



substitutes for the term indicating a dedication [herem] to the Temple treasury. Nazik, naziah, and paziah; these are substitutes for the term naziriteship [nazir]. Shevuta, shekuka, or one who vows with the term mota, these are substitutes for the term oath [shevua].

1:3 If one says to another: That which I eat of yours shall be considered lahullin, it is interpreted as though he said: La hullin, not non-sacred, and the food is thereby forbidden to him. Similarly, if he said that food shall be considered not valid or not dekhi, i.e., not ritually pure, or if he said the food shall be considered an offering that has become ritually impure, left over [notar], or piggul, i.e., an offering that was sacrificed with the intent to consume it after its appointed time, it is forbidden. If one says that food shall be considered like the lamb of the daily offering, like the animals designated as offerings and kept in special enclosures, like the wood of the altar, like the fires on the altar, like the altar, like the Sanctuary, or like Jerusalem, or if he took a vow with any of the accessories of the altar, although he did not explicitly mention that the food should be like an offering, it is considered a vow that associates a different item with an offering. Rabbi Yehuda says: One who says that an item shall be considered Jerusalem, instead of saying that it shall be considered like Jerusalem, has not said anything.

1:4 With regard to one who says: An offering, a burnt-offering, a meal-offering, a sin-offering, a thanks-offering, or a peace-offering, and adds: That which I eat of yours, the vow takes effect and the food is forbidden. Rabbi Yehuda renders the food permitted in all these cases. If one says: The offering, like an offering, or an offering, and adds: That which I will eat of yours, the food is forbidden. If he says: That which I will not eat of your shall be for an offering, Rabbi Meir renders the food forbidden. One who says to another: It is konam for me for my mouth to speak with you, or: It is konam for me for my hand to work with you, or: It is konam for me for my foot to walk with you, it is prohibited for him to speak with, work with, or walk with the other individual.

2:1 And these are the vows in which the one who takes the vow attempts to create a prohibition on an item by associating it with an item in an ineffective manner, rendering the vow void and leaving the item permitted: If one says: That which I will eat of yours will be non-sacred [hullin]; or: That which I will eat of yours will be like pig meat; or: Like an object of idol worship; or: Like the hides of animal offerings whose hearts were removed as a form of idol worship, and it is therefore prohibited to derive benefit from those animals; or: Like animal carcasses and animals with a wound that will cause them to die within twelve months [tereifot]; or: Like non-kosher repugnant creatures and non-kosher creeping animals; or: Like the halla of Aaron, the first priest, or like his teruma; in all these cases, the food is permitted. Although none of these items may be eaten, they are forbidden by Torah law, not by means of a vow. Therefore, it is impossible to extend their prohibition to other items by means of a vow that associates them with those items. With regard to a man who says to his wife: You are hereby to me like my mother, i.e., deriving benefit from you should be forbidden to me like engaging

in sexual intercourse with my mother, dissolution is broached with him by suggesting a different extenuation, i.e., a halakhic authority suggests other, extenuating circumstances that enable the dissolution of the vow. Although this vow does not take effect either, as engaging in sexual intercourse with one's mother is prohibited by Torah law, by rabbinic law this is treated like an actual vow and requires dissolution by a halakhic authority, so that he will not take genuine vows lightly. With regard to one who says: Sleeping is forbidden for me as if it were an offering [konam], thereby prohibiting himself from sleeping; or: Speaking is konam for me; or: Walking is konam for me; or one who says to his wife: Engaging in sexual intercourse with you is konam for me, if he violates the vow he is in violation of the prohibition "He shall not profane his word" (Numbers 30:3). If one says: I take an oath that I will not sleep, or: That I will not speak, or: That I will not walk, this activity is prohibited to him.

2:2 As taught earlier (10a), one of the primary methods of taking a vow is by invoking an offering. The mishna provides several examples where invoking the term korban is not effective. If one says: An offering [korban] that I will not eat of yours, or: This offering [ha korban] that I will eat of yours, or: That which I will not eat of yours is not an offering [la korban], the food is permitted. If one says: An oath that I will not eat of yours, or: This is an oath that I will eat of yours [she'okhal lekha], or: Not an oath that I will not eat of yours, the food is forbidden. This rule, that oaths can render actions, which do not have actual substance, either prohibited or obligatory, is a stringency of oaths vis-à-vis vows, which do not take effect with regard to matters that do not have actual substance. And there is also a stringency of vows vis-à-vis oaths. How so? With regard to one who said: Making a sukka is konam for me, or: Taking a lulav is konam for me, or: Donning phylacteries is konam for me, in the case of vows, the items are rendered forbidden, and he may not perform the mitzva until the vow is dissolved. However, in the case of similar oaths, these items are permitted, as one cannot take an oath to transgress the mitzvot.

2:3 There is a vow within a vow. It is possible to impose an additional prohibition, by means of a vow, on an item that is already forbidden by means of a vow. But there is no oath within an oath. If one takes an oath twice with regard to the same action, the second oath does not take effect. How so? If one said: I am hereby a nazirite if I eat, and then repeated: I am hereby a nazirite if I eat, and then he ate, he is obligated to observe naziriteship for thirty days for each and every one of the vows, as both vows took effect. However, if he said: I hereby take an oath that I will not eat, and repeated: I hereby take an oath that I will not eat, and then he ate, he is liable to bring an offering for only one violation of an oath.

2:4 Unspecified vows are treated stringently, but their specification, if specification is necessary, is treated leniently. How so? If one said: This item is prohibited to me like salted meat, or: This item is prohibited to me like the wine used for libations, if he vowed in reference to meat or libations of a peace-offering, i.e., if he claimed that his intention was that the item will be forbidden to him like the salted meat of an offering, or like wine that

is used for libations on the altar, it is forbidden, as he associated the item of the vow with an item forbidden by means of a vow, i.e., the offering. If he claims that he vowed in reference to meat or libations of idol worship, i.e., that the item will be like the salted meat of an offering for an idol, or like wine that is used for libations as idol worship, it is permitted, as the item of the vow was associated with an item forbidden by the Torah. By enabling the one who took the vow to later clarify his intent, the vow is treated leniently. And if the vow was without specification, i.e., the one who took the vow did not specify whether his intention was to associate the item with an offering for Heaven or to associate the item with idol worship, it is forbidden. Similarly, if one said: This item is hereby forbidden to me like an item dedicated to the Temple, if his intention was that it would be like a dedication to Heaven, which is a form of consecration, it is forbidden. And if his intention was that it would be like a dedication to priests, whereby one pledges his asset as a gift to priests, it is permitted, as this type of gift is not forbidden at all. And if he said it without specification, it is forbidden. Likewise, if he said: This item is hereby forbidden to me like tithes, if he took a vow with the intention that it would be like the animal tithe, it is forbidden, as the item of the vow was associated with an item forbidden by a vow. And if his intention was that it will be like the tithe of the granary, i.e., grain that is given to the Levites and has no sanctity, it is permitted. And if he said it without specification, it is forbidden. Similarly, if he said: This item is hereby forbidden to me like teruma, if he took a vow with the intention that it would be like the collection of the Temple treasury chamber [terumat halishka], which is a tax for the communal offerings, it is forbidden, his vow was associated with an item forbidden by a vow. And if his intention was that it would be like teruma of the granary that is given to the priests, it is permitted, as teruma is not an item forbidden by a vow. And if the vow was taken without specification, it is forbidden. This is the statement of Rabbi Meir. Rabbi Yehuda says: Unspecified teruma in Judea is forbidden. However, in the Galilee it is permitted, as the people of the Galilee are unfamiliar with the collection of the chamber. When they say teruma they are referring to the teruma allotted to the priests, which is familiar to them. Conversely, unspecified dedications in Judea are permitted, but in the Galilee they are forbidden, as the people of the Galilee are unfamiliar with dedications allotted to the priests, so when they say dedication they are referring to dedication to Heaven.

2:5 One who took a vow by associating an item with a dedication [herem], saying: This item is hereby forbidden to me like an item dedicated to the Temple, and then said: I took a vow only with the intention that it would be like a sea net [hermo shel yam] that is used to catch fish; or one who took a vow by associating an item with an offering, and then said: I took a vow only with reference to offerings to kings, i.e., a gift for a king, not an offering to God. Or one who said: I am hereby an offering myself [atzmi], and then said: I took a vow only with reference to a bone [etzem] that I set aside for myself to vow with, as atzmi means both myself and my bone, i.e., he set aside a bone so as to pretend to take a vow upon himself; or one who said: Deriving benefit

from me is konam for my wife, and then said: I took a vow only with regard to my first wife whom I divorced, not with regard to my current wife. For all of the above vows, those who took them do not need to request of a halakhic authority to dissolve them, as the speaker interpreted the vows in a manner that caused them not to take effect at all. However, if they requested dissolution, apparently due to their being uncertain of their explanations, the court punishes them and treats them stringently and the vows are not dissolved. This is the statement of Rabbi Meir. And the Rabbis say: These vows are not treated stringently. Rather, dissolution is broached with them by suggesting a different extenuation, i.e., the halakhic authority suggests extenuating circumstances that undermine the vow but do not pertain to its wording. And we teach them that they should not take this kind of vow in the future, in order that they will not take vows lightly.

3:1 The Sages dissolved four types of vows without the requirement of a request to a halakhic authority: Vows of exhortation, vows of exaggeration, vows that are unintentional, and vows whose fulfillment is impeded by circumstances beyond one's control. The mishna explains: Vows of exhortation are those by which one encourages another using vow terminology that is exaggerated. How so? One was selling an item and said: I will not lower the price for you to less than a sela, as that is konam, forbidden as if it were an offering, for me. And the other one, the buyer, says: I will not raise my payment to you to more than a shekel, as that is konam for me. In this case, one may assume that both want to complete the deal at three dinars, and they did not intend to vow but only exaggerated for purposes of bargaining. Rabbi Eliezer ben Ya'akov says: Even one who wants to take a vow prohibiting another from benefiting from him, but only in order that he should eat with him, not intending to take an actual vow, should say to him at the outset: Any vow that I take in the future is void. And this statement is effective, provided that he remembers at the time of the vow that his intent at the beginning of the year was to render it void.

3:2 Vows of exaggeration that the Sages dissolved without a request to a halakhic authority, as described in the first mishna in the chapter, include the following examples. If one said concerning a certain item: It is konam for me if I did not see on this road as many people as those who ascended from Egypt, or if he said: It is konam for me if I did not see a snake as large as the beam of an olive press, in these cases the speaker did not intend to vow but used hyperbole to demonstrate a point, and it is understood by others that the expression is not to be taken literally. What are examples of vows that are unintentional that are dissolved, as taught at the beginning of the chapter? One who vows: This loaf is forbidden to me as if it were an offering [konam] if I ate or if I drank, and then he remembers that he ate or drank. Or, one who vows: This loaf is konam for me if I will eat or if I will drink, and he then forgets and eats or drinks. Also, one who said: Benefiting from me is konam for my wife because she stole my purse or she hit my son, and then it became known that she had not hit him or it became known that she had not stolen. The mishna lists another example of an unintentional vow: One who saw people entering his courtyard and eating figs, and because he did not want them to do so he said: The figs are forbidden to you like an offering. And then it was found that his

father and brother were in the group, and there were others with them as well, and certainly he did not intend to take a vow prohibiting his father and brother from eating the figs. In such a case, Beit Shammai says: They, his father and brother, are permitted to eat the figs, and those others that were with them are prohibited from doing so. And Beit Hillel says: Both these and those are permitted to eat the figs, as will be clarified in the Gemara.

3:3 What are examples of vows impeded by circumstances beyond one's control? If one's friend took a vow with regard to him that he should eat with him, and he became sick, or his son became sick, or a river that he was unable to cross barred him from coming, these are examples of vows whose fulfillment are impeded by circumstances beyond one's control. They are not binding and do not require dissolution.

3:4 One may take a vow to murderers, i.e., people suspected of killing others over monetary matters; or to robbers [haramin]; or to tax collectors who wish to collect tax, that the produce in his possession is teruma although it is not teruma. One may also take a vow to them that the produce in his possession belongs to the house of the king, although it does not belong to the house of the king. One may take a false vow to save himself or his possessions, as a statement of this sort does not have the status of a vow. Beit Shammai say: One may vow in such a case, although he has no intention that his words be true, using every means of taking a vow or making a prohibition in order to mislead those people, except for by taking of an oath, due to its more stringent nature. And Beit Hillel say: One may mislead them even by taking an oath. Beit Shammai say: When negotiating with a robber, one should not initiate by taking a vow for him unless the robber does not believe his claim, in which case he may take a vow to reinforce his words. And Beit Hillel say: He may even initiate by taking a vow to him. Beit Shammai say: One may take a vow only about that which the robber compels him to take a vow but may not add to it. And Beit Hillel say: One may take a vow even about that which he does not compel him to take a vow. The mishna explains the previous statement: How so? If the extortionist said to him that he should say: Benefiting from me is konam for my wife if the vow is not true, and he said: Benefiting from me is konam for my wife and my children, Beit Shammai say: His wife is permitted to benefit from him, since the extortionist demanded that he take that vow, but his children, whom he added of his own accord, are prohibited from benefiting from their father. And Beit Hillel say: Both these and those are permitted to benefit from him.

3:5 If one sees his property in danger of being destroyed, and takes a vow stating, for example: These saplings are like an offering if they are not cut down, or: This garment is like an offering if it is not burned, these items are consecrated if the saplings remain standing or if the garment is not burned. In addition, they are subject to the possibility of redemption just as other items consecrated for maintenance of the Temple may be redeemed. But if one said: These saplings are like an offering until they are cut down, or: This garment is like an offering until it is burned, then they are not subject to the possibility of redemption.

3:6 In the case of one who takes a vow that he will not derive benefit from

seafarers, he is permitted to benefit from those who live on dry land. But if he takes a vow not to derive benefit from those who live on dry land, he is also prohibited from deriving benefit from seafarers, because seafarers are included within the category of those who live on dry land. The mishna now defines seafarers: Not like those that travel by ship from Akko to Jaffa, which is a short trip, but rather one who customarily departs [lefaresh] to distant locations, e.g., foreign countries.

3:7 One who takes a vow not to derive benefit from those who see the sun is prohibited from deriving benefit even from the blind, although they see nothing. This is because he meant only to include all those that the sun sees, i.e., shines upon with light.

3:8 One who takes a vow not to derive benefit from those that have dark heads [shehorei harosh] is prohibited from deriving benefit from those that are bald, although they have no hair at all, and from the elderly who have white hair. This is because the term is not to be understood in its simple meaning but rather in a broader manner. But he is permitted to derive benefit from women and from children, because only men are called: Those with dark heads.

3:9 One who takes a vow not to derive benefit from those that are born [yeludim] is permitted to derive benefit from those who will be born [noladim] after the time of the vow. But if one takes a vow not to derive benefit from those who will be born, he is also prohibited from deriving benefit from those that are already born at the time of the vow. Rabbi Meir permits deriving benefit even from those that are already born at the time of the vow because he holds that the one taking the vow was precise in prohibiting only those that will be born. And the Rabbis say: He intended to include with this expression only one whose nature is to be born. Therefore, both those who will be born and those who were already born are included in the vow.

3:10 One who takes a vow that deriving benefit from those who rest on Shabbat is forbidden to him is prohibited from deriving benefit from a Jew, and he is also prohibited from deriving benefit from Samaritans [Kutim] because they are also Shabbat observers. One who takes a vow that deriving benefit from those who eat garlic on Shabbat night is forbidden to him is prohibited from deriving benefit from a Jew, and he is also prohibited from benefiting from Samaritans. However, if one takes a vow that deriving benefit from those who ascend to Jerusalem is forbidden to him, he is prohibited from deriving benefit from a Jew, but he is permitted to benefit from Samaritans because they do not ascend to Jerusalem, but rather, to Mount Gerizim.

3:11 If one says: The property of the descendants of Noah is konam for me, and for that reason I will not benefit from it, he is permitted to derive benefit from a Jew but prohibited from deriving benefit from the nations of the world. If one says: The property of the offspring of Abraham is forbidden to me, and for that reason I will not benefit from it, he is prohibited from deriving benefit from a Jew but permitted to derive benefit from the nations of the world. If one says: The property of a Jew is forbidden to me, and for that reason I will not benefit from it, he may purchase items from a Jew for more than the market price and may sell items to a Jew for less than the market price, so that he does not derive benefit from the transactions. If one says:

Benefit from me is forbidden to a Jew, he may purchase items from a Jew for less than the market price and may sell items to a Jew for more than the market price, so that he does not derive benefit from the transactions. But although this would be permitted, they do not listen to him, i.e., people will generally not agree to deal with him in a manner that causes them a loss in every transaction. If one says: The property of a Jew is forbidden to me, and for that reason I will not benefit from them, and my property is forbidden to a Jew and they will not benefit from me, in this case he may benefit from the nations of the world but not from a Jew, and a Jew may not benefit from him. If one says: Benefiting from those who are uncircumcised is konam for me, he is permitted to derive benefit from uncircumcised Jews because they are not regarded as uncircumcised, but he is prohibited from deriving benefit from the circumcised of the nations of the world. Conversely, if he said: Benefiting from those who are circumcised is konam for me, he is prohibited from deriving benefit even from uncircumcised Jews and he is permitted to derive benefit from the circumcised of the nations of the world, as the term uncircumcised is used only to name the nations of the world, as it is stated: "For all the nations are uncircumcised, but all the house of Israel are uncircumcised in the heart" (Jeremiah 9:25), and it says: "And this uncircumcised Philistine shall be" (I Samuel 17:36), and it says: "Lest the daughters of the Philistines rejoice, lest the daughters of the uncircumcised triumph" (II Samuel 1:20). These verses indicate that ordinary gentiles are referred to as uncircumcised, regardless of whether they are actually circumcised. Rabbi Elazar ben Azarya says: The foreskin is repulsive, as is evident from the fact that the wicked are disgraced through it, as it is stated: "Behold, the days come, says the Lord, that I will punish all them that are circumcised in their uncircumcision: Egypt, and Judah, and Edom, and the children of Ammon, and Moab, and all that have the corners of their hair polled, that dwell in the wilderness; for all the nations are uncircumcised, but all the house of Israel are uncircumcised in the heart" (Jeremiah 9:25), which indicates that there is an element of disgrace associated with the foreskin. Rabbi Yishmael says: So great is the mitzva of circumcision that thirteen covenants were sealed with regard to it, for the word covenant appears thirteen times in the biblical passage that discusses circumcision (Genesis, chapter 17). Rabbi Yosei says: So great is the mitzva of circumcision that it overrides the strict halakhot of Shabbat, as circumcision is performed even if the eighth day following the birth of a son occurs on Shabbat, despite the fact that circumcision violates the prohibition of labor on Shabbat. Rabbi Yehoshua ben Korha says: Great is the mitzva of circumcision, as is evident from the fact that the punishment of Moses the righteous for not circumcising his son when he was capable of doing so was not postponed for even a full hour (see Exodus 4:24–26). Rabbi Nehemya says: So great is the mitzva of circumcision that it overrides the prohibitions associated with leprosy. If leprosy is found on the foreskin of an infant, although it is generally prohibited to cut the afflicted area, it is permitted to do so to perform the mitzva of circumcision. Rabbi Yehuda HaNasi says: So great is the mitzva of circumcision that despite all the mitzvot that Abraham our Patriarch did, he was not called wholehearted until he circumcised

himself, as it is stated at the time that the mitzva was given to him: “Walk before Me and you should be wholehearted” (Genesis 17:1). Alternatively, so great is the mitzva of circumcision that if not for it the Holy One, Blessed be He, would not have created His world, as it is stated: “Thus says the Lord: If My covenant be not with day and night, I would not have appointed the ordinances of heaven and earth” (Jeremiah 33:25), and the covenant that exists day and night is the covenant of circumcision, as it is always found on the person’s body.

4:1 The difference between one for whom benefit from another is forbidden by vow [hamuddar hana’a mehaveiro] and one for whom benefit from his food is forbidden by vow concerns only setting foot on the other person’s property and borrowing from that person utensils that one does not use in preparation of food but for other purposes. Those two benefits are forbidden to the former but permitted to the latter. Therefore, with regard to one for whom benefit from another’s food is forbidden by vow, that person may not lend him utensils used in the preparation of food, e.g., a sieve, or a strainer, or a millstone, or an oven. However, he may lend him a garment, or a finger ring, or a cloak, or nose rings, as these are not used in the preparation of food. However, he may not lend them to one for whom benefit from him is forbidden by vow. And with regard to any item that one does not use in the preparation of food, in a place where one rents items of that kind, that item is forbidden. Meaning, one for whom benefit from another is forbidden by vow is prohibited from borrowing this type of item from the one who vowed and imposed the prohibition. This is because one can use the money saved by borrowing the item rather than renting it to purchase food.

4:2 With regard to one prohibited by vow from deriving benefit from another, if that other person chooses, he may contribute the half-shekel to the Temple on his behalf, and repay his debt, and return his lost item to him, and the one prohibited from benefiting is not considered to have benefited from him. In a place where one takes payment for returning a lost item, that benefit should fall into the category of consecrated Temple property.

4:3 The mishna proceeds to list other tasks that one may perform for someone who is prohibited by vow from benefiting from him. And he separates his teruma and his tithes, provided that it is with the knowledge and consent of the owner of the produce. And he sacrifices for him the bird nests, i.e., pairs of birds, pigeons and turtledoves, of zavim (see Leviticus 15:13–15); the bird nests of zavot (see Leviticus 15:28–30); the bird nests of women after childbirth (see Leviticus 12:6–8); sin-offerings; and guilt-offerings. And he teaches him midrash, halakhot, and aggadot, but he may not teach him Bible. However, he may teach his sons and daughters Bible. And with regard to one for whom benefit from another is forbidden by vow, that other person may feed his wife and children, although the one who is bound by the vow is obligated in their support and benefits when another supports them. And he may not feed his animal, whether it is a kosher animal or whether it is a non-kosher animal. Rabbi Eliezer says: He may feed the non-kosher animal, and he may not feed the kosher animal. The Rabbis said to him: What is the difference between kosher and non-kosher animals in this respect? Rabbi Eliezer said to them: The kosher

animal's being belongs to Heaven, and the animal's body is the property of its owner, as he can eat it. Therefore, the owner benefits directly when another feeds his animal. And a non-kosher animal, both its being and its body belong to Heaven, as it is prohibited for its owner to eat its meat. The Rabbis said to him: The non-kosher animal too, its being belongs to Heaven, and its body is the property of its owner, because if the owner chooses, he sells it to gentiles or feeds it to dogs.

4:4 In the case of one for whom benefit from another is forbidden by vow and he enters his house to visit him, he stands there but does not sit. And that other person heals him with a cure of the nefesh but not a cure of mamon. And with regard to another person who is prohibited from deriving benefit from him, one may bathe with him in a large bath [ambati], in which his presence does not affect the other person. However, he may not bathe with him in a small bath, as his presence moderates the temperature of water if it is too hot or too cold, thereby benefiting the other person. And he may sleep with him in one bed. Rabbi Yehuda says: That is permitted during the days of summer, but he may not sleep with him in one bed during the rainy season, i.e., the winter, because he benefits him by warming the bed. And he may recline with him on a divan even during the rainy season, as no benefit is involved. And he may eat with him at the same table, but not from a common platter from which several people eat, as if one leaves food on the platter, the other derives benefit from him. However, he may eat with him from a platter that returns to the host, as everyone takes a small portion and leaves food on the platter. No benefit is derived. Since there is enough food for everyone, none of the diners receives part of another's portion. One may neither eat with him from the large vessel of food placed before the laborers, nor may he work with him in the same row in a vineyard; this is the statement of Rabbi Meir. And the Rabbis say: He may work in the same row with him provided that he is at a distance from him. If he is close, the other would derive forbidden benefit from him.

4:5 In the case of one for whom benefit from another is forbidden, before, i.e., a year other than the Sabbatical Year, he may neither enter the field of that other person, nor eat from the produce that leans out of the field, even if he does not enter the field. And during the Sabbatical Year, when the produce of the trees is ownerless, he may not enter his field; however, he may eat from the growths that lean out of the field, as the produce does not belong to the other person. If one vowed before the Sabbatical Year that benefit from another's food is forbidden for him, he may enter his field; however, he may not eat of the produce. And during the Sabbatical Year, he may enter the field and may eat the produce.

4:6 In the case of one for whom benefit from another is forbidden by vow, that other person may neither lend an item to him nor borrow an item from him. Similarly, he may neither lend money to him nor borrow money from him. And he may neither sell an item to him nor purchase an item from him. One said to another: Lend me your cow. The other person said to him: My cow is not available. The one seeking to borrow the cow responded angrily: Plowing my field with this cow is konam forever. If it was his typical manner to plow the field himself, then it is prohibited for him to plow his field with that cow

but it is permitted for every other person. If it is not his typical manner to plow the field himself, and he has others plow for him, it is prohibited for him and for every other person to plow his field with that cow, because his intent was to render benefit from plowing with this cow forbidden.

4:7 In the case of one for whom benefit from another is forbidden by vow and who does not have anything to eat, the one from whom benefit is forbidden goes to the shopkeeper and says to him: So-and-so vowed that benefit from me is forbidden for him and I do not know what I will do. After grasping his intent, the shopkeeper gives food to the one for whom benefit is forbidden, and then the shopkeeper comes and takes payment for the food from that one who spoke to him. Similarly, if the house of one for whom benefit is forbidden by a vow was to be built, his fence to be erected, or his field to be harvested, and laborers were required but he had no money to hire them, the one from whom benefit is forbidden goes to the laborers and says to them: Benefit from me is forbidden by vow to so-and-so and I do not know what I will do. And the laborers perform those tasks with him, and come and take payment for their labor from that person who approached them.

4:8 If the one who vowed to render benefit from him forbidden and the one for whom benefit is forbidden were traveling together along the road and the one for whom benefit is forbidden does not have anything to eat, the one from whom benefit is forbidden gives food to one other person as a gift, and it is permitted for that person for whom benefit is forbidden to eat the food because it no longer belongs to the one from whom benefit is forbidden. If there is no other person with them, the one who vowed places the food on the nearest rock or on the nearest fence and says: These food items are hereby rendered ownerless and are available to anyone who wants them. Then that person for whom benefit is forbidden takes and eats the food. Rabbi Yosei prohibits doing so.

5:1 Partners who vowed not to derive benefit from one another are prohibited from entering into a courtyard that they jointly own, since each one has a portion in it and benefits from the share owned by the other, thereby leading to a violation of the vow. Rabbi Eliezer ben Ya'akov says: It is permitted for both to use the courtyard, as it can be said that since each has a portion in the courtyard; this one enters into his own portion and that one enters into his own portion. And all agree that they are both prohibited from setting up a mill or an oven in the jointly owned courtyard, or to raise chickens in it. If only one of the partners was prohibited by a vow from deriving benefit from the other, he may not enter the courtyard. Rabbi Eliezer ben Ya'akov says: He can say to the partner: I am entering into my own portion and I am not entering into your portion. And the court forces the one who took such a vow to sell his portion so that he does not cause the other to transgress.

5:2 If someone from the marketplace is prohibited by a vow from deriving benefit from one of the partners, he may not enter a courtyard of the partners, since it belongs partly to the one from whom he may not benefit. Rabbi Eliezer ben Ya'akov says: He can say to him: I am entering into the portion of another resident of the courtyard and I am not entering your own portion since it does not belong entirely to you.

5:3 With regard to one prohibited by a vow from deriving benefit from another

and he has a bathhouse or an olive press in the city that is leased out and available for public use, if the one who took the vow has a right to profits from usage in the property, i.e., he retains some rights in the property and has not leased them out completely, it is forbidden for the one who took the vow to use it. If he has no right of usage in the property, it is permitted.

With regard to one who says to another: Entering your house is konam for me, or: Purchasing your field is konam for me, then if he, i.e., the owner of the house or field, dies or sells the house to another, it is permitted for the one who took the vow to enter the house or purchase the field, as it is no longer in the possession of the prior owner. But if he said: Entering this house is konam for me, or: Purchasing this field is konam for me, then even if the owner dies or sells it to another, it is forbidden.

5:4 If someone says to another: I am hereby forbidden to you like an item dedicated to the Temple, then the one prohibited by the vow is prohibited from benefiting from the possessions of the one who took the vow. If someone says: You are hereby forbidden to me like an item dedicated to the Temple, then the one who took the vow is prohibited from benefiting from the possessions of the other. If he says: I am hereby forbidden to you and you are hereby forbidden to me like an item dedicated to the Temple, both are prohibited from benefiting from the possessions of the other. But it is permitted for both of them to benefit from the objects belonging to those who ascended from Babylonia, i.e., common property of the nation as a whole, which is not considered to be the property of any individual. But it is prohibited for them to benefit from objects of that city, which are considered to be jointly owned by all its residents.

5:5 And what are examples of objects belonging to those who ascended from Babylonia? For example, the Temple Mount, and the Temple Courtyards, and the water cistern in the middle of the road. And what are objects of that city? For example, the city square, and the bathhouse, and the synagogue, and the ark which houses the Torah scrolls, and the Torah scrolls. And one who writes, i.e., signs, his portion of the shared objects of that city over to the Nasi.

Rabbi Yehuda says: This is the halakha with regard to both one who writes his portion over to the Nasi and one who writes it over to a common person. Rabbi Yehuda adds: What is the difference between one who writes it over to the Nasi and one who writes it over to a common person? That one who writes it to the Nasi need not formally confer possession of the item, whereas one who writes it over to a common person must confer possession to him. And the Rabbis say: Both this one and that one must confer possession, and they specifically mentioned the Nasi only so as to speak in the present, addressing situations that were prevalent. Rabbi Yehuda says: The people of Galilee do not have to write their portion over to the Nasi because their fathers already wrote it for them, declaring that all the public property belongs to him.

5:6 With regard to one who is prohibited by a vow from deriving benefit from another and he does not have anything to eat, the other may give the food to someone else as a gift and he is then permitted to eat it. The mishna recounts: An incident occurred involving someone in the city of Beit Horon whose father had vowed not to derive benefit from him, and the son was marrying off his own

son and wanted his father to be able to participate in the wedding meal. And he therefore said to another: The courtyard where the wedding will take place and the wedding meal are given before you as a gift, but only so that my father will come and eat with us at the meal. The recipient said: If they are mine, they are all hereby consecrated to Heaven, i.e., the Temple, and are forbidden to everyone. The son said to him in anger: And did I give you my property so that you should consecrate it to Heaven? He, the recipient, said to him: You gave me your property only so that you and your father would eat and drink and thereby appease each other, and the sin of transgressing the vow would be hung on his, i.e., my, head, as I enabled the transgression. The Sages therefore said: Any gift that is not so absolute so that if the recipient were to consecrate the gift it would be consecrated, is not a gift. In other words, in order for it to be a gift, the recipient must have the ability to consecrate it.

6:1 In the case of one who vows that cooked foods are forbidden to him, he is permitted to eat roasted and boiled foods, as they are not defined as cooked. If one said: Cooked food is konam for me, and for that reason I will not taste it, he is prohibited from tasting a loose cooked food but is permitted to taste a thick one, which people do not generally refer to as a cooked food. And he is likewise permitted to eat a turemuta egg and the remutza gourd, as they are not considered cooked foods either.

6:2 In the case of one who vows that food cooked in a dish is forbidden to him, he is prohibited from deriving benefit only from food that is cooked by boiling it in a dish. However, if one said: That which enters into a dish is konam for me, and for that reason I will not taste it, he is prohibited from tasting anything cooked in a dish.

6:3 One who vows that pickled food is forbidden to him is prohibited from eating only pickled vegetables, as that is what people usually mean when referring to pickled food. However, if he says: Pickled food is konam for me, and for that reason I will not taste it, he is prohibited from tasting all pickled foods. Similarly, one who vows that boiled food is forbidden to him is prohibited from eating only boiled meat, as that is the common meaning of the expression boiled food. On the other hand, if he says: Boiled food is konam for me, and for that reason I will not taste it, he is prohibited from eating all boiled foods. One who vows that roasted food is forbidden to him is prohibited from eating only roasted meat; this is the statement of Rabbi Yehuda. However, if one says: Roasted food is konam for me, and for that reason I will not taste it, he is prohibited from eating all roasted foods. One who vows that salted food is forbidden to him is prohibited from eating only salted fish, as that is the common meaning of the expression salted food. If, on the other hand, he says: Salted food is konam for me, and for that reason I will not taste it, he is prohibited from eating all salted foods.

6:4 If one says: Fish or fishes are konam for me, and for that reason I will not taste them, he is prohibited from eating all of them, whether large fish or small, whether salted or unsalted, whether raw or cooked. But he is permitted to taste minced sardines and to taste fish brine, as these are not included in the common meaning of the word fish. One who vows that tzahana, a concoction

of whole and chopped fish, is forbidden to him is prohibited from eating minced sardines as well, but he is permitted to eat fish brine and fish gravy [morays]. One who vows that minced sardines are forbidden to him is prohibited from eating fish brine and from eating fish gravy.

6:5 One who vows that milk is forbidden to him is permitted to partake of whey [kum], the liquid that separates from milk when it is made into cheese. But Rabbi Yosei prohibits him from partaking of whey. If one vows that whey is forbidden to him, he is permitted to partake of milk. Abba Shaul says: One who vows that cheese is forbidden to him is prohibited from eating it whether it is salted or unsalted.

6:6 One who vows that meat is forbidden to him is permitted to eat gravy and sediments of boiled meat [kifa]. But Rabbi Yehuda maintains that he is prohibited from eating them. Rabbi Yehuda said: There was an incident where one took such a vow and Rabbi Tarfon prohibited us from even eggs that were cooked with meat. The Rabbis said to him: Indeed so, but when is this the halakha? When he says: This meat is forbidden to me, referring to a specific piece of meat. This is because in the case of one who vows that an item is forbidden to him, and it becomes mixed into another item, if the latter contains an amount of the forbidden food that gives it flavor, i.e., the forbidden food can be tasted in the permitted food, the mixture is forbidden. However, if one vows that meat in general is forbidden to him, without specifying a particular piece, only the meat itself is forbidden, not the gravy, sediments, or eggs cooked with that meat.

6:7 Likewise, one who vows that wine is forbidden to him is permitted to eat a cooked dish that has the flavor of wine. However, if he said: Wine is konam for me, and for that reason I will not taste it, and the wine fell into a cooked dish, if the dish contains an amount of the wine that gives it flavor, it is forbidden. One who vows that grapes are forbidden to him is permitted to partake of wine. One who vows that olives are forbidden to him is permitted to partake of oil. However, if one said: Olives and grapes are konam for me, and for that reason I will not taste these items, he is prohibited from tasting them and the wine and oil that emerge from them.

6:8 One who vows that dates are forbidden to him is permitted to eat date honey. One who vows that late grapes are forbidden to him is permitted to eat vinegar of late grapes. Rabbi Yehuda ben Beteira says: In the case of any food that the name of its derivative is called after its name, i.e., the liquid that emerges from it bears its name, e.g., date honey or vinegar of late grapes, and one vows that the item itself, e.g., the grape, is forbidden to him, he is also prohibited from consuming the liquid that emerges from it. But the Rabbis permit this.

6:9 One who vows that wine is forbidden to him is permitted to partake of apple wine, i.e., cider, as the unspecified term wine refers only to grape wine. One who vows that oil is forbidden to him is permitted to partake of sesame oil, as the unspecified term oil refers only to olive oil. One who vows that honey is forbidden to him is permitted to eat date honey, as the unspecified term honey refers only to bee honey. One who vows that vinegar is forbidden to him is permitted to partake of vinegar of late grapes, as vinegar is typically made

from wine. One who vows that leeks are forbidden to him is permitted to eat kaflutot, a type of leek. One who vows that vegetables are forbidden to him is permitted to eat wild field vegetables, as this type of vegetable has a modifier and is not referred to by the unspecified term vegetable.

6:10 One who vows that cabbage is forbidden to him is prohibited from eating ispargus, as that is a type of cabbage. However, one who vows that ispargus is forbidden to him is permitted to eat cabbage. One who vows that pounded beans are forbidden to him is prohibited from eating pounded bean stew [mikpa]. However, Rabbi Yosei rules that he is permitted to eat it. One who vows that pounded beans are forbidden to him is prohibited from eating pounded bean stew. However, Rabbi Yosei rules that he is permitted to eat it. One who vows that pounded bean stew is forbidden to him is permitted to eat pounded beans according to all opinions. One who vows that stew is forbidden to him is prohibited from eating the garlic of the stew. However, Rabbi Yosei rules that he is permitted to eat the garlic. One who vows that garlic is forbidden to him is permitted to eat stew. One who vows that lentils are forbidden to him is prohibited from eating ashishim, a dish made from lentils. However, Rabbi Yosei permits it. It is agreed by all opinions that one who vows that ashishim is forbidden to him is permitted to eat lentils. If one says: Hitta, wheat in singular form, or hittim, wheat in plural form, are konam for me, and for that reason I will not taste them, he is prohibited from eating wheat, whether as flour or bread. If one says: Pounded bean or pounded beans are konam for me, and for that reason I will not taste them, he is prohibited from eating them, whether raw or cooked. Rabbi Yehuda says that if one says: Pounded bean or hitta is konam for me, and for that reason I will not taste them, he is permitted to chew them raw, as that is not the normal way to eat them, and therefore was not included in the intention of the vow.

7:1 For one who vows that vegetables are forbidden to him, it is permitted for him to eat gourds, as people typically do not include gourds in the category of vegetables; and Rabbi Akiva prohibits him from eating gourds. The Rabbis said to Rabbi Akiva: But doesn't a person say to his agent: Purchase vegetables for me, and the agent, after failing to find vegetables, returns with gourds and says: I found only gourds? This indicates that gourds are not considered vegetables. Rabbi Akiva said to them: The matter is so, and that proves my opinion; or perhaps, does the agent return and say: I found only legumes? Rather, it is apparent that gourds are included in the category of vegetables, although they differ from other vegetables, and therefore, the agent purchases gourds and explains that he found only gourds. And legumes are not included in the category of vegetables, and that is why the agent dispatched to purchase vegetables would not purchase legumes at all. And for one who vows that vegetables are forbidden to him, it is prohibited to eat the fresh cowpea, which is considered a vegetable, and it is permitted to eat dry cowpea, which is not a vegetable.

7:2 For one who vows that grain [dagan] is forbidden to him, 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 [tevu'a], 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.

7:3 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 [hamila], as these are not in the category of garments. For one who said: Wool is konam for me 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. 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.

7:4 For one who vows that a house is forbidden to him, entry is permitted for him in the upper story of the house; this is the statement of Rabbi Meir. And the Rabbis say: An upper story is included in the house, and therefore, entry is prohibited there as well. However, for one who vows that an upper story is forbidden to him, entry is permitted in the house, as the ground floor is not included in the upper story.

7:5 For one who vows that a bed is forbidden to him, it is permitted to lie in a dargash, which is not commonly called a bed; this is the statement of Rabbi Meir. And the Rabbis say: A dargash is included in the category of a bed. Everyone agrees that for one who vows that a dargash is forbidden to him, it is permitted to lie in a bed. For one who vows that the city is forbidden to him, it is permitted to enter the Shabbat boundary of that city, the two-thousand-cubit area surrounding the city, and it is prohibited to enter its outskirts, the seventy-cubit area adjacent to the city. However, for one who vows that a house is forbidden to him, it is prohibited to enter only from the doorstep and inward.

7:6 For one who says: This produce is konam upon me, or it is konam upon my mouth, or it is konam to my mouth, it is prohibited to partake of the produce, or of its replacements, or of anything that grows from it. If he says: This produce is konam for me, and for that reason I will not eat it, or for that reason I will not taste it, it is permitted for him to partake of its replacements or of anything that grows from it. This applies only with regard

to an item whose seeds cease after it is sown. However, with regard to an item whose seeds do not cease after it is sown, e.g., bulbs, which flower and enter into a foliage period and repeat the process, it is prohibited for him to partake even of the growths of its growths, as the original, prohibited item remains intact.

7:7 For one who says to his wife: Your handicraft is konam upon me, or it is konam upon my mouth, or it is konam to my mouth, it is prohibited to benefit from her handicraft, and from their replacements and anything that grows from them. However, if he said to his wife: Your handicraft is konam for me only in the sense that I will not eat from your handicraft, or that I will not taste from your handicraft, it is permitted for him to benefit from their replacements and anything that grows from them. This applies only with regard to an item whose seeds cease after it is sown. However, with regard to an item whose seeds do not cease after it is sown, it is prohibited for him to benefit even from the growths of their growths.

7:8 If the husband said: From that which you prepare, I will not eat until Passover, or, with that which you prepare, I will not cover myself until Passover, then, if she prepared it before Passover, it is permitted for him to eat or to cover himself with them after Passover. If, however, he said: From that which you prepare until Passover, I will not eat, or from that which you prepare until Passover, I will not cover myself, then, if she prepared it before Passover, it is prohibited for him to eat or cover himself with it after Passover.

7:9 If he said to her: Benefit from me until Passover if you go to your father's house from now until the festival of Sukkot is forbidden for you, and she went to his house before Passover, it is prohibited for her to derive benefit from him until Passover. If she derived benefit from him before Passover and went to visit her father after Passover, she is liable for violating the prohibition of: He shall not profane his word (Numbers 30:3), as the condition was fulfilled and she violated the vow retroactively. If the husband vowed: Benefit from me is konam for you until the Festival if you go to your father's house from now until Passover, then if she went to his house before Passover, it is prohibited for her to derive benefit from him until the Festival, and it is permitted for her to go to her father's house after Passover, as that time period is not included in his stipulation.

8:1 If one vows: Wine is forbidden to me as if it were an offering [konam], and for that reason I will not taste it today, he is prohibited from drinking wine only until the conclusion of that day at nightfall, and not for a twenty-four hour period. If one vows not to drink wine this week, he is prohibited from drinking wine for the entire remainder of the week. And as Shabbat is considered part of the week that passed, i.e., it is the end of the week, he is prohibited from drinking wine on the upcoming Shabbat. If one vows not to drink wine this month, wine is forbidden to him for the entire remainder of the month; and as the New Moon of the following month is considered part of the next month, he is permitted to drink wine on that day. If he vowed not to drink wine this year, he is prohibited from drinking wine for the entire remainder of the year; and as Rosh HaShana is considered to be part of the upcoming year,

not the current one, he is permitted to drink wine on that day. If he vowed not to drink wine during this seven-year Sabbatical cycle, wine is forbidden to him for the entire remainder of the seven-year cycle; and as the Sabbatical Year is considered part of the cycle that passed, he is prohibited from drinking wine during the upcoming Sabbatical Year. All this applies if he said that he would not drink wine on this day or this week, but if he said that wine is forbidden to him for one day, or one week, or one month, or one year, or one seven-year cycle, he is prohibited from drinking wine from the day and time he took the vow to the same time the next day, or week, etc.

8:2 If he takes a vow that wine is forbidden to him until Passover, it is forbidden to him until Passover arrives. If he said: Until it will be Passover, it is forbidden to him until Passover ends, as he may have intended for the vow to apply as long as it was still Passover (Rosh). If he said: Until before Passover, Rabbi Meir says: It is forbidden to him until Passover arrives. Rabbi Yosei says: It is forbidden to him until it ends.

8:3 If one takes a vow that something is forbidden to him until the grain harvest, or until the grape harvest, or until the olive harvest, it is forbidden to him only until the arrival of that season. This is the principle: With regard to any occasion whose time is fixed, and one said: Until it arrives, it is forbidden to him until the specified occasion arrives. If he said: Until it will be, it is forbidden to him until the specified occasion ends. And with regard to any occasion whose time is not fixed, i.e., it does not fall on a precise date, whether he said: Until it will be, or: Until it arrives, it is forbidden to him only until the specified occasion arrives.

8:4 If he said: Until the summer [kayitz], or: Until it will be summer, the vow remains in effect until the people begin to bring fruit into their houses in baskets. If he said: Until the summer has passed, the vow remains in effect until the people set aside [yakpilu] the knives [hamaktzuot] with which the figs are cut after being harvested, and return them to their place of storage. If one takes a vow until the harvest, the vow remains in effect until people begin to harvest. This is referring to the wheat harvest but not the barley harvest. As for the exact date of this event, all is determined according to the place where he took his vow. If he was on a mountain, it is assumed that he referred to the time of the harvest on the mountain, and if he was in a valley, it is assumed that he meant the time of the harvest in the valley.

8:5 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. Rabban Shimon ben Gamliel says: Until the time of the second rainfall arrives, even if rain does not fall. If one takes a vow until the rains end, 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. 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, if the year was extended, i.e., it was declared to be a leap year, he is prohibited from drinking wine during the year and its intercalated month. If he vowed until the beginning of the month of Adar, 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, the vow remains in effect until the end of the

first Adar. 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, it is understood that this individual intended for his vow to apply only until the night of Passover, 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.

8:6 Similarly, if he said: Meat is konam for me, and for that reason I will not taste it until it will be the fast 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 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.

8:7 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 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. 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 one kor of wheat and two barrels of wine, Rabbi Meir says: It is prohibited 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, 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, 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).

9:1 Rabbi Eliezer says: When halakhic authorities are approached with regard to

the dissolution of a vow, they may broach dissolution with a person who took a vow by raising the issue of how taking the vow ultimately degraded the honor of his father and mother, asking him the following: Had you known that your parents would experience public shame due to your lax attitude toward your vow, would you still have taken the vow? But the Rabbis disagree with Rabbi Eliezer and prohibit broaching dissolution of a vow with this particular question. To support the opinion of the Rabbis, Rabbi Tzadok said: Instead of broaching dissolution with him by raising the issue of the honor of his father and mother, let them broach dissolution with him by raising the issue of the honor of the Omnipresent. They should point out that a vow taken in the name of God lessens the honor of God, so they could ask him: If you had known that your vow would diminish the honor of God, would you have taken your vow? And if so, if this is a valid method of broaching dissolution, there are no vows.

Nevertheless, the Rabbis concede to Rabbi Eliezer with regard to a vow concerning a matter that is between him and his father and mother, that they may broach dissolution with him by raising the issue of the honor of his father and mother, as in this case the extenuation is connected to this particular vow.

9:2 And Rabbi Eliezer further said: They may broach dissolution by asking about a new situation, but the Rabbis prohibit it. How might they broach dissolution by asking about a new situation? If one said: It is forbidden to me like an offering [konam] that I will therefore not derive benefit from so-and-so, and that person later became a scribe [sofer], and the one who took the vow now requires his services, or if the one forbidden by the vow was marrying off his son and prepared a feast for all the residents of his town, and the one that had taken the vow said: Had I known that he would become a scribe, or that he would be marrying off his son in the near future, I would not have vowed. The mishna cites another example of a new situation. If one said: Entering this house is konam for me, and that house became a synagogue, and he said: Had I known that it would become a synagogue, I would not have vowed, in this and all such cases Rabbi Eliezer permits the halakhic authority to use this as a basis for the dissolution of the vow, and the Rabbis prohibit it.

9:3 As a continuation of the opinion of the Rabbis in the previous mishna that they may not broach dissolution of a vow based on a new situation, Rabbi Meir says: There are matters that are, at first glance, like a new situation but are not in fact like a new situation, and the Rabbis do not concede to him. How so? For example, one said: Marrying so-and-so is konam for me, as her father is evil, and they told him that her father died, or that he repented. Or he said: Entering this house is konam for me, as there is a bad dog inside it, or a snake inside it, and they told him that the dog died, or that the snake was killed. This is at first glance perceived like a new situation, and yet it is not in fact like a new situation, and this claim may be used to broach dissolution. But the Rabbis do not concede to him.

9:4 And Rabbi Meir further said: The halakhic authorities may broach dissolution with him from that which is written in the Torah, and they may say to him: Had you known that through your vow you are transgressing the prohibition “you shall not take vengeance” (Leviticus 19:18) and the

prohibition “nor bear any grudge” (Leviticus 19:18), and the prohibition “you shall not hate your brother in your heart” (Leviticus 19:17), and “you shall love your neighbor as yourself” (Leviticus 19:18), as well as “and your brother should live with you” (Leviticus 25:36), as he, the one prohibited by the vow, is poor and now you are not able to provide him with a livelihood due to your vow, would you have vowed in that case? If he said in reply: Had I known that it is so, that my vow involved all these prohibitions, I would not have vowed; it is dissolved.

9:5 The halakhic authorities may broach dissolution with a man by raising the issue of his wife’s marriage contract. If one takes a vow that would require him to divorce his wife, e.g., he prohibits her from deriving benefit from him, his vow may be dissolved by asking him whether he had considered how difficult it would be to pay her marriage contract. The mishna relates: And an incident occurred with regard to one who vowed against his wife deriving benefit from him, and her marriage contract was worth four hundred dinars. And he came before Rabbi Akiva, and he obligated him to give her the payment of her marriage contract. He said to Rabbi Akiva: My teacher, my father left eight hundred dinars as our inheritance, of which my brother took four hundred and I took four hundred. Isn’t it enough for my wife to take two hundred and I will have two hundred? Rabbi Akiva said to him: Your claim is not accepted, as even if you sell the hair on your head, you must give her the full payment of her marriage contract. He said to him: Had I known that it was so, that I would have to give her all my property, I would not have vowed. And Rabbi Akiva permitted her to derive benefit from him.

9:6 If one vowed that certain food or drink or all food and drink be forbidden to him, the halakhic authorities may broach dissolution by raising the issue of Festivals and Shabbatot. They ask him whether he realized at the time he stated his vow that he would have to uphold it on these festive days as well. At first they said that on those days that he did not intend to include in his vow, that item is permitted, but on all the rest of the days, food and drink are still forbidden by his vow, until Rabbi Akiva came and taught that a vow that is partially dissolved is dissolved entirely.

9:7 How so? In the case of one who said to a group of people: I will not benefit from all of you as it is konam for me, if benefit from one of them was permitted for whatever reason, benefit from all of them is permitted. However, if one said: I will not benefit from this one and from that one as it is konam for me, then if benefit from the first one was permitted for whatever reason, benefit from all of them is permitted. But if benefit from the last one was permitted, benefit from the last one alone is permitted, but benefit from all the others is forbidden, as the benefit from each is considered to have been prohibited by a separate vow. If benefit from the middle one was permitted, then from him and below, i.e., all those enumerated after him, benefit is permitted; from him and above, i.e., those listed before him, benefit is forbidden. The mishna gives another example of interconnected vows: If one stated: I will not benefit from this one, as if he were an offering, and from that one, as if he were an offering, then an extenuation enabling the dissolution of a vow is required for each and every one, as they have the

status of separate vows.

9:8 The mishna gives another example of a vow that was partially dissolved. If one stated in a vow: Wine is konam for me and I will not taste it, as wine is bad for the intestines, and they said to him: But aged wine is good for the intestines, then the vow is dissolved with regard to aged wine. And not only with regard to aged wine is it dissolved, but with regard to all types of wine, since a vow that has been partially dissolved is entirely dissolved. Likewise, if one stated in a vow: Onions are konam for me and I will not taste them, as onions are bad for the heart, and they said to him: But the kuferi onion is good for the heart, then, in this case too, it is dissolved with regard to kuferi onions, and not only with regard to kuferi onions is it dissolved, but with regard to all types of onions. The mishna relates that an incident of this kind occurred, and Rabbi Meir dissolved the vow with regard to all types of onions.

9:9 The halakhic authorities may broach dissolution for a person by raising the issue of his own honor and the honor of his children. For example, if he took a vow that resulted in his needing to divorce his wife, they may say to him: Had you known that tomorrow people will say about you: This is the habit [veset] of so-and-so, that he divorces his wives due to vows, and they will say about your daughters: They are daughters of divorce, or they will ask: What did their mother see to divorce, thereby giving them a bad reputation. And if the man who vowed said: Had I known it was so, I would not have vowed, it is dissolved.

9:10 The mishna continues: If a man said: Marrying ugly so-and-so is konam for me, and she is in fact beautiful, or if, in vowing not to marry her, he called her black, and she is in fact white, or if, in vowing not to marry her, he called her short, and she is in fact tall, he is permitted to her. Not because she was ugly and became beautiful, black and became white, or short and became tall, but rather, because the vow was mistaken from the outset. The Gemara relates: And an incident occurred with regard to one who vowed against deriving benefit from the daughter of his sister, as he did not wish to marry her. And they brought her into the house of Rabbi Yishmael and he beautified her. When she was later brought before the one who took the vow, Rabbi Yishmael said to him: My son, did you vow that you would not derive benefit from this woman? He said to him: No, and Rabbi Yishmael permitted her to him, as he demonstrated that the vow had been made in error. At that time Rabbi Yishmael wept and said: The daughters of Israel are beautiful, but poverty makes them ugly. And when Rabbi Yishmael died, the daughters of Israel raised a lamentation, saying: Daughters of Israel, weep for Rabbi Yishmael. And it likewise states about Saul, who also concerned himself with the welfare of the daughters of Israel: “Daughters of Israel, weep over Saul, who clothed you in scarlet with other delights, who put ornaments of gold upon your apparel” (II Samuel 1:24).

10:1 With regard to a betrothed young woman, her father and her husband together nullify her vows. If the father nullified her vow and the husband did not nullify it, or if the husband nullified it and the father did not nullify it, then the vow is not nullified. And needless to say, it is not nullified if one of them ratified the vow.

10:2 If the father of a betrothed young woman dies, his authority does not

revert to the husband, and the husband cannot nullify the young woman's vows by himself. However, if the husband dies, his authority reverts to the father, who can now nullify her vows on his own. In this matter, the power of the father is enhanced relative to the power of the husband. In another matter, the power of the husband is enhanced relative to the power of the father, as the husband nullifies vows during the woman's adulthood, once they are fully married, whereas the father does not nullify her vows during her adulthood.

10:3 If she took a vow as a betrothed woman and then was divorced on the same day, and she was again betrothed on the same day to another man, or even to one hundred men, one after the other, on a single day, her father and her last husband nullify her vows. This is the principle: With regard to any young woman who has not left her father's jurisdiction and entered into her own jurisdiction for at least one moment, through full marriage or reaching majority, her father and her final husband nullify her vows.

10:4 The practice of Torah scholars is to ensure that a woman about to be married should not be encumbered by any vows. A father, before his daughter would leave him through marriage, would say to her: All vows that you vowed in my house are hereby nullified. And similarly, the husband, before she would enter his jurisdiction, i.e., while they were still betrothed, would say to her: All vows that you vowed before you entered my jurisdiction are hereby nullified. This was necessary because once she enters his jurisdiction he cannot nullify the vows she made before that.

10:5 With regard to a grown woman who waited twelve months after her betrothal and the time arrived for her betrothed to marry her, or a widow who waited thirty days and the time arrived for her betrothed to marry her, Rabbi Eliezer says: Since her husband is already obligated to provide for her sustenance, as he is obligated to have married her by then, he can nullify her vows by himself, as if he were fully married to her. But the Rabbis say: The husband does not nullify her vows on his own until she enters his jurisdiction.

10:6 With regard to a widow waiting for her yavam to perform levirate marriage, whether she is waiting for one yavam, if her late husband had only one brother, or whether she is waiting for two or more yevamin, if he had several brothers, Rabbi Eliezer says: A yavam can nullify her vows. Rabbi Yehoshua says: If she is waiting for one yavam, he can nullify her vows, but not if she is waiting for two. Rabbi Akiva says: A yavam cannot nullify her vows, regardless of whether she is waiting for one yavam or for two or more. The mishna then elaborates: Rabbi Eliezer said: Just as with regard to a woman he acquired for himself through betrothal, he nullifies her vows, so too with regard to a woman acquired for him from Heaven, i.e., the yevama, isn't it logical that he should be able to nullify her vows? Rabbi Akiva said to him: No, if you say that a husband can nullify the vows of a woman he acquired for himself, over whom others have no authority, shall you also say that this is the case with regard to a woman acquired for him from Heaven, over whom others have authority? If there are two yevamin, each yavam has equal authority with regard to her vows. Rabbi Yehoshua said to him: Akiva, your statement applies in a situation with two yevamin, but how do you reply to Rabbi Eliezer in the case of one yavam? Rabbi Akiva said to him: A yevama is not the full-fledged wife of

the yavam in the way that a betrothed woman is her husband's full-fledged wife, and the yavam is not empowered to nullify vows at all.

10:7 One who says to his wife: All vows that you will vow from now until I arrive from such and such a place are hereby ratified, has not said anything, i.e., the vows are not ratified. However, if he states that all vows that she will take until then are hereby nullified, Rabbi Eliezer said: They are nullified, while the Rabbis say: They are not nullified. Rabbi Eliezer said in explanation: If one can nullify vows that have reached the status of a prohibition, i.e., that have already taken effect, shall he not be able to nullify vows that have not reached the status of a prohibition? The Rabbis said to him in response: The verse states: "Every vow, and every binding oath to afflict the soul, her husband may ratify it, or her husband may nullify it" (Numbers 30:14). This teaches: That which has reached the status of eligibility for ratification, i.e., a vow that she has already taken, has reached the status of eligibility for nullification. However, a vow that has not reached the status of eligibility for ratification has not reached the status of eligibility for nullification either, and it cannot be nullified.

10:8 The nullification of vows can be performed all day on the day on which the vow was heard. There is in this matter both a leniency, extending the nullification period, and a stricture, curtailing that period. How so? If a woman took a vow on Shabbat evening, her father or husband can nullify the vow on Shabbat evening, and on Shabbat day until dark. This is an example of extending the nullification period. However, if she took a vow with nightfall approaching, her father or husband can nullify the vow only until nightfall, since, if it became dark and he had not yet nullified her vow, he cannot nullify it anymore. This is an example of a curtailed nullification period.

11:1 And these are the vows that he, the husband or father, can nullify: The first category consists of matters that involve affliction for the woman who took the vow. For example, if a woman vowed: If I bathe, or: If I do not bathe; if she vowed: If I adorn myself [etkashet], or: If I do not adorn myself. Rabbi Yosei said: These are not vows of affliction.

11:2 Rather, these are vows of affliction: For example, if she said: The produce of the entire world is konam for me as if it were an offering, he can nullify the vow, as it certainly involves affliction. If, however, she said: The produce of this country is konam for me, he cannot nullify the vow, as it does not involve affliction, since he may still bring her produce from another country. Similarly, if she said: The produce of this storekeeper is konam for me, he cannot nullify her vow, as he may still bring her produce from another storekeeper. But if he can obtain his sustenance only from him, that particular storekeeper, he can nullify the vow. This is the statement of Rabbi Yosei.

11:3 If a woman vowed: The property of other people is konam for me, and for that reason I will not benefit from it, her husband cannot nullify her vow, but nevertheless, if she is poor, she may benefit from the agricultural gifts that must be left for the poor: Gleanings, i.e., isolated stalks that fell during the harvest; forgotten sheaves; and produce of the corners [pe'a] of the field that the owner is obligated to leave for the poor. Enjoyment of these gifts is not considered as benefit derived from people, as these gifts are not

given voluntarily out of the kindness of the donors, but in the performance of a mitzva. If one said: I will not let priests and Levites benefit from me, as that is konam for me, they can take the priestly and Levitical gifts from him against his will. If, however, he said: I will not let these specific priests and these specific Levites benefit from me, as that is konam for me, they are taken by others.

11:4 If a woman said: I will not produce anything for my father, as that is konam for me, or: For your father, or: For my brother, or: For your brother, her husband cannot nullify such vows, as they do not fall under the category of vows that adversely affect the relationship between him and her. By contrast, if she said: I will not produce anything for you, including the work that she is obligated to do for him according to the terms of her marriage contract, as that is konam for me, her husband need not nullify the vow at all. It is automatically void, since she is obligated to perform those tasks. Rabbi Akiva says: He should nevertheless nullify the vow, as perhaps she will exceed the required amount of work and do more for him than is fitting for him to receive. If she does more than the fixed amount of work that a woman is obligated to perform for her husband, the vow will be valid with respect to the excess to which he is not entitled, and he might inadvertently come to benefit from something that is forbidden to him. Rabbi Yohanan ben Nuri also says that he should nullify the vow, but for a different reason: Perhaps he will one day divorce her, at which point the vow will take effect and she will then be forbidden to him forever, i.e., he will be unable to remarry her, lest he come to benefit from her labor.

11:5 If a man's wife took a vow and he thought that it was his daughter who had taken a vow, or if his daughter took a vow and he thought that it was his wife who had taken a vow, or if his wife vowed to be a nazirite and he thought that she had vowed to bring an offering, or if she vowed to bring an offering and he thought that she had vowed to be a nazirite, or if she took a vow that figs are forbidden to her and he thought that she had taken a vow that grapes are forbidden to her, or if she took a vow that grapes are forbidden to her and he thought that she had taken a vow that figs are forbidden to her, and he nullified any of these vows, in each case, when he realizes his error with regard to the vow, he must repeat the action and nullify the vow a second time.

11:6 If a woman said: Tasting these figs and grapes is konam for me, and her husband upheld her vow with regard to figs, the entire vow is upheld, but if he nullified it with regard to figs it is not nullified until he also nullifies the vow with regard to grapes. If she said: Tasting a fig and tasting a grape are konam for me, these are viewed as two separate vows; if the husband upholds one of the vows it has no effect on the other one.

11:7 If a man's wife or daughter took a vow and he failed to nullify the vow on the day he heard it, but afterward he said: I know that there are vows, but I don't know that there are those who can nullify them, i.e., he was unaware of the possibility of nullifying vows, he can nullify the vow of his wife or his daughter on the day he learned that he can nullify vows. If, however, he said: I know there are those who can nullify vows, but I refrained from nullifying the vow that I heard because I do not know that this is considered a

vow, Rabbi Meir says he cannot nullify the vow at this point, but the Rabbis say that even in this case he can nullify the vow on the day that he learned of his mistake.

11:8 With regard to one who vows that benefit from him is forbidden to his son-in-law, but he nevertheless wishes to give his daughter, i.e., the wife of that same son-in-law, money, then, though he cannot do so directly, as anything acquired by a woman belongs to her husband, he should say to her: This money is hereby given to you as a gift, provided that your husband has no rights to it, but the gift includes only that which you pick up and place in your mouth.

11:9 The Torah states: “But every vow of a widow, and of her that is divorced, with which she has bound her soul, shall stand against her” (Numbers 30:10). How so? If a widow or divorced woman said: I am hereby a nazirite after thirty days, then even if she was married within thirty days, her new husband cannot nullify her vow. If she took a vow while she was under the jurisdiction of her husband, he can nullify the vow for her. How so? If she said when she was still married: I am hereby a nazirite for after thirty days, and her husband nullified the vow, then even if she was widowed or divorced within the thirty-day period, the vow is nullified. If she took a vow on that, i.e., one, day and was divorced on that same day, then even if her husband took her back as his wife on that same day, he cannot nullify her previous vows. This is the principle: Once she has left and gone into her own jurisdiction for even a single hour, then after they are remarried her husband can no longer nullify any vow she uttered during their first marriage.

11:10 There are nine young women whose vows are upheld and cannot be nullified: If she took a vow when she was a grown woman and she is an orphan; if she took a vow when she was a young woman, and has reached her majority, and she is an orphan; if she took a vow when she was a young woman who had not yet reached her majority, and she is an orphan; if she took a vow when she was a grown woman and her father died; if she took a vow when she was a young woman, and she became a grown woman, and her father died; if she took a vow when she was a young woman who had not reached her majority, and her father died; if she took a vow when she was a young woman, and her father died, and after her father died she reached her majority; if she took a vow when she was a grown woman and her father is still alive; and if she took a vow when she was a young woman, and she became a grown woman, and her father is still alive. Rabbi Yehuda says: With regard to even one who married off his minor daughter, and she was widowed or divorced and she returned to him, and according to her age she still is in the category of a young woman, her vows cannot be nullified.

11:11 If a woman said to her husband: Deriving benefit from my father or from your father is konam for me if I will prepare anything for you; or if she said: Deriving benefit from you is konam for me if I will prepare anything for my father or for your father, the husband can nullify this vow.

11:12 Initially the Sages would say that three women are divorced even against their husbands' will, and nevertheless they receive payment of what is due to them according to their marriage contract. The first is the wife of a priest who says to her husband: I am defiled to you, i.e., she claims that she had been raped, so that she is now forbidden to her husband. The second is a woman

who says to her husband: Heaven is between me and you, i.e., she declares that he is impotent, a claim she cannot prove, as the truth of it is known only to God. And the third is a woman who takes a vow, stating: I am removed from the Jews, i.e., benefit from sexual intercourse with any Jew, including my husband, is forbidden to me. They subsequently retracted their words and said that in order that a married woman should not cast her eyes on another man and to that end ruin her relationship with her husband and still receive payment of her marriage contract, these halakhot were modified as follows: A priest's wife who says to her husband: I am defiled to you, must bring proof for her words that she was raped. As for a woman who says: Heaven is between me and you, the court must act and deal with the matter by way of a request, rather than force the husband to divorce his wife. And with regard to a woman who says: I am removed from the Jews, her husband must nullify his part, i.e., the aspect of the vow that concerns him, so that she should be permitted to him, and she may engage in sexual intercourse with him, but she is removed from all other Jews, so that if he divorces her she is forbidden to all.

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