

הא לאו הכי לא אלמא¹ קסבר ידים שאין מוכיחות לא הוויין ידים –
But if it were not so, no; It is evident that he maintains ידים שאין
מוכיחות לא הוויין ידים

OVERVIEW

The גמרא cited a משנה which states that if a person says 'אהא'² he is a נזיר. שמואל qualifies this rule to a case where a נזיר was passing by, for otherwise perhaps he meant that he is accepting a fast day on himself. The גמרא derives from this that ידים שאין מוכיחות³ לא הוויין ידים, which explains why if there was no נזיר passing; he does not become a נזיר by saying אהא. This would seemingly contradict what שמואל maintains concerning ידים שאין מוכיחות הוויין ידים. Our תוספות challenges the assumption of the גמרא that if a נזיר is not passing by it is considered (at least) as ידים שאין מוכיחות.

asks: תוספות

ואם תאמר אמאי לא משני דלעולם הוויין ידים –
ידים שאינן answer that in truth גמרא
- (she is מקודשת [לי] הרי את מקודשת and therefore by ידים are מוכיחות
והתם דקאמר אהא אפילו ידים שאין מוכיחות לא הוויין דדילמא אהא בתענית קאמר -
ידים it is not even (without a נזיר עובר לפניו), **אהא** And there where he said
אהא that I will accept a fast on myself! **for perhaps he meant** שאין מוכיחות
There is no indication at all that he wishes to become a נזיר.⁴

answers: תוספות

ויש לומר דטפי משמע אהא לשון נזירות מלשון תענית –
And one can say; that 'אהא' indicates more an expression of נזירות than
an expression of תענית and therefore we cannot say that it is not even ידים שאין
מוכיחות. The reason אהא indicates נזירות more than תענית is -
דאהא משמע מיד⁵ ופעמים שאכל ולא מצי למימר אהא בתענית עד למחר –

¹ The words from אלמא onwards (in the caption) do not appear in our texts in the גמרא.

² 'אהא' means, 'I will be'. It could mean I will become a נזיר or it could mean I will be a תענית. It obviously refers to things that he can 'be' through words alone, which is either a נזיר or a תענית.

³ ידים may be interpreted here as 'indicators'. ידים מוכיחות would mean conclusive indicators, while ידים שאין מוכיחות would mean inconclusive indicators.

⁴ It is not the same as by קידושין when he declares הרי את מקודשת (and does not state לי), in which case it is at least ידים שאין מוכיחות, for we know that there is an intention of קידושין (and probably that she should be מקודשת to him).

⁵ See 'Thinking it over # 1.

That אהא indicates that he is prepared to do it **immediately, and occasionally he may have already eaten** that day⁶ **and he cannot say אהא** immediately, for since he already ate, it will not take effect **until tomorrow**⁷ -

אבל גבי נזירות מיד יכול להתחיל נזירותו אם ירצה:⁸

However by נזירות he may begin his נזירות immediately if he so wishes.

Therefore it is considered (שאיין מוכיחות) ידיים.

SUMMARY

It is more likely that when someone says אהא (which indicates immediately), he means בנזיר (since he can begin immediately) than בתענית (for he may have to wait until the next day if he already ate). Therefore it is considered ידיים (שאיין מוכיחות).

THINKING IT OVER

1. Why does the expression אהא indicate immediacy?⁹
2. If one did not eat yet (on a particular day) can he accept on himself to fast the remainder of the day and it will be considered a תענית?¹⁰

⁶ See 'Thinking it over' # 2.

⁷ On a fast day you must fast from the very beginning of the day.

⁸ See the following תוספות ד"ה הכא [especially footnotes # 10 & 12].

⁹ See footnote # 5.

¹⁰ See (footnote # 6 and) תוס' footnote # 183.