

Shmuel had also stated that if he says: **I accept upon myself,** he is referring to an offering, and if he says: **From it,** he means to restrict himself by means of an oath. The Gemara asks: If he says: **From it,** does he necessarily mean to restrict himself through an oath? **Perhaps he is saying: I will eat from this loaf,** rather than: **I will not eat from it.** **Rava said:** The case is where he said: **I will not eat from it.**^H

The Gemara asks: **If so,** he has explicitly clarified his intent, so what is the purpose of stating that this statement constitutes an oath? The Gemara answers: **Lest you say that since he did not utter the term oath from his mouth the oath does not take effect, this teaches us that this is nevertheless considered a valid intimation of an oath.**

HALAKHA

Like the vows of the wicked – כְּנִדְרֵי רָשָׁעִים: If one declares that he accepts an obligation upon himself like the vows of the wicked, his statement is binding (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 1:25 and *Sefer Avoda, Hilkhot Ma'aseh HaKorbanot* 14:11; *Shulhan Arukh, Yoreh De'a* 206:4).

Like the vows of the virtuous – כְּנִדְרֵי כְּשָׁרִים: If one declares that he accepts an obligation upon himself like the vows of the virtuous, or even if he said: This loaf is *konam* for me like the vows of the virtuous (Rosh), his statement is not legally binding (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 1:26 and *Sefer Avoda, Hilkhot Ma'aseh HaKorbanot* 14:11; *Shulhan Arukh, Yoreh De'a* 206:4).

Like their gift offerings – כְּנִדְבוֹתָם: If one declares that he accepts an obligation upon himself like the gift offerings of the virtuous, his statement takes effect as a vow (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 1:25 and *Sefer Avoda, Hilkhot Ma'aseh HaKorbanot* 14:11; *Shulhan Arukh, Yoreh De'a* 206:4).

If he says: I accept upon myself, he is referring to an offering – עָלִי בְּקָרְבָן: If one said: I accept upon myself like the vows of the wicked, it is assumed that he intended to vow to bring an offering. If he said: This loaf is upon me like the vows of the wicked, the loaf is prohibited to him. This is in accordance with the explanation of Shmuel (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 1:25–26; *Shulhan Arukh, Yoreh De'a* 206:4).

Where a nazirite was passing in front of him – כְּשִׁהָיָה נִזְוִיר עוֹבֵר לְפָנָיו: If one said: I am hereby like the vows of the wicked, as a nazirite passed before him, he is a nazirite. This is in accordance with the opinion of Shmuel (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 1:26).

I will not eat from it – הִמְנוּ שְׁלֵא אוֹכְלִי: If one said: I will not eat from it like the vows of the wicked, his statement is considered an oath (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 1:26; *Shulhan Arukh, Yoreh De'a* 237:9).

שְׂאִינוּ נֹדֵר – שְׂאִינוּ נֹדֵר – One who does not take a vow at all – **כָּל עֵיקוֹר**: One should be careful not to take any vows. Even for the purpose of charity, it is preferable not to volunteer a donation by employing the language of a vow (*Shulhan Arukh, Yoreh De'ah* 203:4).

“כְּנִדְרֵי כְּשׁוּרִים” – לֹא אָמַר כְּלוּם: “כְּנִדְבוֹתָם” – נֹדֵר וְכוּ'. מֵאֵן תִּנָּא דְשְׂאִינִי לֵיהּ בֵּין נֹדֵר לְנִדְבָה, לֵימָא לָא רַבִּי מֵאִיר וְלֹא רַבִּי יְהוּדָה?

It was taught in the mishna that if one states that he accepts an obligation upon himself like the vows of the virtuous, he has not said anything. However, if he says: Like their gift offerings, he has vowed with regard to becoming a nazirite and bringing an offering. The Gemara asks: Who is the *tanna* according to whom there is a difference between a vow and a gift offering? Shall we say that this is not the opinion of Rabbi Meir and not the opinion of Rabbi Yehuda either?

דְּתַנְיָא: “טוֹב אֲשֶׁר לֹא תִדְר” וגו'. טוֹב מִזֶּה וּמִזֶּה שְׂאִינוּ נֹדֵר כָּל עֵיקוֹר, דְּבַרֵּי רַבִּי מֵאִיר. רַבִּי יְהוּדָה אוֹמֵר: טוֹב מִזֶּה וּמִזֶּה נֹדֵר וּמְשַׁלֵּם.

This is as it is taught in a *baraita* with regard to the verse “Better that you should not vow, than that you should vow and not pay” (*Ecclesiastes* 5:4), that better than both this and that is one who does not take a vow at all.^h This is the statement of Rabbi Meir. Rabbi Yehuda says: Better than both this and that is one who vows and pays. Consequently, Rabbi Meir advocates abstaining from all vows and Rabbi Yehuda advocates making vows and fulfilling them, but neither of them distinguishes between vows and gift offerings. The mishna, however, indicates that virtuous people do not make vows but do bring gift offerings.

אִפְלוּ תִּמָּא רַבִּי מֵאִיר,

The Gemara answers: You can even say that it is in accordance with the opinion of Rabbi Meir.

Perek I
Daf 9 Amud b

כִּי קָאָמַר רַבִּי מֵאִיר – בְּנִדְרָה לֹא קָאָמַר. וְהָא קְתַנִּי: “כְּנִדְבוֹתָם” – נֹדֵר בְּנִדְרָה וּבְקָרְבָן! תַּנִּי: נִדְבַּ בְּנִדְרָה וּבְקָרְבָן.

When Rabbi Meir said that one should abstain from making vows, he was referring only to a vow; he did not say it with regard to a gift offering. The Gemara asks: But it is taught in the mishna that if one said: Like the gift offerings of the virtuous, he has vowed with regard to becoming a nazirite or bringing an offering; this indicates that the virtuous vow to become nazirites and bring offerings. The Gemara answers: Teach the mishna in the following emended formulation: He has volunteered with regard to becoming a nazirite or bringing an offering.

מֵאִי שְׂאִינָא נֹדֵר דְּלֹא – דְּלִמָּא אָתִי בְּהַ לְיָדֵי תַקְלָה? נִדְבָה נִמִּי לֹא. דְּלִמָּא אָתִי בְּהַ לְיָדֵי תַקְלָה!

The Gemara asks: What is different about one who vows, i.e., one who says: It is incumbent upon me to bring an offering, which is not proper to do due to the concern that perhaps he will encounter a stumbling block and not bring it promptly, thereby violating the prohibition against delaying? One should also not designate a particular animal as a gift offeringⁿ due to the concern that perhaps he will encounter a stumbling block with it. Once the animal is consecrated, anyone who unwittingly benefits from it, e.g., by shearing it or working with it, transgresses the prohibition against misusing consecrated property.

בְּהִלָּל הַזֶּקֶן. דְּתַנְיָא: אָמְרוּ עַל הַיֵּלֶל הַזֶּקֶן שְׂלֹא מַעַל אָדָם בְּעוֹלָתוֹ כָּל יָמָיו; מִבִּיאָהּ בְּשֵׂהִיא חוֹלִין לְעֹזְרָה, וּמִקְדִּישָׁהּ, וְסוֹמֵךְ עָלֶיהָ וְשׁוֹחֲטָהּ.

The Gemara answers: In the case of a gift offering, he can act like Hillel the Elder.ⁿ As it is taught in a *baraita*: They said about Hillel the Elder that no person misused his burnt-offering in his lifetime. How did he ensure this? He was careful not to consecrate the animal in advance; rather, he would bring it when it was unconsecrated to the Temple courtyard and there he would consecrate it, and then immediately he would place his hand on its head and slaughter it. Consequently, there was no opportunity to misuse it.

הִנִּיחָא נִדְבָה דְּקָרְבָנוֹת, נִדְבָה דְּנִזְרוּת מֵאִי אִיבָא לְמִימַר? סָבַר לָהּ בְּשִׁמְעוֹן הַצְּדִיק.

The Gemara asks: This works out well with regard to voluntary gifts in the context of offerings, but with regard to the voluntary acceptance of naziriteship, what is there to say? There is still room for concern that he will not fulfill the obligations incumbent upon him as a nazirite. The Gemara answers: Rabbi Meir holds in accordance with the opinion of Shimon HaTzaddik.

NOTES

One should also not dedicate a particular animal as a gift offering, etc. – **נִדְבָה נִמִּי לֹא וְכוּ'**: Many commentaries explain that the stumbling block in the case of a vow is that one might forget to bring the offering in time and thereby violate the prohibition against delaying. The Gemara then asks why there is no concern for the same violation in the case of a gift offering. The Maharatz Hayyut suggests that although the Sages were not concerned in every context that people might act improperly, in this case there is greater room for concern. This is because the prohibition is violated passively, simply by failing to take action, whereas most prohibitions are transgressed only via a prohibited act.

Like Hillel the Elder – **בְּהִלָּל הַזֶּקֶן**: Some explain that if one says that he is dedicating an animal as an offering like the gift offerings of the virtuous, his statement takes effect only if the animal is actually located near the Temple courtyard, similar to the manner in which Hillel the Elder would sanctify gift offerings (*Rosh*; *Ran*). Others argue that since it is possible to dedicate a gift offering in a manner that prevents possible transgression, as Hillel the Elder did, a gift offering can always be referred to as a gift offering of the virtuous (*Tosafot*; *Tosefot Rid*).

NOTES

I never ate the guilt-offering of a ritually impure nazirite – לא אכלתי אשם נזיר טמא: Shimon HaTzaddik was concerned that the nazirite had made his vow impetuously and that it was not fully genuine. After he became ritually impure, the nazirite would regret having taken his vow even more, since he was then required to bring additional offerings and restart his term of naziriteship.

My evil inclination quickly overcame me – ופחו עלי יצרי: Some commentaries explain that since he saw that he was so handsome, his evil inclination encouraged him to try to entice women; he thought that they would not refuse someone that attractive (Rivan). Others suggest that his evil inclination was for homosexual relations (Arukh). Others say that since he found himself so handsome he was concerned about excessive pride (Rabbi Yitzhak Tzarfati). Similarly, the Maharsha, who has a lengthy homiletic interpretation of this entire passage, explains that he found himself to be so handsome and intelligent that he decided that it was beneath his dignity to continue working as a shepherd.

When they regret [tohin] their misdeeds they become nazirites – כששהו תוהין נזירין: The Commentary on *Nedarim* interprets *tohin* as afraid, and offers proof for this explanation from the *Targum Yonatan* (Deuteronomy 28:66). It also quotes another explanation, that *tohin* means angry, i.e., people would take a vow of naziriteship in a moment of anger. This is also the explanation cited in the Jerusalem Talmud.

Most commentaries explain that *tohin* means regret, and it refers to those who regret having sinned and fear being punished for their sins, and who therefore become nazirites. Since they do not truly desire to be nazirites, they subsequently regret having done so (*Tosafot*; Rivan; Ran). Others explain that the word *tohin* refers to their perspective immediately after making the vow; they make the vow out of anger and immediately regret doing so (Rabbi Yitzhak Tzarfati, cited in *Shita Mekubbetzet*).

They will then turn out to be bringing non-sacred animals into the Temple courtyard – ונמצאו מביאין חולין: Some have interpreted this to mean that one in this situation is literally bringing non-sacred animals into the Temple courtyard. Since he regrets his vow, it is considered to be a vow made mistakenly, and it is void retroactively (cited in *Rashba*; see Commentary on *Nedarim*). However, most commentaries say that this is not to be taken literally because provided his vow of naziriteship was not formally dissolved, it remains in effect. Rather, since the individual does not wish to bring these offerings, they are considered undesirable (*Rashba*; *Rosh*; *Ran*). This is also clear from the Jerusalem Talmud, where the text reads: He is as one who slaughters non-sacred animals in the Temple courtyard.

LANGUAGE

Reflection [*bavua*] – בבואה: Linguists believe that this word is an alternate form of the biblical expression *bavat ayin* (see Zechariah 2:12), which means both pupil [*ishon*] of the eye and child, as an *ishon* also means a small man [*ish*]. This is similar to the Arabic *bu'bu'*, and has parallels in other languages, e.g., the Latin pupa and pupilla. The term *bavua* was used to refer to the reflection of a figure in one's eye, and then became used more generally to refer to any reflection of an image, e.g., in water or a mirror.

HALAKHA

May there be more who take vows of naziriteship like you – כמורך ירבו נזירי נזירות: One who vows to become a nazirite due to pure intentions is pursuing the service of God and is considered praiseworthy. The verse refers to this individual when it states (Numbers 6:7): "His consecration to God is upon his head". He is even equated to a prophet, as it is stated (Amos 2:11): "And I raised up of your sons for prophets, and of your young men for nazirites" (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 13:23 and *Hilkhot Nezirut* 10:14; *Shulhan Arukh*, *Yoreh De'a* 203:7).

דתנא, אמר (רבי) שמעון הצדיק: מימי לא אכלתי אשם נזיר טמא אלא אחד. פעם אחת בא אדם אחד נזיר מן הדרום, וראיתיו שהוא יפה עינים וטוב רואי, וקוצותיו סדורות לו תלתלים. אמרתי לו: בני, מה ראית להשחית את שערך זה הנאה?

אמר לי: רועה הייתי לאבא בעירי, הלכתי למלאות מים מן המעיין ונסתכלתי בבבואה שלי, ופחו עלי יצרי, ובקש לטורדני מן העולם. אמרתי לו: רשע! למה אתה מתנאה בעולם שאינו שלך? במי שהוא עתיד להיות רמה ותולעה? העבודה שאגלחך לשמים!

מיד עמדתי ונשקתיו על ראשו, אמרתי לו: בני, כמורך ירבו נזירי נזירות בישראל, עליך הכתוב ואמר "איש כי יפלא לנדר נדר נזיר להזיר לה".

מתקיף לה רבי מני: מאי שנא אשם נזיר טמא דלא אכל – דאיתי על חטא? כל אשמות נמי לא ליכול, דעל חטא אתו!

אמר ליה רבי יונה: היינו טעמא: כשהו תוהין – נזירין, וכשהו משמאין, ורבינ עליהן ימי נזירות – מתחרטין בהן, ונמצאו מביאין חולין לעזרה.

As it is taught in a *baraita* that Rabbi Shimon HaTzaddik said: In all my days as a priest, I never ate the guilt-offering of a ritually impure nazirite^{NB} except for one occasion. One time, a particular man who was a nazirite came from the South^B and I saw that he had beautiful eyes and was good looking, and the fringes of his hair were arranged in curls. I said to him: My son, what did you see that made you decide to destroy this beautiful hair of yours by becoming a nazirite? A nazirite must shave off his hair at the completion of his term. If he becomes impure before the completion of his term, he shaves off his hair and starts his term of naziriteship again.

He said to me: I was a shepherd for my father in my city, and I went to draw water from the spring, and I looked at my reflection [*babavua*]^L in the water and my evil inclination quickly overcame me^N and sought to expel me from the world. I said to myself: Wicked one! Why do you pride yourself in a world that is not yours? Why are you proud of someone who will eventually be food in the grave for worms and maggots, i.e., your body? I swear by the Temple service that I shall shave you for the sake of Heaven.

Shimon HaTzaddik continues the narrative: I immediately arose and kissed him on his head. I said to him: My son, may there be more who take vows of naziriteship like you^H among the Jewish people. About you the verse states: "When either a man or a woman shall clearly utter a vow, the vow of a nazirite, to consecrate himself to the Lord" (Numbers 6:2). This is an example of voluntary acceptance of naziriteship, i.e., becoming a nazirite with entirely pure intentions rather than as a rash statement, e.g., while in a fit of anger.

Rabbi Mani strongly objects to the statement of Shimon HaTzaddik. What is different about the guilt-offering of a ritually impure nazirite that Shimon HaTzaddik did not eat, because it came as a result of sin when the individual violated the terms of his naziriteship by becoming impure? Let him also not eat all other guilt-offerings,^B as they too come as a result of sin.

Rabbi Yona said to him: This is the reason: When they regret their misdeeds they become nazirites,^N and when they become ritually impure and the days of their naziriteship are increased, as they must become pure and then begin their terms of naziriteship again, they regret having become nazirites. They will then turn out to be bringing non-sacred animals into the Temple courtyard.^N Since they do not wish to bring the offerings of a nazirite, their offerings are undesirable, and it is as though the animals are non-sacred.

BACKGROUND

The guilt-offering of a ritually impure nazirite – אשם נזיר טמא: If a nazirite becomes ritually impure by contact with a corpse, whether intentionally or not, he must first purify himself and then bring two pigeons to the Temple, one as a sin-offering and the other as a burnt-offering, as well as a lamb as a guilt-offering. After this, he must restart his term as a nazirite.

The South – הדרום: The meaning of this term changed over time, especially as the majority of the Jewish population of Eretz Yisrael moved to the Galilee. However, in the time of the Mishna and before, this term referred to the southern part of the territory of Judah, bordering with the northern part of the Negev. Apparently, this area itself was subdivided into provinces known as the Upper South and the Lower South.

Guilt-offerings – אשמות: There are six sub-categories of guilt-offerings: (1) Guilt-offering of robbery: An offering brought by

one who denied a debt, swore a false oath that he did not owe the debt, and later admitted that he did owe the debt and that he had sworn falsely. (2) Guilt-offering for misuse of consecrated property: An offering brought as atonement for the misuse of consecrated property. (3) Guilt-offering for a designated maid-servant: An offering brought as atonement for relations with a partially non-Jewish maidservant designated to be the wife of a Hebrew slave. (4) Guilt-offering of a nazirite: An offering brought as part of the purification process of a nazirite who had become ritually impure. (5) Guilt-offering of a leper: An offering brought as part of the purification process of a leper. (6) Uncertain guilt-offering: An offering brought as atonement in a case where one is unsure whether or not he committed a sin that requires the sacrifice of a sin-offering. A guilt-offering is one of the offerings of the most sacred order and may be eaten only by priests and only on the day it is sacrificed and the following night.

אי הכי אפילו נזיר טהור נמי! נזיר טהור לא, דאמרי אמיד נפשיה דיכול לנדור.

The Gemara asks: **If so**, then Shimon HaTzaddik should have abstained from eating **even** the offerings of a **ritually pure nazirite as well** for the same reason; perhaps he too regretted his decision to become a nazirite. The Gemara answers: In the case of a **pure nazirite** there is **no concern because he assessed himself** and realized that he was **able to vow** and to keep his vow for the term of his naziriteship. However, in the case of a ritually impure nazirite, where the naziriteship was extended for longer than he had estimated due to his contracting impurity, there is concern that he regrets having become a nazirite.

ואיבעית אימא: The Gemara suggests a different answer to the question of the identity of the *tanna* whose opinion is expressed in the mishna. **And if you wish, say:**

Perek I

Daf 10 Amud a

אפילו תימא רבי יהודה, כי אמר רבי יהודה – בנדבה, בנדר לא אמר.

Even if you say that the mishna is in accordance with the opinion of Rabbi Yehuda, it can be argued that **when Rabbi Yehuda said that it is good to take a vow and fulfill it, he said it with regard to a gift offering,^N but he did not say it with regard to vows.**

והקתני: טוב מזה ומזה נדר ומקיים! תני: נדר ומקיים.

The Gemara asks: **But isn't the mishna teaching that according to Rabbi Yehuda, better than both this and that is one who vows [noder] and pays**, which indicates that he says this even about vows? The Gemara answers: **Teach the opinion of Rabbi Yehuda with the following, emended formulation: Better than both this and that is one who volunteers [nudev] a gift offering and pays it.**

מאי שנא נדר דלא – דילמא אתי בה לידי תקלה, נדבה נמי דילמא אתי בה לידי תקלה!

The Gemara asks: **What is different about one who vows, i.e., one who says: It is incumbent upon me to bring an offering, which is not proper to do due to the concern that perhaps he will encounter a stumbling block and not bring it promptly, thereby violating the prohibition against delaying? One should also not designate a particular animal as a gift offering, due to the concern that perhaps he will encounter a stumbling block with it.**

רבי יהודה לטעמיה, דאמר: אדם מביא בבשתו לעזרה ומקדישה, וסומך עליה ושוחטה.

The Gemara answers: **Rabbi Yehuda conforms to his standard line of reasoning, as he said explicitly in a baraita: A person brings his lamb to the Temple courtyard and consecrates it there, and immediately leans on it and slaughters it.** Consequently, there is no concern that he will encounter a stumbling block.

תינח נדבה דקרבות, נדבה דנזירות מאי איבא למימר?

The Gemara asks: **That works out well with regard to voluntary gifts in the context of offerings, but with regard to the voluntary acceptance of naziriteship, what is there to say?** There is still room for concern that one will not fulfill the obligations incumbent upon him as a nazirite.

רבי יהודה לטעמיה, דתניא, רבי יהודה אומר: חסידים הראשונים היו מתאווין להביא קרבן חטאת, לפי שאין הקדוש ברוך הוא מביא תקלה על ידיהם. מה היו עושין? עומדים ומתנדבין נזירות למקום, כדי שיתחייב קרבן חטאת למקום.

The Gemara answers: Here, too, **Rabbi Yehuda conforms to his standard line of reasoning, as it is taught in a baraita that Rabbi Yehuda says: The early generations of pious men^B would desire to bring a sin-offering but did not have the opportunity to do so because the Holy One, Blessed be He, does not bring about a stumbling block through them**, and they would not sin even unwittingly. **What would they do? They would rise and volunteer naziriteship to the Omnipresent in order to be liable to bring a sin-offering of a nazirite^B to the Omnipresent.**

NOTES

אמר רבי – יהודה בנדבה: Rabbi Yehuda said it with regard to a gift offering – **יהודה בנדבה:** According to this opinion, Rabbi Meir holds that it is improper to obligate oneself to bring even a gift offering. Rabbeinu Tam writes in *Sefer HaYashar* that the reason for this is the concern that one might transgress the prohibition against misusing consecrated property even if he conducts himself like Hillel and consecrates the animal in the Temple courtyard. This is because most people are not as knowledgeable and diligent as Hillel, and they might misuse the animal even in the Temple courtyard. The Ritva suggests that the reason is so that people will not become accustomed to making vows. It is explained in the *Tosefot Rid* that Rabbi Meir holds that one should not obligate himself to perform actions that the Torah does not require of him.

BACKGROUND

חסידים הראשונים – The early generations of pious men – The term pious [*hasid*] is used in the Talmud primarily as a description of one of high character who conducts himself in all aspects of his life beyond the requirements of *halakha*. One who conducts himself in accordance with the requirements of *halakha* is referred to as righteous [*tzaddik*]. Apparently, during the era of the Second Temple, there was a specific group of people called the pious men, although they lacked a defined organizational structure. These individuals were among the first to support the Hasmonean revolt and were apparently also among the first to leave the Hasmonean establishment. It is possible that this group is the predecessor of those the Gemara refers to here as the early generations of pious men. The Gemara relates that the early generations of pious men would dedicate their lives, to a large extent, to praying with great intensity, and that they were meticulous in their observance of both ritual and interpersonal mitzvos.

חטאת נזיר – Sin-offering of a nazirite – When the nazirite completes the period of his vow, he must bring two lambs as offerings, one female as a sin-offering and one male as a burnt-offering, as well as a ram as a peace-offering (Numbers 6:13–21). He must shave his hair and burn it beneath the pot in which the ram is cooked. After these offerings have been sacrificed, the period of naziriteship ends, and the former nazirite is no different from anyone else. The *halakhot* of the nazirite are discussed in tractate *Nazir*.