

## VII.

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### BAVLI NEDARIM CHAPTER SEVEN

### FOLIOS 54A-60A

#### 7:1

- A. [54A] He who vows not to eat vegetables is permitted to eat gourds.
- B. And R. Aqiba prohibits [him from eating gourds].
- C. They said to R. Aqiba, “And does not a man say to his messenger, ‘Buy me vegetables,’ to which the other replies [upon his return home] ‘I found only gourds’?”
- D. He said to them, “And that is just how things are! But would he say to him, ‘I found only pulse’?”
- E. “But gourds are in the general category of vegetables, while pulse is not in the general category of vegetables.”
- F. And [if he vowed not to eat vegetables] he is prohibited from eating Egyptian beans when they are fresh, but he is permitted to eat them when they are dried.

#### I.1

- A. He who vows not to eat vegetables is permitted to eat gourds:
- B. But lo, he has taken a vow not to eat vegetables!
- C. Said Ulla, “We deal with a case in which he says, ‘Vegetables of the pot are forbidden to me’” [gourds are boiled in pots, so they are covered by the vow, so far as Aqiba is concerned (Freedman)].
- D. *But maybe the sense of what he said was*, “Vegetables that are eaten with food cooked in a pot”?

E. It is a case in which he says, “Vegetables that are cooked in a pot are forbidden to me.”

F. *Then what is at issue between the contending authorities?*

G. *Rabbis take the view that anything about which an agent [sent to buy a given vegetable] has to make inquiries is not of the same species [as the vegetable under discussion], and R. Aqiba maintains that anything about which an agent [sent to buy a given vegetable] has to make inquiries is of the same species [as the vegetable under discussion].*

H. Said Abbaye, “R. Aqiba concedes that, so far as a penalty, one is not flogged” [if he eats what is forbidden in this case; it is not to be taken as certain that these are classified as vegetables (Freedman)].

I. *There we have learned in the Mishnah: [The agent who carried out his errand and thereby inadvertently committed an act of sacrilege – the householder who appointed the agent is responsible and has committed the act of sacrilege. If the agent did not carry out his errand in committing an act of sacrilege, the agent is responsible and inadvertently has committed the act of sacrilege] [M. Me. 6:1A-J]. Now who is the authority behind this unattributed rule? It cannot accord with R. Aqiba, for we have learned in the Mishnah: How so? [If] he said to him, “Give out meat to the guests,” but he gave them liver, “Liver,” and he gave them meat – the agent has committed the act of sacrilege. [If] he said to them, “Give them one piece each,” and he [the agent] said, “Take two each,” but they took three each, all of them are guilty of committing an act of sacrilege. [If] he said to him, “Bring [such and such a thing] from the window,” or, “from the chest,” and he brought it to him, even though the householder said, “I meant only from here,” and he brought it from there, the householder has committed the act of sacrilege. But if he said to him, “Bring it to me from the window,” and he brought it from the chest, or “from the chest,” and he brought it from the window, the agent has committed the act of sacrilege [M. Me. 6:1E-R]. But if it were R. Aqiba, lo, R. Aqiba has said that anything about which an agent [sent to buy a given vegetable] has to make inquiries is of the same species [as the vegetable under discussion]. So in that case, the household*

*should be responsible for having committed sacrilege, but the agent should not be responsible for having committed sacrilege!*

J. *Said Abbayye, “You may even say that it represents the position of R. Aqiba. [54B] Doesn’t R. Aqiba concede that [even though he regards it as of the same species] the agent has to consult the householder?”* [Freedman: He agrees that a servant would not take meat when ordered to get liver without further instructions; so his action is regarded as his own.]

K. *When this discussion was stated before Raba, he said, “Nahmani spoke well [that is, Abbayye].”*

L. *Who is the Tannaite authority who differs from R. Aqiba?*

M. *It is Rabban Simeon b. Gamaliel, for it has been taught on Tannaite authority:*

N. *He who takes a vow against eating meat is forbidden to eat all kinds of meat, and he is forbidden to eat the head, feet, windpipe, liver, heart, and fowl; but is permitted to eat the meat of fish and locusts. Rabban Simeon b. Gamaliel says, “He who takes a vow against eating meat is forbidden to eat all kinds of meat, but he is permitted to eat the head, feet, windpipe, liver, heart, and fowl, and, it goes without saying, the meat of fish and locusts.”* [Freedman: Thus he maintains that the liver is not included in meat and differs from Aqiba.] *And so did Rabban Samuel b. Gamaliel say, “The organs are not classified as meat, and he who eats them is not classified as a human being.”*

O. *What’s the point of that last clause [and he who eats them is not classified as a human being]?*

P. *He who eats them as meat is not classified as a human being so far as buying them* [since it is not rational to treat the organ meat as equivalent in value to other meat (Freedman)].

Q. *And so far as the initial Tannaite authority is concerned, how come fowl is regarded as forbidden?*

R. *It is because it is the sort of thing that the agent is going to have to ask about.*

S. *Well, then, meat of fish also is the sort of thing that the agent is going to have to ask about. For if he can’t find any*

*meat, he's going to ask the master, saying, "So if I can't get meat, should I get fish?" That, too, should be forbidden.*

*T. Said Abbayye, "It would involve a case in which he had been bled just prior to the vow, so he couldn't eat fish either."*

*U. Then he shouldn't be able to eat chicken either, for said Samuel, "If someone is bled and then eats chicken, his heart will beat like a chicken's."*

*V. And it has been taught on Tannaite authority: After being bled, one is not to eat milk, cheese, eggs, cress, chicken, or pickled meat.*

*W. Chicken is exceptional, since it can be eaten in such a situation after it has been boiled a lot.*

*X. Abbayye said, "It would involve a case in which someone has sore eyes, since fish is bad for the eyes."*

*Y. If so, then he should eat fish, for lo, said Samuel, "Fish, is a healing for the eyes."*

*Z. That's true at the end of the illness.*

## 7:2

- A. [55A] "He who vows not to eat grain is forbidden to eat dried Egyptian beans," the words of R. Meir.
- B. And sages say, "He is prohibited only from eating the five varieties [wheat, barley, spelt, goat grass, and oats]."
- C. R. Meir says, "He who vows not to eat [field] produce is forbidden only to eat the five varieties.
- D. "But he who vows not to eat grain is prohibited from eating all kinds of grain."
- E. But he is permitted to eat fruit of trees and vegetables.

- I.1** A. [He who vows not to eat grain is forbidden to eat dried Egyptian beans:] *Is that to say that "grain" covers everything that is heaped up [which would explain why Meir includes Egyptian beans in that category]?*
- B. *Objected R. Joseph, "'And as soon as the commandment was circulated the children of Israel brought in abundance the first fruits of grain, wine, oil, and honey and of all the increase of the field and the tithe of all things brought they in abundantly' (2Ch. 31: 5). [Freedman: The emphasis on the abundance means they brought more than required by the law of tithing.] Now, if you*

*maintain that “grain” covers everything that is heaped up, then what is the sense of And as soon as the commandment was circulated the children of Israel brought in abundance?” [Freedman: Since they were obliged to tithe grain and grain includes all things that can be heaped up, what did they add to the requirement?]*

C. *Said Abbaye, “It covers fruit of trees and vegetables.”*

**II.1** A. **R. Meir says, “He who vows not to eat [field] produce is forbidden only to eat the five varieties. But he who vows not to eat grain is prohibited from eating all kinds of grain.” But he is permitted to eat fruit of trees and vegetables:**

B. *Said R. Yohanan, “All concur that he who takes an oath against eating produce is forbidden to eat only the five species.”*

C. *So, too, it has been taught on Tannaite authority: They are unanimous that he who takes an oath against eating produce is forbidden to eat only the five species.*

D. *Well, anyhow, that’s pretty obvious!*

E. *What might you otherwise have supposed? Encompassed under the language “produce” is everything? So we are informed that it bears the implication only of the established five species.*

F. *Objected R. Joseph, “And as soon as the commandment was circulated the children of Israel brought in abundance the first fruits of grain, wine, oil, and honey and of all the increase of the field and the tithe of all things brought they in abundantly’ (2Ch. 31: 5). [Freedman: The emphasis on the abundance means they brought more than required by the law of tithing.] Now, if you maintain that “grain” covers everything that is heaped up, then what is the sense of And as soon as the commandment was circulated the children of Israel brought in abundance?” [Freedman: Since they were obliged to tithe grain and grain includes all things that can be heaped up, what did they add to the requirement?]*

G. *Said Raba, “We treat as distinct a reference to produce in general and produce of the field.” [Produce by itself refers to the five species alone; the other, to everything that comes from the field (Freedman).]*

**II.2** A. *The son of Mar Samuel gave orders to give to Raba thirteen thousand zuz’s worth of grain, using the Aramaic word*

*allalta, deriving from Nehar Pania. Raba sent word to R. Joseph, "What's allalta?"*

*B. Said R. Joseph, "It is clarified in a Tannaite statement: They are unanimous that he who takes an oath against eating produce is forbidden to eat only the five species."*

*C. Said to him, "Are these usages really comparable? The Hebrew word, produce, used there, speaks only of the five species, whereas the Aramaic word allalta covers everything."*

*D. They reported this back to Raba. He said, "Yeah, but I never had any problem with the word allalta, which I know covers everything. What was bothering me is this: As to the rent paid for houses or for ships, what is the rule? Do we say, since they depreciate, they are not covered in the word allalta, or, since the depreciation is not readily discerned, they, too, are covered by the term allalta?"*

*E. Rabbis stated this before R. Joseph. He said, "Well, then, if he didn't need our help, why in the world did he send word to us anyhow!?"*

*F. R. Joseph was outraged. Raba heard and came to him on the eve of the Day of Atonement. He found his attendant mixing a cup of wine before him. He said to him, "Give it to me to mix for him." He gave it to him and he mixed the cup of wine for him.*

*G. When he was drinking it, he said, "This mixture is like the kind that Raba b. R. Joseph bar Hama makes."*

*H. He said to him, "That's him."*

*I. He said to him, "Don't sit down until you've told me the explanation of this matter, namely, the verse of Scripture, 'And from the wilderness, Mattanah and from Mattanah Nahaliel and from Nahaliel Bamot' (Num. 31:19-20)."*

*J. He said to him, "If someone treats himself as an utter wasteland, available to everyone, the Torah is given to him as a gift, as it is said, 'And from the wilderness, Mattanah [a gift],' and once it is given to him as a gift, God gives it to him as an inheritance, in line with the language, 'and from Mattanah Nahaliel.' And when God gives it to him as an inheritance, he*

ascends to the heights: ‘and from Nahaliel Bamot.’ But if he exalts himself, the Holy One, blessed be He, throws him down: ‘And from Bamot, the valley.’ And he is made to sink into the earth: ‘Which is pressed down into the desolate soil.’ But if he repents, the Holy One, blessed be He, raises him up: [55B] ‘Every valley shall be exalted’ (Isa. 40: 4).”

- II.3** A. *It has been taught on Tannaite authority:*
- B. **He who takes a vow not to eat grain is forbidden to eat Egyptian bean when it is dry, but permitted to eat it when green, and he is permitted to eat rice, coarse meal, pulse porridge, and pearl barley [T. Ned. 4:3F-G].**
- C. **He who vows not to eat the produce of a given year is prohibited from eating all of the produce of that year, but is permitted to eat the meat of goats, lambs, milk, eggs, and fledglings of that year. But if he vowed, “Whatever grows of this year is forbidden to me,” all of them are forbidden.**
- D. **He who vows not to eat the fruits of the earth is forbidden to eat all the fruits of the earth but permitted to eat mushrooms and truffles. But if he vowed, “that which grows from the earth is forbidden to me,” all of them are forbidden to him [T. Ned. 4:1C-D].**
- E. *By way of contradiction: And over something that does not grow from the ground one says, “By whose word all things come into being” [M. Ber. 6:3A]. And it is taught on Tannaite authority: For salt, brine, morels, and truffles, one says, “By whose word.”*
- F. *Said Abbayye, “They grow out of the earth but they are sustained from the air, not the earth.”*
- G. *But the Tannaite authority states: And over something that does not grow from the ground!*
- H. *Repeat it as: For that which does not draw its nourishment from the earth.*

### 7:3

- A. **He who vows not to wear clothing is permitted to wear sacking, curtains, or hangings.**
- B. **[If] he said, “Qonam if wool touches me,” he is permitted to wear wool shearings.**

- C. [If he said, “Qonam if] flax touches me,” he is permitted to wear stalks of flax.
- D. R. Judah says, “All depends upon the one who makes the vow:
- E. “[If] he was bearing a burden and was sweating and breathing heavily [and] said, ‘Qonam if wool and flax touch me,’ he is permitted to wear them as clothing but prohibited to throw them over onto his back [as a bundle].”

**I.1** A. *It has been taught on Tannaite authority:*

- B. **He who vows not to wear clothing is permitted to wear sack cloth, curtains, and blankets, but is forbidden to wear a belt, a fascia, a scortea, a leather spread, shoes, knee pants, pants, or a hat [T. Ned. 4:3H-I].**

C. *What is a scortea?*

D. Said Rabbah bar R. Hana, “A leather coat.”

**I.2** A. *It has been taught on Tannaite authority:*

- B. **On the Sabbath one may go out into the public domain wearing a thick sack cloth, coarse blanket, curtain, blanket wrap, to keep off the rain; but not a box, basket, or matting to keep off the rain.**
- C. **Shepherds go out with sacks, not only shepherds but everybody, but sages referred to what is commonplace [T. Shab. 5:14].**

**II.1** A. **R. Judah says, “All depends upon the one who makes the vow: [If] he was bearing a burden and was sweating and breathing heavily [and] said, ‘Qonam if wool and flax touch me,’ he is permitted to wear them as clothing but prohibited to throw them over onto his back [as a bundle]”:**

B. *It has been taught on Tannaite authority:*

C. **How is it so that all depends upon the one who makes the vow?**

D. **If he was wearing wool and was irritated by it and vowed, “Qonam be wool that touches me,” he is forbidden to wear it but permitted to carry it.**

E. **If he is carrying flax and sweating on its account and said, “Qonam be flax that touches me,” he may wear it but may not carry it [T. Ned. 4:4A-C].**

## 7:4

A. [56A] **“He who vows not to enter a house is permitted to enter the upper room,” the words of R. Meir.**



**B. And sages say, “The upper room is covered by the category of the house [and he is prohibited from entering it].”**

**C. He who vows not to enter the upper room is permitted to enter the house.**

**I.1**

A. *Who is the Tannaite authority behind the formulation: “‘And I put the plague of leprosy in a house’ (Lev. 14:34) to encompass the side chambers, ‘in a house,’ to encompass the upper story”?*

B. *Said R. Hisda, “It is R. Meir, for were it the view of rabbis, have rabbis not maintained that the upper room is encompassed by reference to the house? So why should I require a verse of Scripture, along the lines of, ‘in a house,’ to encompass the upper story”? [From rabbis’ perspective, such a proof is not required.]*

C. *Abbayye said, “You may even maintain that the passage speaks for rabbis, who do require a verse of Scripture. For it might have entered your mind to suppose that, since Scripture says, ‘in a house of the land of your possession’ (Lev. 14:34), the sense is, what is attached to the land falls into the classification of a house, but as to the upper room, since it is not attached to the land, it is not classified as a house. [So a verse of Scripture is required to dismiss that possibility.]”*

D. *In accord with what authority is that which R. Huna bar Hiyya said in the name of Ulla, “‘He who says to his fellow, ‘I sell you a room [lit.: house] among my rooms [lit.: houses]’ may show him an upper room”? The operative consideration is that he has used the language, “I sell you a room [lit.: house] among my rooms [lit.: houses]” – but if he had said, “house,” without further specification, then, he may not show him an upper room. May one therefore say that it must stand for the view of R. Meir?*

E. *You may even say it stands for the principle of rabbis. What is the meaning of “upper room”? It means, the best of his houses or rooms.*

### **7:5A-C**

**A. “He who vows not to use a bed is permitted to use a couch,” the words of R. Meir.**

**B. And sages say, “A couch is covered by the category of the bed [and he is prohibited from making use of a couch].”**

**C. He who vows not to make use of a couch is permitted to make use of a bed.**

- I.1**
- A. *What is the definition of a couch?*
  - B. [With reference to, **And when they provide him with the funeral meal, all the people sit on the ground, while he sits on a couch**, at M. **San. 2:3F**]:
  - C. Said Ulla, “It is a couch for good luck [Shachter, *Sanhedrin*, p. 106, n. 3: not used for rest but placed in the home merely as an omen of good fortune].”
  - D. *Said rabbis to Ulla, “Lo, we have learned in the Mishnah: **And when they provide him with the funeral meal, all the people sit on the ground, while he sits on a couch** [M. **San. 2:3F**]. Now is there something on which, up to that time, he had never sat, and now we seat him on that object?”*
  - E. *Rabina objected to this argument, “What sort of problem is this? Perhaps it may be compared to the matter of eating and drinking, for up to this point we gave him nothing to eat or drink, while now we bring him food and drink. But if there is a question, this is the question, in line with what has been taught on Tannaite authority: As to a couch [of the present sort], it is not necessary to lower it but it is stood up. Now if you think that the couch under discussion is a small couch [such as was described above], why is it not necessary to lower it? Has it not been taught on Tannaite authority: He who lowers beds [in the house of mourning] does not lower the mourner’s bed alone but all of the beds in the house.’ [So why not lower the one under discussion?]”*
  - F. *But what is the problem? [56B] Perhaps it falls into the category of a bed set aside for the storage of utensils, concerning which it has been taught on Tannaite authority: If it was a bed set aside for storing utensils, it is not necessary to lower it. Rather, if there is a problem, this is the problem: R. Simeon b. Gamaliel says, “As to a small couch, one loosens the loops, and it will fall on its own.” Now if you maintain that it is a small couch [such as was described above], are there any loops?*
  - G. *Rather, when Rabin came, he said, “One of the rabbis told me, and it was R. Tahalipa by name, that he would frequent the leather workers market, and he asked one of them, ‘What is a couch?’ And he was told, ‘It is the name of a bed of skins.’” [Shachter, p. 107, n. 2: Its strapping consisted of leather instead of ropes. Not being supported by long legs, it stood very low, and therefore on practical grounds, the first Tannaite authority maintains that it must not be undone and lowered, as the leather will be spoiled through the damp earth, while Rabban Simeon b. Gamaliel holds that there is no fear of this.]”*
  - H. *It has been stated: What is a bed and what is a couch?*

I. Said R. Jeremiah, “A couch has its webbing affixed on the inside, while a bed has its webbing affixed on the outside.”

J. *An objection was raised: At what point in the process of manufacture do wooden objects become susceptible to uncleanness [as useful objects]? As to a bed and a cradle, it is when they have been sanded with a fish skin [M. Kel. 16:1] [which polishes the surface]. Now if a bed has its webbing on the outside of the frame, what need is there to smooth the wood with a fish skin? [The webbing covers the wood anyhow].*

K. *Rather: Other sorts have the webbing on the inside, and the webbing of a bed is inserted through slits, while the webbing of a couch is inserted through loops.*

L. Said R. Jacob bar Ammi, “In the case of a bed the poles of which protrude, it is enough to set it up [on one side] [Shachter, p. 107, n. 8: because if actually lowered, it may appear to be standing in its usual position, since then the poles protrude upwards].”

M. Said R. Jacob said R. Joshua b. Levi, “The decided law accords with the opinion of Rabban Simeon b. Gamaliel.”

### 7:5D-E

**D. He who vows not to enter a city is permitted to enter into the border of the city but prohibited from entering into its confines.**

**E. But he who vows not to enter a house is prohibited from entering beyond the jamb of the door and inwards.**

**I.1** A. *How on the basis of Scripture do we know that the outskirts of the town is equivalent to the town itself?*

B. *Said R. Yohanan, “Said Scripture, ‘And it came to pass, when Joshua was in Jericho’ (Jos. 5:13). Now what can the verse mean by ‘Jericho’? Should we say he actually was in Jericho? And has it not been written, ‘And Jericho was tightly closed because of the children of Israel (Jos. 6: 1)? So it must mean at the outskirts.’”*

C. *Might I then maintain that even the border of the city is covered?*

D. *Scripture states with respect to the border, “And you shall measure outside of the city in the east side two thousand cubits” (Num. 35: 3).*

**II.1** A. **But he who vows not to enter a house is prohibited from entering beyond the jamb of the door and inwards:**

- B. But not from the door jamb and outwards.
- C. *Objected R. Mari [by citing the following passage of Sifra]:*
- D. **“And the priest will go forth from the house” (Lev. 14:38) –**
- E. **“Might one think that he should go to his own house and declare the other house shut up [M. Neg. 12:6A]?”**
- F. **“Scripture says, ‘To the door of the house’ (Lev. 14:38).**
- G. **“If he is to go to the door of the house, might one think he should stand under the lintel and shut up the house?”**
- H. **“Scripture says, ‘From the house’ (Lev. 14:38).**
- I. **“Until he will leave the whole house [of which the lintel is part].**
- J. **“How so?”**
- K. **“He stands at the side of the lintel and declares it shut up [M. Neg. 12:6].**
- L. **“How do we know that if he went inside his own house and declared it shut up,**
- M. **“[or how do we know that if] he stood under the lintel and declared it shut up, that that which he has shut up is shut up?”**
- N. **“Scripture says, ‘And the priest shall go forth from the house to the door of the house and he shall shut up the house’ (Lev. 14:38) – in any wise [Sifra Parashat Mesora Parashah 6 156:7-8].**
- O. **“That is to say, ‘shut up the house’ in any manner whatsoever.” [Freedman: When he is outside the lintel, he is also outside the door jamb, yet he is not regarded here as being right out of the house, contradicting the implication of the Mishnah that outside of the door jamb is not part of the house.]**
- P. The house is exceptional in that instance, because Scripture is explicit, “out of the house,” implying that he must go entirely out of the house.

### 7:6

- A. [57A] He who says, “Qonam be these pieces of fruit for me,” “They are qonam for my mouth,” “They are Qonam to my mouth” –
- B. he is prohibited from eating whatever he may exchange for those pieces of fruit and whatever grows from them too.
- C. If he says, “Qonam if I eat these pieces of fruit,” “qonam if I taste them,”
- D. he is permitted to eat whatever he may exchange for those pieces of fruit and whatever grows from them.
- E. This is the case of something the seed of which perishes.

- F. But in the case of something the seed of which does not perish, even what grows from it is prohibited.

**7:7**

- A. He who says to his wife, “Qonam be the results of the work of your hands for me,” “They are qonam for my mouth,” “They are qonam to my mouth” –
- B. he is prohibited to make use of things exchanged for them or things which grown from them as well.
- C. If he said, “Qonam that I shall not eat,” or “...that I shall not taste,”
- D. then he is permitted to eat or taste things exchanged for them and things that grow from them.
- E. This is the rule for something the seed of which perishes in the ground.
- F. But in the case of something the seed of which does not perish, even things that grow from the things that grow from them are prohibited.

**7:8**

- A. He who says, “Qonam be what you are making if I eat it until Passover,” “...Be what you are making if I wear it until Passover” –
- B. If she prepared these things before Passover, he is permitted to eat or to wear what she made after Passover.
- C. If he said, “Qonam be to me what you are making until Passover, if I eat it,” “...what you are making until Passover if I wear it,”
- D. if she prepared these things before Passover, he is prohibited after Passover from eating or wearing what she has made.

**7:9**

- A. [He who says, “Qonam] be what you enjoy on my account before Passover if you go to your father’s house before the Festival of Sukkot,”
- B. [if] she went before Passover, she is prohibited from deriving benefit from him until Passover.
- C. [57B] [If she went] after Passover, he is subject to the rule, “He shall not profane his word” (Num. 30: 2).
- D. [He who says, “Qonam] be what you enjoy on my account up to the Festival of Sukkot if you go to your father’s house before Passover,”
- E. and she went to her father’s house before Passover,

F. she is prohibited from deriving benefit from him up to the Festival of Sukkot.

G. But she is permitted to go to her father's house after Passover.

- I.1 A. He who says to his wife, "Qonam be the results of the work of your hands for me," "They are qonam for my mouth," "They are qonam to my mouth" – he is prohibited to make use of things exchanged for them or things which grown from them as well:

**Free-Standing Problem, to which  
the Foregoing Makes a Factual Contribution**

- B. Ishmael of Kefar Yama, and some say, of Kefar Dima, with regard to an onion that he pulled up in the Seventh Year and planted in the eighth, and the growth in the eighth year is greater than the stock that was pulled up in the seventh year, *raised this question*: "Is it the rule that the additional growth is permitted [not being restricted by the rules governing produce of the Seventh Year, while the stock is forbidden, but, since the growth is greater than the stock, the growth, which is permitted, comes along and annuls the forbidden part, or is that not the rule?]"
- C. *He came before R. Ammi, who had nothing in hand by way of a reply. He came before R. Isaac Nappaha, who solved the problem for him on the basis of what R. Hanina of Torata said in the name of R. Yannai*: "In the case of an onion in the status of priestly rations, where the growth after planting is greater than the original stock, the whole of it is permitted." [The same rule then would apply here.]
- D. *Said to him R. Jeremiah, and some say R. Zeriqa, "Is the master prepared to dismiss two authorities and follow only an individual authority?"*
- E. *So who are the two authorities?*
- F. [As to the two:] [1] said R. Abbahu said R. Yohanan, "If a young shoot bearing fruit was grafted onto an old tree, even if the fruit expanded after the grafting by two hundredfold, the fruit is still forbidden [the fruit's increase being attributed to the stock that has been grafted, so we take as our operative criterion the classification of the stock]"? [2] *And further said R. Samuel bar Nahmani said R. Jonathan*, "An onion that one planted in a vineyard, and the vineyard was torn up leaving the onion, and afterward the onion expanded by two hundred times its former size, is nonetheless prohibited [as mixed seeds in a vineyard]"?

- G. *So he went before R. Ammi, who solved the problem for him on the basis of what R. Isaac said what R. Yohanan said, namely, “In the case of a liter of onions that was tithed and then planted again, tithe must be taken once more from the entirety of the growth [both the root and the increase]. Therefore the growth nullifies the original stock.”*
- H. *But maybe where it comes to making a strict ruling, the case is different [Freedman: whereby assimilating the original to the increase the law is more stringent, so it is assimilated; but the problem is, whether the original is regarded as nullified though thereby a prohibition is imposed.]*
- I. *Rather, the solution derives from the following, which has been taught on Tannaite authority: R. Simeon says, [58A] “In the case of anything that is originally forbidden but can become permitted, for example, produce that is liable to tithing but not yet tithed, second tithe, what has been consecrated, and new produce prior to the waving of the sheaf of first barley, sages have imposed no limit. [If these are mixed up with what is permitted, then even if the latter exceeds the former in a certain ratio, the whole is still forbidden. The factor prohibiting the produce can be removed, so there is no need to provide for nullification (Freedman).] But in the case of anything that is forbidden and cannot become permitted, for example, food in the status of priestly rations, heave-offering taken up from the tithe, dough-offering, fruit of a tree in the first three years of its growth, produce in the status of mixed seeds in a vineyard, sages have indeed provided a fixed limit.”*
- J. *They said to him, “But isn’t there the case of produce of the Seventh Year, for which no remedy exists, but sages have not provided a fixed limit in that regard, as we have learned in the Mishnah: [Produce of the] Sabbatical Year renders forbidden [subject to the laws of the Sabbatical Year] all other [permitted produce] of the same species [with which it has been mixed] [M. Shebi. 7:7M]!”*
- K. *He said to him, “They, too, have made their ruling only in respect to the requirement for removing [the forbidden produce], but as to eating it, it imparts a prohibition only if it can impose its flavor on the mixture.”*
- L. *But maybe here, too, the rule is exceptional, since the nullification leads to a strict, not a lenient ruling. Rather, solve the problem on the strength of the following: Onions [which remained in the ground from the Sixth Year into the Sabbatical Year] upon which rain has fallen and which sprouted leaves – if the leaves are dark [green, in the Sabbatical Year], they [the*

onions] are forbidden [they may not be harvested and eaten], [but] if [the leaves] become light green, lo, these [onions] are permitted. R. Haninah b. Antigonus says, “If [the onion bulbs] may be uprooted by their leaves, [the onions] are forbidden. But, in contrast to this [case, onions which grow from the Sabbatical Year into] the year following the Sabbatical are permitted, [if they can be uprooted by their leaves]” [M. [Shebi. 6:3A-D](#)]. *This bears the implication that the increase, the forbidden part, nullifies the forbidden part.*”

- M. *But maybe the reference is to crushed onions* [Freedman: if the onions were crushed and grated, so that the forbidden part no longer preserves its separate identity, it is nullified by the excess; but the problem would arise only if the onion is intact].
- N. *Rather, solve the problem on the basis of the following, which has been taught on Tannaite authority: [\[58B\]](#) He who weeds a field of leeks grown from seed that had not been tithed, alongside a Samaritan, even though the Samaritan’s produce is untithed, the Israelite makes a random snack of it without tithing [M. [Ter. 9:7H-I](#)]. R. Simeon b. Eleazar says, “In the year following the seventh year of the Sabbatical cycle, even if the other person is an Israelite, who is suspect as regards observing the laws of the Seventh Year, it is permitted to eat his produce” [T. [Ter. 8:7A-D](#) (Avery-Peck, p. 184)]. *This bears the implication that the increase, the permitted part, nullifies the forbidden part.*”*
- O. *But maybe this speaks of a plant, the seed of which perishes in the ground?*
- P. *Lo, it has been taught on Tannaite authority: What is the definition of leek plants? Colocasin, garlic, and onions [all of which preserve part of the original stock in the ground.*
- Q. *And maybe it refers only to crushed ones?*
- R. *But at stake in the rule is the issue of an Israelite, who is suspect as regards observing the laws of the Seventh Year!*
- S. *And maybe it speaks of a mixture?*
- T. *The passage refers explicitly to him who weeds a field!*
  - U. *May we say that this refutes R. Yohanan and R. Jonathan* [said R. Abbahu said R. Yohanan, “If a young shoot bearing fruit was grafted onto an old tree, even if the fruit expanded after the grafting by two hundredfold, the fruit is still forbidden [the fruit’s increase being attributed to the stock that has been grafted, so we take as our



operative criterion the classification of the stock].” *And further said R. Samuel bar Nahmani said R. Jonathan*, “An onion that one planted in a vineyard, and the vineyard was torn up leaving the onion, and afterward the onion expanded by two hundred times its former size, is nonetheless prohibited [as mixed seeds in a vineyard]?”

V. *Said R. Isaac*, “*The matter of the Seventh Year is exceptional, for, since the prohibition derives from the facts governing the soil, the nullification, too, derives from the soil.*”

W. *Lo*, *there is the matter of tithe, the prohibition of which likewise derives from the status of the soil* [Freedman: if one sows tithed grain, the produce is subject to tithing but not yet tithed, so by putting it into the soil it is forbidden], *while the nullification in no way derives from the soil. For it has been taught on Tannaite authority*: As to a liter of grain in the status of tithe, which is itself subject to tithing [owing a tithe to the priest out of that grain itself], sown in the soil, which increases in volume and is then ten liters, the whole is liable to the [heave-offering of] the tithe and is subject to the laws of the Sabbatical Year; as for the original liter, a tithe of that must be designated from some other batch of tithe [not the increase thereof] according to proportion. [Freedman: This proves that the forbidden nature of the untithed tithe remains in spite of the fact that it was sown in the soil.]

X. **[59A]** *Say: The obligation that applies here derives from the tithe owing because the grain has been stored up.* [Freedman: Until the grain is harvested and stacked, there is no obligation for priestly dues; it is not an obligation caused by the soil, but by the processing.]

Y. *Objected R. Ammi bar Hama*, “ **He who says, ‘Qonam be these pieces of fruit for me,’ ‘They are qonam for my mouth,’ ‘They are Qonam to my mouth’ – he is prohibited from eating whatever he may exchange for those pieces of fruit and whatever grows from them, too. If he says, ‘Qonam if I eat these pieces of fruit,’ ‘qonam if I taste them,’ he is permitted to eat whatever he may exchange for those pieces of fruit and whatever grows from them. This is the case of something the seed of which perishes. But in the case of something the seed of which does not perish, even what grows from it is prohibited.**” [Freedman: This proves that the increase does not nullify the original, refuting Ammi.]

Z. Said R. Abba, “The case of qonam oaths is different, since, if one wants, one may approach a sage for absolution, so they fall into the category of something that may become permitted, in which case that thing would not be nullified in a larger mixture of what is permitted.”

AA. Well, then, what about food in the status of priestly rations, for, if one wants, he can seek a release of the prohibition affecting that produce [claiming, for example, the designation of the produce as priestly rations was done in error], and yet it is subject to nullification in a larger mixture of permitted produce! For we have learned in the Mishnah: **A seah of unclean heave-offering which fell into less than a hundred [seahs] of unconsecrated produce, or [which fell] into first tithe, or second tithe or [produce] dedicated [to the Temple], whether these things are clean or unclean – let [all of the produce in the mixture] rot [M. Ter. 5:1A-D].** Lo, if it had fallen into a hundred parts of unconsecrated produce, it would have been nullified!

BB. Say: In the matter of priestly rations in the possession of a priest, there is no possibility of demanding remission of the status that has been imposed upon that produce.

CC. If so, then look at what follows: **If that seah [of heave-offering which fell into the other produce] was clean – let [all of the produce in the mixture] be sold to priests, at the [low] value of heave-offering, less the value of that same seah [of heave-offering which fell into the unconsecrated produce] [M. Ter. 5:1E-F]!** [So this was still in the hands of an Israelite, if the instruction is to sell it to a priest.]

DD. Rather, we speak of a case of priestly rations in the hands of an Israelite who had inherited the produce from his mother’s father, who was a priest.

EE. But lo, the final clause states clearly, **less the value of that same seah [of heave-offering which fell into the unconsecrated produce].** [This belongs to the priest as priestly rations; but in the alleged situation at hand, the whole of it belongs to a priest (Freedman).]

FF. Rather, say as follows: With respect to qonam vows, it is a religious duty to seek absolution from a sage on their account, because of the statement of R. Nathan, for said R. Nathan, “He who

takes a vow is as though he built a high place, and he who carries it out is as though he offered an offering on it.” *By contrast, what religious duty is carried out if one seeks a remission of the status of priestly rations that one has erroneously imposed on grain?*

**I.2** A. *Reverting to the prior text:* R. Yohanan said, “In the case of a liter of onions that was tithed and then planted again, tithe must be taken once more from the entirety of the growth [both the root and the increase]”:

B. *In session, Raba stated this tradition. Said to him R. Hisda, “Who in the world is going to pay any attention to you, or to R. Yohanan, your master, for that matter? For where has the permitted portion in the whole gone?”*

C. *He said to him, “Haven’t we learned in the Mishnah a statement along these same lines, namely: Onions [which remained in the ground from the Sixth Year into the Sabbatical Year] upon which rain has fallen and which sprouted leaves – [59B] if the leaves are dark [green, in the Sabbatical Year], they [the onions] are forbidden [they may not be harvested and eaten], [but] if [the leaves] become light green, lo, these [onions] are permitted. R. Haninah b. Antigonus says, “If [the onion bulbs] may be uprooted by their leaves, [the onions] are forbidden. But, in contrast to this [case, onions which grow from the Sabbatical Year into] the year following the Sabbatical are permitted, [if they can be uprooted by their leaves]” [M. Shebi. 6:3A-D]. So even if they are dark green, why should they be forbidden? Let’s invoke the conception rather, where has the permitted portion in the whole gone?”*

D. *He said to him, “But do you think that reference is made to the original stock of the onion? It is with respect only to the increase in the growth that the rule is set forth that they are forbidden.”*

E. *“If so, what’s the point that Rabban Simeon b. Gamaliel proposes to contribute? For it has been taught on Tannaite authority: Rabban Simeon b. Gamaliel says, ‘That which grows from the part that was subject to the obligation of removal in*

the Seventh Year remains under that obligation, while that which grew in a state of exemption from that requirement also is exempt. Now, according to your reading, that's just what the initial Tannaite authority says, too!"

F. *He said, "The whole of the Tannaite paragraph represents the position of Rabban Simeon b. Gamaliel [with the second clause explaining the reason for the anonymous one (Freedman)]. And you derive the point that Rabban Simeon b. Gamaliel takes the position that he does only when the farmer did not take any trouble [just leaving the onions in the ground], but where he did, the stock is nullified by the excess of the increase."*

G. *"Then are we supposed to believe that in any case in which the farmer went to some trouble, the forbidden part is nullified by the excess that is permitted? Then what about the case of a liter of tithe, which is itself liable to tithing [the removal of the priest's tenth of the tithe], in which case the farmer has worked on the crop, and yet it is taught, as for the original liter, a tithe of that must be designated from some other batch of tithe [not the increase thereof] according to proportion!"*

H. *The case of tithe is exceptional, for Scripture said, "You shall surely tithe all the increase of your sowing" (Deu. 14:11), and people sow what is permitted but not what is forbidden. [Freedman: We oblige the farmer to give priestly rations on the original tithe, since he did wrong in sowing it without rendering the priestly rations; it is in the nature of a fine, that he should not profit by his neglect; but normally the original stock is nullified, when labor is required to produce the excess.]*

### I.3

A. *Reverting to the prior text: R. Hanina of Torata said in the name of R. Yannai: "In the case of an onion in the status of priestly rations, where the growth after planting is greater than the original stock, the whole of it is permitted":*

B. *Does this bear the implication that the increase, [60A] which is permitted, nullifies the prohibited part? And have we not learned in the Mishnah: **That which grows from [seed in***

**the status of] heave-offering has the status of heave-offering [M. Ter. 9:4A-B]?**

*C. We make reference to that which grows from that which grows!*

*D. This, too, we have learned in the Mishnah: **And what grows from [the seed of produce] that grew from [seed in the status of] heave-offering is unconsecrated [M. Ter. 9:4B]!***

*E. What he proposes to say here is that that is the case even for something the seed of which does not perish in the soil.*

*F. But haven't we learned in the Mishnah: **Produce that is liable to the separation of tithes – that which grows from it is permitted in the case of a kind of produce the seed of which disintegrates, but in the case of a kind the seed of which does not disintegrate, even what grows from the seed of a crop that grow from it is forbidden [M. Ter. 9:6A-D]?***

*G. What he lets us know is that the second growth is permitted if it exceeds the original.*