

תָּנָא נְמִי רִישָׁא סוֹפְגָת,

For this reason the *tanna* also taught: She incurs, in the first clause, despite the fact that this teaches no novelty.

תָּא שְׂמַע: הָאִשָּׁה שְׁנֵדְרָה בְּנוֹר וְנִטְמָאת,  
וְאַחַר כֵּךְ הִפְרָ לָהּ בְּעֻלָּה – מִבִּיאָה חֲטָאת  
הָעוֹף, וְאֵינָה מִבִּיאָה עוֹלֹת הָעוֹף. וְאֵי  
סִלְקָא דְעֵתְךָ בַּעַל מִיגוּ גִיזוּ – תֵּייתִי נְמִי  
עוֹלֹת הָעוֹף!

The Gemara further suggests: **Come and hear a proof from a *baraita*: With regard to a woman who vowed to be a nazirite<sup>H</sup> and she became ritually impure, and afterward her husband nullified her vow, she brings the bird sin-offering,<sup>N</sup> and she does not bring the bird burnt-offering. And if it should enter your mind that the husband severs her vow, let her also bring the bird burnt-offering, to complete the atonement for becoming ritually impure when she was a nazirite. This indicates that the husband uproots the vow, which is why she is not required to bring the bird burnt-offering.**

וְאֵלָא מַאי – מִיַּעְקָר עֵקֶר? חֲטָאת הָעוֹף  
נְמִי לֹא תֵּייתִי! הֲכִי נְמִי, וְהָא מִנִּי – רַבִּי  
אֶלְעָזָר הַקָּפָר הִיא.

The Gemara refutes this proof: **Rather, what then? Will you say that the husband uproots the vow entirely? If so, she should also not bring the bird sin-offering. The Gemara answers: So too, she should not have to bring the bird sin-offering either, but in accordance with whose opinion is this *baraita*? It is the opinion of Rabbi Elazar HaKappar.<sup>N</sup>**

דְּתַנָּא, רַבִּי אֶלְעָזָר הַקָּפָר (בְּרַבִּי)  
אוֹמֵר: מַה תִּלְמוּד לומר "מִאֲשֶׁר חָטְא  
עַל הַנֶּפֶשׁ". וְכִי בִּאִינוּ נֶפֶשׁ חָטְא זֶה? אֵלָא  
מִפְּנֵי שְׂצִיעַר עֲצָמוֹ מִן הַיַּיִן נִקְרָא חוֹטֵא.  
וְהִלָּא דְבָרִים קָל וְחוֹמֵר: וּמַה זֶה שְׂלֵא  
צִיעַר עֲצָמוֹ אֵלָא מִן הַיַּיִן – נִקְרָא חוֹטֵא.  
הַמְצַעַר עֲצָמוֹ מִכָּל דְּבָר – עַל אַחַת כְּמָה  
וְכַמָּה.

As it is taught in a *baraita* that Rabbi Elazar HaKappar the esteemed says: **What is the meaning when the verse states: "And make atonement for him, for that he sinned by reason of the soul" (Numbers 6:11)? And with which soul did this nazirite sin? Rather, because he deprived himself of wine he is therefore called a sinner. And are not these matters inferred *a fortiori*: And if this one, who deprived himself only of wine, is nevertheless called a sinner, in the case of one who deprives himself of everything by fasting or other acts of mortification, all the more so is he labeled a sinner. According to this opinion, she brings a sin-offering to atone for uttering the vow itself, despite the fact that her husband later uprooted it entirely.**

תָּא שְׂמַע, דְּתַנָּא בְּהֵדִיא: הָאִשָּׁה שְׁנֵדְרָה  
בְּנוֹר, וְשָׂמְעָה חֲבִירָתָה וְאָמְרָה "וְאֵינִי".  
וּבֵא בְּעֻלָּה שֶׁל רֵאשׁוֹנָה וְהִפְרָ לָהּ – הִיא  
מוֹתֶרֶת, וְחֲבִירָתָה אֲסוּרָה. שְׂמַע מִינָּה:  
בַּעַל מִיגוּ גִיזוּ.

The Gemara suggests: **Come and hear a resolution, as it is taught in a *baraita* (*Tosefta* 3:10) explicitly:<sup>N</sup> With regard to a woman who vowed to be a nazirite, and another woman heard her and said: And I,<sup>H</sup> and the husband of the first one came and nullified her vow, she is permitted and the other woman is prohibited. One can learn from this that the husband severs the vow rather than uproots it.**

HALAKHA

**הָאִשָּׁה – הָאִשָּׁה** A woman who vowed to be a nazirite, etc. – שְׁנֵדְרָה בְּנוֹר וְכִי: If a woman who took a vow of naziriteship became ritually impure during her term, and afterward her husband heard of her vow and nullified it, she must bring an offering for her impurity. Some commentaries maintain that this is in accordance with the opinion that a husband uproots his wife's vows (*Mishne LaMelekh*). According to the conclusion of the Gemara that he merely severs the vows from that point onward, she must also bring the burnt-offering, and apparently the guilt-offering as well. The Jerusalem Talmud indicates likewise (Rambam *Sefer Hafla'a*, *Hilkhot Nezirut* 9:11).

**וְשָׂמְעָה – וְאֵי** And another heard her and said, and I, etc. – תְּבִירָתָה וְאָמְרָה וְאֵי וְכִי: In a case of a woman who took a vow of naziriteship, and another heard her and associated himself with her vow by saying: And I, if the father or husband of the first woman later heard of her vow and nullified it, hers is nullified but the second woman remains bound by her vow. The reason is that the husband or father does not uproot the vow entirely, as opposed to a halakhic authority, who dissolves a vow. The *halakha* is in accordance with the opinion of the first *tanna* (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 13:15 and *Mishne LaMelekh* there; *Shulhan Arukh*, *Yoreh De'a* 234:51).

NOTES

**She brings the bird sin-offering – מִבִּיאָה חֲטָאת הָעוֹף:** The commentaries explain that this is not considered a sin-offering whose owner has died, despite the cancellation of her naziriteship, as the tradition that a sin-offering of this kind must be left to die applies only to animals, not to birds (Commentary on *Nazir*).

**It is Rabbi Elazar HaKappar – רַבִּי אֶלְעָזָר הַקָּפָר הִיא:** Although it was stated earlier (21a) that even according to the opinion of Rabbi Elazar HaKappar the sin-offering must be left to die, because it was consecrated to a certain extent and therefore it is considered like a sin-offering whose owner has died, there is a difference between the two cases. There, the Gemara was referring to the offerings of a pure nazirite, whose sin is not so severe, whereas here it is speaking of a nazirite who became impure. Since she has sinned twice (see 21a), the sin-offering is not considered as one whose owner has died (Rabbeinu Peretz, following Rosh, in *Shita Mekubbetzet*). Others explain that the Gemara there was referring to an animal sin-offering,

whereas here it is dealing with a bird sin-offering (Commentary on *Nazir*).

Alternatively, this refers to a woman who had already separated her offerings, and therefore the sin-offering is brought and sacrificed (Rabbeinu Peretz, citing *Tosafot*). Yet others maintain that even if she had not set aside an offering, since she became impure and repeated her sin she requires atonement, and consequently she must set aside and bring a sin-offering.

**תָּא שְׂמַע דְּתַנָּא – תָּא שְׂמַע דְּתַנָּא** The commentaries note that whereas the conclusion of the Gemara's analysis of the previous *baraita* was that the husband uproots the vow, here the Gemara proceeds to resolve this difficulty in the opposite manner, without addressing the contradiction (*Tosafot*). They answer that there is in fact a difference of opinion between the *baraitot*, as the first *baraita* is in accordance with the opinion of Rabbi Elazar HaKappar, who maintains that the husband uproots the vow, whereas the unattributed opinion in the subsequent *baraita* states that he

severs it. Others contend that the previous *baraita* can in fact be explained in accordance with the opinion that the husband severs the vow, and the reason why she does not bring the burnt-offering is that its purpose is to render her fit to observe naziriteship in purity, which is inapplicable in this case (Rosh).

Alternatively, she does not bring the burnt-offering, in accordance with the opinion of Rabbi Yishmael, son of Rabbi Yohanan ben Beroka, that the burnt-offering is an essential element of a nazirite's offerings (18b), and she is therefore exempt from it if she is not an actual nazirite. As for the sin-offering, she is required to bring it because it is a bird-offering, which is sacrificed even in cases of uncertainty, especially in light of Rabbi Elazar HaKappar's statement that she requires atonement (Rabbeinu Todros; Meiri). Yet others say that she must bring a sin-offering because she was still a nazirite when she became impure and she therefore requires atonement. By contrast, the burnt-offering is part of her naziriteship offerings, from which she is exempted by her husband's nullification of her vow (Ri).

רבי שמעון אומר: אם אמרה לה  
"הריני כמותיך" – שתייהן מותרות.

The *baraita* continues: **Rabbi Shimon says that if the second woman said to her, after hearing her vow of naziriteship: I am hereby like you, in that case they are both permitted.** Since the second woman made her naziriteship entirely dependent on that of the first, the nullification of the first woman's vow cancels the second naziriteship as well.

## Perek IV

### Daf 22 Amud b

#### BACKGROUND

**Peace-offering** – זבח שלמים: Male and female cattle or sheep may be sacrificed as peace-offerings. As offerings of lesser sanctity, they may be slaughtered anywhere within the Temple courtyard. Their blood is sprinkled on the two opposite corners of the altar in such a manner that it will descend on each of the altar's four sides. Part of each peace-offering is burned on the altar, and part is given to the priests, namely the breast and the right hind leg. The remainder is eaten by the individual bringing the offering, with his family, anywhere in the city of Jerusalem. The time frame for consumption of the offering is either on the day the animal is sacrificed, the following day, or during the intervening night. With the exception of the Festival peace-offering and a few other cases, peace-offerings are brought voluntarily, i.e., they are gift offerings.

#### HALAKHA

**This is forbidden to me like the flesh of a peace-offering** – הרי עלי כבשר זבח שלמים: If one has sacred meat before him, even if it is the flesh of a peace-offering after its blood was sprinkled, and he says: This item is to me like this meat, then the item in question is forbidden, as he meant the fundamental, forbidden aspect of the meat. Although the dilemma of Rami bar Hama was left unresolved by the Gemara, the Rambam rules stringently, as this uncertainty involves a Torah prohibition. Conversely, the Ramban and many other authorities maintain that this man is referring to the permitted state of the meat (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 1:15).

מר זוטרא בר רבי מרי אמר: האי  
היינו דרמי בר חמא. דבעי רמי בר  
חמא: "הרי עלי כבשר זבח שלמים"  
מהו?

**Mar Zutra, son of Rav Mari, said:** This problem, with regard to one who associated himself with the vow of a woman whose naziriteship was later nullified, is in essence the same as the dilemma of **Rami bar Hama**<sup>N</sup> concerning a different issue. **As Rami bar Hama raises a dilemma:** If someone said about a certain object: **This is forbidden to me like the flesh of a peace-offering,**<sup>BH</sup> what is the *halakha*? Is this a vow or not?

כי מתפס איניש – בעיקרא מתפס,  
או דלמא בצננא מתפס?

The Gemara explains the two sides of the dilemma: **When a person associates himself with a prohibition by means of another object, does he associate himself with it by its fundamental state?** In this case, this would mean that he has associated himself with an article from which it is prohibited to benefit, as the flesh of a peace-offering is forbidden before its blood is sprinkled. Consequently, the vow would take effect. **Or perhaps one associates himself with the item by its eventual permitted state** [*bitzenana*],<sup>N</sup> and as the flesh of a peace-offering may be eaten after the sprinkling of its blood, the vow is ineffective. This question is apparently analogous to the issue of the second woman's vow: Is she referring to the fundamental, initial state of the first vow, before its nullification, or to its later, permitted state, after it is has been dissolved?

מי דמי? התם כיון דאמר "הרי  
עלי כבשר זבח שלמים" אף על גב  
דלאחר שנורק דמו מצי אביל ליה  
בחויץ – מיקדש קדיש. אבל הכא,  
אי סלקא דעתך בצננא קא מתפס –  
הא הפר לה בעלה! איכא דאמרי:  
היינו דרמי בר חמא ודאי.

The Gemara refutes this argument: **Are the two cases comparable?**<sup>N</sup> **There, since he said: It is forbidden to me like the flesh of a peace-offering, even though after its blood has been sprinkled it can be eaten outside the courtyard, nevertheless it is sacred**<sup>N</sup> to a certain extent, which means that his vow is referring to a forbidden object. **However, here, if it should enter your mind that the second woman associates herself with the object's permitted state, her husband has nullified her vow, and therefore there is no vow at all, which renders the statement of the second woman meaningless.** Some say that this last refutation is not accepted. In their opinion, the dilemma concerning two women who vowed is certainly similar to that of Rami bar Hama.

#### NOTES

**This is the dilemma of Rami bar Hama** – האי היינו דרמי בר חמא: The early commentaries suggest two basic explanations of this issue. According to one opinion, Mar Zutra is referring to the discussion on the previous *amud* with regard to whether a husband uproots or severs a vow. He maintains that the previous explanation of the conflicting *baraitot*, including the conclusion that the husband severs the vow, is debatable, as the entire issue can be resolved in light of Rami bar Hama's dilemma (Rosh, citing Rabbeinu Tam; Ri, cited in *Shita Mekubbetzet*).

The resolution is as follows: Everyone agrees that the husband in fact uproots the vow, which means that his wife is not liable to receive lashes. However, one who associates himself with the vow of another does so with regard to the vow itself. Consequently, even if the first woman's vow is nullified, the second woman remains bound by her vow, as the question of the Gemara concerning the nature of a husband's nullification does not affect the case of a woman who associates herself with the vow of another. Others explain that even according to the opinion that a husband uproots the vows of his wife, this does not mean that it is as though the vow was never uttered, as is the case when a halakhic authority dissolves a vow. Rather, the husband uproots her obligation to fulfill the vow. Since the vow continues to exist it is possible that another person can vow by reference to it even afterward (*Beit HaLevi*).

Many commentaries question these interpretations and prefer the explanation of Rabbi Moshe of Evreux. In his opinion, Mar Zutra does not disagree with the conclusion that the husband severs the vow, as he is merely attempting to resolve Rami bar Hama's dilemma by citing a *baraita* which indicates that one associates himself with a vow by the fundamental status of the other person.

**Its permitted state** [*bitzenana*] – בצננא: The term *tzenana* literally means cold. In this context the reference is to an end state, just as a hot item eventually turns cold (Commentary on *Nazir*). Others explain that the prohibition has cooled and become permitted (*Shita Mekubbetzet*; Rosh).

**Are they comparable** – מי דמי: In the case of one who vows by associating an item with the flesh of a peace-offering, even if he referred to its permitted state his statement is not devoid of meaning, as the meat retains a measure of sanctity even after the sprinkling of the blood. By contrast, with regard to two women who vowed naziriteship, if the second woman associated herself with the initial vow after it has been nullified, there is no vow to speak of at all, and therefore her statement is of no account (Commentary on *Nazir*). Consequently, even if she refers to the fundamental state of the vow, the *halakha* is unaffected by the resolution of Rami bar Hama's dilemma.

**It is sacred** – מיקדש קדיש: For example, the flesh of a peace-offering can be eaten only for two days and the intervening night (Commentary on *Nazir*), and may not be removed from Jerusalem (*Tosafot*). Similarly, it may not be eaten by ritually impure people or by gentiles. Maharatz Hayyut asks: Even if the flesh of a peace-offering does retain a certain measure of sanctity after the sprinkling, this is not the sanctity of a vow; rather, it stems from a prohibition, and one cannot associate himself with a vow by means of a prohibition. How, then, does the vow take effect?

Some commentaries explain that if one associates himself with the end state of the meat there is in fact no vow here at all, and the vow would not take effect. Consequently, it is likely that he is referring to the fundamental state of the meat. However, as he might mistakenly believe that one can take a vow and associate himself with a prohibition by referring to the meat of an offering after the sprinkling of its blood, it is necessary to inquire after his intention. By contrast, in the case of naziriteship, once the husband has nullified his wife's vow it no longer exists at all, and therefore no one would commit an error of this kind, and the other woman must certainly have been referring to the fundamental vow (*Tosafot*).

In your footsteps [be'ikvayikh] – בעיקבין: Some commentaries contend that this expression can be explained in two ways (*Tosafot*). On the one hand it can mean in your footsteps; following you, which indicates that her vow will be similar to that of the first woman. On the other hand it can also mean due to you, which would indicate a full acceptance of naziriteship. Others read be'ikarayikh, and explain the question of the Gemara as follows: Does this *ikar*, the fundamental, central aspect, refer to the prohibition that applies to the first woman, which means that the vow of the second one will lapse when that of the first one is nullified? Alternatively, perhaps this *ikar* refers to the main issue involved, i.e., the naziriteship itself; if so, the vow of the second woman is not dependent on that of the first (Meiri).

And said, and I – ואמר ואני: The phrase: And I, can more easily be explained as referring to the fundamental state of the vow than: In your footsteps, although this expression can also be explained in that manner (Commentary on *Nazir*). Others maintain that unlike the case of a second woman, when a husband says: And I, it is as though he explicitly said: And I am in your footsteps, as he knows that he has the power to nullify her vow (*Tosafot*).

In his case he cannot nullify – הוא דלא מצי מיפר: The reason is either that he is prohibited from doing so, or that he cannot nullify it because he would thereby be desecrating his own vow. See NOTES on 21b.

אמרה לה "הריני נזירה בעיקבין" מהו?  
הריני בעיקבין – בכולא מילתא, ושריא.  
או דלמא כמיקמי דליפר לה בעלה,  
ואסירא?

The Gemara asks: If the second woman said to the first who vowed naziriteship: **I am hereby a nazirite in your footsteps**,<sup>N</sup> and the husband of the first woman subsequently nullified her vow, **what is the halakha** of the second woman? Again the Gemara clarifies the two sides of the question: Does the statement: **I am hereby a nazirite in your footsteps**, mean in all matters, and therefore her vow is dissolved, as the vow of the first woman was ultimately nullified; or perhaps this statement is referring to her status before her husband nullified her vow, and therefore the second woman is bound by her vow?

תא שמע: האשה שנדרה בניזיר, ושמע  
בעלה ואמר "ואני" – אינו יכול להפר.  
ואי סלקא דעתך כי אמר לה "הריני  
בעיקבין" בעיקרא קא מתפס – ליפר  
לה לדידה, ולוקים דידיה!

The Gemara suggests: **Come and hear** an answer to this question from the mishna: With regard to a woman who vowed to be a nazirite and her husband heard and said: **And I**,<sup>N</sup> he cannot nullify her vow with which he associated himself, as he would thereby be canceling his own vow. **And if it should enter your mind that when he says to her: I am hereby a nazirite in your footsteps**, he associates himself with the fundamental state of the vow, and it does not mean that they should be linked throughout, in that case **let him nullify her vow and uphold his**. In this manner the husband remains bound by his own vow while nullifying his wife's vow.

אלא לאו, שמע מינה בכולא דמילתא  
מתפס. והלכך, הוא דלא מצי מיפר, הא  
אשה דאמרה "הריני בעיקבין" – היא  
נמי מותרת.

Rather, must one not conclude from it that he associates himself with all matters of the vow, and therefore in his case he cannot nullify<sup>N</sup> her vow, as he would thereby be nullifying his own, but with regard to a woman who said: **I am hereby a nazirite in your footsteps**, she is also permitted by the nullification of the first vow?

לא, לעולם בעיקרא מתפס, והכא, בין  
דאמר לה "ואני" – כאומר "קיים ליכי"  
דמי, ואי מתשיל אהקמתו – מצי מיפר,  
ואי לא – לא.

The Gemara rejects this argument: **No; actually**, it is possible that one associates himself with the fundamental state of the vow, and here, in the case of a husband, there is a different reason that he cannot nullify the vow. **Since he says to her: And I, he is considered to have said: It is upheld for you**, as his own vow indicates his acceptance of hers. **And therefore, if he requests** from a halakhic authority the dissolution of his upholding of her vow, **he can nullify her vow, and if he does not submit this request he cannot nullify his wife's vow**.

"הריני נזיר ואת" ואמרה "אמן" – מיפר  
את שלה, ושלך קיים. ורמינהו: "הריני  
נזיר ואת" ואמרה "אמן" – שניהם אסורין,  
ואם לאו – שניהם מותרין, מפני שתלה  
נדרו בנדרה!

§ The mishna teaches that if a husband said: **I am hereby a nazirite and you**, and his wife said: **Amen**, he can nullify her vow and his remains intact. **And the Gemara raises a contradiction** to this from a *baraita* (*Tosefta* 3:5): With regard to one who said to his wife: **I am hereby a nazirite and you**, and she said: **Amen**, they are both bound by their vows; and if she did not answer: **Amen**, they are both permitted, because he made his vow dependent on her vow. In other words, he meant that he would be a nazirite on the condition that she too accept naziriteship upon herself. This *baraita* teaches that if she says: **Amen**, he cannot nullify her vow, which apparently contradicts the ruling of the mishna.

אמר רב יהודה: תני מיפר את שלה ושלך  
קיים. אבוי אמר: אפילו תימא כדקתני,  
ברייטא – כגון דקאמר לה "הריני נזיר  
ואת". דקא תלי נדרו בנדרה.

Rav Yehuda said: **Teach the baraita** by emending it so that it reads: **He can nullify hers and his remains intact**, like the mishna, rather than: They are both bound by their vows. **Abaye said: You can even say** that the *baraita* should be read as it teaches, without emending it, as there is a difference between the two cases. The *baraita* is referring to a case where he said to her in a single clause: **I am hereby a nazirite and you**,<sup>H</sup> as he makes his vow dependent on her vow. Consequently, if she is not a nazirite, his vow is also canceled.

## HALAKHA

דקאמר לה הריני – ואמרה "אמן" – מיפר את ואת: If a husband vowed and applied the same vow to his wife, and she answered: **Amen**, he cannot nullify her vow, as stated in the *baraita*. However, if he said to her: **I am hereby a nazirite**, and would you like to be a nazirite like me, he can nullify her vow;

and if he does so, his own vow is also canceled, as he made it dependent on hers. The *halakha* is in accordance with the opinion of Abaye, following his reading of the mishna: **And his is nullified** (Rambam *Sefer Hafa'ra*, *Hilkhot Nedarim* 13:13–14 and *Lehem Mishne* there; *Shulhan Arukh*, *Yoreh De'a* 234:54).