JUDAISM

The Talmud

Nazir

A massive, multi-volume compendium of rabbinic debates and commentary on the Torah that forms the basis of Jewish religious law, ethics, and practice. Presents all 37 tractates with Gemara, via Sefaria's William Davidson Talmud (the Koren Talmud Bavli translation, CC BY-NC), plus Avot and Eduyot (which have no Gemara) via Michael L. Rodkinson's 1896-1918 translation.

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Chapter 1

[1] MISHNA: One becomes a nazirite by taking a nazirite vow, in which he simply declares himself a nazirite, as detailed in the Torah (Numbers 6:1–21). Additionally, all substitutes for the language of nazirite vows are like nazirite vows and are binding. Furthermore, intimations of nazirite vows, i.e., incomplete statements that are understood from context to be meant as nazirite vows, are considered binding nazirite vows.

[2] Consequently, one who says: I will be, without further clarification, is a nazirite, as this is his implied intention. Or, if he said: I will be beautiful, he is a nazirite. The substitutes for the language of nazirite vows are as follows: If one says: I will be a nazik, a nazi'aḥ, or a pazi'aḥ, he is a nazirite. If one says: I am hereby like this, I am hereby a hair curler, I am hereby growing my hair; or: It is incumbent upon me to grow long hair, he is a nazirite.

[3] If one says: An obligation is hereby incumbent upon me with regard to birds, Rabbi Meir says: He is a nazirite. A nazirite brings two bird-offerings if he inadvertently becomes ritually impure from a corpse (Numbers 6:10), and it is understood that the individual used this indirect phrase to take a vow of naziriteship. And the Sages say: He is not a nazirite.

[4] GEMARA: The Gemara begins by clarifying why this tractate appears in the order of Nashim within the six orders of the Mishna. Now, the tanna is engaged in the study of the order of Nashim, which discusses laws concerning marriage and the resulting obligations as well as with forbidden sexual relations. What then is the reason that he teaches the laws of the nazirite here?

[5] The Gemara answers: The tanna is engaged in the study of the verse pertaining to divorce: "Then it comes to pass, if she finds no favor in his eyes, because he has found some unseemly matter about her" (Deuteronomy 24:1). And this is what he is saying: What caused the woman to commit the transgression of adultery, alluded to in the verse by the phrase "unseemly matter"? It was wine. And the tanna is saying: Anyone who sees a sota in her disgrace should abstain from wine. Consequently, tractate Nazir is placed in the order of Nashim, immediately preceding tractate Sota, which is about a woman suspected by her husband of having been unfaithful, and tractate Gittin, which discusses divorce.

[6] § The Gemara asks a question with regard to the mishna's presentation of the different topics it addresses: The tanna began with the statement that all substitutes for the language of nazirite vows are considered nazirite vows, but then it explains the halakha of intimations of nazirite vows by providing examples of intimations rather than examples of substitutes for nazirite vows. Why didn't the mishna provide examples of substitutes immediately after stating the halakha concerning substitutes?

[7] Rava said, and some say this statement without attribution [kedi]: The mishna is incomplete and is teaching the following: All substitutes for the language of nazirite vows are like nazirite vows. And

similarly, all intimations of nazirite vows are like nazirite vows. And these are examples of intimations: One who says: I will be, is a nazirite.

[8] The Gemara asks: But nevertheless, let the tanna explain the cases of substitutes first, before providing examples of intimations, as the halakha of substitutes is mentioned before the halakha of intimations. The Gemara answers: The tanna employs the general style of the Mishna, which is that the subject with which it concludes is the one that it explains first, as we learned in a mishna (Shabbat 20b): With what may one light the Shabbat lamp and with what may one not light it? And the mishna explains the details of what one may not light first, before providing examples of fuel that may be used to light the Shabbat lamp.

[9] Similarly, another mishna (Shabbat 47b) states: In what may one insulate a pot of cooked food on Shabbat eve, and in what may one not insulate it? And the mishna explains the cases of material in which one may not insulate it first, before providing examples of materials in which one may insulate a pot of cooked food.

[10] A third example of this style is in the following mishna (Shabbat 57a): With what items may a woman go out into the public domain on Shabbat and with what items may she not go out? And the mishna explains the items with which a woman may not go out first, before providing examples of items with which she may go out.

[11] The Gemara challenges this explanation: But didn’t we learn in a mishna (Shabbat 51b): With what may an animal go out into the public domain on Shabbat, and with what may it not go out? And it explains the items with which a camel may go out first, before providing examples of items with which it may not go out.

[12] Similarly, it is taught in another mishna (Bava Batra 108a): There are some relatives who inherit and bequeath, e.g., a father and son, who are heirs to each other; some who inherit but do not bequeath; some bequeath but do not inherit; and some do not inherit and do not bequeath. And the mishna explains the cases of those who both inherit and bequeath first, before providing examples of the other categories that were mentioned later in the opening clause of the mishna.

[13] Rather, the mishna actually teaches in this manner at times, and it teaches in that manner at other times. There are instances where the tanna begins by elaborating on the first principle mentioned in the mishna, while on other occasions he first elaborates upon the last principle mentioned.

[14] However, there is a rationale as to when the tanna employs each style. There, in the passages concerning the fuels one may use to light the Shabbat lamp, the materials one may use to insulate a pot on Shabbat eve, and the items with which a woman may go out on Shabbat to the public domain, where it is the individual’s own prohibition that is being discussed, the tanna explains the cases pertaining to the individual’s own prohibition first. By contrast, with regard to the mishna that addresses an animal carrying into the public domain on Shabbat, where the prohibition comes by means of the animal, the tanna explains what is permitted first.

[15] Similarly, with regard to the mishna that teaches that there are some relatives who inherit and bequeath, the tanna also had a reason for initially providing examples from the first category: He thereby explains the principal case of the Torah’s halakhot of inheritance first.

[16] The Gemara now returns to its question: But here, let the tanna explain the cases of substitutes first. The Gemara explains: Rather, this is the reason: Since intimations are derived from the

exposition of verses and are not explicitly mentioned in the Torah, they are dear to the tanna and he therefore mentions them first.

[17] The Gemara asks: But if that is so, then let him begin with them first in the opening clause of the mishna as well. The Gemara answers: When the tanna begins, he begins with the main offering of the nazirite, i.e., with the halakha that has a basis in the Torah. But with regard to the explanation of these halakhot, he explains the cases of intimations first, as he favors that topic.

[18] § The mishna taught: One who says: I will be, is a nazirite. The Gemara asks: Perhaps he is saying: I will be fasting, i.e., his intention is to take a vow that will obligate himself to fast rather than to be a nazirite. The Gemara answers that Shmuel said: The mishna is describing a case where a nazirite was passing before him, so that it is clear that he is taking a nazirite vow.

[19] The Gemara asks: Shall we say that Shmuel holds as a principle that ambiguous intimations are not considered intimations, i.e., they are not considered vows? The Gemara rejects this suggestion: Say that when a nazirite is passing before him, there is no reason to doubt his intention. There is no possibility that he is referring to another matter, and therefore his statement is definitely an intimation of naziriteship. However, it is certainly the case that when a nazirite is not passing before him, and he states: I will be, we say that perhaps he is saying: I will be fasting. It is only in the latter case, where one's intimation is so ambiguous that it offers no evidence whatsoever of his intentions, that Shmuel holds that one's statement is not considered a vow.

[20] The Gemara asks: But even if he made his statement when a nazirite was passing before him, perhaps he was saying that he intends to purchase the animals the nazirite will need for his offerings and thereby exempt the nazirite from paying for his own offerings. The Gemara answers: This is a case where he said in his heart that he accepts upon himself a nazirite vow.

[21] The Gemara asks: If that is so, then what is the purpose of stating this halakha? Isn't it obvious that he becomes a nazirite? The Gemara answers: It is necessary to state this halakha, lest you say that we require his mouth and heart to be identical. If that were the case, then if one did not clearly articulate his nazirite vow, he would not become a nazirite even if he intended to become one. Therefore, the mishna teaches us that since his words can be interpreted as referring to a nazirite vow, and that was his intention, he becomes a nazirite.

[22] § The mishna taught that if one says: I will be beautiful [na'e], he is a nazirite. The Gemara asks: But perhaps when he said: I will be beautiful, he meant: I will be beautiful before Him in mitzvot? As it is taught in a baraita: "This is my God and I will glorify Him [anvehu]" (Exodus 15:2). Anvehu has the same root as the word na'e; therefore, the verse means: I will be beautiful before Him in mitzvot. How is this done? I will make before Him a beautiful sukka, a beautiful lulav, beautiful ritual fringes. I will write before Him a beautiful Torah scroll, and I will wrap it in beautiful silk cloths [shira'in].

[23] The Gemara answers that Shmuel said: The mishna is referring to a case where one is holding his hair and says: I will be beautiful. This clearly indicates that he is referring to naziriteship.

[24] The Gemara asks: Since naziriteship is a matter of transgression, can we say about a nazirite that he is beautiful?

[25] The Gemara answers: Yes, as even according to Rabbi Elazar HaKappar, who said that a nazirite is a sinner, that applies only with regard to a ritually impure nazirite. This is because it is necessary for him to void the days of his vow that have been observed and to begin his term anew, as the

Merciful One states in the Torah: “But the first days will be void, because his consecration was defiled” (Numbers 6:12). It is there that Rabbi Elazar HaKappar called the nazirite a sinner, because perhaps he will come to transgress his naziriteship now that he is a nazirite for a longer period than he originally intended. However, with regard to a ritually pure nazirite, Rabbi Elazar HaKappar does not call him a sinner.

[26] § The mishna taught that one who says: I am hereby like this, is a nazirite. The Gemara asks: Though this is indeed a case where he is holding his hair at the time, since he did not say: I am hereby like this, how can this statement constitute an acceptance of naziriteship? Shmuel said: It is a case where a nazirite was passing before him when he made his statement. His intention was to declare himself a nazirite like the individual passing before him, and his statement therefore constitutes a nazirite vow.

[27] The mishna rules that one who says: I am hereby a hair curler is a nazirite. The Gemara asks: From where is it known that this term is referring to the curling [silsul] of hair by allowing it to grow? The Gemara answers: As that maidservant of the house of Rabbi Yehuda HaNasi said to a certain man who grew his hair long: Until when will you curl [mesalsel] your hair? This shows that mesalsel means to grow hair.

[28] The Gemara suggests: Say that the word mesalsel is referring to the study of Torah, as it is written with regard to Torah: “Extol her [salseleha] and she will exalt you” (Proverbs 4:8). The Gemara responds that Shmuel said: Here too, the case is where he was holding his hair at the time of his pronouncement.

[29] The mishna rules that one who says: I am hereby growing my hair is a nazirite. The Gemara asks: From where is it known that this term is a reference to growing [kilkul] his hair? The Gemara answers: As we learned in a mishna (Shabbat 78b): With regard to the measure that determines liability for carrying out lime on Shabbat from a private to a public domain, Rabbi Yehuda says: The measure is equivalent to that which is used to spread on one’s kilkul. And Rav said: This is referring to the hair that grows on the areas beneath the temple.

[30] The Gemara suggests: Say that he vowed to sustain the poor, as it is written: “And Joseph sustained [vaykhalkel] his father and his brethren” (Genesis 47:12). The Gemara responds that Shmuel said: Here too, in the mishna, the case is one where the individual was holding his hair when he made his pronouncement, so that it was clear that he was referring to growing his hair.

[31] The mishna rules that with regard to one who says: It is incumbent upon me to grow [leshale’aḥ] long hair, he is a nazirite. The Gemara asks: From where is it known that this term shilu’aḥ, which is a different form of the word leshale’aḥ, is an expression of increase and growth? The Gemara answers: As it is written: “Your tresses [shelaḥayikh] are a park of pomegranates” (Song of Songs 4:13).

[32] The Gemara suggests: Say that it is referring to a matter involving transfer, as it is written: “And sends [shole’aḥ] water upon the earth” (Job 5:10), where the word shole’aḥ is referring to the transport of water from one place to another. Here too, the individual taking the vow might mean that he intends to transfer, i.e., to remove, his hair.

[33] The Gemara answers: The tanna derives the meaning of this term based upon a verbal analogy of the term long locks [pera] written with regard to a nazirite and the term long locks [pera] written with

regard to a priest. It is written here, with regard to a nazirite: “He shall be holy, he shall let the hair of his head grow [gadel] long locks [pera]” (Numbers 6:5). And it is written there, with regard to a common priest serving in the Temple: “And they will not let their locks grow long [pera lo yeshaleḥu]” (Ezekiel 44:20). Just as the word pera with regard to a nazirite indicates growing long hair, so too, in the case of a priest it is referring to growing long hair. This proves that the term shilu’aḥ means letting one’s hair grow.

34 The Gemara offers an alternate answer: And if you wish, say that the meaning of the word shole’aḥ in that phrase: Sends [shole’aḥ] water, is also increase and growth, as Rav Yosef translated this verse into Aramaic in the following manner: When one waters produce, it grows. Consequently, the verse is referring to growth by means of water.

35 § The mishna taught that if one says: An obligation is hereby incumbent upon me with regard to birds, Rabbi Meir says: He is a nazirite, and the Sages say: He is not a nazirite. The Gemara asks: What is the reason for the opinion of Rabbi Meir? Reish Lakish said: He accepted upon himself an obligation with regard to the birds that are juxtaposed in a verse to hair, as it is written: “Until his hair was grown like eagles’ feathers, and his nails like birds’ claws” (Daniel 4:30). Since the verse juxtaposes birds with growing hair, it is understood that when this individual accepted an obligation with regard to birds, he was referring to growing his hair as a nazirite.

36 The Gemara explains the basis of the dispute: Rabbi Meir holds that a person associates the object of his vow with something that is juxtaposed to it in a verse, so that when he says that it is incumbent upon him to bring birds, he means that it is incumbent upon him to grow his hair.

37 And the Rabbis hold that a person does not associate the object of his vow with something that is juxtaposed to it in a verse, and the individual did not mean to take a nazirite vow.

38 Rabbi Yoḥanan said: Everyone agrees that one does not associate the object of his vow with something juxtaposed to it in a verse. Rather, this is the reason of Rabbi Meir: We are concerned that perhaps he accepted upon himself the birds of an impure nazirite. Since an impure nazirite must bring two birds as offerings if he inadvertently becomes impure from a corpse (Numbers 6:10), when the individual accepts upon himself an obligation pertaining to birds, he means that he is becoming a nazirite and will be responsible for bringing an offering of birds if he becomes impure.

39 The Gemara asks: Since Rabbi Yoḥanan said that, even according to Rabbi Meir, we are concerned that the individual intended to become a nazirite, but it is not clear that this was his intention, it can be argued that perhaps he accepted upon himself a gift offering of birds as a burnt-offering. Consequently, why is he considered a nazirite? The Gemara answers: If it was so, that his intention was to bring a gift offering, he should have said: It is hereby incumbent upon me to bring a nest, which is the common expression used to accept an obligation to bring a gift offering of birds.

40 The Gemara asks further: But perhaps he was saying: It is incumbent upon me to bring the birds of a leper, rendering himself liable to bring a leper’s offerings on a leper’s behalf (see Leviticus 14:4). The Gemara answers: This is a case where a nazirite was passing before him when he spoke, and he clearly had naziriteship in mind. The Gemara asks: But perhaps it was an impure nazirite, and he was saying that he accepts the obligation to exempt the nazirite from his offerings by sacrificing them on the nazirite’s behalf. The Gemara answers: This is a case where a pure nazirite was passing before him.

41 The Gemara asks: What is the difference between the opinions of Reish Lakish and Rabbi Yoḥanan? After all, according to both explanations it is necessary to say that this is a case where a nazirite was passing before him.

42 The Gemara answers: There is a practical difference between them in a case where he explicitly said: An obligation is hereby incumbent upon me with regard to the birds juxtaposed in the verse to hair. According to Rabbi Yoḥanan, although he said this, if a nazirite was passing before him, yes, Rabbi Meir considers it a nazirite vow; if not, no, it is not considered a nazirite vow. Conversely, according to Rabbi Shimon ben Lakish, although no nazirite was passing before him, Rabbi Meir considers it a nazirite vow, as he holds that according to Rabbi Meir, one associates the object of his vow with something juxtaposed to it in a verse.

43 The Gemara asks: Is there, in fact, anyone who says that a person does not associate the object of his vow with something juxtaposed to it in a verse? Isn't it taught in a baraita that in the case of one who says: Right [yamin], that is an expression of an oath? What is the reason for this? Is it not because it is written: "When he lifted up his right hand and his left hand unto heaven, and swore by Him that lives forever" (Daniel 12:7)? It seems evident that the term "right" indicates an oath merely because in the verse it is juxtaposed to an oath.

44 The Gemara rejects this: Say no, it is because the right hand itself is called an oath, as it is taught in a baraita: From where is it derived that in the case of one who says: Right, that it is an oath? It is derived from the verse where it is stated: "The Lord has sworn by His right hand" (Isaiah 62:8). And from where is it derived that in the case of one who says: Left, that it is an oath? It is derived from the continuation of that verse, where it is stated: "And by the arm of His strength" (Isaiah 62:8). Since this is the complementary phrase for the right hand, it must refer to the left hand. It is clear from here that both right and left are themselves expressions of an oath and do not indicate an oath merely because they are juxtaposed in a verse to an expression of an oath.

45 MISHNA: If one said: I am hereby a nazirite and therefore will refrain from grape seeds, or: I am hereby a nazirite and therefore will refrain from grape skins, or: From shaving, or: From impurity, he is a nazirite. And all details of naziriteship are incumbent upon him. Not only does the prohibition he mentioned take effect, he is bound by all of the strictures of naziriteship.

46 GEMARA: The Gemara comments: The mishna is not in accordance with the opinion of Rabbi Shimon, as it is taught in a baraita that Rabbi Shimon says: One is not obligated as a nazirite until he vows that all items and actions forbidden to a nazirite are forbidden to him. And the Rabbis say: Even if he vowed to abstain from only one of them, he is a nazirite.

47 The Gemara explains: What is the reason for the opinion of Rabbi Shimon? The verse states with regard to a nazirite: "All the days of his naziriteship he shall not eat from anything that is made of the grapevine, from pits to grape skin" (Numbers 6:4), which indicates that his vow of naziriteship must include all the prohibitions of a nazirite. The Gemara continues to clarify: And according to the Rabbis, what is the reason that he becomes a nazirite even if he specified only one of the prohibitions of a nazirite? The verse states: "He shall abstain from wine and strong drink" (Numbers 6:3). This implies that even if one vows to abstain only from wine and strong drink, all of the halakhot of a nazirite take effect.

48 The Gemara asks: And also according to Rabbi Shimon, isn't it written "he shall abstain from wine and strong drink"? The Gemara answers: Rabbi Shimon requires that verse to prohibit a nazirite

from drinking wine that is consumed for a mitzva just as he is prohibited from drinking wine whose consumption is optional.

[49] The Gemara asks: What is wine that is consumed for a mitzva? Is it the wine of kiddush and havdala?

[50] He is already sworn and obligated about it from Mount Sinai, i.e., he is obligated by Torah law to keep the halakhot of naziriteship, and therefore it is obvious that he may not drink wine from kiddush or havdala, as drinking the wine is required by rabbinic law (Rambam).

[51] Rather, it is like that which Rava said: If one said: I hereby take an oath that I will drink wine, and he then said: I am hereby a nazirite, the naziriteship comes and applies to the subject of his oath. Although drinking wine is a mitzva for him due to his oath, his naziriteship supersedes the previous oath and renders it prohibited for him to drink wine.

[52] The Gemara asks: And according to the Rabbis also, isn't the verse needed to prohibit to a nazirite wine that is consumed as a mitzva, just like wine whose consumption is optional? The Gemara answers: If that is so, let the verse say only "he shall abstain from wine" (Numbers 6:3). What is the purpose of the additional phrase "and strong drink"? Learn from it that the verse teaches two halakhot, that one is a full-fledged nazirite even if he accepted only one of the prohibitions of naziriteship, and that a nazirite is prohibited from drinking wine even when its consumption is a mitzva.

[53] The Gemara explains: And Rabbi Shimon could respond to this argument as follows: This is the reason that the verse writes "strong drink": It is to teach a verbal analogy between "strong drink" written here and "strong drink" written with regard to entering and performing service in the Temple, as it is written that Aaron the priest was commanded: "Do not drink wine or strong drink, you nor your sons with you, when you go into the Tent of Meeting" (Leviticus 10:9). This teaches: Just as with a nazirite, it is wine alone that is forbidden but other beverages are not forbidden, so too, with regard to the Temple, it is wine that is forbidden to priests, but other intoxicating beverages are not forbidden to them.

[54] And this is to the exclusion of the opinion of Rabbi Yehuda, as it is taught in a baraita that Rabbi Yehuda says: If one ate a dried fig from Ke'ila, and similarly if one drank honey or if one drank milk, which can dull the senses, and entered the Temple, he is liable for violating the prohibition against strong drink.

[55] The Gemara suggests a different reason for the inclusion of the term "strong drink," according to Rabbi Shimon. If you wish, say instead that it is necessary because Rabbi Shimon does not generally accept the principle that a prohibition takes effect upon a preexisting prohibition.

[56] As it is taught in a baraita that Rabbi Shimon says: One who eats an animal carcass on Yom Kippur is exempt from the punishment of karet for eating on Yom Kippur. It is prohibited to eat an animal carcass, and therefore the additional prohibition against eating on Yom Kippur does not take effect with regard to it. The inclusion of the term "strong drink" alludes to the fact that with regard to naziriteship, a second prohibition does take effect. Consequently, if one took an oath not to drink wine and afterward vowed to be a nazirite, both prohibitions apply.

[57] The Gemara asks: And also according to the Rabbis, isn't it written: "Anything that is made of the grapevine" (Numbers 6:4), which seems to indicate, as stated by Rabbi Shimon, that one becomes a

nazirite only if he vows to accept all the prohibitions of a nazirite? The Gemara answers: The Rabbis could have said to you: There the verse taught that the prohibitions of a nazirite combine with each other. In other words, if a nazirite eats less than an olive-bulk of both grape skins and grape seeds, but together they amount to an olive-bulk, he receives lashes for transgressing a Torah prohibition.

58 The Gemara explains: And Rabbi Shimon does not interpret the verse in this manner because he does not hold that there is a need for the combination of quantities of different foods in order to render one liable to receive lashes, as it is taught in a baraita that Rabbi Shimon says: Even the smallest quantity of forbidden food is sufficient to render one liable to receive lashes. The Sages stated the measurement of an olive-bulk only with regard to the obligation to bring an offering. Consequently, in the case of a nazirite, who is not obligated to bring a sin-offering if he inadvertently eats grape products, there is no need for a special verse to teach that the different foods add up to the measurement of an olive-bulk. Therefore, the purpose of the verse must be to teach about the nature of a nazirite vow.

59 MISHNA: If one said: I am hereby like Samson, like the son of Manoah, like the husband of Delilah, like the one who tore off the doors of Gaza, like the one whose eyes were gouged out by the Philistines, he is a nazirite like Samson, whose halakhot are explained in the next mishna (see Judges, chapters 13–16).

60 GEMARA: The Gemara asks: Why do I need the tanna to teach all these cases? It should be enough to state only the halakha where one says: Like Samson. The Gemara answers: These specifications are necessary because if one said only: I am hereby like Samson, I would say he was referring to another Samson, and this is not a nazirite vow. The tanna therefore teaches us that he adds: Like the son of Manoah, which shows he is referring to the biblical Samson.

61 And if the tanna had taught that he said he would be: Like the son of Manoah, I would say there is some person who is called that name, Samson, son of Manoah, and this is not a reference to the biblical Samson and is not an acceptance of naziriteship. The tanna therefore teaches us that he adds: Like the husband of Delilah, or: Like the one who tore off the doors of Gaza, or: Like the one whose eyes were gouged out by the Philistines. It is therefore clear that he is referring to the biblical figure and that his statement is a vow of naziriteship.

62 MISHNA: What is the difference between a permanent nazirite and a nazirite like Samson, both of whom remain nazirites forever? In the case of a permanent nazirite, if his hair grows too heavy for him, he lightens it by cutting some hair with a razor, and he then brings three animals as a sin-offering, a burnt-offering, and a peace-offering, like one who completes his term of naziriteship. And if he becomes ritually impure, he brings the offering for impurity brought by a regular nazirite who became impure.

63 By contrast, in the case of a nazirite like Samson, if his hair grows heavy he may not lighten it, since he is entirely prohibited from cutting his hair. And if he becomes impure, he does not bring an offering for impurity.

64 GEMARA: The Gemara asks: Who mentioned anything about a permanent nazirite? Since the mishna has not yet mentioned this concept, how can it analyze the differences between it and a nazirite like Samson? The Gemara answers: The mishna is incomplete and is teaching the following: In the case of one who says: I am hereby a permanent nazirite, he is a permanent nazirite. What is the difference between a permanent nazirite and a nazirite like Samson? In the case of a permanent

nazirite, if his hair grows too heavy for him, he lightens it with a razor and he then brings three animals for offerings. And if he becomes ritually impure, he brings the offering for impurity. In the case of a nazirite like Samson, if his hair grows heavy he may not lighten it with a razor,

[65] but he does not bring the offering for impurity.

[66] The Gemara comments: From the words: But if he becomes impure he does not bring an offering for impurity, one can infer that it is the offering that he does not bring. However, all of the prohibitions of naziriteship apply to him, and it is prohibited for him to become impure from a corpse.

[67] This leads to the following question: Whose opinion is expressed in the mishna? It is not the opinion of Rabbi Yehuda and not the opinion of Rabbi Shimon, as it is taught in a baraita: Rabbi Yehuda says: A nazirite like Samson is permitted to become impure from a corpse ab initio, as we find with Samson that he became impure. Rabbi Shimon says: One who says he will be a nazirite like Samson has not said anything, since we do not find with Samson that an utterance of a vow of naziriteship left his mouth. Samson never took a vow to be a nazirite. He received his status from the angel's instructions to his mother (see Judges 13:5). Consequently, Rabbi Shimon holds that one who vows to be a nazirite like Samson is not considered to have taken a nazirite vow.

[68] The Gemara explains the question: Whose opinion is expressed in the mishna? If it is the opinion of Rabbi Yehuda, didn't he say that it is permitted for a nazirite of this kind to become impure from a corpse even ab initio, but the mishna teaches: If he becomes impure, which indicates that he is prohibited from doing so ab initio? However, if you say that the mishna is according to the opinion of Rabbi Shimon, didn't he say that naziriteship does not apply to him at all?

[69] The Gemara answers: Actually, the mishna is in accordance with the opinion of Rabbi Yehuda, and a nazirite like Samson may become impure from a corpse even ab initio. And since it teaches with regard to a permanent nazirite: If he becomes impure, as it is prohibited for a permanent nazirite to become impure from a corpse ab initio, the tanna also taught the same expression with regard to a nazirite like Samson and used the expression: If he becomes impure.

[70] § The Gemara suggests: Let us say that Rabbi Yehuda and Rabbi Shimon disagree with regard to the issue that is the subject of the dispute between these tanna'im, as we learned in a baraita: If one says: This object is hereby forbidden to me like a firstborn, Rabbi Ya'akov prohibits the individual from deriving benefit from the object, as he holds that a vow of this sort is valid. And Rabbi Yosei permits it, because the sanctity of a firstborn is not the result of a vow or sanctification. Rather, it is sacred of its own accord, and therefore its forbidden status cannot be extended by means of a vow to other items.

[71] What, is it not the case that Rabbi Yehuda holds in accordance with the opinion of Rabbi Ya'akov, who said that in order for a vow to take effect, we do not require one to extend the forbidden status of an item rendered forbidden by means of a vow? Consequently, just as one can render an object forbidden by extending to it the sanctity of a firstborn animal, one can become a nazirite by accepting upon himself the status of Samson, whose prohibitions were not established by a vow. And Rabbi Shimon holds in accordance with the opinion of Rabbi Yosei, who said that in order for a vow to take effect, we do require one to extend the forbidden status of an item rendered forbidden by means of a vow. Consequently, one cannot become a nazirite by accepting upon himself the status of Samson.

[72] The Gemara responds: No, it can be explained that everyone agrees that we require one to extend the forbidden status of an item rendered forbidden by means of a vow. And according to Rabbi Ya’akov, the halakha is different with regard to a firstborn, as it is written about this in the verse pertaining to vows: “When a man vows a vow to the Lord” (Numbers 30:3). This comes to include the firstborn and teach that since the firstborn is consecrated, its status is comparable to animals designated as offerings by means of a vow, and one can extend its forbidden status to another item.

[73] And Rabbi Yosei could have said to you in response that he needs that expression: “To the Lord,” to include a sin-offering and a guilt-offering. One may not obligate himself to bring these offerings by means of a vow. They are brought only when one becomes liable due to a transgression. Nevertheless, one can take a vow by extending to another item the forbidden status of a sin-offering or guilt-offering.

[74] The Gemara questions Rabbi Yosei’s explanation: And what did you see that indicated to you to include a sin-offering and a guilt-offering and to exclude a firstborn? The Gemara answers: I include a sin-offering and a guilt-offering, as one grants consecrated status to the animals designated for these offerings by means of a vow, i.e., the act of designating specific animals for these offerings is comparable to taking a vow. And I exclude a firstborn, as one does not grant it consecrated status by means of a vow.

[75] And Rabbi Ya’akov could have said to you in response: Also in the case of a firstborn, one grants it consecrated status by means of a vow, as it is taught in a baraita: The Sages of the house of our Rabbi, i.e., Rabbi Yehuda HaNasi, said: From where is it derived that when a firstborn male animal is born in one’s herd, there is a mitzva for him to consecrate it, although it is consecrated from the time it is born? As it is stated: “All firstborns males that are born to your herd and to your flock you shall sanctify” (Deuteronomy 15:19).

[76] And Rabbi Yosei could have said to you in response: Granted that there is a mitzva to consecrate it. But if he does not consecrate it, is it not consecrated of its own accord? Since a firstborn is forbidden principally because of its inherent sanctity and not because of a vow, one cannot express a vow by extending a firstborn’s forbidden status to another item.

[77] The Gemara asks: Both Rabbi Ya’akov and Rabbi Yosei agree that the phrase “to the Lord” indicates that one can take a vow by associating the object of his vow with an item whose prohibition does not stem from a vow. With regard to a nazirite as well, isn’t it written: “Shall clearly utter a vow, the vow of a nazirite, to consecrate himself to the Lord” (Numbers 6:2)? Why doesn’t Rabbi Shimon derive from this verse that one can become a nazirite by accepting the naziriteship of Samson, despite the fact that Samson did not accept his naziriteship by means of a vow?

[78] The Gemara answers: That phrase is required by him for that which is taught in a baraita: Shimon HaTzaddik said: In all my days as a priest, I never ate the guilt-offering of a ritually impure nazirite, apart from the offering of one man who came to me from the South, who had beautiful eyes and a fine countenance, and his locks were arranged in curls. I said to him: My son, what did you see to become a nazirite, which would force you to destroy this beautiful hair, as a nazirite must cut off all his hair at the conclusion of his term?

[79] He said to me: I was a shepherd for my father in my town, and I went to draw water from the spring, and I looked at my reflection in the water. And my evil inclination quickly rose against me and sought to drive me from the world. I said to my evil inclination: Empty one! For what reason are

you proud in a world that is not yours, as your end is to be maggots and worms when you die. I swear by the Temple service that I will become a nazirite and shave you for the sake of Heaven.

80 Shimon HaTzaddik relates: When I heard his response, I arose and kissed him on his head, and said to him: May there be more nazirites like you in Israel, whose intentions are noble, and who would not regret their vow of naziriteship even if they became impure. With regard to you the verse states: “When either a man or a woman shall clearly utter a vow, the vow of a nazirite, to consecrate himself to the Lord” (Numbers 6:2). The verse speaks of a vow that is not undertaken out of anger or spite, but purely for the sake of God. The phrase “to the Lord” in this context means: For the sake of Heaven. It cannot be used to teach that if one declares his intention to become a nazirite like Samson, his statement constitutes a nazirite vow.

81 The Gemara challenges the assumption that Samson’s naziriteship was not accepted through a vow: And was Samson not a nazirite whose naziriteship was accepted by a vow? Isn’t it written: “For the child shall be a nazirite of God from the womb” (Judges 13:5)? The Gemara answers: There it was the angel who spoke. Samson’s nazirite status did not stem from a vow uttered by a human being.

82 The Gemara asks: And from where do we derive that Samson became impure from corpses? If we say it is from the fact that it is written: “And Samson said: With the jawbone of an ass, I smote a thousand men” (Judges 15:16), perhaps he thrust the jawbone at them but did not touch them, and he remained pure.

83 Rather, it is derived from here: “And he smote thirty men of them, and took their garments” (Judges 14:19). Since he stripped the clothes off the dead he must have come into contact with them. The Gemara counters: Perhaps he stripped them first and afterward killed them. The Gemara responds: It is written: “And he smote…and took,” in that order, indicating that first he killed them and then he took their clothing.

84 The Gemara asks: But perhaps he mortally wounded them and thereby caused them to be in the process of dying, and he then took their clothes before they died so that he would not touch their corpses. Rather, it must be concluded that it is learned as a tradition that Samson would become impure from corpses.

85 § The Gemara clarifies a halakha taught in the mishna: And where is the concept of a permanent nazirite written? As it is taught in a baraita: Rabbi Yehuda HaNasi says: Absalom was a permanent nazirite, as it is stated: “And it came to pass at the end of forty years, that Absalom said to the king: I pray to you, let me go and pay my vow, which I have vowed to the Lord, in Hebron” (II Samuel 15:7). And he cut his hair once every twelve months, as it is stated: “And when he polled his head, now it was at every year’s [yamim] end that he polled it; because the hair was heavy on him” (II Samuel 14:26).

86 And Rabbi Yehuda HaNasi derives the meaning of the term yamim stated with regard to Absalom based upon a verbal analogy from the word yamim that appears in the context of houses of walled cities, where it states: “For a full year [yamim] he shall have the right of redemption” (Leviticus 25:29). Just as there, in the case of walled cities, the term yamim means twelve months, as the verse states immediately afterward: “Within the space of a full year” (Leviticus 25:30), so too here, in the case of Absalom, the term yamim means twelve months.

[87] Rabbi Nehorai says: Absalom cut his hair once every thirty days. Rabbi Yosei says: He cut his hair from one Shabbat eve to another Shabbat eve, as we find that the sons of kings cut their hair from one Shabbat eve to another Shabbat eve.

[88] The Gemara asks: What is the reasoning of Rabbi Yehuda HaNasi? He derives the meaning of the verse concerning Absalom from the verse concerning houses of walled cities. But isn't it Rabbi Yehuda HaNasi himself who said that one may not redeem his house until it has been in the buyer's possession for at least two days, as the word yamim does not refer to fewer than two days? This demonstrates that Rabbi Yehuda HaNasi understands the word yamim in the case of walled city houses as referring to a period of two days rather than a year. How then can he employ a verbal analogy from houses of walled cities to derive that the word yamim in the case of Absalom indicates a period of twelve months?

[89] The Gemara answers: He learned this verbal analogy because the verse states that Absalom would trim his hair due to its weight (II Samuel 14:26), and in two days there is no significant weight added to the hair. Consequently, the term yamim cannot be understood to mean two days in the case of Absalom.

[90] The Gemara asks: But say that yamim means two years, as it is written: "And it came to pass at the end of two years of days [yamim]" (Genesis 41:1). The Gemara rejects this: We derive the meaning of the term yamim in a case where it does not have the term years mentioned with it, as in the case of Absalom, from another usage of the term yamim that does not have the term years mentioned with it, i.e., the verse about houses of walled cities. And this usage of the term yamim that does have the term years mentioned with it will not prove otherwise.

[91] The Gemara asks: But say that yamim means thirty days, as it is written: "But a month of days [yamim]" (Numbers 11:20). The Gemara rejects this: We derive the meaning of the term yamim in a case where it does not have the term months mentioned with it from another usage of the term yamim that does not have the term months mentioned with it. And this usage of the term yamim that does have the term months mentioned with it will not prove otherwise.

[92] The Gemara asks: But say that Rabbi Yehuda HaNasi should have derived the meaning of the term yamim from here: "The daughters of Israel went from time to time [yamim yamima] to lament the daughter of Jephthah the Gileadite four days in a year" (Judges 11:40). This teaches that the daughters of Israel would go four times a year, each time for one day, to lament her, in which case yamim yamima means once every three months. The Gemara rejects this: We derive the meaning of the term yamim from another usage of the term yamim, and we do not derive the meaning of the term yamim from a case where the word yamim is used in conjunction with the term yamima.

[93] The Gemara raises a difficulty: And what is the difference between yamim and yamima? Didn't the school of Rabbi Yishmael teach a verbal analogy with regard to leprosy of houses between the words "and the priest shall return [veshav]" (Leviticus 14:39) and the words "and the priest shall come [uva]" (Leviticus 14:44)? It is derived from this that just as this is the halakha with regard to returning, i.e., the priest returns after seven days, this is the halakha with regard to coming, which is also after seven days. Just as the Hebrew words veshav and uva can be used in a verbal analogy, certainly two words with a less pronounced variation, i.e., yamim and yamima, can be used to teach a verbal analogy.

[94] The Gemara responds: This applies only where there are no terms that are identical to it. However, where there are terms that are identical to it, we derive the meaning of a term from the usage of terms that are identical to it rather than from the usage of terms that are merely similar.

[95] Some say that the reason the halakha is not derived from yamim yamima is because the time period to which it refers is unclear: From where do we know that they would lament Jephthah's daughter once every three months, at fixed intervals? Perhaps they would lament her four times a year, in irregular intervals. Alternatively, it might have taken place in regular but uneven intervals, e.g., after four months they would visit one time, and then after two months they would visit one time, and then they would visit again after a four-month interval and again after a two-month interval.

[96] It was taught in the baraita that Rabbi Nehorai says that Absalom cut his hair once every thirty days. The Gemara explains the basis for this opinion: What is the reason that with regard to priests, the halakha is that they must cut their hair every thirty days? It is because after that interval there is noticeable weight to the hair. Here, too, in the case of Absalom, there is noticeable weight after this period of time has passed, and it is clear that Absalom cut his hair due to its weight, as it is stated: "Because the hair was heavy on him, therefore he polled it" (II Samuel 14:26).

[97] It was taught in the baraita that Rabbi Yosei says: Absalom cut his hair from one Shabbat eve to another Shabbat eve, as the sons of kings would cut their hair every Shabbat eve. The Gemara asks: If so, what difference is there between Absalom, who was a nazirite, and the rest of his brothers, King David's sons, who also cut their hair once a week?

[98] The Gemara answers: There is a difference between them with regard to a Festival that occurs in the middle of the week, as his brothers would cut their hair in honor of the Festival, whereas he would not cut his hair. Alternatively, the difference between them concerns cutting hair on the morning of Shabbat eve. His brothers would cut their hair at that hour, whereas he would not cut his hair until the evening, shortly before Shabbat.

[99] Having mentioned in 4b the verse "and it came to pass at the end of forty years, that Absalom said unto the king" (II Samuel 15:7), the Gemara asks: With regard to these forty years, what is their purpose in this discussion, i.e., to what time period do they refer? The Gemara answers: Rabbi Nehorai says in the name of Rabbi Yehoshua: It is referring to the end of forty years, since the Jewish people requested for themselves a king in the days of Samuel (see I Samuel, chapter 8). It was taught: That year when they requested for themselves a king was the tenth year of the leadership of Samuel the Ramathite.

[100] MISHNAH: In the case of unspecified naziriteship, where one does not state how long he wishes to be a nazirite, the term lasts for thirty days.

[101] GEMARA: The Gemara asks: From where are these matters derived, that an unspecified naziriteship is thirty days? In answer to this question, Rav Mattana said: The verse states with regard to a nazirite: "He shall be [yihye] holy" (Numbers 6:5), and the numerical value [gimatriyya] of the letters of the word yihye is thirty.

[102] Bar Padda said: The number of days of an unspecified naziriteship corresponds to the number of appearances of the words "nazirite," "his naziriteship," and similar terms that are stated in the Torah

in the chapter of naziriteship (Numbers, chapter 6): Thirty less one times. So too, an unspecified term of naziriteship is twenty-nine days.

[103] The Gemara asks: And Rav Mattana should also derive from the number of times that the words “nazirite” and “his naziriteship” appear, to conclude like bar Padda that an unspecified naziriteship lasts for twenty-nine days.

[104] The Gemara answers: Rav Mattana could have said to you: That word is needed for a specific exposition. The words: “He shall abstain [yazir] from wine and strong drink” (Numbers 6:3), comes to prohibit a nazirite from drinking wine that is consumed for a mitzva just as he is prohibited from drinking wine whose consumption is optional. Likewise, the words: “When either man or woman shall clearly utter a vow, the vow of a nazirite, to consecrate himself” (Numbers 6:2), teach that one vow of naziriteship takes effect where another vow of naziriteship already exists. For example, if one takes a vow by stating: I will be a nazirite today, and then repeats the vow, he must observe two periods of naziriteship. Consequently, since sometimes the word nazirite, in its different forms, appears in order to serve as the source of a particular exposition, the number of times it occurs does not indicate the length of an unspecified term of naziriteship.

[105] And bar Padda could have said to you that although some of these verses are required for an exposition, is there not at least one of them that is not used for an exposition? Rather, since that usage of the term nazirite is stated to indicate the number of days in an unspecified term of naziriteship, all of the other usages of the term are also stated to indicate the number of days in an unspecified term of naziriteship in addition to the specific halakhot that are derived from them.

[106] The Gemara analyzes the opinions of Rav Mattana and bar Padda in light of the mishna and relevant baraitot. We learned in the mishna: An unspecified naziriteship lasts for thirty days. Granted, according to Rav Mattana it works out well. However, according to bar Padda it is difficult, since in his opinion the mishna should have stated that an unspecified naziriteship lasts for twenty-nine days.

[107] The Gemara answers: Bar Padda could have said to you: The principal days of naziriteship are twenty-nine days. However, since there is the thirtieth day, when the nazirite shaves his hair and brings his offerings, and the prohibitions of naziriteship remain in effect on that day until he has brought these offerings, due to that reason the tanna teaches that an unspecified naziriteship lasts for thirty days.

[108] The Gemara asks: We learned in a mishna (16a): One who said: I am hereby a nazirite, shaves his hair on the thirty-first day. Granted, according to Rav Mattana this works out well, since one must finish his term of naziriteship, which lasts for thirty days, before he can shave his hair. However, according to bar Padda, it is difficult. Why doesn’t he shave his hair on the thirtieth day?

[109] The Gemara answers: Bar Padda could have said to you in response: Say the latter clause of that mishna: If he shaved his hair on the thirtieth day, he has fulfilled his obligation. This indicates that the naziriteship itself lasts only twenty-nine days. Rather, the latter clause of that mishna certainly supports his opinion. As for the first clause, the reason a nazirite must wait until the thirty-first day in order to shave his hair ab initio is as follows: Since one who specifies that he is becoming a nazirite for thirty complete days may shave his hair only on the thirty-first day, the Sages ruled that even one who did not specify a time period becomes like one who said explicitly that he will be a nazirite for thirty complete days. Consequently, he may shave his hair ab initio only after thirty days have passed.

[110] The Gemara asks: And for Rav Mattana, the latter clause of the mishna is difficult, since it states that one who shaves his hair on the thirtieth day has fulfilled his obligation, whereas Rav Mattana claims that his naziriteship is not yet complete at that time. The Gemara answers: He holds that the legal status of part of the day is like that of an entire day. Although the term of naziriteship is thirty days, once the thirtieth day begins it is as though it has been completed, and a nazirite who shaves his hair on that day has fulfilled his obligation.

[111] The Gemara asks further: We learned in that same mishna: In the case of one who says: I am hereby a nazirite for thirty days, if he shaved his hair on the thirtieth day, he has not fulfilled his obligation. This appears to contradict the opinion of Rav Mattana, who holds that part of the day is like an entire day. The Gemara answers: This is referring to one who says that he will be a nazirite for thirty complete days, in which case he certainly does not fulfill his obligation by shaving his hair on the thirtieth day itself.

[112] The Gemara asks further: We learned in that mishna: One who accepted two terms of naziriteship shaves his hair for the first naziriteship on the thirty-first day, and he shaves his hair for the second term on the sixty-first day. Granted, according to Rav Mattana this works out well, since he shaves his head for the first naziriteship after a full thirty days have passed. The second term of naziriteship then commences on that day, which is the thirty-first day since he took his vows. He then shaves for the second time on the thirty-first day of his second naziriteship, which is the sixty-first day since he took his vows.

[113] However, according to bar Padda this is difficult. Why doesn’t he shave his hair on the thirtieth day of each term of naziriteship?

[114] The Gemara answers: Bar Padda could have said to you: Say the latter clause of the mishna: And if he shaved his hair for the first term on the thirtieth day, he shaves his hair for the second term on the sixtieth day. This demonstrates that the periods of naziriteship really last only twenty-nine days. Rather, the latter clause of the mishna supports his opinion, whereas the earlier clause of the mishna, which teaches that he shaves his hair on the thirty-first and sixty-first days, is referring to one who says that his naziriteship will be for thirty complete days.

[115] The Gemara now asks: And according to Rav Mattana, the latter clause of the mishna is difficult. The Gemara answers that Rav Mattana could have said to you that it is as the latter clause teaches: The thirtieth day counts for both this and that, i.e., it is considered both the last day of the first term of naziriteship, as well as the first day of the second term.

[116] The Gemara asks: What is the novelty of the latter clause of the mishna? Is it that the legal status of part of the day is like that of an entire day? But didn’t he already say this once in an earlier clause in that mishna, as explained above? The Gemara answers: The latter clause was necessary; lest you say that this principle applies only with regard to one term of naziriteship, but with regard to two terms of naziriteship, no, this principle does not apply, the tanna therefore teaches us that part of the day is like that of an entire day, even to allow counting the beginning of the day as the last day of one term of naziriteship and the end of the day as the first day of another term of naziriteship.

[117] The Gemara raises another question. We learned in the mishna (16a): If he shaved his hair on day sixty less one, i.e., on the fifty-ninth day after he vowed to observe two consecutive terms of naziriteship, he has fulfilled his obligation, as the thirtieth day counts as part of his tally. Granted, according to Rav Mattana this works out well, since the mishna is stating that the thirtieth day can be

counted for both terms of naziriteship due to the principle that part of a day is like an entire day. However, according to bar Padda, why do I need the mishna to state that the thirtieth day counts in his tally? Didn't he say that an unspecified term of naziriteship is for thirty days less one? It is obvious that the thirtieth day counts for the second term of naziriteship.

118 The Gemara answers: Bar Padda could have said to you: I too rely on this. This is my proof for the principle that an unspecified naziriteship lasts for twenty-nine days.

119 The Gemara continues to ask: We learned in the mishna (16a): In the case of one who said: I am hereby a nazirite, if he became ritually impure on the thirtieth day, it negates the entire tally, and he must start his naziriteship afresh. Granted, according to Rav Mattana it works out well, since he became impure before the conclusion of his naziriteship. However, according to bar Padda it is difficult, as the term of naziriteship ended at the conclusion of the twenty-ninth day, and one who becomes impure after completing his term does not have to observe a new term of naziriteship.

120 The Gemara answers: Bar Padda could have said to you: Say the latter clause of that mishna: Rabbi Eliezer says: It negates only seven days. If it enters your mind that we require thirty days for a term of naziriteship, the nazirite should negate all of them, since he is still in the middle of his naziriteship. This proves that an unspecified naziriteship is only twenty-nine days long.

121 The Gemara responds that Rav Mattana can explain Rabbi Eliezer's opinion as follows: This does not prove that an unspecified term of naziriteship is less than thirty days, as Rabbi Eliezer holds that the legal status of part of the day is like that of an entire day, and it is viewed as though the nazirite has completed his term of naziriteship at the start of the thirtieth day.

122 The Gemara raises a difficulty with Rabbi Eliezer's opinion. We learned in the mishna (16a): If one says: I am hereby a nazirite for one hundred days, if he became impure on the one hundredth day, it negates the entire tally. He must bring offerings for having become impure, and he then begins his term of naziriteship anew. Rabbi Eliezer says: It negates only thirty days. The Gemara comments: And if it enters your mind that Rabbi Eliezer holds that the legal status of part of the day is like that of an entire day, the nazirite should negate seven days because it is considered as though he became impure after completing his term of naziriteship. And if he does not hold that part of the day is like an entire day, he should negate all of the days, since he became impure during his naziriteship.

123 The Gemara answers: Actually, we do not say that the legal status of part of the day is like that of an entire day. The Gemara asks: If that is so, then let him negate all of the days. Reish Lakish said that this is the reason of Rabbi Eliezer: The verse states: "This is the law of the nazirite, on the day when the days of his consecration are complete" (Numbers 6:13). The Torah stated: If he became impure on the day of the completion of his term of naziriteship, give him the halakha of an unspecified nazirite, and he must recount an unspecified term of naziriteship, which is thirty days.

124 § Until this point the Gemara has been attempting to prove whether the halakha is in accordance with the opinion of Rav Mattana or bar Padda. The Gemara now suggests: Let us say that this is parallel to a dispute between tanna'im, as it is taught in a baraita: The verse states: "Until the days are complete, in which he consecrated himself to the Lord, he shall be holy, he shall let the locks of the hair of his head grow long" (Numbers 6:5).

125 I hear from this: The least amount of days that the plural "days" can indicate is two, implying that one can become a nazirite for a term of two days. Therefore, the verse states: "He shall be holy, he

shall let the locks of the hair of his head grow long,” and there is no significant growth of hair in less than thirty days. This is the statement of Rabbi Yoshiya.

126 Rabbi Yonatan says: This proof is not needed, as the verse says: “Until the days are complete.” What are the days that require completion? You must say this is referring to the days of a month. Since a lunar cycle lasts for approximately twenty-nine and a half days, some months are twenty-nine days, whereas full months are thirty days. This demonstrates that a term of naziriteship must be at least one month.

127 The Gemara suggests: What, is it not the case that Rav Mattana said in accordance with the opinion of Rabbi Yoshiya, who derives the minimum length of a term of naziriteship from the phrase “he shall be holy, he shall let his hair grow long,” and therefore a term of naziriteship lasts thirty days, and bar Padda said in accordance with the opinion of Rabbi Yonatan, who derives this halakha from the length of a month, and since a month can be twenty-nine days, the minimum length of a term of naziriteship is also twenty-nine days?

128 The Gemara responds: Rav Mattana could have said to you: Everyone agrees that we require a term of naziriteship to last at least thirty days, and here they disagree with regard to whether “until” means until and including. Rabbi Yoshiya holds that “until the days are complete” indicates that a term of naziriteship must last until, but not necessarily including, the thirtieth day of a full month. Consequently, he derives the minimum length of a term of naziriteship from the phrase “he shall let the locks of the hair of his head grow long.” And Rabbi Yonatan holds that the term “until” means until and including the thirtieth day of a full month, and he derives the minimum length of a term of naziriteship from the phrase “until the days are complete.”

129 The Gemara now analyzes the baraita that cites the opinions of Rabbi Yoshiya and Rabbi Yonatan. The Master, Rabbi Yonatan, said: What are the days that require completion? You must say this is referring to the thirty days of a full month. The Gemara asks: But say it is referring to the seven days of a week. The Gemara responds: In the case of a week, is there ever a week that is lacking? All weeks are seven days. Conversely, since some months are twenty-nine days and others are thirty days, it can be said that the thirtieth day completes that which was lacking.

130 The Gemara asks further: But say it is referring to a year, which can also be full or lacking. The Gemara responds: Do we count years by days? Didn’t the Sages of Caesarea say: From where is it derived that one does not count days toward years, but that years are calculated according to months? As it is stated: “Of the months of the year” (Exodus 12:2). This teaches that months are calculated to comprise years, but days are not counted toward years. Therefore, only a month can be described as being completed by a particular day.

131 MISHNA: If one said: I am hereby a nazirite for one long term, or: I am hereby a nazirite for one short term, or even if one said: I am hereby a nazirite from now until the end of the world, in all these cases he is a nazirite for thirty days.

132 GEMARA: The mishna taught that even one who said: I am hereby a nazirite from now until the end of the world, becomes a nazirite for thirty days. The Gemara asks: Why does he become a nazirite for only thirty days? Didn’t he say: From now until the end of the world? The Gemara answers: This is what he is saying: Because of the difficulties it entails, it is as though this matter of naziriteship were as lengthy for me as the time from now until the end of the world.

133 The Gemara raises a difficulty: We learned in the mishna (8a): If one says: I am hereby a nazirite from here until such and such a place, one estimates how many days it takes to walk from here until such and such a place. If it is a distance of less than thirty days, he is a nazirite for thirty days, since this is the minimum term of naziriteship. And if not, i.e., if it takes more than thirty days to walk that distance, he is a nazirite in accordance with the number of days it takes to walk to that place. But here too, in that mishna, say that the individual intends to accept only a thirty-day term of naziriteship, and he means to say: This matter of naziriteship is as lengthy for me as the time it would take me to walk from here until such and such a place.

134 Rava said: That mishna is referring to one who had already set out on the way, so that it is apparent that his intention is to be a nazirite until he reaches his destination. The Gemara asks: Why is it assumed that he means to accept a single term of naziriteship that is the length of time it takes to travel to a certain destination? And let each and every parasang [parsa] be understood to refer to a separate term of naziriteship, such that the individual is understood to have accepted a separate term of naziriteship for each parasang that he must travel. Rav Pappa said: The mishna deals with a place where people do not measure distances in parasangs.

135 The Gemara asks further: And let each and every way station [avvana], where travelers lodge at night, be understood to refer to a separate term of naziriteship, such that the individual is understood to have accepted a separate term of naziriteship for each station that he passes along the way. Didn’t we learn in a mishna (8a): If one says: I am hereby a nazirite like the dust of the earth, or: Like the hair of my head, or: Like the sand of the sea, he is a nazirite forever, as it is understood that he accepted upon himself terms of naziriteship in accordance with the number of his hairs, or grains of dust, or sand, and he shaves once every thirty days?

136 The Gemara responds: Everything that has a fixed amount is not taught in this clause, which states that one is a nazirite forever. When one declares that he will be a nazirite for a length of time corresponding to an item that people consider infinite, e.g., the dust of the earth, his intention is not to define the length of a single term of naziriteship, as it is unknown how many grains of dust there are. However, when one mentions something that does have a fixed number, e.g., the number of days it takes to walk to a certain place, his intention is to define the length of a single term of naziriteship.

137 And similarly, it is taught in a baraita: If one says: I am hereby a nazirite all the days of my life, or: I am hereby a permanent nazirite, he is a permanent nazirite. However, if he said that he is a nazirite for a fixed period of time, even for one hundred years or even for one thousand years, he is not a permanent nazirite. Rather, he is a regular nazirite forever, since he will not live long enough to complete his term of naziriteship. This demonstrates that there is a difference between a naziriteship that lasts for a fixed time and a naziriteship that is unlimited.

138 Rabba said another reason for the distinction between one who accepts naziriteship based on the distance between places and one who accepts naziriteship based on the number of hairs on his head or the dust of the earth. Hairs are different, since they are separated from each other. Consequently, one who says: Like the hair of my head, is referring to distinct terms of naziriteship.

139 The Gemara asks: Also with regard to days, isn’t it written: “And there was evening and there was morning, one day” (Genesis 1:5), which indicates that each day is a separate unit? Consequently, one who vows to be a nazirite: From here until such and such a place, should be considered to have

accepted upon himself distinct terms of naziriteship corresponding to the number of days it takes to travel to the designated destination.

140 The Gemara answers: The meaning of the verse there is not that days are separated from each other, because time is continuous. Rather, what it is saying is that the period of day and night is one calendar day, but actually days are not separate from each other.

141 The discussion above stemmed from the difficulty with the mishna's case where one accepted naziriteship from now until the end of the world. Rava said: Why do you raise all these difficulties? It is different there, as it teaches that the individual said: I am hereby a nazirite for one long term. Since he specified that he is accepting one term of naziriteship, his statement is interpreted accordingly and is not interpreted as a reference to multiple terms of naziriteship.

142 MISHNA: If one said: I am hereby a nazirite and one day, or: I am hereby a nazirite and one hour, or: I am hereby a nazirite for one and a half, he becomes a nazirite for two consecutive terms of naziriteship. When he says: I am hereby a nazirite, he accepts upon himself one thirty-day term of naziriteship. When he subsequently adds an additional amount of time, e.g., an extra day, he thereby accepts upon himself an additional term of naziriteship, and the minimal term of naziriteship is thirty days.

143 GEMARA: The Gemara asks: Why do I need the mishna to teach all these cases rather than giving just one example of the mishna's principle? The Gemara explains: All the cases are necessary, as, if the mishna had taught only the case where one said: I am hereby a nazirite and one day, one might have thought: It is here that we say that there is no naziriteship for one day, and therefore he must count two terms of naziriteship. However, if he said: I am hereby a nazirite and one hour, let him count thirty-one days. The mishna therefore teaches us that even in this latter case he must keep two terms of naziriteship.

144 And if the mishna taught only the case where one said: I am hereby a nazirite and one hour, one might have said that he is obligated in two periods of naziriteship because he did not go into specific detail [davka]. He merely stated that he accepts upon himself some part of a second term of naziriteship, and therefore he must observe a full second term of naziriteship. However, in the case of one who says he will be a nazirite for one and a half, where he does go into specific detail, one might say he should not have to count two full terms of naziriteship but rather forty-five days of naziriteship. The mishna therefore teaches us that in all these cases he is a nazirite for two full terms of naziriteship.

145 MISHNA: One who says: I am hereby a nazirite for thirty days and one hour, becomes a nazirite for thirty-one days, as there is no naziriteship for hours but only for full days.

146 GEMARA: Rav said: They taught that he is a nazirite for thirty-one days only when he said: Thirty-one days. But if he said: Thirty days and one day, he is a nazirite for two terms of naziriteship, since the thirty days are considered one term of naziriteship, and the additional day is the start of an additional term.

147 The Gemara comments: In this regard, Rav holds in accordance with the opinion of Rabbi Akiva, who derives meaning from superfluous language. Rabbi Akiva believes that if one uses unnecessary words, it is inferred that he intended to add something. In this case, since the individual said: Thirty

days and one day, without combining them into one amount, he intended to accept an additional term of naziriteship.

[148] As we learned in a mishna (Bava Batra 64a): According to Rabbi Akiva, if one sold his house to another without specification, he has sold neither the pit nor the cistern [dut] with it, although he wrote to him in the document of sale: With its depth and its height. This is because anything that is not part of the house, e.g., pits and cisterns, must be explicitly mentioned in the contract. And the seller must purchase a path through the property he sold along with the house in order to reach the pit or cistern that he kept for himself. This is the statement of Rabbi Akiva.

[149] And the Rabbis say: He does not need to purchase a path, as it is assumed that just as he maintained his rights to the pit or cistern, he also maintained the right to walk through the rest of the property in order to access the pit or cistern. And Rabbi Akiva concedes that when he says to him in the document of sale: Apart from these, i.e., the pit and cistern, that he does not need to purchase a path. Rabbi Akiva's reasoning is this: Since the seller unnecessarily stressed that the pit and cistern are not included in the sale, he must have intended to thereby reserve for himself the right of access. This proves that, according to Rabbi Akiva, if one adds a superfluous clause he must have had a specific meaning in mind, and something must be derived from his statement. Rav follows a similar line of reasoning with regard to the case of a nazirite.

[150] MISHNA: If one says: I am hereby a nazirite like the hair of my head, or: Like the dust of the earth, or: Like the sand of the sea, he is a nazirite forever. He has accepted a separate term of naziriteship for every hair or particle of dust or sand, which in practice means that he will be a nazirite forever. And he shaves his hair once every thirty days.

[151] Rabbi Yehuda HaNasi says: This nazirite does not shave his hair once every thirty days, as he has accepted upon himself one long term of naziriteship lasting for as many days as there are hairs or particles of dust or sand. And who is the nazirite who shaves his hair once every thirty days? One who says: It is hereby incumbent upon me to observe naziriteships like the hair of my head, or: Like the dust of the earth, or: Like the sand of the sea. Since he used the plural term naziriteships, it is clear that he is accepting distinct terms of naziriteship.

[152] If one says: I am hereby a nazirite in accordance with the capacity of the house, or: The capacity of the basket, one checks with him what he had in mind. If he said: My intention was to take a nazirite vow for one long term of naziriteship, he is a nazirite for only thirty days, in accordance with the ruling of the mishna that the words long or short are of no account when used in a nazirite vow (7a). And if he said: I took a nazirite vow without specification, it is assumed that he meant to accept upon himself terms of naziriteship corresponding to the number of items that fit into the basket, and the smallest items normally placed in baskets are used for this evaluation. Consequently, one views the basket as though it were full of mustard seeds, which are extremely small, and he is a nazirite for his entire life.

[153] If one says: I am hereby a nazirite from here until such and such a place, one estimates how many days it takes to walk from here until such and such a place. If it is less than thirty days, he is a nazirite for thirty days, since this is the minimum term of naziriteship. And if not, i.e., if it takes more than thirty days to walk that distance, he is a nazirite in accordance with the number of days it takes to walk to that place.

[154] If one says: I am hereby a nazirite in accordance with the number of days in a solar year, he counts 365 consecutive naziriteships, in accordance with the number of days in a solar year. Rabbi Yehuda said: There was an incident where someone took this vow and observed 365 consecutive terms of naziriteship. Once he completed all these terms of naziriteship, he died.

[155] GEMARA: The mishna taught that if one said: I am hereby a nazirite in accordance with the capacity of the basket, and he did not specifically intend to accept one term of naziriteship, one views the basket as though it were full of mustard seeds, and he is a nazirite for his entire life. The Gemara asks: But why does one view the basket as though it were full of mustard seeds? Let us view it as though it were full of cucumbers or gourds, which are much larger. The basket would consequently hold fewer of them, and there would be a remedy for him, i.e., he would be able to complete his terms of naziriteship and resume living as a non-nazirite.

[156] In response to this question, Ḥizkiyya said: This issue is taught as a dispute between tanna'im, and the mishna is in accordance with the opinion of Rabbi Shimon, who said: A person places himself in a state where the resulting uncertainty is more stringent than if there were certainty, i.e., an individual willingly accepts conditions that are ambiguous although this may cause him to have to keep more stringent halakhot if the uncertainty is not clarified.

[157] This is as it is taught in a baraita: With regard to one who says: I am hereby a nazirite on the condition that this pile of grain will be found to contain at least one hundred kor, and he went to measure the pile and found that it was stolen or lost, making it impossible to determine whether it contained one hundred kor, Rabbi Shimon prohibits him to drink wine or cut his hair, as he holds that in a case of uncertain naziriteship one is required to act stringently. Similarly, in the case in the mishna, since it is not known whether one intended to accept naziriteship according to the number of mustard seeds in the basket or according to the number of gourds there, he must act stringently.

[158] Conversely, Rabbi Yehuda permits him to drink wine or cut his hair, as he holds that in a case of uncertain naziriteship one is permitted to act leniently. The naziriteship does not take effect, since the pile might have contained less than one hundred kor.

[159] Rabbi Yoḥanan said: You can even say that the mishna is in accordance with the opinion of Rabbi Yehuda because the cases in the mishna and in the baraita are not comparable. There, in the case discussed in the baraita, he does not necessarily even enter a state of naziriteship, as it is unclear whether the pile contained a kor of grain. Consequently, he retains his previous status and is not considered a nazirite. Conversely, in the case discussed here in the mishna, he certainly enters a state of naziriteship, since he undoubtedly vowed to be a nazirite for some period of time. Consequently, how is it possible to remove the state of naziriteship from him when it is uncertain when his terms end? Therefore, even Rabbi Yehuda would agree that he remains a nazirite indefinitely.

[160] The Gemara asks: Why is it not possible to remove from him the status of naziriteship? Let us view the basket as though it were full of cucumbers or gourds, as he has accepted at least as many terms of naziriteship as the number of cucumbers or gourds that can fit in the basket, and in this way there will be a remedy for him. It entered our minds to say that it is distinct naziriteships that he accepted upon himself, and so once he has completed the minimal number of naziriteships, he should no longer be considered a nazirite unless it can be determined that he accepted more than this number of terms of naziriteship.

161 The Gemara answers: This is not possible, as Rabbi Yehuda holds in accordance with the opinion of Rabbi Yehuda HaNasi, as we learned in the mishna (8a) with regard to one who vows: I am hereby a nazirite like the hair of my head, Rabbi Yehuda HaNasi says: This nazirite does not shave his hair once every thirty days, as he is considered to have accepted one long term of naziriteship. And who is the nazirite who has accepted distinct terms of naziriteship and therefore shaves his hair once every thirty days? One who says: It is incumbent upon me to observe naziriteships like the hair of my head, or: Like the dust of the earth, or: Like the sand of the sea. Since Rabbi Yehuda agrees with Rabbi Yehuda HaNasi, he holds that one who uses a formulation similar to that used in the first case in the mishna and says: I am hereby a nazirite according to the capacity of the basket, has accepted one long term of naziriteship.

162 The Gemara asks: And does Rabbi Yehuda hold in accordance with the opinion of Rabbi Yehuda HaNasi? But didn't we learn in the mishna that if one says: I am hereby a nazirite in accordance with the number of days in a solar year, he counts 365 consecutive naziriteships, in accordance with the number of days in a solar year. Rabbi Yehuda said: There was an incident where someone took this vow and observed 365 consecutive terms of naziriteship. Once he completed all these terms of naziriteship, he died.

163 The Gemara explains its question: Granted, if you say that he accepts upon himself many naziriteships, that is the reason for his statement that once he completed all these terms of naziriteship he died. However, if you say that Rabbi Yehuda does not agree with the unattributed opinion of the mishna and holds that he accepted upon himself one term of naziriteship lasting 365 days, is there completion here at all? Rabbi Yehuda would not have used this terminology in reference to the mishna's previous statement if he himself holds that the individual accepted only one term of naziriteship.

164 And furthermore, does Rabbi Yehuda hold in accordance with the opinion of Rabbi Yehuda HaNasi? But isn't it taught in a baraita that Rabbi Yehuda says: If one says: I am hereby a nazirite like the number of piles [helketei] of figs [kayitz] left to dry, or: Like the number of sheaves of the Sabbatical Year, he must count as many naziriteships as the number of piles of figs or as the number of sheaves of the Sabbatical Year? This proves that Rabbi Yehuda does not hold that the individual accepts only one long term of naziriteship.

165 The Gemara responds: This does not prove that Rabbi Yehuda does not agree with Rabbi Yehuda HaNasi, since one who specifies: Like the number, is different, as even Rabbi Yehuda HaNasi would agree that he is referring to distinct terms of naziriteship rather than one long term of naziriteship.

166 The Gemara asks: And is the case of one who says: Like the number, different according to Rabbi Yehuda HaNasi? But isn't it taught in a baraita that if one says: I am hereby a nazirite like the number of days in a solar year, he counts naziriteships corresponding to the number of days in a solar year. If one says: Like the days in a lunar year, i.e., a year comprised of twelve lunar months, he counts terms of naziriteship corresponding to the days in a lunar year. Rabbi Yehuda HaNasi says: He is assumed to have accepted one term of naziriteship until he says: It is incumbent upon me to observe naziriteships like the number of days in a solar year, or: Like the number of days in a lunar year. This demonstrates that if one did not explicitly use the plural term naziriteships, he is assumed to have accepted a single term of naziriteship even if he said: Like the number.

[167] The Gemara answers: Rabbi Yehuda holds in accordance with Rabbi Yehuda HaNasi's opinion in one case and disagrees with him in one case. He holds in accordance with his opinion in one case, as follows: If one says: I am hereby a nazirite like the hairs of my head, he has accepted upon himself one term of naziriteship for as many days as the number of hairs on his head. And he disagrees with him in one case, as according to Rabbi Yehuda, the case of one who counts is different from the previous case, and so one who states: Like the number of hairs of my head, is considered to have accepted many distinct terms of naziriteship. However, according to Rabbi Yehuda HaNasi, one who counts is not different. He is assumed to have accepted a single term of naziriteship unless he explicitly uses the plural term naziriteships.

[168] § The Sages taught: If one says: I am hereby a nazirite all the days of my life, or: I am hereby a permanent nazirite, he is a permanent nazirite and he trims his hair on a yearly basis like Absalom. However, in the case of one who accepts upon himself naziriteship for a fixed amount of time, even if he says: One hundred years or even: One thousand years, he is not the specific type of nazirite known as a permanent nazirite. Rather, he is a regular nazirite forever, and he may never cut his hair.

[169] § The Sages taught in a baraita: If one said: I am hereby a nazirite and one, he counts two terms of naziriteship, since he first took a nazirite vow and then accepted an additional term of naziriteship. If one said: I am hereby a nazirite and one and more, he counts three terms of naziriteship. If he added to that statement: And again, he counts four. The Gemara asks: Isn't this last halakha obvious? The Gemara answers: It is necessary to teach this halakha. Lest you say that the words and again are referring to terms of naziriteship equal in number to all the terms he has already accepted, and he has therefore accepted six terms of naziriteship altogether, the baraita therefore teaches us that this is not the correct interpretation of his statement.

[170] The Sages taught in a baraita: If one said: I am hereby a nazirite, Sumakhos says: If he then added the word hen, which means one in Greek, he has accepted one term of naziriteship. If one said: Digon, which means two sides in Hebraicized Greek, he must observe two terms of naziriteship. If one said: Trigon, which means triangle in Hebraicized Greek, then he has accepted three terms of naziriteship. If he said: Tetragon, quadrilateral in Hebraicized Greek, then he has accepted four terms, and if he said: Puntigon, pentagon in Hebraicized Greek, then he has accepted five terms of naziriteship.

[171] The Gemara cites another baraita dealing with these same expressions: The Sages taught: A round house, a two-sided house, a triangle-shaped house, and a pentagon-shaped house cannot become impure with leprosy, whereas a house shaped like a quadrilateral can become impure with leprosy. What is the reason for this? In the verse below it states, when referring to a wall, the plural term walls: "And, behold, if the plague has spread in the walls of the house" (Leviticus 14:39). Additionally, in the verse above it states, when referring to a wall, the plural term walls: "And behold, if the plague be in the walls of the house" (Leviticus 14:37). These plural terms are unnecessary, and it is therefore understood that there are four walls mentioned here in order to indicate that a house can become impure through leprosy only if it has four sides.

Chapter 2

[1] MISHNA: If one says: I am hereby a nazirite and therefore will refrain from dried figs and from cakes of dried figs, Beit Shammai say: His statement renders him a full-fledged nazirite, and his addition: From dried figs, is insignificant, as this fruit is not included in the prohibitions of a nazirite, which include only products of the grapevine. And Beit Hillel say: He is not a nazirite, since he did not accept naziriteship upon himself. Rabbi Yehuda said: Even when Beit Shammai said that this vow takes effect, they said that only in a case where one said that he meant: They are hereby forbidden to me as an offering. In that case it is as though he took a vow rendering the figs forbidden to him. However, Beit Shammai concede that although the vow takes effect, it is not a vow of naziriteship.

[2] GEMARA: It is stated in the mishna that if one says: I am hereby a nazirite and therefore will refrain from dried figs and from cakes of dried figs, Beit Shammai say: He is a nazirite. The Gemara asks: But why? The Merciful One states in the Torah in the passage dealing with naziriteship: “From anything that is made of the grapevine…he shall not eat” (Numbers 6:4). In naziriteship, only the fruit of the vine is prohibited. The Gemara answers: Beit Shammai hold in accordance with the opinion of Rabbi Meir, who says: A person does not utter a statement for naught. In other words, if one utters a statement that cannot be fulfilled as stated, his statement is interpreted in a manner that renders it relevant. Here too, Beit Shammai say that he misspoke and actually intended to take a vow of naziriteship.

[3] And Beit Hillel hold in accordance with the opinion of Rabbi Yosei, who says: A person is also held accountable for the conclusion of his statement. If one states two irreconcilable clauses, e.g., this animal is a substitute for a burnt-offering, a substitute for a peace-offering; the second clause is not disregarded, and the animal assumes both statuses. And this is a vow with its inherent opening, i.e., reason for dissolution. Although he said: I am hereby a nazirite, by adding the words: From dried figs and from cakes of dried figs, he indicated that his intention was that the naziriteship would not take effect.

[4] The Gemara asks: And according to Beit Shammai too, it is a vow with its inherent opening, and since they certainly agree that a vow of this kind does not take effect, why do they hold that this vow takes effect?

[5] The Gemara explains the dispute: Rather, Beit Shammai hold in accordance with the opinion of Rabbi Meir, who said: A person does not utter a statement for naught, and once he said: I am hereby a nazirite, he is immediately rendered a nazirite. When he then says: And therefore I will refrain from dried figs and from cakes of dried figs, he is coming to request that a halakhic authority dissolve his vow, as he regrets having taken the vow and is now seeking to dissolve it. And Beit Shammai follow their standard line of reasoning, as they say: One cannot request that a halakhic authority dissolve a vow of consecrated property, which one can do for vows of prohibition. And since one cannot request that a halakhic authority dissolve a vow of consecrated property, likewise one cannot request that a halakhic authority dissolve a vow of naziriteship, as the legal status of a vow of naziriteship is like that of a vow of consecrated property in this regard.

[6] And Beit Hillel hold in accordance with the opinion of Rabbi Shimon, as we learned in a mishna (Menaḥot 103a): If one vows to bring a meal-offering from barley, since voluntary meal-offerings are

brought only from wheat, the Rabbis say: He must bring a meal-offering from wheat, and Rabbi Shimon exempts him entirely, as he did not donate in the manner typical of donors. Since he donated an offering that cannot be sacrificed, his vow is meaningless. Here too, since he took a vow of naziriteship stating that he therefore will refrain from dried figs rather than from wine, his statement is meaningless.

[7] § The Gemara comments: The mishna is not in accordance with the opinion of this tanna. As it is taught in a baraita: Rabbi Natan says that if one says: I am hereby a nazirite and therefore will refrain from dried figs, Beit Shammai say: He has rendered dried figs forbidden to himself by a vow, and he is also a nazirite; and Beit Hillel say: He has rendered dried figs forbidden to himself by a vow, but he is not a nazirite. According to Rabbi Natan, Beit Shammai hold in accordance with the opinion of Rabbi Meir that a person does not utter statements for naught and that he becomes a nazirite as soon as he says: I am hereby a nazirite; and he explains the opinion of Beit Shammai as Rabbi Yehuda does, i.e., that one in this situation has vowed that dried figs are forbidden to him, since the rest of his statement also has significance. And Beit Hillel hold in accordance with the opinion of Rabbi Yosei that one is held to the conclusion of his statement, and he has therefore vowed that dried figs are forbidden to him.

[8] Some say a different version of the baraita: Rabbi Natan says that Beit Shammai say: He has rendered dried figs forbidden to himself by a vow and he is not a nazirite; and Beit Hillel say: He has not rendered dried figs forbidden to himself by a vow, and he is not a nazirite. According to this version, the opinion of Beit Shammai is as Rabbi Yehuda explained in the mishna, and Beit Hillel hold in accordance with the opinion of Rabbi Shimon, who maintains that a donation not performed in the manner typical of donors is not a donation.

[9] § The Gemara discusses a case mentioned earlier. We learned in a mishna there (Menaḥot 103a): With regard to one who says: It is incumbent upon me to bring a meal-offering from barley, since voluntary meal-offerings are made only with wheat he must bring a meal-offering from wheat. If one vows to bring a meal-offering from flour, since a standard meal-offering is made from fine flour he must bring one from fine flour. If one vows to bring a meal-offering without oil and frankincense, he must bring it with oil and frankincense, in accordance with the halakha. If one vows to bring a meal-offering with half of a tenth of an ephah of fine flour, he must bring a meal-offering with a full tenth, since a meal-offering cannot have less than one-tenth of an ephah of flour. If one vows to bring a meal-offering with a tenth and a half, he brings two units of a tenth of an ephah in his meal-offering. Since half of one-tenth of an ephah is the minimum, his vow is increased to two full tenths. Rabbi Shimon exempts him entirely in all these cases, as he did not donate in the manner typical of donors.

[10] The Gemara asks: Who is the tanna who taught that when one said: It is incumbent upon me to bring a meal-offering from barley, he brings a meal-offering from wheat? Ḥizkiyya said that this halakha is taught as a dispute between tanna’im, and it is the opinion of Beit Shammai. He explains: Didn’t Beit Shammai say that when one said: I am hereby a nazirite and therefore will refrain from dried figs and from cakes of dried figs, he is a nazirite, indicating that he is held to only the first part of his statement, and the conflicting details are ignored? So too, when he said that he will bring a meal-offering from barley, he brings it from wheat, and the same analysis applies to the other cases listed in this mishna.

[11] And Rabbi Yoḥanan said: You can even say that all, including Beit Hillel, agree with the opinion of the Rabbis of the mishna, as the mishna may be stated with regard to one who later says, to clarify his earlier statement: Had I known that one cannot vow in this manner, that one cannot bring a voluntary meal-offering from barley, I would not have vowed that way, only this way, to bring a meal-offering from wheat. Mentioning barley was an error on his part rather than a condition, and he actually meant to bring a standard meal-offering. In this case even Beit Hillel, who maintain in the mishna here that there is no vow at all, deem him liable to bring a proper meal-offering.

[12] With regard to this ruling Ḥizkiyya says: They taught that he must bring a meal-offering from wheat only if he said that he will bring a meal-offering from barley. But if he said he will bring a meal-offering from lentils, he does not bring anything. The difference is that the meal-offerings of the omer and of a sota are made from barley, so if he said: From barley, he may have mistakenly believed that a voluntary meal-offering can be prepared from barley as well. As everyone knows that no meal-offering is made from lentils, his statement demonstrates that he never intended to bring a meal-offering.

[13] The Gemara asks: Now consider, in accordance with whose opinion does Ḥizkiyya establish the mishna in Menaḥot? It is in accordance with the opinion of Beit Shammai. But lentils relative to a meal-offering are comparable to dried figs relative to a nazirite, as everyone is likewise aware that one cannot be a nazirite and therefore refrain from figs, and yet Beit Shammai say he is a nazirite. Why not say that one who vows to bring a meal-offering from lentils is obligated to bring a standard meal-offering? The Gemara answers: Ḥizkiyya retracted from it and no longer holds that the mishna in Menaḥot is in accordance with the opinion of Beit Shammai.

[14] The Gemara asks: And why did he in fact retract from it? Rava said: The mishna caused him difficulty and demonstrated his error. If the mishna is in accordance with Beit Shammai's opinion with regard to a nazirite, why does the tanna specifically teach the case of one who says that he will bring a meal-offering from barley? Let him teach a greater novelty, i.e., that even one who vowed to bring a meal-offering from lentils is obligated to bring a meal-offering made from wheat. Rather, Ḥizkiyya holds that when Beit Shammai stated their opinion there, i.e., in the mishna with regard to a nazirite, their intention was as explained by Rabbi Yehuda, that one's statement is interpreted to be meaningful and it can have the meaning of creating a vow that dried figs are forbidden to him. In the case of the meal-offering, even they agree that since one's vow has no meaning, as there cannot be a meal-offering made of lentils, no vow takes effect.

[15] And Rabbi Yoḥanan said: Even one who vowed to bring a meal-offering from lentils must bring a meal-offering from wheat. The Gemara asks: But Rabbi Yoḥanan is he who said that the mishna is referring to a case of one who says: Had I known that one cannot vow in this manner, I would not have vowed that way, only this way? In the case of the lentils, it is not reasonable to say that he erred in thinking that one may vow to bring a meal-offering from lentils. The Gemara answers: He stated this ruling in accordance with the statement of Ḥizkiyya. Rabbi Yoḥanan was not stating his own opinion; he was challenging the ruling of Ḥizkiyya.

[16] The Gemara explains his challenge: What is the reason you retracted your earlier opinion that the mishna is in accordance with the opinion of Beit Shammai? You did so because it does not teach: From lentils. That is not conclusive, as perhaps it is speaking utilizing the style of: It is not necessary, as follows: It is not necessary to say that when one says: It is incumbent upon me to bring a meal-

offering from lentils, that he brings a proper meal-offering of wheat. In that situation it can be said that by saying: From lentils, he is retracting his first statement and now wants to rescind his vow. And yet Beit Shammai hold that he is held to the first part of his statement, and they do not allow the rescinding of a vow of consecration. But if he said: It is incumbent upon me to bring a meal-offering from barley, since it is possible to explain that certainly this is what he said: If this meal-offering that I have vowed to bring from barley is consecrated like the omer meal-offering,

[17] or like the meal-offering of a sota, both of which are made of barley, it should become consecrated, and if it is not possible to volunteer a meal-offering from barley, it should not be a meal-offering at all. The mishna therefore teaches us that one nevertheless brings a meal-offering made from wheat. Rabbi Yoḥanan holds that the difficulty raised by Ḥizkiyya against his own explanation is inconclusive, and he need not have retracted it.

[18] MISHNA: If one said: This cow said: I am hereby a nazirite if I stand up; or if he said: This door says: I am hereby a nazirite if I am opened, Beit Shammai say he is a nazirite, and Beit Hillel say he is not a nazirite. Rabbi Yehuda said: Even when Beit Shammai say that the vow is effective, they say so only with regard to one who said: This cow is hereby forbidden to me as an offering if it stands up. In that case it is as if he took a vow that the cow is forbidden. However, Beit Shammai concede that although the vow takes effect, it is not a vow of naziriteship.

[19] GEMARA: The Gemara asks: Does a cow speak? What is the meaning of the statement: A cow said: I am hereby a nazirite? Rami bar Ḥama said: With what are we dealing here? We are dealing with a case where there was a prone cow before him, and he tried, without success, to cause it to stand, and he said: This cow thinks it will not stand; I am hereby a nazirite and therefore will refrain from its flesh if it stands of its own accord, and in fact it stood of its own accord. Beit Shammai follow their standard approach and Beit Hillel follow their standard approach.

[20] The Gemara explains: Beit Shammai, who say that one who vows to be a nazirite and therefore will refrain from dried figs and from cakes of dried figs is a nazirite, say that here too, when he says: I am hereby a nazirite and therefore will refrain from its flesh, is a nazirite. Since one does not utter a statement for naught, he is held to the first part of his statement: I am hereby a nazirite, and the words: And therefore will refrain from its flesh, are disregarded. And Beit Hillel say: He is not a nazirite.

[21] The Gemara raises a difficulty: But if Rami bar Ḥama is correct, didn’t Beit Shammai already say this halakha one time? According to Rami bar Ḥama’s explanation, this mishna and the previous one differ only with regard to the examples provided, but the principle is identical. Rava said: It is normal for the Sages to cite two or three examples from different cases that offer novel perspectives, although they essentially reflect the same principle. And Rabbi Ḥiyya also taught two or three examples with regard to this same issue. And Rabbi Oshaya also said two or three examples.

[22] And all these cases are necessary, as, if it were stated only that he is a nazirite in this case of dried figs and cakes of dried figs, it could have been said that it is only there that Beit Shammai say he is a nazirite, since figs are confused with grapes, and it is reasonable to assume that he had grapes in mind. But meat is certainly not confused with grapes, and it could be that in the case of the mishna he is not a nazirite even according to Beit Shammai. And if it were stated only that he is a nazirite where he vowed that meat was forbidden to him, it could have been said that it is here that Beit Shammai say he is a nazirite because he was referring to the often-paired meat and wine, and it is reasonable to

assume that he might have had wine in mind. But dried figs and cakes of dried figs are not paired with wine, so he should not be a nazirite. To counter that claim, the mishna teaches us that he is a nazirite in both cases.

[23] And if it were stated only that he is a nazirite with regard to these two cases of figs and meat, it could be said: It is in these cases that Beit Shammai say he is a nazirite, but in the case of a door, I will say they concede to Beit Hillel that such a statement certainly does not constitute a vow of naziriteship. Therefore, this case had to be stated as well. And conversely, if it taught only the case of a door, the opposite could be said, i.e., that it is in this case that Beit Hillel say there is no naziriteship, but in these two earlier cases I will say they concede to Beit Shammai that the individual has taken a vow of naziriteship. The tanna therefore teaches us that this is not the case; in fact, Beit Shammai hold that he is a nazirite in all three cases, and Beit Hillel hold that he is not.

[24] After providing the answer to one difficulty raised against Rami bar Ḥama's explanation, Rava presents another problem. Rava said: Is the mishna teaching: If it stood of its own accord? The mishna states: If it stands, and does not mention the condition of: On its own accord. Rather, Rava said: The mishna is referring to a case where there was a prone cow before him, and he said: It is incumbent upon me to bring it as a nazirite offering, and in this way the individual accepts naziriteship upon himself. The Gemara raises a difficulty: Granted, a cow can be an offering, but can a door be an offering? How can his vow that a door should be an offering be considered an acceptance of naziriteship? Rather, Rava said it means the following: It is a case where there was a prone cow before him refusing to stand,

[25] and he said: I am hereby a nazirite and therefore will refrain from wine if it does not stand, since I will force it to do so, and it stood of its own accord, without him causing it to stand. Beit Shammai hold: This man's intention [turpeih] is based upon him having it stand by his own hand, and he did not have it stand. Since he did not cause it to stand, his vow of naziriteship takes effect. And Beit Hillel hold: His intention is based upon the fact that it was prone, and now it has stood. Since the cow stood up it does not matter what caused it to stand, and his vow of naziriteship does not take effect.

[26] The Gemara asks: If so, say the latter clause of the mishna as follows: Rabbi Yehuda said: Even when Beit Shammai said the vow is effective they said so only with regard to one who said: They are hereby forbidden to me as an offering. But does he take a vow and extend any prohibition to the cow? Since according to this approach, he explicitly mentions naziriteship, the cow is not rendered forbidden but is merely the subject of a condition of the vow, so why does Rabbi Yehuda speak of a prohibition on the cow?

[27] The Gemara offers another explanation: Rather, the mishna is referring to a case where he said: I am hereby a nazirite and therefore will refrain from its flesh if it does not stand, and it stood of its own accord. Beit Shammai hold: That man's intention is based upon him having it stand by his own hand, and he did not have it stand. Since he did not cause it to stand, his vow of prohibition takes effect. And Beit Hillel hold: This man's intention is based upon the fact that it was prone, and now it has stood, so his vow does not take effect.

[28] The Gemara asks: And do Beit Hillel hold that if the cow does not stand he will be a nazirite? But didn't they say that if one states: I am hereby a nazirite and therefore will refrain from the cow's

flesh, he is not a nazirite, just as they ruled in a case where one states that he is a nazirite from dried figs?

29 The Gemara answers: They stated their opinion in accordance with the reasoning of Beit Shammai: According to our opinion, even if the cow does not stand he is also not a nazirite, since naziriteship takes effect only if he vowed that products of the vine are forbidden to him. However, according to your reasoning that you say he is a nazirite, in any event concede to us that this man's intention is based upon the fact that the cow was prone, and it has stood, so the naziriteship should not take effect. And Beit Shammai hold: Isn't this man's intention based upon him having it stand by his own hand, and he did not have it stand? Since his condition was not fulfilled, the naziriteship does not take effect.

30 MISHNA: If they poured one a cup of wine and he said: I am hereby a nazirite and therefore will refrain from it, he is a full-fledged nazirite who must observe all the halakhot of naziriteship. An incident occurred with regard to a certain woman who was intoxicated from wine, and they poured a cup for her and she said: I am hereby a nazirite and therefore will refrain from it. The Sages said: This woman did not intend to accept naziriteship but rather, meant to say: It is hereby forbidden to me as an offering. She vowed against deriving benefit from that cup alone, since she did not want to drink any more.

31 GEMARA: The Gemara asks: Was an incident cited to contradict the previous ruling? You said in the first clause of the mishna that if one said that he is hereby a nazirite and therefore will refrain from a cup that was poured for him, then he is a nazirite. And the tanna then teaches: An incident occurred with regard to a certain woman who said: I am hereby a nazirite and therefore will refrain from it, which the Sages interpreted as a vow rendering the cup forbidden to her like an offering. Apparently it is only with regard to this cup of wine that is forbidden to her; consequently, any other wine is permitted, and she is not a nazirite.

32 The Gemara answers: The mishna is incomplete and is teaching the following: If they poured a cup of wine for one and he said: I am hereby a nazirite and therefore will refrain from it, he is a nazirite. And if he is intoxicated and they pour a cup of wine for him and he said: I am hereby a nazirite and therefore will refrain from it, he is not a nazirite. What is the reason for this? He is considered to be like one who said: This cup is forbidden to me like an offering. The Gemara asks: And if you would say that this was his meaning, let him say so explicitly; why would he say: I am hereby a nazirite and therefore will refrain from it? The reason is because he maintains: If I specify this cup, they will bring me another cup and aggravate me with it. It is better that I say to them this statement, which is definitive to them, and they will understand that I do not want to drink any more wine. The mishna continues: And an incident also occurred with regard to a certain woman who was intoxicated and took this vow, and the Sages explained her statement accordingly.

33 MISHNA: If one says: I am hereby a nazirite on the condition that I will be allowed to drink wine and may become ritually impure from corpses, i.e., he wishes to be a nazirite only with respect to the growth of his hair, he is a full-fledged nazirite and is prohibited from engaging in all of the behaviors forbidden to a nazirite, including consuming products of the vine and contracting impurity from a corpse.

34 If one stated a vow of naziriteship and then said: I know that there is naziriteship, but I do not know that a nazirite is prohibited from wine, he is prohibited in all the prohibitions of naziriteship.

But Rabbi Shimon permits him, since he holds that naziriteship takes effect only if the person accepts all the relevant prohibitions. If one said: I know that a nazirite is prohibited from wine, but I thought that the Sages would permit me to drink wine because I cannot live without wine, or: I thought that the Sages would allow me to contract impurity from corpses because I bury the dead, he is permitted and the vow of naziriteship does not take effect, but Rabbi Shimon prohibits him.

[35] GEMARA: In the second case of the mishna, where one states that he did not know that the prohibitions of naziriteship include wine, Rabbi Shimon says that the naziriteship does not take effect because he did not include all of the prohibitions in his vow. The Gemara therefore asks: Let Rabbi Shimon disagree with the first tanna in the first clause in the mishna as well, where one said: I am hereby a nazirite on the condition that I may drink wine. Rabbi Yehoshua ben Levi said: In fact, Rabbi Shimon disagrees even with the first tanna in the first clause of the mishna, and the mishna's statement: Rabbi Shimon permits him, is referring to both clauses.

[36] Ravina said: Rabbi Shimon does not disagree with the first tanna in the first clause of the mishna. What is the reason for that? It is because one was stipulating counter to that which is written in the Torah by attempting to limit an explicit Torah law, and with regard to anyone who stipulates counter to that which is written in the Torah, his stipulation is void. The statement: I am hereby a nazirite, remains valid, and he is therefore a nazirite in all regards. Conversely, Rabbi Yehoshua ben Levi could have said to you: This phrase: On the condition, does not mean he accepts upon himself all the halakhot of naziriteship and then adds a stipulation counter to that which is written in the Torah; rather, it is considered like he said: Apart from. It is as though he stated from the outset that he will be a nazirite apart from one particular aspect. According to Rabbi Yehoshua ben Levi, Rabbi Shimon holds that since he is not trying to stipulate alternative halakhot for full naziriteship but is instead accepting a partial naziriteship, his vow takes effect.

[37] The Gemara comments: It is taught in the Tosefta (Nazir 2:2) in accordance with the opinion of Ravina. If one said: I am hereby a nazirite on the condition that I will be allowed to drink wine and may become ritually impure from corpses, he is a nazirite and is prohibited from all of them because he stipulates counter to that which is written in the Torah, and with regard to anyone who stipulates counter to that which is written in the Torah, his stipulation is void.

[38] § The final clause of the mishna teaches that if one says: I know that a nazirite is prohibited from drinking wine but I thought that the Sages would permit me to drink, the Rabbis say that the vow is void, but Rabbi Shimon disagrees. The Gemara asks: But didn't you say in the earlier clause of the mishna that with regard to one who says: But I did not know that a nazirite is prohibited from wine, the first tanna holds that he is prohibited and Rabbi Shimon permits him? What is the difference between the two cases? The Gemara answers: Emend the text and say in the final clause as well: He is prohibited, and Rabbi Shimon permits him. And if you wish, say instead: Actually, do not reverse the opinions, and leave the text as it is. Instead, distinguish between the two cases, as there

[39] in the earlier clause, where one said: I did not know that a nazirite is prohibited from drinking wine, that is a case where he vowed naziriteship with regard to only one of the prohibitions. The difference of opinion is as follows: According to the Rabbis, who say that even if he vowed naziriteship with regard to only one of the prohibitions of naziriteship he is nevertheless a nazirite, in that case he is prohibited by all of them, despite not knowing about the prohibition against

consuming wine. According to Rabbi Shimon who said he is not a nazirite unless he takes a vow of naziriteship with regard to all of them, he is permitted.

[40] Conversely, the last clause addresses one who vowed naziriteship with regard to all of them, thereby accepting upon himself all the halakhot of naziriteship, and now wishes to request dissolution of one of the prohibitions, thinking that a halakhic authority can dissolve one aspect of his naziriteship.

[41] The Gemara explains: According to the Rabbis, who say that even if he vowed naziriteship with regard to only one of the prohibitions of naziriteship he is nevertheless a nazirite, in that case too, when he requests of a halakhic authority to dissolve one of them, he is permitted to engage in all of the behaviors forbidden to a nazirite. Just as the acceptance of one part of naziriteship causes one to be bound by all the halakhot of naziriteship, dissolution of one element of naziriteship nullifies the entire naziriteship. According to Rabbi Shimon, who said that he is not a nazirite unless he takes a vow of naziriteship with regard to all of them, when he requests dissolution of that prohibition, none of the prohibitions are permitted until he requests dissolution of all of the prohibitions of naziriteship. Due to this the mishna teaches: And Rabbi Shimon prohibits him.

[42] And if you wish, say instead: The Rabbis and Rabbi Shimon disagree with regard to vows impeded by circumstances beyond one's control, and their disagreement is in the dispute between Shmuel and Rav Asi. As we learned in a mishna (Nedarim 20b): The Sages dissolved four types of vows without the requirement of a request to a halakhic authority. The first category is vows of exhortation, where one employs a vow to urge another to perform some action. The second category is vows of exaggeration [havai], where one utters a vow that is dependent upon some outlandish claim, such as: I should be bound by a vow if I did not see a square snake. Since he knows that there are no square snakes, it is evident that he is not serious in taking his vow. The third category is vows that are unintentional, where one vows for a particular reason and later discovers he was mistaken with regard to the facts; and the fourth is vows whose fulfillment are impeded by circumstances beyond one's control.

[43] The Gemara relates the dispute between Shmuel and Rav Asi: And Rav Yehuda said that Rav Asi said: These four vows require a request made to the halakhic authorities to dissolve them, and the vows are not dissolved unless one does so. Rav Yehuda related: When I stated this halakha of Rav Asi before Shmuel, he said to me: The tanna teaches that the Sages dissolved them, and you say they require a request made to the halakhic authorities? Shmuel holds that they are dissolved automatically.

[44] The Gemara continues its explanation: The dispute between the Rabbis and Rabbi Shimon in the last clause of the mishna is also with regard to this halakha. This case is referring to a kind of a vow impeded by circumstances beyond one's control, as he claims that he has no choice but to drink wine or contract impurity from corpses. The Rabbis hold in accordance with the opinion of Shmuel, and therefore the vow is dissolved automatically, without the need to request dissolution from a halakhic authority; and Rabbi Shimon holds in accordance with the opinion of Rav Asi that one must make a request to a halakhic authority to dissolve the vow, and he remains a nazirite until he does so.

[45] MISHNA: If one says: I am hereby a nazirite and it is incumbent upon me to shave a nazirite, meaning he will also pay for the offerings that a nazirite brings when he cuts his hair; and another heard and said: And I too am a nazirite and it is incumbent upon me to shave a nazirite, the other is

also a nazirite and is obligated to pay for the offerings of a nazirite. If they were perspicacious and wish to limit their expenses, they shave each other. They may each pay for the other’s offerings, so that their additional vows will not cost them anything. And if not, if this arrangement did not occur to them and each brought his own offerings, they shave other nazirites, i.e., they must pay for the offerings of other nazirites.

46 GEMARA: A dilemma was raised before the Sages. If one said: I am hereby a nazirite and it is incumbent upon me to shave a nazirite as well, and another heard and said only: And I, what is the halakha? Do we say that: And I, indicates acceptance of the entire statement of the first one, which would mean he is both a nazirite and must shave a nazirite, or perhaps it indicates acceptance of only half the statement of the first speaker? If you say it indicates acceptance of only half the statement, does it indicate acceptance of the first clause, i.e., I am hereby a nazirite, or the last clause, i.e., it is incumbent upon me to shave a nazirite?

47 The Gemara suggests: Come and hear a proof from the mishna. If a second person said: And I, and it is incumbent upon me to shave a nazirite, then if they are perspicacious they shave each other. From the fact that it says: And I, and it is incumbent upon me, you can learn from this that: And I, indicates acceptance of only half the statement, as otherwise he would not need to add the second part. The Sages say in response to this attempted proof: Yes, this proves that it indicates acceptance of only half the statement. However, the other question still has not been answered: Is he referring to the first part of the original statement or to the last part? The Gemara answers: This can be learned from the mishna itself. From the fact that it says: And it is incumbent upon me to shave a nazirite, one can learn from this that: And I, indicates acceptance of the beginning of the statement to become a nazirite, which is why one has to add that he must also pay for the offerings of a nazirite.

48 Rav Huna, son of Rav Yehoshua, said to Rava: From where do you know that it is so that the words: And I, are referring to the first part of the statement? Actually, I will say to you that: And I, is referring to the entire statement, and if you claim otherwise because he added: And it is incumbent upon me, the explanation of what he is saying is: And it is incumbent on me to do this matter. He was merely clarifying what his intention was when he said: And I. As, if you do not say so, then with regard to that which is taught in the last clause, in the following mishna, that if one said: It is incumbent upon me to shave half a nazirite, and another heard that and said: And I, it is incumbent upon me to shave half a nazirite, then there, are there two statements? That mishna is addressing only a single vow. Rather, what is he saying by using the words: It is incumbent upon me? He is referring to that whole matter; here too, in this mishna, when he says: And it is incumbent upon me, he is referring to that whole matter.

49 Rava said to him: How can these cases be compared? Granted, if you say that in the first clause it is necessary to teach both parts of the statement and in the latter clause it is not necessary to teach both parts of the statement, then it can be said that he taught the unnecessary latter clause due to the necessary first clause, as it is typical for a mishna to phrase both of its sections in the same style. But if you say that it is not necessary to teach both parts of the statement in the first clause and it is also not necessary to teach both parts of the statement in the latter clause, as one has accepted the other’s entire statement by saying: And I, would the tanna teach an unnecessary first clause and teach an unnecessary latter clause? Since the addition of: And it is incumbent upon me, is not required in the latter mishna, it must be necessary in this mishna, so the inference of Rava is correct.

[50] § After analyzing the mishna itself, the Gemara turns to a related issue. Rabbi Yitzḥak bar Yosef said that Rabbi Yoḥanan said: One who says to his agent:

[51] Go out and betroth a woman for me, without specifying a particular woman; from that moment onward the one who appointed the agent is forbidden to all the women in the world until he finds out which woman the agent betrothed. There is a presumption that an agent performs his assigned agency and that he has betrothed a woman for him, and since the agent did not clarify to him which woman he chose, he therefore does not know which woman is the one betrothed to him. If he now betroths another woman, it is possible that she is the daughter, sister, or mother of the one his agent betrothed on his behalf and is therefore forbidden to him.

[52] Reish Lakish raised an objection to Rabbi Yoḥanan from a mishna (Kinnim 2:1): With regard to an impure person who comes to undergo his purification process, and for this purpose set aside an unspecified nest, meaning a pair of turtledoves or pigeons, to use for his offerings. One is to be a burnt-offering and one is to be a sin-offering, and he had not yet specified which bird will be used for which offering. If one fledgling of the pair flew away and escaped to the open air of the world, or if it flew among birds invalidated for sin-offerings that have been left to die, or if one of them died, in each of these cases the owner of the nest purchases a partner for the second, i.e., remaining, bird. At that point he may decide which is for a sin-offering and which is for a burnt-offering.

[53] But if a fledgling flew away or died from a specified nest, after the owner had designated which bird would be used for which offering, and it is not known which bird escaped, it has no means of remedy. This is because he does not know whether the remaining fledgling is for a burnt-offering or a sin-offering.

[54] Reish Lakish infers: But generally, other nests belonging to other people are fit; there is no concern with regard to them. Reish Lakish states his objection to the opinion of Rabbi Yoḥanan: According to your opinion that there is a concern that each woman might be a relative of the woman the agent betrothed, then why should the halakha with regard to nests be so? Let us likewise say with regard to each and every fledgling bird in the world that perhaps this is the one that was consecrated and flew away. How can anyone ever use a bird for their own offering, as it may be the bird that flew away from someone else’s nest?

[55] Rabbi Yoḥanan said to Reish Lakish: I state my opinion that there is a concern for other women only with regard to a woman, who does not move but is fixed in her home. An unidentified item is presumed to have the same legal status as the majority of items like it, and there is no concern that it may be forbidden, even if there are some forbidden items like it. However, if this unidentified item was fixed in its place, there is an equal presumption that it may belong to the class of similar permitted items or to the class of similar forbidden items. Consequently, all women in the world are forbidden to him, as there is an equal presumption that she may or may not be a relative of the woman that the agent betrothed to him. And you speak to me of a prohibition that moves and is not fixed. Since the fledgling bird is not fixed in one spot, the majority is followed and the minority is ignored.

[56] And if you would say: Here too, she moves, since it is possible to say that the agent found the woman in the marketplace and betrothed her there to the one who appointed the agent, so the prohibited woman was not in a fixed location? Nevertheless, there she eventually returns to her place of rest, i.e., her home, and is therefore considered to be fixed. Conversely, with regard to a nest, does

the fledgling return to a fixed place? Since it does not, the assumption is that any bird has the status of the majority of birds in the world, which have not been consecrated as offerings.

[57] Rava said: And Rabbi Yoḥanan concedes that with regard to a woman who does not have a daughter, nor a daughter of a daughter, nor a daughter of a son, nor a mother, nor a mother of a mother, nor a sister who was single when he appointed the agent, that the one who appointed the agent may betroth her. There is no concern that the agent might have betrothed a relative that would now render such a woman forbidden. And even though she had, when he appointed the agent, a married sister, or daughter, or other female relative, and she was later divorced, Rabbi Yoḥanan concedes that this woman whom he wishes to now marry is permitted.

[58] What is the reason for this? It is that at that moment, when he told the agent to go betroth a woman on his behalf, these women were married to men. There is a principle that when one appoints an agent, he does so only with regard to a matter present before him. In other words, he instructs his agent to betroth a woman who is available at that time, but he does not appoint an agent with regard to a matter that is not present before him. Consequently, even if the agent betrothed one of the relatives of the woman after they were divorced, the betrothal would not take effect because he was not authorized to betroth them, and therefore the one who appointed the agent is permitted to the woman.

[59] The Gemara now proceeds to raise a difficulty against this last argument from the mishna: We learned in the mishna that if one says: I am hereby a nazirite and it is incumbent upon me to shave a nazirite, and another heard him and said: And I am hereby a nazirite, and it is incumbent upon me to shave a nazirite, if they are perspicacious they shave each other; and if not, they shave other nazirites. According to the reasoning that one takes into account only that which is possible at the time, the following difficulty arises: Granted, the last person has the first one before him and may have had in mind to volunteer to pay for the other’s offerings; but with regard to the first person, is the last one before him? When the first one stated his vow, the other one was not yet a nazirite, and he could not have been taking him into account when he vowed to pay for the offerings of another. How can paying for the offerings of the second nazirite be considered a fulfillment of his vow?

[60] Rather, it can be explained that this is what he is saying: If I find someone who becomes a nazirite, I will shave him. Here too, in the case of betrothal, this is what the one who appointed the agent is saying to the agent: Even if the woman you find is married at this moment but when you come to her you discover that she has been divorced in the meantime, betroth her to me. If so, he would be prohibited from marrying her sister, contrary to the ruling of Rava.

[61] The Gemara rejects this comparison: The Sages say that there is a distinction between the two cases: A person appoints an agent only for a matter that he himself can perform now, at the time of the appointment, but for a matter that he cannot perform now, he does not appoint an agent. Consequently, the agent cannot betroth a woman who was married at the time of his appointment. The one who appointed the agent may therefore marry the sister of the recently divorced woman, as stated by Rava.

[62] The Gemara asks another question on the ruling of Rava: And can one not appoint an agent to betroth a woman in this manner? Come and hear a baraita that indicates the contrary: One who says to the steward [apotropos] of his affairs: All vows that my wife will vow from now until I come from such and such a place, nullify for her, and the steward nullified them for her, one might have thought

they are nullified. Therefore, the verse states: “Her husband sustains the vow and her husband nullifies the vow” (Numbers 30:14); this is the statement of Rabbi Yoshiya. The repetition of “husband” teaches that it is the husband alone who may nullify his wife’s vows. And Rabbi Yonatan says: We have found in all places that the legal status of a person’s agent is like that of himself. Therefore, a steward, who serves as the husband’s agent, may nullify the wife’s vows.

[63] Even according to Rabbi Yoshiya, who maintains that the steward cannot nullify her vows, the reason is that the Merciful One states in the Torah: “Her husband sustains the vow and her husband nullifies the vow,” but if it were not so, the steward could nullify even the future vows of the wife. However, with regard to the husband himself it is taught in a mishna (Nedarim 75a): One who says to his wife: All vows that you will vow from now until I come from such and such a place shall be ratified, he has not said anything. However, if a husband says: All vows that you will vow from now until I come from such and such a place, they are hereby nullified, Rabbi Eliezer says: It is nullified, and the Rabbis say: It is not nullified.

[64] The Gemara finishes the question: It enters our mind to say that when Rabbi Yoshiya said that the steward cannot nullify the vows, he spoke in accordance with the opinion of the Rabbis, who say that the husband is not able to nullify her vows ahead of time, and yet, even according to their approach, if the Merciful One had not stated in the Torah: “Her husband sustains the vow and her husband nullifies the vow” the steward would be able to nullify such vows. This proves that one can appoint an agent for something he himself cannot do at the time, which contradicts the statement of Rava.

[65] The Gemara rejects this: And perhaps Rabbi Yoshiya spoke in accordance with the opinion of Rabbi Eliezer, who says the husband can nullify the vows ahead of time, and it is for this reason that he can appoint the steward to do the same. The Gemara rejects this: If so, why do I need to make him into an agent; let him nullify the future vows for her before he sets out on his journey. The Gemara answers: He thinks, perhaps I will forget, or become angry, or be occupied with other matters when I am about to set out on my journey. This is why he appoints an agent to nullify the vows on his behalf, and no proof can be derived from this baraita.

[66] MISHNA: If one says: It is incumbent upon me to shave half a nazirite, i.e., he is vowing to pay half the costs of a nazirite’s offerings, and another heard and said: And I, it is incumbent upon me to shave half a nazirite, this one shaves a whole nazirite and that one shaves a whole nazirite, i.e., each pays the full cost of a nazirite’s offerings; this is the statement of Rabbi Meir, since there is no such entity as half a nazirite. And the Rabbis say: This one shaves half a nazirite and that one shaves half a nazirite; they may join together to pay for the offerings of one nazirite.

[67] GEMARA: With regard to this dispute, Rava said: All concede that whenever one said: Half of the offerings of a nazirite are incumbent upon me, he brings half of the offerings, since he vowed to pay only that amount. Also, everyone agrees that if he said: The offerings of half a nazirite are incumbent upon me, he needs to bring all of the offerings of a nazirite. What is the reason that he must bring all of the offerings of a nazirite? It is that we have not found such an entity as half a naziriteship. If one vowed to be half a nazirite, he is a full nazirite.

[68] And when they disagree, it is only in a case of one who used the precise wording of the mishna. Rabbi Meir holds that once he said: It is incumbent upon me, he is obligated in all of the naziriteship offerings, and when he later says: Half a naziriteship, it is not in his power to uproot his first

obligation. And the Rabbis hold that it is a vow with its inherent opening. By saying he had only half the offerings of a nazirite in mind from the outset, he has nullified his own vow.

69 MISHNA: If one said: I am hereby a nazirite when I will have a son, and a son was born to him, he is a nazirite. If a daughter, a tumtum, or a hermaphrodite [androginos] is born to him, he is not a nazirite, since a son was not born to him. However, if he says: I am hereby a nazirite when I will have a child, then even if a daughter, a tumtum, or a hermaphrodite is born to him, he is a nazirite.

70 However, if his wife miscarried he is not a nazirite, since his wife did not give birth to a live child. Rabbi Shimon says: Since it is possible that the fetus was viable, in which case his vow of naziriteship takes effect, he should say the following: If this fetus was viable in terms of its development but died due to other causes, I am hereby an obligatory nazirite in fulfillment of my vow; and if it was not viable, I am hereby a voluntary nazirite. He then proceeds to observe naziriteship.

71 If, subsequent to this, his wife gave birth again, he is a nazirite, since the unattributed opinion in the mishna holds that the condition of his vow has now been fulfilled. Rabbi Shimon says, following his earlier ruling: He must now accept upon himself an additional naziriteship and he should say: If the first fetus was viable then my naziriteship for the first child was obligatory, and this naziriteship is voluntary; and if the first child was not viable, then the naziriteship for the first one was voluntary and this naziriteship is obligatory.

72 GEMARA: With regard to the statement of the mishna that one who vowed to be a nazirite when a son is born to him is a nazirite when his son is born, the Gemara asks: What is the purpose of stating this ruling? Of course he is a nazirite. The Gemara answers: This halakha is stated due to the latter clause of that mishna, which states that if a daughter, a tumtum, or a hermaphrodite are born to him, he is not a nazirite. The Gemara questions this, too: Isn’t that obvious, since he specified a son? The Gemara answers: It is necessary lest you say he did not literally mean a son, but rather he meant to say: When I will be built up by means of any child, including the types listed. The mishna therefore teaches us that this is not the case.

73 The mishna also taught: And if he said: When I have a child, then even if he has a daughter, a tumtum, or a hermaphrodite, his vow takes effect. The Gemara asks: Isn’t it obvious that this is the case? The Gemara answers: It is necessary to state this lest you say that we require a child of the kind that is considered significant by people, and he meant to exclude these other types of children when he vowed. The mishna therefore teaches us that this is not so.

74 § The mishna taught that if his wife miscarried he is not a nazirite, even though it may have been a viable child. The Gemara clarifies: According to whose opinion is this taught? The Gemara answers: It is the opinion of Rabbi Yehuda with regard to a heap of wheat. Rabbi Yehuda holds that if one vows to be a nazirite if a heap contains a certain amount of wheat and it is unclear whether or not his condition was fulfilled, the halakha is ruled leniently, and he is not a nazirite.

75 The mishna further taught that Rabbi Shimon says that the individual should say: If this fetus was viable in terms of its development but died due to other causes, I am hereby an obligatory nazirite in fulfillment of my vow; and if it was not viable, I am hereby a voluntary nazirite. The Gemara relates that Rabbi Abba inquired of Rav Huna: If one said: I am hereby a nazirite when I will have a son, and his wife miscarried, and he separated an offering for his naziriteship but did not sacrifice it, and his wife gave birth again to a son, what is the halakha with regard to the offering he separated?

[76] The Gemara asks: In accordance with whose opinion did Rabbi Abba pose his question? If he asked it in accordance with the opinion of Rabbi Shimon, what dilemma is he raising? Didn't Rabbi Shimon say: In a case of uncertainty with regard to naziriteship, the ruling is to be stringent? Here too, since the fetus might have been viable, he was required to separate the offerings after she miscarried, and he may not use those offerings for the naziriteship brought about by the later birth. Rather, one should say that the question was in accordance with the opinion of Rabbi Yehuda, who said that in a case of uncertainty with regard to naziriteship, the ruling is to be lenient. The question is as follows: What is the halakha in such a situation? Are the offerings already considered consecrated and need not be consecrated again, or are they not consecrated and therefore he must consecrate them a second time?

[77] The Gemara asks: What difference is there? In any case, he is certainly obligated to observe naziriteship now, and he must separate the offerings. The Gemara answers: The question is referring to the issue of its shearing and its labor. If they are considered consecrated from the initial consecration, it is prohibited to shear their wool and use them for labor, like any other consecrated animal. But if they are not yet consecrated, it is permitted to use them. No answer was found for this question, and the Gemara concludes that the dilemma shall stand unresolved.

[78] § With regard to one who accepted naziriteship upon himself that would begin upon the birth of his son, the Sage ben Reḥumi inquired of Abaye: If one said: I am hereby a nazirite when I will have a son, and another heard him and said: And it is incumbent upon me, what is the halakha with regard to the second person? Is the implication of his statement a concurrence to the statement of the first one, which would mean that he too accepts naziriteship upon himself when the first has a son, or is the implication of his statement meant to be understood about himself, i.e., that he has vowed to be a nazirite when he has a son of his own?

[79] The Gemara develops the question further: Even if you say that the phrase: And it is incumbent upon me, has the implication of meaning that it is to be understood about himself, what is the halakha if one said: I am hereby a nazirite when I will have a son, and another heard him and said: And I? What is the meaning of the second person's statement? Is it to be understood that here too, he is speaking of himself, meaning: I shall be a nazirite when I will have a son of my own, or perhaps this is what he is saying: I love you as you love yourself; I would be as happy as you at the birth of your son, and I too will be a nazirite when you have a son. Ben Reḥumi continues: If you say that anything he says to another in front of him

[80] should be understood in light of the fact that the matter is embarrassing for him, the second person is likely to mean that he will become a nazirite upon the birth of a child to the first person, as he will be embarrassed to seem indifferent about the birth of the child to the person standing before him, then the following question arises: If one said: I am hereby a nazirite when so-and-so will have a son, and another heard and said: And I, what is the halakha? Do we say that since the second person did not vow in front of the subject of the first person's vow, he therefore speaks of himself when he says: And I, meaning that he will be a nazirite when he has a son of his own? Or perhaps this is what he is saying to him: I love him as you do, and I too will be a nazirite when he has a son. As in the previous cases, no answer was found for this question, and the dilemma remains unresolved.

[81] MISHNA: In a case where one said: I am hereby a nazirite now, and I will be a nazirite when I will have a son, and he began counting his own term of naziriteship, i.e., his first vow, and afterward

in the middle of this naziriteship period a son was born to him, he first completes his own initial term of naziriteship and afterward he counts the term of naziriteship he vowed on the condition of the birth of his son. However, if he reversed the order and said: I am hereby a nazirite when I will have a son, and I am hereby a nazirite, and he began counting his own term of naziriteship and afterward, during this period, a son was born to him, he sets aside his own term of naziriteship and counts that which he vowed on condition of the birth of his son, and afterward he completes his own term of naziriteship.

[82] GEMARA: In light of the ruling of the mishna, Rava asks: If one said: I am hereby a nazirite for a standard term of thirty days and will begin observing it after twenty days, and I am also a nazirite from now for one hundred days, what is the halakha? Should one say that since these one hundred days of naziriteship are not completed within those first twenty days, it could be said that the one hundred days of naziriteship do not take effect at all until after he has completed the thirty-day naziriteship? Or perhaps, since he still has at least thirty days of hair growth at the end, as after the thirty-day term he could observe an additional eighty days, therefore the one hundred days of naziriteship take effect from now, and he counts twenty days, pauses to observe the other term of naziriteship for thirty days, shaves, and then completes the final eighty days of the long term of naziriteship.

[83] The Gemara asks: And let him raise this dilemma with regard to a short term of naziriteship, when fewer than thirty days would remain if he suspended the first term of naziriteship in order to observe the other. The Gemara answers: He raises one dilemma as a result of the other. In other words, Rava’s question was an outgrowth of a different inquiry, which in turn led to his question. The full discussion is as follows:

[84] If you say that when he accepts naziriteship upon himself after twenty days, and then vows a short term of naziriteship of thirty days starting now, then since, if he pauses from his first term of naziriteship after twenty days, it is only ten days that are left over to complete after the second term of naziriteship, those ten should not be reckoned for him to complete a full term of naziriteship. Ten days are insufficient for hair growth. Therefore, he must observe a full thirty-day term of naziriteship after the second term of naziriteship, which means he is not a nazirite for the first twenty days. With that assumption in mind, the question arose: Certainly if he vows to be a nazirite for one hundred days, since he has a further eighty days at the end, which is sufficient time for his hair to grow, do the first twenty days count for him as part of the one hundred days or not?

[85] This inquiry leads to yet another question: And if you say that the first days of naziriteship take effect, and his term of naziriteship will be completed in the eighty days after the second term of naziriteship, then if he said: I am hereby a nazirite after twenty days, and from now I am a permanent nazirite, what is the halakha? Does the permanent naziriteship take effect for him during those twenty days or not? Since permanent naziriteship is unlimited, he could not have intended to complete its days after the second term of naziriteship, and it is reasonable to assume that he intended for the permanent naziriteship to begin after the second term of naziriteship has been completed.

[86] If you say: Here, with regard to cases of a standard permanent naziriteship after twenty days, since it is possible to request of a halakhic authority to dissolve the vow, which would result in the first term of naziriteship taking full effect, it therefore takes effect during those twenty days, then the following question arises: If one said: I am hereby a nazirite like Samson after twenty days, and from

now I am hereby a nazirite without specification, what is the halakha? Since here it is not possible to request of a halakhic authority to dissolve the vow of naziriteship like Samson, and there is no way of completing the first term of naziriteship, does the first naziriteship take effect or not? The Gemara adds another question: If one said: I am hereby like Moses on the seventh day of Adar, what is the halakha? Is this considered an expression of naziriteship in that just as Moses passed away on that date and drank no more wine, so too, the speaker vows to be a nazirite? Alternatively, perhaps this phrase does not indicate the acceptance of naziriteship.

87 The Gemara comments: At least resolve the first of these questions, the one raised at the beginning of the discussion, as it is stated explicitly in the Tosefta (2:5): If one says: I am hereby a nazirite after twenty days, and I am hereby a nazirite from now for one hundred days, he counts twenty days of his term of naziriteship immediately, after which he counts thirty days for the subsequent term of naziriteship, and afterward he counts eighty days in order to complete his first term of naziriteship.

88 § The Gemara returns to its discussion of the statement of the mishna with regard to one who vowed to be a nazirite upon the birth of a son in addition to a standard term of naziriteship. The mishna ruled that he begins his term of naziriteship, and if he has a son during that term, he pauses from that term of naziriteship and starts the term for his son, after which he completes the first term. The Torah states that a nazirite who becomes impure while observing his term of naziriteship must start counting afresh, which leads to the following question: What happens if he became impure during the days of his term of naziriteship for his son? Rabbi Yoḥanan says: This negates all of it, even the days he has counted for his own term of naziriteship, and he must observe two full terms of naziriteship. Reish Lakish says: This does not negate the days he observed for his own term of naziriteship, only those of the term of naziriteship for his son.

89 The Gemara clarifies the two approaches: Rabbi Yoḥanan says it negates all of it, since he holds that it is one long term of naziriteship. Reish Lakish says it does not negate the days he observed for his own term of naziriteship because his term of naziriteship is a discrete naziriteship, and that for his son is a discrete naziriteship.

90 These two amora’im have a similar dispute in the case of one who contracted leprosy during his naziriteship and became impure by coming into contact with corpse during the days of his leprosy. Although the days of his leprosy do not negate the previous days of his naziriteship, they are not counted as part of his naziriteship either. Rabbi Yoḥanan says: Contraction of impurity from a corpse negates the days of naziriteship observed before his leprosy, which means he must start counting afresh once he is purified of leprosy. Reish Lakish says: It does not negate the days he has observed, and he need observe only the remaining days of his naziriteship after his purification.

91 The Gemara clarifies their respective approaches. Rabbi Yoḥanan says the impurity from a corpse negates the days he already observed, since he remains in a period of naziriteship even when he is a leper, as his leprosy does not negate his naziriteship. Reish Lakish says it does not negate the days he observed, since he maintains that leprosy is discrete and naziriteship is discrete. One’s time as a leper is not considered part of his naziriteship.

92 The Gemara comments: And it is necessary to teach this dispute in both cases. As, if it were stated in this first one, with regard to one who became impure during his term of naziriteship for the birth of his son, one might say that it is specifically in that case that Rabbi Yoḥanan said it also negates the

days of his standard naziriteship because there is one label of naziriteship that applies to both vows, but in this case, where the leper became impure from a corpse, one might say he concedes to Reish Lakish that it does not negate the days of his naziriteship that he has counted, since a nazirite is discrete and leprosy is discrete.

93 And conversely, if it were stated only in this case, that of the leper who contracted impurity from a corpse, one might say that it is only in this case that Reish Lakish said it does not negate his days of naziriteship, but in that case, where one became impure while observing the term of naziriteship for his son, one might say he concedes to Rabbi Yoḥanan that it negates the entire period, since they are all days of naziriteship. Therefore, it is necessary for the dispute to be taught in both cases.

94 In connection with the dispute between Rabbi Yoḥanan and Reish Lakish, the Gemara discusses the case of a nazirite who became impure on the day of his hair growth. The case is that of one who contracted leprosy during his naziriteship and then was purified from his condition and shaved, as required of him. At this point he must wait another thirty days so that his hair can grow enough for him to shave it for the end of his naziriteship. If he became impure during this additional period, Rav said: It does not negate the days he previously counted for his naziriteship. The Gemara explains: Even according to Rabbi Yoḥanan, who says that if one became impure during the days of the term of naziriteship for his son it negates the entire period, this statement applies only where he still remains in a period of naziriteship, but the time of hair growth is an addition to his period of naziriteship and is not considered part of the term itself.

95 And Shmuel said: It negates the earlier days. The Gemara explains: Even according to Reish Lakish, who says that becoming impure during the naziriteship for his son does not negate the days of his naziriteship, there it is referring to a case of two distinct terms of naziriteship, a standard one for himself and another for his son. But here it is one naziriteship, since the days he observes for the growth of his hair complete his naziriteship.

96 § Rav Ḥisda said: All concede that if the hair was consecrated during the sprinkling of the blood, he has no means of remedy. That is, if the nazirite had completed his term and brought his offerings, and the blood of the offerings was sprinkled, and he then became impure before shaving, he has no way to shave or to render wine permitted to himself. It has not been permitted through the offerings he brought because he has become impure, and he cannot bring other offerings for this purpose since one may not bring two sets of offerings for the same term of naziriteship.

97 The Gemara asks: In accordance with whose opinion did Rav Ḥisda state this halakha? If one says that it is in accordance with the opinion of Rabbi Eliezer, this cannot be, since Rabbi Eliezer said that shaving is indispensable to the completion of naziriteship. The impurity is therefore contracted within the full term of his naziriteship, in which case it would not make sense that he has no remedy; but let it instead negate his days of naziriteship, and he will observe them again, after which he will shave. Rather, perhaps Rav Ḥisda spoke in accordance with the opinion of the Rabbis; didn’t they say that shaving is not indispensable to the completion of naziriteship, which means his impurity occurred when he was no longer a nazirite? The Gemara answers: Actually, Rav Ḥisda ruled in accordance with the opinion of the Rabbis, and what is the meaning of: He has no means of remedy? It means: He has no means of remedy for the mitzva of shaving, i.e., he cannot fulfill the mitzva of shaving in purity as required.

98 § Rabbi Yosei, son of Rabbi Ḥanina, said: A nazirite whose days of naziriteship are completed but who has yet to bring his offerings is flogged for the contracting of impurity if he becomes impure from a corpse, like any nazirite who becomes impure, but he is not flogged for the act of shaving, nor for the drinking of wine. The Gemara asks: What is different with regard to impurity that he is flogged for it? It is as the verse states: “All the days that he has consecrated himself unto the Lord he shall not come near to a dead body” (Numbers 6:6). The additional word “all” comes to include the days after the completion of his naziriteship and teaches that they are like the days before its completion with regard to the prohibition against contracting impurity from the dead. Therefore, he is liable to receive lashes.

99 The Gemara asks: If so, let him also be liable to receive lashes for shaving, since the Merciful One states in the Torah: “All the days of his vow of naziriteship there shall no razor come upon his head” (Numbers 6:5). Here too, the word “all” should render the days after the completion of his naziriteship like the days before its completion. And furthermore, with regard to wine as well, the verse states: “All the days of his naziriteship, from anything that is made of the grapevine, from the pressed grapes even to the grapestone, he shall not eat” (Numbers 6:4). Once again, the word “all” should render the days after the completion of his naziriteship like the days before its completion with regard to drinking wine. What is the reason for the difference in halakha between contracting impurity on the one hand, and shaving and drinking wine on the other?

100 The Gemara answers: Here, with regard to impurity, it is different, as the Merciful One states in the Torah: “And he defile his consecrated head” (Numbers 6:9), which indicates that even one whose naziriteship is dependent only upon his head, i.e., one who has completed his naziriteship other than shaving, is liable to receive lashes if he contracts impurity. The Gemara raises an objection to the statement of Rabbi Yosei, son of Rabbi Ḥanina, from a baraita: A nazirite whose days are completed is forbidden to shave, and is forbidden to drink wine, and is forbidden to contract impurity from corpses. And if he did shave, or drink wine, or contract impurity from corpses, he incurs the forty lashes administered to one who violates a Torah prohibition. This baraita clearly states that he is flogged for any of the three prohibitions, which is a conclusive refutation of the statement of Rabbi Yosei, son of Rabbi Ḥanina.

101 MISHNA: In the case of one who said: I am hereby a nazirite when I will have a son, and he added: I am hereby a nazirite from now for one hundred days, and he then began observing the one hundred days of his naziriteship, if a son is born to him up to seventy days from the start of his naziriteship he has not lost anything. He pauses from the observance of the naziriteship of one hundred days and observes the thirty-day term for his son. He then completes the thirty or more days left of his initial naziriteship. However, if his son is born after seventy days, this negates the first seventy days, and he must observe a full hundred days after he completes the naziriteship for his son. The reason is that here, he is unable to merely complete the remaining days of his initial naziriteship after shaving at the completion of the naziriteship for his son, since shaving cannot be performed after a period of less than thirty days.

102 GEMARA: Rav said: The seventieth day itself counts for here and for there, as the last of the seventy days of his term of naziriteship as well as the first day of the naziriteship for his son. The Gemara questions Rav’s statement. We learned in the mishna: If a son is born to him up to seventy, he has not lost anything. This seems to include the seventieth day as well. And if it enters your mind

that it counts for here and for there, not only has he not lost anything, but he even gains a day, so why would the mishna state: He has not lost anything? The Gemara answers: Rather, by right the mishna should not have taught: Up to seventy he has not lost anything, since if the son is born on the seventieth day he actually gains, as stated above, but due to the fact that it is taught in the last clause of the mishna: After seventy it negates seventy, in which case he does lose, the tanna therefore teaches the first clause with the contrasting expression: Up to seventy he has not lost anything.

[103] The Gemara asks further: Come and hear a statement that contradicts Rav's opinion from the last clause of the mishna: If the son is born after seventy days, it negates the first seventy days. If, as Rav stated, one day can count for both terms, then the final day of the thirty-day term for his son also counts toward his hundred-day term, meaning that there will be thirty days remaining for a full hair growth; in that case, why should he forfeit the first days? The Gemara answers this: What is the meaning of: After? It means after, after. The mishna is referring to the second day after the seventieth, the seventy-second day, so that there do not remain thirty days for his hair to grow.

[104] The Gemara asks: But according to this explanation, what would be the halakha if a son is born on the day that actually comes after the seventieth, the seventy-first day; so too, would Rav say that it does not negate the previous days, because he has thirty days remaining to grow his hair? If so, why does the tanna specifically teach: If he is born up to seventy he has not lost anything? The same would hold true even for a case where he was born on the day after seventy as well, as didn't you say that it does not negate? Rather, one must learn from this that: After, means the actual day after, the seventy-first day, and likewise conclude that the mishna is difficult for Rav. The Gemara concludes: Indeed, learn from this that the tanna of the mishna disagrees with Rav.

[105] § The Gemara asks: And Rav, in accordance with whose opinion did he say his halakha? Since the tanna of the mishna disagrees with him, which tanna does he follow in ruling that one day may be counted for two different observances? If we say that he stated the ruling in accordance with the opinion of Abba Shaul, as we learned in the Tosefta (Mo'ed Katan 2:9): With regard to one who buries his dead three days before a pilgrimage Festival, the rabbinic decree of seven days of mourning is voided for him, i.e., once the Festival begins, he no longer observes the prohibitions and customs of the first seven days of mourning. Since he has mourned for three days, the Festival voids the remainder of the seven days.

[106] The baraita continues: If he buried his dead eight days before a pilgrimage Festival, the rabbinic decree of the restrictions of thirty days of mourning is voided for him as well. Since he already observed one day of this type of mourning he need not complete the entire period, and it is therefore permitted for him to cut his hair on the eve of the pilgrimage Festival in honor of the Festival. But if he did not cut his hair on the eve of the pilgrimage Festival, it is prohibited for him to cut his hair after the pilgrimage Festival, until thirty days of mourning have passed.

[107] Abba Shaul says: Even if he did not cut his hair before the pilgrimage Festival, it is permitted for him to cut his hair after the pilgrimage Festival. His reasoning is that just as the mitzva of three voids the rabbinic decree of seven, as was taught before; so the mitzva of seven voids the rabbinic decree of thirty. Since he completed the observance of the seven days of mourning before the Festival, he need not observe the thirty days of mourning.

[108] The Gemara asks: What is the rationale of Abba Shaul for his opinion that if he observed seven days of mourning before the Festival commenced the thirty-day mourning period is voided? Isn't it

because he holds that the seventh day counts for here and there, i.e., the seventh day is considered both the end of the seven days and the start of the thirty days of mourning, so he had already begun observing his thirty days of mourning before the start of the Festival? This ruling may be the basis for the ruling of Rav. The Gemara rejects this: This does not support Rav, since perhaps Abba Shaul was saying his ruling that the same day counts for both here and there only with regard to the mourning of seven days, which is by rabbinic law, but with regard to a nazirite, whose obligation is by Torah law, he would not say so.

109 Rather, Rav spoke in accordance with the opinion of Rabbi Yosei, as it is taught in a baraita that Rabbi Yosei says: A woman who observes a clean day for each day she experiences a discharge is a woman who discharges blood for one or two days at a time when she does not expect her menstrual period. The case under discussion is one where she experienced a discharge for one day and they slaughtered a Paschal offering and sprinkled the blood for her on her second day, after she immersed in a ritual bath. At that point, it is unclear whether she will remain clean of discharges for the remainder of the day, in which case she is retroactively pure from the time she immersed and may eat the Paschal offering at night, or whether she will experience a discharge of blood during the day, in which case her immersion is retroactively invalid and she was impure the entire time.

110 And after that, she saw blood, thereby retroactively clarifying that at the time the Paschal offering was slaughtered she was unfit to partake of it. The halakha is that she may not eat from the Paschal lamb due to her ritual impurity, but she is exempt from observing the second Pesaḥ, which is observed by those who did not sacrifice the Paschal offering on the first Pesaḥ. The reason is that since she was pure when they slaughtered the Paschal offering on her behalf, she has fulfilled the obligation of the offering, despite the fact that she became impure and was unable to eat the offering.

111 The Gemara clarifies this: What is the rationale of Rabbi Yosei for his opinion that she is exempt from observing the second Pesaḥ? Isn’t it because he holds that the legal status of part of the day is like that of an entire day? Since she was pure for part of the day, it is considered as though she was pure the entire day. The Gemara rejects this: From where do you know that this is the rationale? Perhaps it is because Rabbi Yosei holds that one becomes impure from now and onward. He holds that the impurity of a zava starts only from the moment she had a discharge of blood, but she is ritually pure up to that point, so she was ritually pure when they slaughtered the offering for her.

112 The Gemara questions this explanation: And does Rabbi Yosei hold in accordance with this ruling that she is impure only from that moment onward?

113 But isn’t it taught in a baraita that Rabbi Yosei says: With regard to a man who experiences a gonorrhea-like discharge [zav] who has had two sightings of discharge, for whom they slaughtered a Paschal offering and sprinkled its blood on the seventh, and final, day of impurity, and similarly, with regard to a woman who observes a clean day for a day, for whom they slaughtered a Paschal offering and sprinkled its blood, and afterward they saw their respective discharges, although they render objects designed for lying and sitting impure retroactively, they are exempt from observing the second Pesaḥ. This is proof that Rabbi Yosei holds that their ritual impurity applies retroactively, rather than from the moment of discharge onward. It must be that the reason why they are nevertheless exempt from observing the second Pesaḥ is that part of the day is like the entire day, and the part of the day before they became impure, during which the blood of the Paschal offering was sprinkled for them, is considered a whole clean day.

114 The Gemara responds to this attempted proof: What is the meaning of Rabbi Yosei’s statement that the ritual impurity applies retroactively? It means that the ritual impurity applies retroactively by rabbinic law. However, by Torah law, the zav or zava is impure only from the time of the new sighting and onward. The Gemara adds: So too, it is reasonable that this is Rabbi Yosei’s opinion, as, if it enters your mind that they become ritually impure retroactively by Torah law, why are they exempt from observing the second Pesaḥ if by Torah law they were impure at the time the offering was slaughtered?

115 The Gemara responds: This is no proof, since actually, I could say to you that this retroactive impurity is by Torah law, and the reason they are exempt from observing the second Pesaḥ is that the Sages permitted impurity of the deep of ziva. The halakha is that in the case of a Paschal offering, an unknown impurity of the dead, called the impurity of the deep, is permitted. In a case where one brought his offering and later became aware that he had contracted impurity from a corpse, if this source of impurity was unknown to everyone, he is not required to observe the second Pesaḥ. The Gemara suggests that Rabbi Yosei may hold that the same halakha applies to the impurity of a zava as well: Since the owner of the offering was pure when it was brought and could not have known that she would become impure due to discharge later that day, it is similarly considered an impurity of the deep, and she has therefore fulfilled her obligation.

116 § The Gemara points out: And even Rabbi Oshaya holds that, according to Rabbi Yosei, the fact that a zav renders objects designed for sitting or lying impure retroactively is only by rabbinic law in this circumstance. As it is taught in a baraita that Rabbi Oshaya says: In a case of one who sees gonorrhea-like discharge on his seventh clean day, this negates the clean days that preceded it and starts his seven days anew. And Rabbi Yoḥanan said to him that it should negate only its own day, i.e., he should require only one additional clean day.

117 The Gemara expresses surprise: Whichever way you look at Rabbi Yoḥanan’s statement, it is difficult. If this discharge negates clean days just as the case of a zav who had a discharge during his seven days, it should negate all his clean days, not only the last one. If it does not negate clean days, since it is not considered a discharge within his seven days but rather, as the first sighting of a new ziva, it should not negate any of it, and not even its own day. What, then, is the logic of Rabbi Yoḥanan’s ruling that it negates a single day? Rather, say instead that Rabbi Yoḥanan said as follows: It does not negate at all, and not even its own day, since this discharge is considered to be the first of a new series.

118 And Rabbi Oshaya said to Rabbi Yoḥanan: Rabbi Yosei holds in accordance with your opinion, as he too says that in this case one becomes impure from now and onward, and any impurity after the start of the seventh day does not cause him to forfeit the previous clean days. The Gemara analyzes Rabbi Oshaya’s statement: But didn’t Rabbi Yosei say that the impurity is retroactive, as stated above? Rather, Rabbi Oshaya must certainly hold as follows: What is the meaning of Rabbi Yosei’s ruling that he is impure retroactively? It means that he is rendered impure only by rabbinic law, but not by Torah law.

119 The Gemara poses a question with regard to Rabbi Yosei’s statement: And as to Rabbi Yosei, now, he holds that the status of part of the day is like that of an entire day. How can you find a full-fledged zava who brings an offering? Since she sees a discharge at the midpoint of the day, the other half of the day counts for her as a full day of observing, as part of the day is considered to be like all

of a day. The Gemara answers: If you wish, say that she continuously discharges blood for three days consecutively. And if you wish, say that she saw a discharge on three consecutive days close to sunset. In that case she is impure on each occasion at the end of one day and the beginning of the next, so that there was not any time to become pure on the following day so as to be included for her counting of a clean day corresponding to an impure one.

Chapter 3

[1] MISHNA: One who said: I am hereby a nazirite, without specifying how long his term of naziriteship would last, shaves his hair on the thirty-first day after the start of his naziriteship, as an unspecified term of naziriteship lasts thirty days. And if he shaved on the thirtieth day, he has fulfilled his obligation. If he explicitly said: I am hereby a nazirite for thirty days, then, if he shaved on the thirtieth day, he has not fulfilled his obligation. Since the naziriteship would have been for thirty days even without him stating: For thirty days, this addition is understood to indicate that he will observe naziriteship for a full thirty days.

[2] One who accepted two terms of naziriteship shaves at the close of the first naziriteship on the thirty-first day, and at the close of the second term on the sixty-first day. Since his second term of naziriteship begins after shaving on the thirty-first day, the sixty-first day of the first term is the thirty-first day of his second term. And if he shaved for the first term on the thirtieth day, he shaves for the second term on the sixtieth day, which is the thirty-first day after the start of his second term of naziriteship. And if he shaved for the second term on day sixty less one, he has fulfilled his obligation, as this is the thirtieth day of his second term.

[3] And this testimony was attested to by Rabbi Pappeyas, who heard from his teachers with regard to one who vowed to observe two terms of naziriteship, that if he shaved for the first term on the thirtieth day, he shaves for the second term on the sixtieth day. And if he shaved for the second term on the day sixty less one, he has fulfilled his obligation, because the thirtieth day of the first term of naziriteship counts as part of his tally of the second term.

[4] One who said: I am hereby a nazirite, without further specification, if he became ritually impure through contact with a corpse on the thirtieth day of his term of naziriteship, it negates the entire tally, and he must start his naziriteship afresh. Rabbi Eliezer says: It negates only seven days, which he must observe until his purification, after which he brings his offerings. If he said: I am hereby a nazirite for thirty days, and he became impure on the thirtieth day, everyone agrees that it negates the entire tally. If he said: I am hereby a nazirite for one hundred days, if he became impure on the one hundredth day, it negates the entire tally. Rabbi Eliezer says: It negates only thirty days, and he observes the final thirty days again. If he became impure on the one hundred and first day before bringing his offerings, it negates only thirty days, but does not negate all of the observed days. Rabbi Eliezer says: It negates only seven days.

[5] GEMARA: The mishna taught: One who said: I am hereby a nazirite, and became ritually impure on the thirtieth day, it negates the entire tally; Rabbi Eliezer says: It negates only seven.

[6] The Gemara explains: Rabbi Eliezer holds that when anyone becomes ritually impure after the completion of his term of naziriteship, but before he brought his offerings, only seven days are

negated, and the thirtieth day is after the completion of his term. The mishna then teaches that one who said: I am hereby a nazirite for thirty days, and became impure on the thirtieth day, it negates the entire tally. Rabbi Eliezer does not disagree in this case, since it is an instance where he explicitly said that he accepts naziriteship on himself for a full thirty days, and his ritual impurity therefore occurs during his naziriteship period.

[7] The mishna also taught that if one said: I am hereby a nazirite for one hundred days, and he became impure on the one hundredth day, it negates the entire tally. Rabbi Eliezer says it negates only thirty. And this entire mishna should be explained as we discussed it, in accordance with the opinions of bar Padda and Rav Mattana earlier (5a–6b).

[8] MISHNA: One who took a vow of naziriteship while in a cemetery, even if he was there for a full thirty days without leaving, those days he spent in the cemetery do not count as part of his tally, since his naziriteship has not yet gone into effect. And he therefore does not bring the three offerings of impurity, brought by a nazirite when rendered ritually impure by contact with a corpse, despite having been in a cemetery. If he left the cemetery and entered it again, those days do count as part of his tally, meaning the naziriteship takes effect, and he does bring the offerings of impurity for reentering the cemetery.

[9] Rabbi Eliezer says: This halakha does not apply to one who entered the cemetery on the very day that he left it, as it is stated with regard to the halakhot of a ritually impure nazirite: “But the first days shall be void” (Numbers 6:12), which indicates that he does not bring the offerings until he will have “first days” of purity, during which he observed his naziriteship.

[10] GEMARA: It was stated that the amora’im disagree with regard to one who vowed to be a nazirite while in a cemetery. Rabbi Yoḥanan said: Naziriteship takes effect for him, and Reish Lakish said: Naziriteship does not take effect for him. The Gemara clarifies their respective opinions: Rabbi Yoḥanan, who said naziriteship takes effect for him, holds that from the moment he accepts naziriteship upon himself it is pending, so that when it is found that he is in a state of ritual purity it takes immediate effect. The vow registers from when he states it, but it cannot take effect in practice as long as he stands in a ritually impure location. And Reish Lakish said that naziriteship does not take effect for him at all. Consequently, if he again said after leaving the cemetery that he accepts a vow of naziriteship, it takes effect for him; but if he does not repeat his vow, he is not a nazirite.

[11] Rabbi Yoḥanan raised an objection to the opinion of Reish Lakish from the mishna: One who took a vow of naziriteship while in a cemetery, even if he was there for a full thirty days without leaving, those days he spent in the cemetery do not count as part of the tally, since his naziriteship has not yet gone into effect. And he therefore does not bring the offerings of impurity despite having been in a cemetery. Rabbi Yoḥanan infers from this: It is the offerings of impurity that he does not bring, but as far as the issue of the naziriteship taking effect, it does take effect for him. Reish Lakish said to him: It means he is not included in the law of prohibited ritual impurity, and therefore he is not included in the law of the offerings. He is not a nazirite at all.

[12] Rabbi Yoḥanan raised an objection to the opinion of Reish Lakish from what was taught in a baraita (Tosefta 2:14): One who was impure and took a vow of naziriteship must still observe the halakhot of a nazirite: He is prohibited from shaving, and from drinking wine, and from becoming impure from a corpse. And if he shaved, or if he drank wine, or if he became impure from a corpse, he incurs [sofeg] the forty lashes administered to one who actively transgresses a negative Torah

prohibition. Rabbi Yoḥanan asks: Granted, if you say that naziriteship takes effect despite his ritual impurity, that is the reason that he incurs the forty lashes, similar to any nazirite who transgresses the prohibitions of naziriteship. But if you say the naziriteship does not take effect while he is ritually impure, why does he incur the forty lashes?

[13] Reish Lakish responded: With what are we dealing here in this baraita? With one who left and entered, meaning that after having left the cemetery and purifying himself, he then vowed again to be a nazirite and subsequently reentered the cemetery.

[14] Rabbi Yoḥanan raised another objection to Reish Lakish's opinion from a different source: The difference between a ritually impure person who took a vow of naziriteship and a ritually pure nazirite who became impure is only the following halakha: If a ritually impure person took a vow of naziriteship, his seventh day of purification counts as part of his tally of his term of naziriteship, since he starts counting his term of naziriteship as soon as he becomes pure. But with regard to a ritually pure nazirite who became impure, his seventh day of purification does not count as part of his tally. Rather, he starts counting his days of naziriteship from the following day, which is the day on which he brings his offerings. And if it enters your mind that a vow of naziriteship stated while ritually impure does not take effect, why does the baraita state that the seventh day counts as part of his tally, indicating that the naziriteship takes effect without a need for him to restate his vow?

[15] As a result of this question, the Gemara offers a different interpretation of their dispute. Mar bar Rav Ashi said: The dispute between Rabbi Yoḥanan and Reish Lakish is not as stated above. With regard to the question of the vow of naziriteship taking effect, everyone agrees that it takes effect from the moment of his acceptance of naziriteship, even if he was in the cemetery. Rather, when they disagree it is with regard to being flogged, as follows: Rabbi Yoḥanan holds that since the vow takes effect, he is therefore flogged for becoming impure, and Reish Lakish holds that he is not flogged for becoming impure, but the vow does take effect with regard to the prohibitions of naziriteship.

[16] According to this version of the dispute as well, Rabbi Yoḥanan raised an objection to Reish Lakish from the mishna, which states: One who took a vow of naziriteship while in a cemetery, even if he was there for a full thirty days without leaving, those days he spent in the cemetery do not count as part of his tally, since his naziriteship has not yet gone into effect. And he therefore does not bring the offerings of impurity, despite having been in a cemetery. Rabbi Yoḥanan infers from this: It is the offerings of impurity that he does not bring, but he is flogged for contracting impurity, which is not in accordance with the opinion of Reish Lakish.

[17] The Gemara answers: This inference is not correct, as by right the mishna should teach: He is not flogged, but due to the fact that the tanna wants to teach the latter clause of the mishna, which states: If he left the cemetery and entered it again, those days do count as part of his tally, meaning the naziriteship takes effect, and he does bring the offerings of impurity for reentering the cemetery, the tanna therefore taught a similar phrasing in the first clause of the mishna: He does not bring the offerings of impurity, so this should not be seen as an indication that he is not flogged.

[18] The Gemara suggests another proof in support of Rabbi Yoḥanan's opinion. Come and hear a proof from another baraita: The difference between an impure person who took a vow of naziriteship and a pure nazirite who became impure is only the following halakha: That in the case of an impure person who took a vow of naziriteship, his seventh day of purification counts as part of his tally of the term of naziriteship. But in the case of a pure nazirite who became impure, his seventh day of

purification does not count as part of his tally. The Gemara infers: But with regard to flogging, this nazirite and that nazirite are equal. Reish Lakish said to Rabbi Yoḥanan: This is not a correct inference; rather, it is with regard to shaving on the seventh day of purification that this nazirite and that nazirite are equal, since even a ritually impure person who took a vow of naziriteship must shave on that day.

[19] The Gemara asks: But in that case, according to Reish Lakish, what is the halakha with regard to flogging? This nazirite is flogged, and that nazirite, who was ritually impure when he vowed, is not flogged? If so, let him teach this difference as well; why does the baraita state that there is only one difference between them? The Gemara answers: This baraita is speaking of his remedy; it is not speaking of a matter that is detrimental to him. Consequently the baraita does not discuss a nazirite's punishments and discusses only the means by which he can resume his observance of naziriteship.

[20] The Gemara further suggests: Come and hear a proof from that which is taught in a baraita (Tosefta 2:14): One who was ritually impure and took a vow of naziriteship must still observe the halakhot of a nazirite. He is prohibited from shaving and from drinking wine. And if he shaved, or if he drank wine, or if he became ritually impure from a corpse, he incurs the forty lashes administered to one who actively transgresses a negative Torah prohibition. The Gemara concludes: This is a conclusive refutation of the opinion of Reish Lakish, as explained by Mar bar Rav Ashi.

[21] § After concluding that one who takes a vow of naziriteship while in a cemetery is liable to receive lashes, Rava asks: What is the halakha if one took a vow to be a nazirite while standing in a cemetery: Is it necessary that his exit from the cemetery be delayed for a specific period of time for him to become liable to receive lashes, just as one who becomes ritually impure while in the Temple receives lashes only if he remains there for a specific period of time, or is it not necessary?

[22] The Gemara clarifies: What are the circumstances in which this question is relevant? If we say that they said to him in warning: Do not take a vow of naziriteship in the cemetery, and he ignored their warning and took a vow of naziriteship, why do I need him to delay his exit? What is the reason that one who was already a nazirite when he entered a cemetery does not need to delay his exit in order to be liable to receive lashes? Because they warn him not to enter, and if he enters he has transgressed a prohibition and is flogged. Here too, they warn him not to take the vow, and he should therefore be liable to receive lashes if he does take the vow.

[23] Rather, Rava's question should be understood to refer to a case where one entered the cemetery in a chest, box, or cabinet, i.e., in large wooden containers that do not contract ritual impurity. One can enter a cemetery in such a container without becoming impure. If one was carried into a cemetery inside one of these containers, then took a vow of naziriteship, and another came and removed the top [ma'aziva] from above him, he would become ritually impure by virtue of being in the cemetery.

[24] If he was then warned to leave the cemetery, the question is as follows: When we learned by tradition that one is liable to receive lashes for delaying his exit, does that apply only to the Temple, but outside the Temple, such as when a nazirite is in a cemetery, does the halakha not apply, so that he is liable to receive lashes even if he did not delay his exit? Or perhaps it is not different, and a nazirite in a cemetery is flogged only if he remains there for a specific period of time. The dilemma shall stand unresolved.

[25] § Rav Ashi raises a dilemma: If one took a vow of naziriteship while in a cemetery, is he required to shave upon becoming ritually pure, before starting his term of naziriteship, or not? The Gemara

explains the two sides of the question: When a ritually impure nazirite is required to shave before starting his tally, does that refer only to a ritually pure nazirite who became impure, who has defiled his naziriteship? But a ritually impure person who only took a vow of naziriteship, and whose naziriteship has not yet begun, is he not obligated to shave? Or perhaps it is not different.

[26] The Gemara suggests: Come and hear a proof from the mishna: One who took a vow of naziriteship while in a cemetery, even if he was there for a full thirty days without leaving, those days he spent in the cemetery do not count as part of his tally, since his naziriteship has not yet gone into effect, and he therefore does not bring the offerings of impurity. The Gemara infers from this: It is the offerings of impurity that he does not bring, but he is required to shave. The Gemara rejects this proof: It is possible that the mishna is saying: What is the reason, as follows: What is the reason that he does not bring the offerings of impurity? Because he does not require shaving. This indicates that the naziriteship has not yet begun, therefore, he does not bring the offerings either.

[27] The Gemara suggests another proof. Come and hear a proof from another baraita: The difference between a ritually impure person who took a vow of naziriteship and a ritually pure nazirite who became impure is only the following halakha: With regard to an impure person who took a vow of naziriteship, his seventh day of purification counts as part of his tally of the term of naziriteship, but with regard to a pure nazirite who became impure, his seventh day of purification does not count as part of his tally. The Gemara infers: What, is it not so that with regard to shaving, this and that are equal, and he must shave in either case? The Gemara rejects this: No, there is a different inference: It is with regard to flogging that this and that are equal, but one who took a vow of naziriteship while in a cemetery does not have to shave.

[28] The Gemara questions this answer: But what is the halakha concerning shaving? Does this one, who became ritually impure, shave, and that one, who vowed while in a cemetery, not shave? If so, let him teach this difference as well. The Gemara answers: The tanna taught: His seventh day, and all matters relevant to it, including the halakha of shaving. Once it says that the seventh day is part of the tally of the ritually impure nazirite who became pure, it can be inferred that he does not bring the offerings of impurity on the eighth day, and therefore he does not shave on the seventh day.

[29] The Gemara further suggests: Come and hear a proof from the following baraita: I have derived only that a nazirite’s days of ritual impurity do not count as part of his tally; from where do I derive that his days of confirmed leprosy, in a case where a nazirite became a leper during his term, do not count toward his tally of naziriteship? And it would seem that by right it should be so: Just as at the end of his days of ritual impurity the nazirite shaves and brings offerings, so too at the end of his days of confirmed leprosy the halakha is that he shaves and brings offerings for his leprosy. And this comparison can be extended: Just as the days of his ritual impurity do not count as part of his tally, so too his days of confirmed leprosy do not count as part of his tally.

[30] The baraita continues: No, if you say so with regard to his days of ritual impurity, in that case it is because with them, the previous days of his naziriteship observed in ritual purity are negated. Therefore, those days do not count as part of his tally. But will you say the same with regard to his days of confirmed leprosy, which do not negate the previous days? If thirty days, enough time for his hair to regrow, remain in his term of naziriteship after becoming purified from his leprosy, the days before he contracted leprosy are not negated. It is therefore possible to argue that they do count as part of his tally.

[31] The baraita continues: But you can say that just as with regard to a nazirite who was in the grave, i.e., a cemetery, whose hair is fit for shaving, those days spent in the cemetery do not count as part of his tally, his days of confirmed leprosy, which are not fit for counting as part of the tally required for the shaving, since he must first shave as part of the purification process for his leprosy, is it not all the more so that they do not count as part of his tally? This concludes the baraita.

[32] The Gemara now attempts to prove from the baraita that one who took a vow of naziriteship while in a cemetery must shave at the close of his process of purification: What, is it not so that when the baraita mentions shaving, it is referring to the shaving of impurity, and it is teaching that one who took a vow of naziriteship in a cemetery must shave at the end of his purification process? The Gemara rejects this: No, it is referring to the shaving of purity, meaning the shaving done after one completes his term of naziriteship. He then will shave all of his hair, including that which grew during the time he was ritually impure due to his presence in the cemetery. The Gemara adds: So, too, it is reasonable to say that this is the correct interpretation,

[33] as if it enters your mind to say that the baraita is discussing the shaving done as a result of the nazirite's impurity, and contrasts a nazirite with a leper, do the end of a leper's days of confirmed leprosy not require shaving? A leper must shave when he is purified from his condition, so how can he be described as unfit for shaving? Rather, the baraita must be referring to the nazirite's shaving of purity, as suggested above (17b). The Gemara rejects this: No, it could be that the baraita is discussing the shaving done as a result of the nazirite's impurity, and when it states that a leper is unfit for shaving, the baraita is teaching about the shaving of naziriteship, and the baraita is stating that a leper is unfit for any shaving of a nazirite, since he must first shave for his leprosy.

[34] The Gemara suggests another proof to answer the question of whether one who vows naziriteship while in a cemetery must shave upon undergoing purification. Come and hear a baraita: The verse states: "And he defiles his consecrated head, he shall shave his head on the day of his purification, on the seventh day shall he shave it" (Numbers 6:9). The baraita explains: The verse is speaking of a ritually pure nazirite who became impure, who requires hair removal and the bringing of birds as offerings. And this verse comes to exempt a nazirite who vowed while in the grave, i.e., a cemetery, that he does not require hair removal and the bringing of birds.

[35] The baraita continues its analysis of this halakha. For one might have explained differently: And are these matters, the ruling that such a nazirite is exempt, not inferred with an a fortiori inference to reach the opposite conclusion: Just as a nazirite who was pure from the outset and who subsequently became impure requires hair removal and the bringing of birds, if one was impure from the outset, as he took a vow of naziriteship while in a cemetery, is it not logical that he should require hair removal and the bringing of birds?

[36] Therefore the verse states: "And he defiles his consecrated head," indicating that the verse speaks only of one who was a pure nazirite and later became impure, and that only he requires hair removal and the bringing of birds. And the verse serves to exempt the nazirite who vowed while in a place of a grave, who was ritually impure from the outset. The Gemara concludes: Learn from this that a nazirite who was ritually impure from the outset does not have to shave; this answers the question of Rav Ashi.

[37] § After resolving the question, the Gemara discusses additional halakhot involving a ritually impure person who took a vow of naziriteship. Who is the tanna who taught this baraita that the

Sages taught in the previous discussion: The difference between an impure person who took a vow of naziriteship and a pure nazirite who became ritually impure is only the following halakha: That with regard to an impure person who took a vow of naziriteship, his seventh day of purification counts as part of his tally of the term of naziriteship. But with regard to a pure nazirite who became impure, his seventh day of purification does not count as part of his tally.

[38] Rav Ḥisda said: It is the opinion of Rabbi Yehuda HaNasi, as Rabbi Yehuda HaNasi said: Naziriteship of purity takes effect only from the eighth day. When a nazirite becomes impure during his term, he begins to count his term of observing naziriteship in purity only on the day following his purification. For if you say it follows the opinion of Rabbi Yosei, son of Rabbi Yehuda, didn't he say that the naziriteship of purity takes effect from the seventh day of his purification process?

[39] The Gemara clarifies: What is the statement of Rabbi Yehuda HaNasi, and what is the statement of Rabbi Yosei, son of Rabbi Yehuda, that Rav Ḥisda referred to? As it is taught in a baraita: The verse states with regard to a ritually impure nazirite who underwent the purification rite: "And he shall sanctify his head on that day" (Numbers 6:11). This means that he renews the sanctity of his hair growth, i.e., begins observing his naziriteship in purity, on the day of the bringing of his offerings, the eighth day of his purification. This is the statement of Rabbi Yehuda HaNasi. Rabbi Yosei, son of Rabbi Yehuda, says: This means that he renews the sanctity of his hair growth on the day of his shaving, the seventh day of his purification.

[40] § The Gemara cites a related halakha: And that which we learned in a mishna (Karetot 9a): If a nazirite became impure by contracting many consecutive impurities, he brings only one set of offerings. Who taught that? Rav Ḥisda said: It is Rabbi Yosei, son of Rabbi Yehuda, who said the naziriteship of purity takes effect from the seventh day of his purification process. And you find this, that he contracts ritual impurity several times consecutively, in a case where he became ritually impure on the seventh day and, after undergoing the purification process, again became ritually impure on the seventh day. And whose opinion is it? It is that of Rabbi Yosei, son of Rabbi Yehuda. Since the appropriate time to bring an offering had not yet arrived, as all agree that his offerings are only brought on the eighth day, if he became ritually impure a second time he is obligated to bring only one set of offerings.

[41] For if you say it follows the opinion of Rabbi Yehuda HaNasi, how can this mishna be explained? If it deals with a nazirite who became ritually impure on the seventh day, and, after undergoing the purification process, again became ritually impure on the seventh day, and, after undergoing the purification process, again became ritually impure on the seventh day, Rabbi Yehuda HaNasi would hold that all these impurities are in fact one long ritual impurity, because he never reached the eighth day, which would renew his observance of naziriteship in ritual purity, so the mishna would not refer to this as a case of multiple impurities. And if the mishna is referring to a nazirite who became ritually impure on the eighth day and, after undergoing the purification process, again became ritually impure on the eighth day, the appropriate time to bring an offering had already arrived, and if he becomes ritually impure at that stage, it is not viewed as a continuation of the previous ritual impurity, and he is obligated to bring another set of offerings.

[42] The Gemara clarifies the dispute between Rabbi Yehuda HaNasi and Rabbi Yosei, son of Rabbi Yehuda: What is the reason for Rabbi Yehuda HaNasi's ruling that he begins counting only from the eighth day? The Gemara answers: The verse states: "And the priest shall prepare one for a sin-

offering, and the other for a burnt-offering, and make atonement for him, for he sinned by the soul” (Numbers 6:11), and the same verse again states immediately afterward: “And he shall sanctify his head.” This shows that the naziriteship of purity commences only after he has brought his offerings. And Rabbi Yosei, son of Rabbi Yehuda, says in response: If so, if the verse intended to teach us that his naziriteship starts only on the eighth day, let the verse merely state: “And he shall sanctify his head,” since that phrase addresses the bringing of his offerings, which is on the eighth.

43 Why do I need the extra phrase “on that day” (Numbers 6:11)? This teaches that if it does not apply to the matter of the eighth day, since the verse is speaking of that day anyway, apply it to the matter of the seventh day, so that “on that day” means the day when he becomes ritually purified, even before he brings his offerings. The Gemara asks: And according to Rabbi Yehuda HaNasi also, isn’t it written “on that day”? What halakha does he derive from these additional words? The Gemara answers: Rabbi Yehuda HaNasi could have said to you: That verse comes for this purpose, to tell you that even though he did not yet bring his offerings, he starts counting his naziriteship of purity from the eighth day. This is derived from the verse’s emphasis of: “And he shall sanctify his head on that day,” indicating that it depends on the day itself, rather than the bringing of the offerings.

44 The Gemara asks: And what forced Rav Ḥisda to establish this mishna in accordance with the opinion of Rabbi Yosei, son of Rabbi Yehuda? Let him establish it as referring to a case where one became impure by seeing, i.e., contracting, impurity on the night preceding the eighth day each time. Even according to Rabbi Yehuda HaNasi, the naziriteship of purity begins at the start of, presumably the night preceding, the eighth day. Therefore, this case will be one of a nazirite contracting ritual impurity many times. Nevertheless, the nazirite will be obligated to bring only one set of offerings for all of them, because each case of ritual impurity occurred at night, when he is unable to bring the offerings for his previous ritual impurity, as offerings can be brought only during the day. And therefore it is in accordance with the opinion of Rabbi Yehuda HaNasi.

45 The Gemara suggests: Since he did not establish it in accordance with the opinion of Rabbi Yehuda HaNasi in this way, shall we say that Rav Ḥisda holds that night is not considered premature? In other words, although he cannot in practice bring his offerings until the morning, as the Temple service was performed only in the daytime, the night is not considered a premature time, but rather it is viewed as part of the day in which it is appropriate to bring his offerings. Consequently, the halakha of one who becomes ritually impure on the night preceding the eighth day is the same as that of one who contracted ritual impurity on the eighth day itself, and they are both required to bring an additional set of offerings.

46 Rav Adda bar Ahava said: This conclusion is incorrect, as even if Rav Ḥisda holds that the night is considered to be premature, he could not establish the mishna in accordance with the opinion of Rabbi Yehuda HaNasi, as the offerings and his new term of naziriteship depend on each other: If you say night is considered premature, when is he fit to bring his offerings? Only in the morning. Accordingly, naziriteship also does not take effect until the morning. And if you say night is not considered premature, and he is already obligated in his offerings at night, in that case naziriteship of purity takes effect from the evening, which means that the ritual impurity he suffered at night renders him obligated to bring an additional set of offerings. Consequently, the mishna does not follow the opinion of Rabbi Yehuda HaNasi, whether night is considered premature or not, and nothing can be inferred from here with regard to Rav Ḥisda’s opinion in that matter.

47 § The Gemara cites a baraita (Tosefta 4:8) concerning the matter of a nazirite who contracted ritual impurity many times itself: If a nazirite became impure, and then became impure on the seventh day of his purification process, and again became impure on the following seventh day of his purification process, he brings only one set of offerings. If he became impure on the eighth day, and again became impure on the following eighth day, he brings a set of offerings for each and every time he became impure. Nevertheless, he begins counting his ritually pure naziriteship immediately on the eighth day, even if he has not yet brought his offerings. This is the statement of Rabbi Eliezer.

48 And the Rabbis say: If he had not yet brought his offerings on the eighth day when he became impure, it is considered one long period of ritual impurity, and he brings one set of offerings for all the times he became impure, until he has brought his sin-offering at the end of his period of ritual impurity. It is only then that he can begin counting his next term of naziriteship. Therefore, if he brought his sin-offering and then became impure, and again brought his sin-offering and then again became impure, he brings a set of offerings for each and every one. If he brought his sin-offering and did not yet bring his guilt-offering, he begins to count his term of naziriteship in ritual purity.

49 Rabbi Yishmael, son of Rabbi Yoḥanan ben Beroka, says: Just as not bringing his sin-offering precludes him from starting his naziriteship in ritual purity, so too, not bringing his guilt-offering precludes him from starting his naziriteship in ritual purity, and if he became impure again before he brought his guilt-offering, he only brings one set of offerings for all his impurities.

50 After having quoted the baraita, the Gemara proceeds to analyze the three opinions: Granted, according to Rabbi Eliezer, his reason is that the verse states: “And he shall sanctify his head on that day” (Numbers 6:11), which indicates: Even though he has not brought his offerings, the eighth day determines the start of his ritually pure naziriteship. And the Rabbis agree that the phrase “on that day” is extra, and it teaches that he begins counting from that day even though he has not brought his guilt-offering, but he does not begin counting until after bringing his sin-offering.

51 But according to Rabbi Yishmael, why do I need the phrase “on that day”? According to his opinion the issue depends on the offerings, not the day. The Gemara answers: Rabbi Yishmael could have said to you: The phrase “on that day” teaches that he can begin counting even though he has not brought his burnt-offering, as he agrees that not bringing the burnt-offering does not preclude him from counting his naziriteship. And the Rabbis respond to this: A burnt-offering does not require a limitation in the text to teach that its omission does not preclude the start of his naziriteship in ritual purity, since it is merely a gift and not part of his atonement process.

52 The Gemara explains: What is the reason of the Rabbis for ruling that only refraining from bringing his sin-offering precludes the start of his new count of naziriteship? As it is taught in a baraita: The verse states with regard to a nazirite who became ritually impure: “And he shall consecrate to the Lord the days of his naziriteship, and he shall bring a lamb in its first year for a guilt-offering” (Numbers 6:12). What does this teach? Doesn’t he wait to begin the days of his naziriteship until after he has brought all of his offerings? Rather, since we have found that all guilt-offerings that are mentioned in the Torah are indispensable for atonement, and before he has brought his guilt-offering he is forbidden from partaking of any sacred offerings, one might have thought that not having brought this guilt-offering also precludes him from counting his ritually pure naziriteship,

53 the verse therefore states: “And he shall consecrate to the Lord the days of his naziriteship, and he shall bring a lamb in its first year for a guilt-offering,” indicating: Even though he has not brought his

guilt-offering he has nevertheless consecrated his days for the start of a new term of naziriteship. The opinion of Rabbi Yishmael, son of Rabbi Yoḥanan ben Beroka, is as follows: The verse states: “And he shall consecrate to the Lord the days of his naziriteship, and he shall bring,” which means: When has he consecrated his days of naziriteship, i.e., when does his new term of naziriteship begin? It begins when he has already brought his guilt-offering.

[54] The Gemara poses a question: Who is the tanna who taught this that the Sages taught: With regard to a woman who vowed to be a nazirite and became ritually impure, leading her to designate a bird for a sin-offering, a bird for a burnt-offering, and a sheep for a guilt-offering, and afterward her husband nullified her vow of naziriteship for her, she brings the bird sin-offering and she does not bring the bird burnt-offering?

[55] Rav Ḥisda said: It is the opinion of Rabbi Yishmael, son of Rabbi Yoḥanan ben Beroka. According to the opinion of the Rabbis, the burnt-offering is a gift, and she would bring it despite the fact that her naziriteship was nullified. According to Rabbi Yishmael, the burnt-offering is part of the atonement process, and since her naziriteship was nullified, there is no longer a need for atonement.

[56] The Gemara asks: What does he hold? If he holds that the husband uproots a vow entirely when he nullifies it, and she is considered not to have vowed at all, she should not bring the bird sin-offering, as she was never a nazirite, and she does not need atonement. Conversely, if he holds that the husband severs the vow from that point onward, but it did take effect beforehand, she should also bring the bird burnt-offering, as she requires atonement for becoming impure while she was a nazirite. The Gemara answers: Actually, he holds that the husband uproots the vow, and why is she obliged to bring a sin-offering? Rabbi Yishmael holds in accordance with the opinion of Rabbi Elazar HaKappar.

[57] As it is taught in a baraita: Rabbi Elazar HaKappar, the esteemed one, says: What is the meaning when the verse states with regard to a nazirite: “And make atonement for him, for he sinned by the soul” (Numbers 6:11)? And with which soul did this person sin by becoming a nazirite? Rather, in afflicting himself by abstaining from wine, he is considered to have sinned with his own soul, and he must bring a sin-offering for the naziriteship itself, for causing his body to suffer. And an a fortiori inference can be learned from this: Just as this person, in afflicting himself by abstaining only from wine, is nevertheless called a sinner, in the case of one who afflicts himself by abstaining from everything, through fasting or other acts of mortification, all the more so is he described as a sinner. According to this opinion, Rabbi Yishmael holds that since the woman afflicted herself by abstaining from wine she must bring a sin-offering, even though, due to her husband’s nullification, she did not actually become a nazirite.

[58] The Gemara raises a difficulty with Rabbi Elazar HaKappar’s dictum: But this verse, labeling the nazirite a sinner, is written with regard to an impure nazirite, and we are saying that even a pure nazirite is a sinner. The Gemara answers: Rabbi Elazar HaKappar holds that a pure nazirite is also a sinner. And this is the reason that the statement that a nazirite is a sinner is written in reference to an impure nazirite rather than a pure one: Since he repeated his sin, as his impurity causes him to start his naziriteship again, he thereby deprives himself for a longer period. He should have taken extra care to prevent this from happening.

[59] § The mishna taught that if one took a vow of naziriteship while in a cemetery, left the cemetery, and then entered it again, the days he spent outside do count as part of his tally of his term of

naziriteship, and he is obligated to bring the offerings of ritual impurity upon reentering the cemetery. The mishna teaches: They do count as part of his tally. The Gemara questions the meaning of this linkage: Does naziriteship take effect for him because he merely left the ritually impure place? He is still ritually impure, and he cannot begin counting his term of naziriteship until after he has undergone the purification process. Shmuel said: The mishna is referring to a case where he left and received the sprinkling of the ashes of the red heifer on the third day, and he again received the sprinkling on the seventh day and immersed, after which he entered the cemetery a second time. Since he is now ritually pure, his naziriteship takes effect.

60 The Gemara poses another question: According to the precise reading of the mishna, his term of naziriteship starts only if he reentered the cemetery; however, is it only if he returned and entered the cemetery that those days count as part of his tally, but if he did not enter, and remained outside the cemetery, those days do not count as part of his tally? Why should the start of the naziriteship be dependent upon his reentering the cemetery? The Gemara answers: The tanna is speaking utilizing the style of: It is not necessary, as follows: It is not necessary to state this halakha, that those days count as part of his tally, in the case of one who left the cemetery and began his naziriteship, but even if he entered the cemetery again immediately after his purification, those days count as part of his tally, and he will be obligated to bring the offerings of ritual impurity upon his reentry.

61 Rav Kahana and Rav Asi said to Rav: What is the reason you did not explain it to us with these words of Shmuel, as explained above? He said to them: I said to myself that perhaps you do not require that explanation, as I thought it was apparent that this is the proper explanation of the mishna.

62 § The mishna also taught an additional halakha: Rabbi Eliezer says: This halakha does not apply to one who entered the cemetery on that very day that he left it, as it is stated with regard to the halakhot of an impure nazirite: “But the first days shall be void” (Numbers 6:12), which indicates that he does not bring the offerings unless he had his “first days” of ritual purity, during which he observed his naziriteship. Ulla said: Rabbi Eliezer said this halakha, that one day of naziriteship in purity is not sufficient to obligate him to bring offerings if he becomes impure, only with regard to an impure person who took a vow of naziriteship, but a pure nazirite who became impure, even if he was only pure for one day of naziriteship, it negates that day of his tally and he must bring the offerings of an impure nazirite.

63 Rava said: What is the reason for the opinion of Rabbi Eliezer, according to Ulla’s explanation? The verse states: “But the first days shall be void because his consecration was ritually impure” (Numbers 6:12), which he explains as follows: Why are his first days rendered void? They are void because he took a vow of naziriteship, consecrating himself, when he was in a state of ritual impurity.

64 Abaye raised an objection to Rava from a baraita that is not in accordance with the opinion of Ulla: One who said: I am hereby a nazirite for one hundred days, and he became ritually impure immediately, at the beginning of the one hundred days, one might have thought it should negate the time he spent as a nazirite. The verse therefore states: “But the first days shall be void” (Numbers 6:12), which indicates that this halakha does not apply until he will have “first days” as a nazirite, and in this case the nazirite does not have his first days completed, as he became ritually impure right away.

65 The baraita continues: If one became ritually impure at the end of one hundred days, that is, on the hundredth day, one might have thought it should negate the days he had counted. The verse therefore

states: “But the first days shall be void,” indicating by inference that there are other days that can be called the last ones, while this nazirite does not have last days, as he has already completed the tally of his naziriteship. If he became impure on the one hundredth day less one, one might have thought it should not negate the days he had counted. Therefore, the verse states: “But the first days shall be void,” indicating by inference that there are last ones, and this nazirite has first ones and last ones.

[66] Abaye now concludes his objection to Rava: But with regard to this halakha of the baraita, you cannot say it is referring to an impure person who took a vow of naziriteship from the fact that it teaches: I am hereby a nazirite for one hundred days, and he became impure immediately at the beginning of the one hundred, indicating that it is discussing one who became impure after his term had already started. And it further teaches: Until he will have “first days,” which proves that Rabbi Eliezer states his halakha even with regard to a pure nazirite who later became impure. This is a conclusive refutation of Ulla, and his opinion is rejected.

[67] Rav Pappa said to Abaye: Those first days that we said he must observe in ritual purity according to Rabbi Eliezer, does it mean that one day has finished and a second has started, so that if he became impure on the second day it negates his tally, or perhaps it means that two days have finished, and a third has started, which would mean it negates his tally only if he became impure after the beginning of the third day? An answer was not available to him, so Rav Pappa went to ask Rava, who said to him: It is written: “But the former days shall be void [yippelu]” (Numbers 6:12) in the plural, which means at least two days need to have passed.

[68] The Gemara comments: And it was necessary for the verse to write “days” and it was also necessary for it to write “shall be void” in the plural. For if the Merciful One wrote in the Torah only “days” and had not also written “shall be void” in the plural, I would say that the halakha applies only if two days have finished and a third has started. The Merciful One therefore wrote in the Torah the plural form of “shall be void.” And if the Merciful One wrote in the Torah “shall be void” and had not also written “days,” I would say even one day, that is, the halakha applies even if he became ritually impure on the first day. The Merciful One therefore wrote in the Torah “days,” indicating that he must have observed at least part of the second day.

[69] MISHNA: One who vowed many days of naziriteship while outside Eretz Yisrael, and completed his naziriteship, and afterward came to Eretz Yisrael, in order to bring the offerings at the end of his naziriteship, Beit Shammai say: He must be a nazirite for thirty days, so that he has observed a term of naziriteship in ritual purity in Eretz Yisrael, and Beit Hillel say: He is a nazirite from the beginning, that is, he must observe his entire naziriteship again.

[70] The mishna cites a related story: An incident occurred with regard to Queen Helene, whose son had gone to war, and she said: If my son will return from war safely, I will be a nazirite for seven years. And her son returned safely from the war, and she was a nazirite for seven years. And at the end of seven years, she ascended to Eretz Yisrael, and Beit Hillel instructed her, in accordance with their opinion, that she should be a nazirite for an additional seven years. And at the end of those seven years she became ritually impure, and was therefore required to observe yet another seven years of naziriteship, as ritual impurity negates the tally of a nazirite. And she was found to be a nazirite for twenty-one years. Rabbi Yehuda said: She was a nazirite for only fourteen years and not twenty-one.

[71] GEMARA: The first clause of the mishna teaches that Beit Shammai say: He must be a nazirite for thirty days, and Beit Hillel say: He is a nazirite from the beginning. The Gemara suggests a possible explanation of their dispute: Let us say that they disagree about this, that Beit Shammai hold that when the Sages declared that the land of the nations outside of Eretz Yisrael is impure, they decreed so with regard to its earth. In other words, they decreed that only the earth of the land of the nations is impure, but its airspace remains pure. If so, it is not a severe level of ritual impurity, and one who observed a vow of naziriteship outside of Eretz Yisrael is not considered to be impure to the extent that he would be required to start his naziriteship afresh once entering Eretz Yisrael,

[72] and Beit Hillel hold: They decreed with regard to its airspace, and it is a severe level of ritual impurity, so he must start his naziriteship from the beginning once he arrives in Eretz Yisrael. The Gemara rejects this possibility: No, it may be that everyone agrees that they decreed only with regard to its earth, and they disagree merely over the details of the penalty. Beit Shammai hold that we penalize him with an unspecified term of naziriteship, which is thirty days, and Beit Hillel hold that when we penalize, we require him to return to the beginning of his term of naziriteship, and he must observe the entire term of naziriteship afresh.

[73] § The mishna taught: An incident occurred with regard to Queen Helene. A dilemma was raised before them: What is the meaning of Rabbi Yehuda's statement? Does he hold that the case was one where she became impure in Eretz Yisrael, but after thirty days, and not after seven years, and Rabbi Yehuda spoke in accordance with the opinion of Beit Shammai, who hold that she was required to observe only a further thirty days upon her arrival in Eretz Yisrael, and due to her becoming impure she had to observe again her original term of naziriteship, for a total of fourteen years? Or perhaps the case is one where she did not become impure at the end of the seven years in Eretz Yisrael, and he ruled in accordance with the opinion of Beit Hillel that she had to observe an additional seven years upon her entry to Eretz Yisrael.

[74] The Gemara suggests: Come and hear a proof from the mishna: She ascended to Eretz Yisrael, and Beit Hillel instructed her that she should be a nazirite for an additional seven years, etc. And if it enters your mind that Rabbi Yehuda says that the case is one where she became ritually impure after observing thirty days of naziriteship following her arrival to Eretz Yisrael, and he spoke in accordance with the opinion of Beit Shammai, if so, why does Rabbi Yehuda say she was a nazirite for only fourteen years? He should have said fourteen years and thirty days, as even Beit Shammai obligate her to observe a thirty-day period of naziriteship in Eretz Yisrael. It must be that Rabbi Yehuda holds that she observed seven additional years, in accordance with the opinion of Beit Hillel, and says that she did not become ritually impure.

[75] The Gemara adds: This is also taught in a baraita, that Rabbi Yehuda's opinion cannot be established in accordance with Beit Shammai: Rabbi Yehuda says in the name of Rabbi Eliezer that the verse states: "This is the law of the nazirite when the days of his consecration are fulfilled" (Numbers 6:13). The Torah states: When he becomes impure on the day of the completion of his naziriteship, even if it was at the end of a lengthy term, give him the law of an unspecified nazirite, and he must observe a thirty-day term. Therefore, if she became impure at the end of those thirty days that Beit Shammai obligates her to observe, she should have been required to observe naziriteship for only thirty additional days, rather than a full seven years. Rather, Rabbi Yehuda certainly accepts the opinion of Beit Hillel, and claims that she did not become ritually impure.

[76] MISHNA: In a case of one who had two sets of witnesses testifying about him that he had taken a vow of naziriteship for a certain period, and these witnesses testify that he took a vow of naziriteship for two terms, and these witnesses testify that he took a vow of naziriteship for five terms. Beit Shammai say: The testimony is divided, i.e., the testimonies contradict each other, and since the testimonies are in conflict they are both rejected entirely and there is no naziriteship here at all. And Beit Hillel say: The testimonies are not completely in conflict with each other, as two terms are included in five terms, and the unanimous testimony, that he is a nazirite for two terms, is accepted.

[77] GEMARA: The Gemara comments: The mishna is not in accordance with the opinion of this tanna, as it is taught in a baraita that Rabbi Yishmael, son of Rabbi Yoḥanan ben Beroka, says: Beit Shammai and Beit Hillel did not disagree with regard to the halakha in the case of two sets of witnesses, one of whom says two terms and one of whom says five terms, that two terms are included in five terms, and he must observe two terms of naziriteship. With regard to what did they disagree? They disagreed with regard to one set of two witnesses, one of whom says two terms and one of whom says five terms, and that Beit Shammai say: In that case their testimony is divided, as the two witnesses are in conflict and there is no testimony here at all. And Beit Hillel say: Since two terms are included in five terms, their testimony is in agreement with regard to two terms, and therefore he must observe two terms.

[78] In relation to the explanation that the dispute is with regard to a single pair of witnesses, Rav said: All concede in a case of counting that the testimonies contradict each other. Rav Ḥama said to Rav Ḥisda: What is he saying; what did Rav mean by this? If we say that he was referring to a case where one witness says: He vowed five terms and not two terms, and one says: He vowed two terms and not five terms, in such a situation they clearly contradict one another, and neither of the testimonies is reliable. Rather, Rav is speaking of one witness who says that he heard the person in question count out only one and two terms when he took a vow of naziriteship, and one says that he heard the person in question count out only three, four, and five terms when he took a vow of naziriteship.

[79] The Gemara asks: Why do I need for Rav to state this at all? Now that it is already said with regard to a stringent case, where there were two sets of witnesses who generally have full credibility yet Rav said that the testimony is considered divided, with regard to a lenient case, involving a conflict within one pair of witnesses, who cannot each obligate him in naziriteship, would he not say that a conflict in their testimony causes it to be disregarded? Of course the testimonies are disregarded if the conflict is within the same set of witnesses. They say in the West, Eretz Yisrael: There is no conflicting testimony in a case of counting, as since one of them counted a smaller number and the second counted a larger number, they do not conflict at all, as the smaller number is included in the larger one.

Chapter 4

[1] MISHNA: With regard to one who said: I am hereby a nazirite, and another heard this vow and said: And I, and a third person added: And I, they are all nazirites. If the vow of the first was dissolved by a halakhic authority, they are all dissolved. However, if the vow of the last individual was dissolved by a halakhic authority, the vow of the last individual alone is dissolved, and all the

others remain bound by their nazirite vows. If someone said: I am hereby a nazirite, and another heard and said: My mouth is like his mouth and my hair is like his hair, he is a nazirite.

[2] If one said: I am hereby a nazirite, and his wife heard him and said: And I, he can nullify her vow of naziriteship if he so chooses (see Numbers 30:7–16). But his vow remains intact, as his naziriteship is not dependent on hers. However, if the wife said: I am hereby a nazirite, and her husband heard and said: And I, he cannot nullify her vow of naziriteship, as he would thereby be nullifying his own vow, which he made dependent on hers, and he does not have the ability to nullify his own vow. If he said to his wife: I am hereby a nazirite, and you, i.e., you shall be a nazirite as well, and she said: Amen, in acceptance of this vow, he can nullify her vow, and his vow remains intact. However, if the wife said: I am hereby a nazirite, and you, and he said: Amen, he cannot nullify her vow.

[3] GEMARA: Reish Lakish sat before Rabbi Yehuda Nesia, and he sat and said in explanation of the mishna: And this halakha, that they are all nazirites, applies only when they all took a vow by associating themselves with the previous vow within the time required for speaking a short phrase. The Gemara asks: And how much time is included in the measure of: Within the time required for speaking a short phrase? The Gemara answers: It is the time necessary for greeting someone. The Gemara asks: And how much is the time necessary for greeting someone? The Gemara answers that it is the time necessary for a student to say: Peace upon you, my teacher, to his rabbi.

[4] Rabbi Yehuda Nesia said to Reish Lakish: Once again you have provided no advantage to a student who wishes to associate himself with the naziriteship of another. If the student’s rabbi was passing by at the precise moment that his colleague was vowing to be a nazirite, he would have to greet his rabbi first, and therefore he would not be able to respond to his colleague’s vow in time.

[5] This is also taught in a baraita: In the case of one who said: I am hereby a nazirite, and another heard him and waited the time required for speaking a short phrase and then said: And I, the first person is bound by his vow and the other is permitted, as too much time passed between their respective vows. And how much time is the time required for speaking? It is the time necessary for a student to inquire after the welfare of his rabbi.

[6] The Gemara suggests: Shall we say that the mishna supports Reish Lakish’s opinion? As it is taught: In the case of one who said: I am hereby a nazirite, and another heard him and said: And I, and a third person heard him and said: And I, they are all nazirites. The mishna mentions: And I, twice and no more, which indicates that only two people can associate themselves with the vow of the first one. The reason for this must be because too much time has passed since the first person spoke. The Gemara rejects this argument: This is no proof, as should the tanna have continued reckoning cases like a peddler, who announces his wares over and over again, by repeating: And I, and I, over and over again?

[7] The Gemara raises a difficulty: But if the tanna wishes to be concise, let him teach only one example, and teach us these other cases of others who say: And I, by means of a single example. The Gemara answers: Indeed, this is in fact correct, but because the tanna teaches in the latter clause: If the vow of the first was dissolved by a halakhic authority then they are all dissolved, but if the vow of the last individual was dissolved by a halakhic authority then the vow of the last individual is dissolved and all the others remain bound by their vow, one may conclude by inference that there is a middle person between the first and the last. And due to that reason the tanna teaches: And I, and I,

so that the case would include three people, but not because a fourth person is unable to associate himself with the vow of the first in the same manner.

[8] With regard to the same issue, a dilemma was raised before the Sages: Does each one take a vow by associating himself with the vow of the other, i.e., the individual who spoke immediately before him, or perhaps they all associate themselves with the vow of the first one? The Gemara asks: What difference is there? The Gemara answers that the difference is whether an unlimited number of people can continue to associate themselves with the vows. If you say that each one associates himself with the vow of the other who spoke immediately before him, others can continue to associate themselves with these vows forever, provided that they each do so immediately after the previous individual. And if you say they all associate themselves with the vow of the first one, they may not associate themselves with the vow if more time has elapsed than the time required for speaking a short phrase since the vow of the first individual. What is the answer to this dilemma?

[9] The Gemara suggests: Come and hear a proof from the mishna: With regard to one who said: I am hereby a nazirite, and another heard this vow and said: And I, and a third person added: And I, they are all nazirites. The mishna mentions only two individuals who associated themselves with the initial vow, and no more. Learn from this that they all associated themselves with the vow of the first one, as, if it should enter your mind that each one associates himself with the vow of the other who came immediately before, let the mishna teach: And I, many times. The Gemara answers as before: This is no proof, as should the tanna have continued reckoning cases like a peddler? It was enough for him to state: And I, twice.

[10] The Gemara asks: But if the tanna wished to avoid repeating: And I, so many times, let him teach it only once, and we would learn that they are all nazirites based on that example. The Gemara answers: Since the tanna teaches in the latter clause: If the vow of the first was dissolved by a halakhic authority then they are all dissolved, but if the vow of the last individual was dissolved by a halakhic authority then the vow of the last individual is dissolved and all the others remain bound by their vows, one may conclude by inference that there is a middle person between the first and the last. It is due to that reason that the tanna teaches: And I, and I, so that the case would include three people, but not because a fourth person is unable to associate himself with the vow of the first in the same manner.

[11] The Gemara suggests: Come and hear a proof from the mishna: If the vow of the first individual was dissolved, they are all dissolved. This indicates that it is only if the first one was dissolved that they are all considered dissolved. However, if the vow of the middle person was dissolved, no, the vows of the individuals following him are not considered dissolved. Learn from this that they all associated themselves with the vow of the first one.

[12] The Gemara refutes this argument: I could say to you that actually, each associates himself with the vow of the other who immediately preceded him, and therefore if the vow of the middle person was dissolved, the vows of all those who came after him are also dissolved. But since the tanna wanted to teach: They are all dissolved, and had he taught the case where the vow of the middle individual was dissolved, he would have had to state that there is still the vow of the first individual that is not dissolved, because his vow is not dependent on that of the middle one. Due to that reason the tanna teaches the case where the vow of the first one was dissolved. Consequently, no proof can be brought from here.

[13] The Gemara suggests another proof from the mishna: Come and hear: If the last was dissolved, the last is dissolved and they are all bound by their vows. It can be inferred from here that only in that case is the vow of the last one alone dissolved, as he is not followed by anyone. However, if the dissolved vow was of the middle one, who is followed by someone else, the vow of the last one who comes after him is also dissolved. One can learn from this that each one associates himself with the vow of the other individual.

[14] The Gemara rejects this claim as well: Actually, I could say to you that they all associate themselves with the vow of the first one, and what is the meaning of: The last one, that the mishna teaches? It means the middle one, the dissolution of whose vow does not cause the vow of the person who followed him to be dissolved. And why is the middle one called the last one? Since the tanna earlier taught: First, here he taught: Last, despite the fact that he is referring to the middle one.

[15] The Gemara further suggests: Come and hear, as it is taught in a baraita explicitly: If the first one is dissolved, they are all dissolved; if the last one is dissolved, the last one is dissolved and they are all bound by their vows. If the middle one is dissolved, the vows of anyone from him and after him are dissolved; those who vowed from him and before him are bound by their vows. One can learn from this that each associates himself with the vow of the other individual. The Gemara concludes: Learn from this that it is so.

[16] § The mishna taught that one stated: I am hereby a nazirite, and if another heard and said, my mouth is like his mouth, and my hair is like his hair, he is a nazirite. The Gemara asks: Just because he said: My mouth is like his mouth and my hair is like his hair, is he a nazirite?

[17] And the Gemara raises a contradiction against this. If one said: My hand is a nazirite, and similarly, if he said: My foot is a nazirite, he has not said anything of consequence. However, if he said: My head is a nazirite, or: My liver is a nazirite, he is a nazirite. This is the principle: If one accepted naziriteship by means of an entity upon which life depends, i.e., a limb or a body part that he cannot survive without, he is a nazirite. Conversely, if he mentioned part of the body that is not essential for life, he is not a nazirite. In this case, as he referred to his hair, which is certainly not a vital part of him, he should not be a nazirite.

[18] Rav Yehuda said that it means that he said like this; this is what he intended: Let my mouth be like his mouth with regard to abstention from wine, and my hair be like his hair with regard to abstention from cutting it.

[19] § The mishna taught that if a woman said: I am hereby a nazirite, and her husband heard and said: And I, he cannot nullify her vow. A dilemma was raised before the Sages: When a husband nullifies the vow of his wife, does he uproot his wife’s vow, making it as though she never vowed, or perhaps he merely severs her vow from that point onward, but her vow was still in effect until he nullified it? The Gemara asks: What difference is there resulting from this dilemma?

[20] The Gemara explains that the difference is with regard to a woman who vowed to be a nazirite, and another woman heard and said: And I, and the husband of the first woman heard and nullified her vow. If you say that the husband uproots the vow entirely, the vow of that second woman should also be dissolved, as she associated herself with a non-existent vow. And if you say he severs it from this point, the vow of his wife is dissolved, but the other woman remains bound by her vow, as the first vow was intact when she associated herself with it. What, then, is the answer to this dilemma?

[21] The Gemara suggests: Come and hear the statement of the mishna: If she said: I am hereby a nazirite, and her husband heard and said: And I, he cannot nullify her vow. And if it should enter your mind that the husband severs the vow from that moment onward, let him nullify the vow for his wife and he will remain bound by his vow, since if the vow is not nullified retroactively, her vow was intact when he associated himself with it. Rather, must one not conclude from the mishna that the husband uproots the vow entirely, which means he would also uproot his own vow by nullifying hers, and that is why he is unable do so?

[22] The Gemara refutes this argument: No; actually, one can say that the husband severs the vow from that point onward. And if there were no other points to consider, by right the mishna should have taught that he can nullify her vow for her; and this is the reason why he cannot nullify it: Since he said to her: And I, he is considered like one who said: It is upheld for you, and once a husband has upheld his wife's vow he can no longer nullify it. Consequently, if he requested to have his upholding dissolved by a Sage, he can nullify her vow, and if not, he cannot nullify it. Consequently, the ruling of the mishna does not resolve the dilemma.

[23] The Gemara cites another mishna (24a): Come and hear: With regard to a woman who vowed to be a nazirite and separated her animal for this purpose (see Numbers 6:13–14), and afterward her husband nullified her vow, which means that she is no longer obligated to bring an offering, if the animal was his, which he had given to her, it is as though it were never consecrated at all, and it shall go out and graze among the flock like a regular, non-consecrated animal, until it becomes blemished. And if the animal was hers, and it was designated for a sin-offering, it must be placed in isolation for it to die, in accordance with the general halakha that a sin-offering that may not be sacrificed must be left to die.

[24] The Gemara explains the difficulty from this mishna: And if it should enter your mind that the husband uproots the vow, the sin-offering should be released as a non-sacred animal, in accordance with the halakha of a sin-offering of a nazirite whose vow was nullified (31a). Rather, must one not conclude from the mishna that the husband merely severs the vow, which means that she was a nazirite when she separated the animal, and therefore it is consecrated?

[25] The Gemara rejects this proof: Actually, I could say to you that the husband uproots the vow, and this is the reason for the above ruling: Since she requires no atonement, as the vow is no longer in effect, this animal is treated as a sin-offering whose owners have died, and it is learned as a tradition that a sin-offering whose owners have died must be left to die.

[26] The Gemara continues to cite relevant sources. Come and hear the following mishna (23a): With regard to a woman who vowed to be a nazirite and nevertheless was drinking wine and rendering herself ritually impure by contact with the dead, she incurs the forty lashes for violating a Torah prohibition. The Gemara analyzes this mishna: What are the circumstances of this case? If we say that her husband did not nullify her vow, need this be said that she is liable to receive lashes? After all, every nazirite who transgresses their vow incurs lashes.

[27] Rather, it is obvious that the husband nullified her vow. And if it should enter your mind that the husband uproots his wife's vow, why does she incur the forty lashes? It is as though she never vowed at all. Rather, must one not conclude from the mishna that the husband severs the vow, and therefore she is liable for her earlier transgression?

[28] The Gemara refutes this argument: Actually, I could say to you that the husband uproots the vow, and the reason that the mishna teaches in this manner is due to the fact that the tanna teaches in the latter clause of the mishna: If the husband nullified her vow and she did not know, and she was drinking wine and rendering herself ritually impure by contact with the dead, she does not incur the forty lashes, despite her intention to sin, as she did not commit a transgression in practice.

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

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

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

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

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

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

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

[36] The Gemara explains the two sides of the dilemma: When a person associates himself with a prohibition by means of another object, does he associate himself with it by its fundamental state? In

this case, this would mean that he has associated himself with an article from which it is prohibited to benefit, as the flesh of a peace-offering is forbidden before its blood is sprinkled. Consequently, the vow would take effect. Or perhaps one associates himself with the item by its eventual permitted state [bitzenana], and as the flesh of a peace-offering may be eaten after the sprinkling of its blood, the vow is ineffective. This question is apparently analogous to the issue of the second woman's vow: Is she referring to the fundamental, initial state of the first vow, before its nullification, or to its later, permitted state, after it has been dissolved?

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

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

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

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

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

42 § The mishna teaches that if a husband said: I am hereby a nazirite and you, and his wife said: Amen, he can nullify her vow and his remains intact. And the Gemara raises a contradiction to this from a baraita (Tosefta 3:5): With regard to one who said to his wife: I am hereby a nazirite and you,

and she said: Amen, they are both bound by their vows; and if she did not answer: Amen, they are both permitted, because he made his vow dependent on her vow. In other words, he meant that he would be a nazirite on the condition that she too accept naziriteship upon herself. This baraita teaches that if she says: Amen, he cannot nullify her vow, which apparently contradicts the ruling of the mishna.

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

[44] And the mishna is referring to a case where he said to her in the form of a question: I am hereby a nazirite, and what about you? This indicates that he himself has completely accepted his naziriteship, and he is simply asking his wife if she would like to join him. Due to that reason, as he did not link his vow to hers, he may nullify hers and his is intact.

[45] MISHNA: With regard to a woman who vowed to be a nazirite, and she transgressed her vow since she was drinking wine and rendering herself ritually impure by contact with the dead, she incurs the forty lashes for each of the Torah prohibitions she transgressed. If her husband nullified her vow, and she did not know that her husband had nullified her vow, and she was drinking wine and rendering herself impure by contact with the dead, she does not incur the forty lashes, as she is no longer a nazirite. Rabbi Yehuda says: Even if she does not incur the forty lashes by Torah law, she should incur lashes for rebelliousness [makat mardut], an extrajudicial punishment imposed by the Sages, for her intention to commit a transgression, since she believed that it was prohibited to her.

[46] GEMARA: The Sages taught with regard to a verse in the section discussing vows: “Her husband has nullified them, and the Lord will forgive her” (Numbers 30:13), that the verse is speaking of a woman whose husband nullified her vow and she did not know that he had done so. It teaches that if she performs the actions prohibited by the vow she requires atonement and forgiveness.

[47] And when Rabbi Akiva would reach this verse he would cry, saying: And if one who intended to pick up pork in his hand and eat it, and in fact he picked up the meat of a lamb in his hand and ate it, so that he did not in fact commit a transgression, like this woman who tried to sin and was unaware that her husband had nullified her vow, nevertheless requires atonement and forgiveness, then with regard to one who intends to pick up pork in his hand and in fact picked up pork in his hand, all the more so does he require atonement.

[48] On a similar note, you can say and quote the following verse with regard to one who is liable to bring an uncertain guilt-offering, which is brought for a possible transgression: “Though he does not know it yet he is guilty, and shall bear his iniquity” (Leviticus 5:17).

[49] This verse teaches: And if in a case similar to one who intended to pick up the meat of a lamb in his hand and eat it, which is permitted, and he picked up pork in his hand and ate it, thereby sinning unintentionally, for example, where one took a piece of meat with regard to which it is uncertain whether it is permitted fat and uncertain whether it is forbidden fat, and he ate it, rendering him liable to bring a provisional guilt-offering, the verse states: “And shall bear his iniquity,” indicating that he

requires atonement via an offering; then with regard to one who intends to pick up pork in his hand and in fact picked up pork in his hand, all the more so he requires atonement.

[50] Isi ben Yehuda says that this verse: “Though he does not know it yet he is guilty, and shall bear his iniquity” (Leviticus 5:17), should be explained in a slightly different manner: And if in a case similar to one who intended to pick up the meat of a lamb in his hand and he picked up pork in his hand, e.g., where there were two pieces before him, one of forbidden fat and one of permitted fat, and he picked up one and ate it without knowing which of them was forbidden, it states with regard to him: “And shall bear his iniquity,” i.e., he is obligated to bring an offering; then with regard to one who intends to pick up pork in his hand and picked up pork in his hand, all the more so is he in need of atonement.

[51] The Gemara adds: And with regard to this matter, those who suffer should suffer, i.e., one can see from here the extent to which one requires atonement and forgiveness.

[52] The Gemara asks: And why do I need all these examples for the same idea? The Gemara answers: All of them are necessary, as had we taught this idea only with regard to the case of a woman, one might have said that it is there that she requires atonement and forgiveness because at the outset her intention was to sin. However, in the case of one who took a piece with regard to which it was uncertain whether it was permitted fat and uncertain whether it was forbidden fat, who intended to eat permitted food, one might have said that he does not require atonement and forgiveness.

[53] And had this case concerning one who eats a piece that might be forbidden been stated alone, one could say that atonement is required in this situation, as there is possibly a prohibition present before him. However, with regard to a woman whose husband nullified her vow, where she was in fact permitted to perform the actions she performed, perhaps she does not require atonement and forgiveness.

[54] And had only these two cases been stated, I would say: It is in these two cases in which atonement and forgiveness are enough for them, as the prohibition is not established; even one who ate the piece that was possibly forbidden fat has not necessarily committed a sin. However, if there were two pieces, one of forbidden fat and one of permitted fat, where the prohibition is established, as there was definitely a forbidden piece before him and nevertheless he proceeded to eat one of them, one might have said that atonement and forgiveness should not suffice for him. Isi ben Yehuda therefore teaches us that there, it is no different, as even this individual is included in the verse: “And he shall be forgiven” (Leviticus 5:18).

[55] § Rabba bar bar Ḥanna said that Rabbi Yoḥanan said: What is the meaning of that which is written: “For the paths of the Lord are right, and the just walk in them, but transgressors stumble over them” (Hosea 14:10)? How can the same path lead to such different outcomes? This is comparable to two people who roasted their Paschal offerings on Passover eve, in the proper manner. One ate it for the sake of the mitzva, and one ate it for the sake of excessive eating. This one, who ate it for the sake of the mitzva, has fulfilled: “And the just walk in them,” while that one, who ate it for the sake of excessive eating, is described by the end of the verse: “But transgressors stumble over them.”

[56] Reish Lakish said to Rabba bar bar Ḥanna: You call this individual wicked? Even though he had not performed the mitzva in the optimal manner when he eats this Paschal offering, he has at least performed the mitzva of the Paschal offering. Rather, this is comparable to two people; this one has

his wife and sister in the same house with him, and that one has his wife and sister with him. Each husband arrives home and engages in sexual intercourse with one of the women. This one happened upon his wife, and that one happened upon his sister. This one, who happened upon his wife, is described by the phrase “And the just walk in them,” and that one, who happened upon his sister, is described by the phrase “But transgressors stumble over them.”

[57] The Gemara raises a difficulty: Is it comparable? We said one path; i.e., two people follow the same path by performing the very same action with two different outcomes; whereas here there are two paths. Each person engaged in sexual intercourse with a different relative and therefore they cannot be said to have followed the same path. Rather, it is comparable to Lot and his two daughters, who were with him. They, who intended to engage in sexual intercourse with him for the sake of a mitzva, as they thought that the entire world was destroyed and wished to preserve the human race, are described in the first part of the verse: “And the just walk in them.” He who intended to act for the sake of a transgression is described by the last part: “But transgressors stumble over them.”

[58] The Gemara asks: And perhaps Lot too intended that his actions should be for the sake of a mitzva? The Gemara answers: This was not the case, as Rabbi Yoḥanan said with regard to Lot: This entire verse: “And Lot lifted up his eyes, and saw all the plain of the Jordan, that it was well watered everywhere” (Genesis 13:10), is stated with regard to the sin of licentiousness. Since this verse teaches that Lot was a lustful man, it can therefore be assumed he meant to sin with his daughters as well.

[59] Rabbi Yoḥanan explains: “And Lot lifted up his eyes” employs the same expression as a verse that refers to Joseph’s temptation: “That his master’s wife lifted up her eyes” (Genesis 39:7), which is clearly referring to sin. The phrase used in reference to Lot, “his eyes,” is stated similarly to Samson’s appraisal of the Philistine girl he sought to marry: “For she is pleasing in my eyes” (Judges 14:3).

[60] Rabbi Yoḥanan continues to interpret the verse as a series of references to licentiousness. The phrase “and saw” is reminiscent of the verse dealing with Jacob’s daughter Dinah: “And Shechem, the son of Hamor the Hivite, saw her and he took her, and lay with her” (Genesis 34:2). The verse continues: “All the plain [kikar] of the Jordan,” which alludes to the verse: “For on account of a harlot a man is brought to a loaf [kikar] of bread” (Proverbs 6:26). The last part of the verse: “That it was well watered everywhere,” recalls: “I will go after my lovers, who give me my bread and my water, my wool and my flax, my oil and my drink” (Hosea 2:7).

[61] The Gemara asks: But Lot was forced to participate in the sexual intercourse, as he was asleep at the time; how can he be considered a sinner? The Gemara answers that this is as a Sage taught in the name of Rabbi Yosei bar Rav Ḥoni: Why is there a dot in a Torah scroll over the letter vav of the word “uvekumah,” with regard to Lot’s elder daughter, in the verse: “And he did not know when she lay down and when she arose [uvekumah]” (Genesis 19:33)? This dot serves to say that when she lay down he did not know; however, when she arose he knew what she had done, as he later understood what had happened.

[62] The Gemara asks: And what could he have done about it? What has happened has happened; i.e., Lot could not change the past. The Gemara answers: The difference is that on the other, following, night, he should not have drunk wine again. By allowing himself to get drunk a second time, he

showed that the end result, engaging in sexual intercourse with his younger daughter, was something he desired.

63 § Rava interpreted a verse homiletically with regard to Lot: What is the meaning of that which is written: “A brother offended is harder to be won than a strong city,

64 and their contentions are like the bars of a castle” (Proverbs 18:19)? “A brother offended is harder to be won than a strong city,” this is Lot, called Abraham’s brother (see Genesis 14:14), who separated from Abraham. “And their contentions are like the bars of a castle,” this is because Lot brought contention between the Jewish people and his own descendants like bars, which lock the gates of a castle. Just as no one can enter a locked castle, so too Lot’s descendants, Ammon and Moab, were prevented from joining the Jewish people, as it states: “An Ammonite and a Moabite shall not enter into the assembly of the Lord” (Deuteronomy 23:4).

65 On the same issue, Rava expounded a verse homiletically, and some say it was Rabbi Yitzḥak: What is the meaning of that which is written: “He who separates himself seeks his own desire, and snarls against all sound wisdom” (Proverbs 18:1)? “He who separates himself seeks his own desire,” this is Lot, who separated from Abraham. “And snarls [yitgala] against all sound wisdom,” this too describes Lot, as his shame was eventually revealed [nitgala] in the synagogues, when his actions recorded in the Torah are read in public, and in the study halls, where the halakhot of his descendants are taught. As we learned in a mishna: An Ammonite and a Moabite are prohibited from entering the congregation by marrying a Jewish woman, and their prohibition is permanent.

66 § In relation to the preceding discussion with regard to the daughters of Lot, who acted in a wanton manner for the sake of a mitzva, the Gemara cites that which Ulla said: Tamar engaged in licentious sexual intercourse with her father-in-law, Judah (see Genesis, chapter 38), and Zimri ben Salu also engaged in licentious sexual intercourse with a Midianite woman (see Numbers, chapter 25).

67 Yet despite the similarity between their actions, Tamar engaged in licentious sexual intercourse for the sake of a mitzva, to have children, and therefore she merited that kings of the House of David descended from her. King David’s lineage traces back to Tamar’s son Peretz (see Ruth 4:18–22). And she also merited to be the ancestor of prophets, e.g., Isaiah, who was related to the royal family. Conversely, with regard to Zimri, who engaged in licentious sexual intercourse for the purpose of a transgression, several multitudes of Israel fell due to him; twenty-four thousand in a plague (see Numbers 25:9). This shows that a great deal depends on one’s intentions.

68 § Rav Naḥman bar Yitzḥak said: Greater is a transgression committed for its own sake, i.e., for the sake of Heaven, than a mitzva performed not for its own sake. The Gemara questions this comparison: But didn’t Rav Yehuda say that Rav said: A person should always occupy himself with Torah and mitzvot even not for their own sake, as it is through acts performed not for their own sake that good deeds for their own sake come about? How, then, can any transgression be considered greater than a mitzva not for the sake of Heaven?

69 Rather, one must emend the above statement and say as follows: A transgression for the sake of Heaven is equivalent to a mitzva not for its own sake. The proof is as it is written: “Blessed above women shall Yael be, the wife of Hever the Kenite, above women in the tent she shall be blessed” (Judges 5:24), and it is taught: Who are these “women in the tent?” They are Sarah, Rebecca, Rachel,

and Leah. Yael’s forbidden intercourse with Sisera for the sake of Heaven is compared to the sexual intercourse in which the Matriarchs engaged.

[70] The Gemara asks: How is it derived that Yael engaged in sexual intercourse with Sisera? As Rabbi Yoḥanan said: That wicked one, Sisera, engaged in seven acts of sexual intercourse with Yael at that time, as it is stated: “Between her feet he sunk, he fell, he lay; between her feet he sunk, he fell; where he sunk, there he fell down dead” (Judges 5:27). Each mention of falling is referring to another act of intercourse.

[71] The Gemara asks: But Yael at least enjoyed the sexual intercourse with him; why is the verse so effusive in her praise? Rabbi Yoḥanan said: All the good of the wicked, i.e., anything good received from wicked people, is nothing other than evil for the righteous, and therefore she certainly derived no pleasure from the act.

[72] The Gemara asks: From where is this principle derived? As it is stated in the verse that God warned Laban the Aramean, when he was chasing Jacob: “Guard yourself from speaking to Jacob, from good to evil” (Genesis 31:24). Granted, with regard to the warning against speaking evil, it is fine that Laban was warned not to harm Jacob. However, why shouldn’t he say anything good to Jacob? Rather, must one not conclude from this verse that even Laban’s good is bad in Jacob’s eyes? The Gemara concludes: Learn from this that it is so.

[73] § The Gemara returns to analyze in greater detail the above matter itself. Rav Yehuda said that Rav said: A person should always occupy himself with Torah and mitzvot even not for their own sake, as through these acts performed not for their own sake, good deeds for their own sake come about. The proof for this is that in reward for the forty-two offerings that the wicked Balak sacrificed (see Numbers, chapter 23), although he did not do so for the sake of Heaven but to facilitate the cursing of the Jewish people, nevertheless he merited that Ruth descended from him. Not only was he the forebear of a righteous convert, but also of King David. And this is as Rabbi Yosei, son of Rabbi Ḥanina, said: Ruth was the daughter of the son of Eglon, king of Moab, who descended from Balak, king of Moab.

[74] Rabbi Ḥiyya bar Abba said that Rabbi Yoḥanan said: From where is it derived that the Holy One, Blessed be He, does not deprive one of even the reward for proper speech, i.e., for speaking in a refined manner? As while there is the case of Lot’s elder daughter, who called her son Moab [mo’av], which alludes to his shameful origins, as me’av means: From father, and the Merciful One says to Moses: “Do not besiege Moab, nor contend with them in war” (Deuteronomy 2:9), which indicates: It is war that is not permitted; however, with regard to harassing, the Jews were permitted to harass them.

[75] And while there is the case of Lot’s younger daughter, who called her son Ben-Ami, son of my people, without explicitly mentioning her father. With regard to her descendants, God said to Moses: “Do not harass them, nor contend with them” (Deuteronomy 2:19), which means even as far as harassing is concerned, you may not harass them at all.

[76] Rabbi Ḥiyya bar Avin said that Rabbi Yehoshua ben Korḥa said: A person should always come first with regard to a matter of a mitzva, as in reward of the one night that the elder daughter of Lot preceded the younger for the sake of a mitzva,

[77] she merited to precede the younger daughter by four generations to the monarchy of the Jewish people. The descendants of Ruth the Moabite ruled over the Jewish people for four generations: Obed, Yishai, David, and Solomon, before the reign of Solomon's son Rehoboam, whose mother was Naamah the Ammonite.

[78] MISHNA: With regard to a woman who vowed to be a nazirite and separated her animals for her offerings of purity at the end of her term, and afterward her husband nullified her vow, which means that she is not in fact a nazirite, what becomes of these animals? If the animal was his, it shall go out and graze among the flock until it becomes blemished, like regular non-consecrated animals.

[79] And if the animal was hers, different halakhot apply to the various offerings: The animal she set aside as a sin-offering must be left to die by being shut in an enclosed area and deprived of food and water, as will be explained in the Gemara. And the animal separated for a burnt-offering is sacrificed on the altar as a burnt-offering, as in any case one may bring a voluntary burnt-offering. As for the one designated for a peace-offering, it is sacrificed as a voluntary peace-offering. And this peace-offering is eaten for only one day, in accordance with the halakha of the nazirite's peace-offering, despite the fact that regular peace-offerings may be eaten for two days. But the offering does not require bread, i.e., loaves and wafers, unlike that of a nazirite.

[80] If she had unallocated funds, i.e., she had separated money for her offerings but had not stated which coins were designated for which offering, all the money will be earmarked for communal gift offerings. If she had allocated funds, i.e., she had decided which coins were for the payment of each offering, even if she had not yet purchased the animals, the money for the sin-offering is taken and cast into the Dead Sea, i.e., it must be destroyed, either by being thrown into the sea or by some other means. One may not benefit from it, as it possesses a measure of sanctity, but one also does not misuse property consecrated to the Temple with it. In other words, if one did derive benefit from this money he is not liable to bring an offering for misusing consecrated property.

[81] As for the money for the burnt-offering, a burnt-offering is brought with those coins, and one who benefits from it is liable for misuse of consecrated property, as it is sacred since it can be used toward the purchase of a gift offering. Similarly, with regard to the money for a peace-offering, a peace-offering is brought with those coins, and it is eaten for one day and does not require bread.

[82] GEMARA: The Gemara inquires: Who is the tanna who taught that a husband is not indebted to his wife, i.e., he is not required to provide her with her obligatory offerings? It is evident that the tanna of the mishna maintains that this is the case, as he rules that the animal does not remain sacred if it belonged to her husband. Rav Ḥisda said: It is the opinion of the Rabbis. As, if it should enter your mind that it is the opinion of Rabbi Yehuda, why should an animal that belonged to the husband go out and graze among the flock until it becomes blemished? After all, the husband is indebted and required to give her the offerings she requires, which means that her consecration is valid even if she used his animals.

[83] The Gemara provides the source for the opinion of Rabbi Yehuda: As it is taught in a baraita that Rabbi Yehuda says: A person brings the offering of a rich man on behalf of his wife. If a wife is obligated to bring an offering that is different depending on whether she is wealthy or poor, e.g., the offering of a childbearing woman, then even if she herself does not own enough to be considered wealthy, if her husband can afford it he must bring the offering of a rich person on her behalf.

[84] And similarly, he brings all her offerings that she is obligated to bring, even those whose obligation preceded their marriage. The reason is that he wrote to her in her marriage contract like this: I accept upon myself all claims of guarantee that you have upon me from beforehand. These obligations include her offerings.

[85] Rava said: You can even say that the mishna is in accordance with the opinion of Rabbi Yehuda, and nevertheless the husband is under no obligation if he nullified her vow. The reason is as follows: When is he obligated to bring her offerings? It is only in the case of a matter that is necessary for her to bring. However, in the case of a matter that is not necessary for her to bring, he is under no such obligation. Here, too, once he has nullified her naziriteship, she is no longer in need of this offering.

[86] Some say a different version of this discussion: Who is the tanna who taught that only a husband who nullified his wife's vow is exempt from providing her offerings? Rav Ḥisda said that it is Rabbi Yehuda, and his opinion is as follows: When is he indebted to fund her offerings? It is in the case of a matter that is necessary for her to bring, but in the case of a matter that is not necessary for her to bring, he is under no such obligation. As, if it is in accordance with the opinion of the Rabbis, he is not mortgaged to her in this regard at all.

[87] Rather, what are the circumstances in which he is obligated to provide her offering, according to the opinion of the Rabbis? For example, if he transferred the animal to her possession. But in that case, since he has transferred it to her, it is her own, which means that she has effectively separated the offering from her own property. The mishna cannot be referring to this situation, as the animal does not revert to a non-sacred state in a case of this kind. Evidently, the mishna is in accordance with the opinion of Rabbi Yehuda.

[88] Rava said: You can even say that the mishna is in accordance with the opinion of the Rabbis, and the reason the animal loses its sanctity is that even when he transfers it to her, he does so for a matter that is necessary for her to bring, but for a matter that is not necessary for her to bring, he does not transfer it to her.

[89] § The mishna teaches: If the animal was hers, the sin-offering must be left to die and the burnt-offering is sacrificed. The Gemara asks: She, this married woman, from where does she have her own property? Haven't you said as a principle that with regard to any item that a woman acquires, her husband automatically acquires it from her? Rav Pappa said: This is referring to a case where she saved it from her dough, i.e., she was able to buy the animal with the money she saved by eating less. And if you wish, say instead that another person transferred the property to her, and he said to her that he is doing so on the condition that your husband has no rights to it. In that case the wife is the exclusive owner of the animal.

[90] § The mishna taught that the burnt-offering is sacrificed as a burnt-offering and the peace-offering is sacrificed as a peace-offering. Shmuel said to Avuh bar Ihi: You shall not sit on your feet until you say and explain to me this matter taught in a baraita: And these are the four rams of the nazirite's offering that do not require bread to be brought with them, in contrast to the usual practice: His, hers, the one brought after death, and the one brought after the nazirite has gained atonement by means of a different offering.

[91] The Gemara clarifies this statement: Hers, this is that which we just said, the offering of a woman who separated an animal of her own before her husband proceeded to nullify her vow. His, as we learned in a mishna (28b): A man can vow his son to become a nazirite, i.e., he can apply a vow of

naziriteship to his minor son, but a woman cannot vow her son to become a nazirite. If the son objects, either of his own initiative or at the behest of others, his father’s vow is canceled. Consequently, if the boy shaved his hair during the period of naziriteship, thereby demonstrating his desire not to be a nazirite, or if relatives shaved him, or even if the minor performed no action at all but simply objected, or if his relatives made him object, his naziriteship is canceled.

[92] In that case, if he had unallocated funds, which had been consecrated for the child’s offerings but not designated for any particular offering, all the money will be earmarked for communal gift offerings. If he had allocated funds designated for a particular offering, the money for a sin-offering is taken and cast into the Dead Sea; the money for a burnt-offering is brought as a burnt-offering, and one who benefits from it is liable for misuse of consecrated property; and the money for a peace-offering is brought as a peace-offering and it is eaten for one day and does not require bread.

[93] With regard to a ram that is after its owner’s death, from where do we derive that this offering requires no bread? As it is taught in a mishna (Me’ila 18a): With regard to one who separates money for his naziriteship without specifying an offering, he may not derive benefit from them, but one who benefits from it is not liable for misuse of consecrated property. Why is he not liable to bring an offering for misuse of consecrated property? It is because the money is fit to bring peace-offerings with all of it, and no misuse is effected by deriving benefit from a peace-offering until after its blood has been sprinkled.

[94] The mishna continues: If the one who set aside the money died and he had unallocated funds, they are all allocated for communal gift offerings. If he left behind allocated funds, with regard to the money for a sin-offering, one must take it and cast it into the Dead Sea; one may not derive benefit from it but one who benefits from it is not liable for misuse of consecrated property. The money for a burnt-offering is brought as a burnt-offering, and one who benefits from it is liable for misuse of consecrated property. The money for a peace-offering is brought as a peace-offering, and it is eaten for one day and does not require bread. This is the case of a ram after its owner’s death that does not require bread.

[95] As for the ram that is after atonement, whose owner has used a different offering to achieve atonement, the halakha that this offering does not require bread is not taught explicitly. Rather, it is based on logical reasoning: What is the reason that no bread is brought in the case of a ram that is sacrificed after the death of its owner? It is that this offering is not fit for atonement, as no atonement is granted to the dead through offerings. With regard to a ram that is sacrificed after atonement too, it is no longer fit for atonement, as the owner has already gained atonement by means of a different animal.

[96] The Gemara asks: And is there nothing else? Are there no other instances of a peace-offering of a nazirite that does not require bread, apart from the aforementioned cases? But isn’t there the following halakha: And with regard to all the other peace-offerings of a nazirite that were slaughtered not in accordance with their mitzva, e.g., if the ram was not of the proper age, they are fit offerings and may be eaten, but they do not count toward the owner’s obligation, i.e., he must bring another offering. The baraita continues: And these offerings are eaten for one day, like regular peace-offerings of a nazirite, and they require neither bread nor the foreleg, unlike the peace-offering of a nazirite. This is another example of a nazirite’s peace-offering that does not require bread.

97 The Gemara answers: In the above list the tanna includes only offerings that were sacrificed in accordance with their mitzva; he does not include animals that were sacrificed not in accordance with their mitzva.

98 § It was stated above, with regard to one who separated money for his naziriteship and then died, that if he had unallocated funds, they are all allocated for communal gift offerings.

99 The Gemara asks: But the money for the sin-offering is mingled with these unallocated funds. How can it all be used for gift burnt-offerings? Rabbi Yoḥanan said: It is an accepted halakha with regard to a nazirite that his unallocated funds are used for gift offerings, despite the fact that they include the value of a sin-offering. Reish Lakish said: The verse states: “Whether for any of their vows or for any of their gift offerings, which are brought to the Lord as a burnt-offering” (Leviticus 22:18). In this verse, the Torah states that the surplus of a vow shall be for a gift offering. Here too, if the vow of naziriteship cannot be fulfilled, due to the death of the one who took the vow, the money is for a gift offering.

100 The Gemara asks: Granted, according to the opinion of Rabbi Yoḥanan, who said that it is a halakha with regard to a nazirite, it is for this reason that if the funds were unallocated, yes, the money is used for gift offerings, but if they were allocated, no, they may not be used for this purpose, as this is the halakha passed down by tradition. However, according to the opinion of Reish Lakish, who derives the halakha from the verse: “For any of their vows or for any of their gift offerings,” why state specifically unallocated funds; even allocated money should be used for gift offerings after the death of their owner.

101 Rava said: You cannot say that this halakha should apply to allocated funds, as the tanna of the school of Rabbi Yishmael has already ruled in this regard. The tanna explained the following verse that deals with the obligation to bring consecrated animals to the Temple: “Only your sacred things that you have, and your vows” (Deuteronomy 12:26). The verse is speaking of the offspring of consecrated female peace-offerings and their substitutes, i.e., when one says a non-sacred animal should substitute for a sacred animal.

102 With regard to these animals, what is their means of remedy? “You shall take and go to the place that the Lord shall choose” (Deuteronomy 12:26). One might have thought that this means that he must bring them up to the Temple, and yet he does not sacrifice them but withholds water and food from them so that they should die. Therefore, the verse states: “And you shall sacrifice your burnt-offerings, the flesh and the blood, upon the altar of the Lord your God; and the blood of your offerings shall be poured out against the altar of the Lord your God, and you shall eat the flesh” (Deuteronomy 12:27).

103 The tanna explains that this verse comes to say to you: In the manner that you treat a burnt-offering you must treat its substitute, i.e., it should be sacrificed in its entirety; in the manner that you treat a peace-offering you must treat their offspring, as its inner parts must be sacrificed on the altar, with the rest eaten by the owners. One might have thought that the offspring of a sin-offering and the substitute of a guilt-offering should also be treated so, i.e., they too should be sacrificed on the altar like sin-offerings and guilt-offerings. Therefore the verse states: “Only” (Deuteronomy 12:26), which excludes these cases. This is the statement of Rabbi Yishmael.

104 Rabbi Akiva says: In the case of a guilt-offering this exposition is not necessary, as it says: “It is a guilt-offering” (Leviticus 5:19), from which it may be inferred: It alone shall be sacrificed in its

current state, but not its substitute. This baraita explicitly teaches that the surplus money of a sin-offering cannot be used for another offering. Consequently, the money set aside for a nazirite's sin-offering must be cast into the Dead Sea upon the death of its owner rather than used for a gift offering, even according to the opinion of Reish Lakish.

[105] § Since the Gemara has cited the above baraita, it analyzes it in detail. The baraita teaches: One might have thought that one must bring them up to the Temple and withhold water and food from them so that they should die. The verse states: "And you shall sacrifice your burnt-offerings." The Gemara asks: Why would one think he should act in this manner? After all, it is only with regard to the offspring of a sin-offering that we learned that it must be left to die, but not other offerings. Why, then, is it necessary to derive the exclusion of the offspring of other offerings and the substitution of other offerings from a verse? The Gemara answers: If it were not for the verse, I would say that the offspring of a sin-offering may be killed anywhere, i.e., it need not be brought to the Temple and left to die there,

[106] but the offspring of other sacred animals, for peace-offerings, must be brought to the Temple and left to die there. The verse therefore teaches us that one does not leave the offspring of peace-offerings to die. Rather, they are sacrificed upon the altar.

[107] § The Gemara continues to discuss the baraita. The baraita teaches: One might have thought that the offspring of a sin-offering and the substitute of a guilt-offering should also be treated so, i.e., they too should be sacrificed on the altar like sin-offerings and guilt-offerings. Therefore, the verse states: "Only" (Deuteronomy 12:26). The Gemara asks: Why do I need a verse for this halakha? After all, this halakha is learned as a tradition that the offspring of a sin-offering goes to its death. The Gemara answers: So too, this is correct as far as the offspring of a sin-offering is concerned, and the verse comes to teach that this halakha applies to a guilt-offering as well.

[108] The Gemara asks: With regard to a guilt-offering as well, this halakha is learned as a tradition: Any situation that if it were to occur with a sin-offering it would be left to die, i.e., any offering that is invalid in such a manner that it would have to be left to die if it were a sin-offering, which includes a substitute, if it occurs with a guilt-offering it is left to graze until it develops a blemish so that it is no longer fit for the altar. Why, then, is a verse required to teach this halakha?

[109] Rather, the argument is as follows: If one would have learned this ruling only from the aforementioned halakha transmitted to Moses from Sinai, I would say: It is admittedly the halakha that the offspring of a sin-offering must die and the substitute of a guilt-offering is left to graze, but if he sacrificed it regardless, he would not be liable to receive any punishment for it. The verse therefore teaches us that if he sacrifices the offspring or substitute of a guilt-offering, he transgresses a positive mitzva by it, as derived from the verse: "Only your sacred things which you have, and your vows, you shall take and go to the place which the Lord shall choose" (Deuteronomy 12:26).

[110] § The same baraita teaches that Rabbi Akiva says: In the case of a guilt-offering this exposition is not necessary, as it says: "It is a guilt-offering" (Leviticus 5:19), which indicates: It alone shall be sacrificed in its current state, but not its substitute. The Gemara asks: Why do I need a verse for this halakha? We learned it as a halakha: Any situation that if it were to occur with a sin-offering it would be left to die, if it occurs with a guilt-offering it is left to graze. If so, it is clear that this guilt-offering cannot be sacrificed.

[111] The Gemara answers: So too, this is correct, and when the verse comes to teach a halakha, it comes for that which was said by Rav. As Rav Huna said that Rav said: With regard to a guilt-offering that was consigned to grazing, i.e., it had been ruled that the animal must be left to graze until it develops a blemish as it could not be sacrificed as a guilt-offering, at which point it was sold so that the proceeds could be used for voluntary burnt-offerings, and one transgressed and slaughtered the guilt-offering itself for the sake of a burnt-offering rather than using an animal purchased with the money of its sale, it is valid.

[112] The Gemara infers from Rav's statement: The reason for this ruling is that it is a guilt-offering that was consigned to grazing, from which it may be inferred that if it were not consigned in this manner it is not valid as a burnt-offering. This is because the verse states: "It is a guilt-offering," which indicates that it shall be in its current state, and if it were sacrificed as a different offering it is invalid.

[113] § The Gemara returns to the issue of a nazirite's offerings: The Master, Rabbi Yoḥanan, said earlier: It is a halakha with regard to a nazirite that his unallocated funds, including the value of his sin-offering, are used for the purchase of gift offerings. The Gemara asks: This formulation indicates that this halakha pertains only to a nazirite, but is there no other case where the surplus goes toward the purchase of gift offerings? But isn't it taught in a baraita: And the rest of those liable to bring nests by Torah law, i.e., those paupers who are obligated to bring only a bird-offering, e.g., a poor leper, who must bring two turtledoves, one for a burnt-offering and one for a sin-offering, instead of a sheep or a ewe,

[114] who separated money for their nests and then became wealthy, if the owner wishes to change their designation and to bring an animal sin-offering with them, he may bring a sin-offering with them. If he wishes to use them to buy an animal burnt-offering he may bring it, supplementing the required amount with other money. If the owner died and he had unallocated funds, they all will be allocated for communal gift offerings, including the value of the sin-offering. This shows that the halakha that unallocated funds are used for gift offerings applies in cases other than that of a nazirite.

[115] The Gemara answers: He taught the case of a nazirite and also the case of those obligated to bring nests, which is similar to that of a nazirite and is therefore treated identically with regard to its halakha. This serves to exclude that case which is taught in a baraita. The situation discussed in the baraita involves one who was obligated to bring a sin-offering for a transgression he committed, and he also said: It is incumbent upon me to bring a gift burnt-offering, and he separated money and said: These are hereby for my obligatory offering. Since he might have meant either his obligation of the sin-offering or his burnt-offering for the new vow, the question arises as to what should be done with the money.

[116] The baraita explains that if he wishes to bring an animal sin-offering with it, he may not bring one; if he wishes to use it to purchase an animal burnt-offering, he may not bring it either. If he died and had unallocated funds, one must take them and cast them into the Dead Sea. Since the two offerings are not part of the same obligation, the unallocated funds may not be used for gift offerings.

[117] § Rav Ashi said: That which you said with regard to a nazirite who had allocated money, that he may not use it all for gift offerings because the value of the sin-offering must be taken and cast into the Dead Sea, do not say that this is referring only to a case where he explicitly said: These are for my sin-offering, and these are for my burnt-offering, and these are for my peace-offering, each one

separately. Rather, even if he said: These are for my sin-offering and for my burnt-offering and for my peace-offering, they are considered allocated for the purposes of this halakha, despite the fact that he did not designate the money for particular offerings.

[118] And some say a different version of this statement. Rav Ashi said: Do not say they are deemed allocated only if he says: These are for my sin-offering and for my burnt-offering and for my peace-offering; rather, even if he said it in broader terms: These are for my obligation, they are considered as allocated.

[119] § Rava said: That which we said, that if one had unallocated funds they will be allocated for communal gift offerings, applies only if the money for all of the offerings was mixed together. However, if the money for the sin-offering fell and was separated from the others, all the remaining money is now considered as allocated. This means that instead of the entire sum being used for a gift burnt-offering, part of it is used for a peace-offering, which is eaten for one day and does not require bread.

[120] The Gemara notes that it is taught in a baraita in accordance with the opinion of Rava: If one said: This money is for my sin-offering and the rest is for the rest of my obligations of naziriteship, and he died, the money for the sin-offering is taken and cast into the Dead Sea, and as for the rest, he brings a burnt-offering with half of it, and half of it goes for a peace-offering. And one who benefits from all of it is liable for misuse of consecrated property, due to the value of a burnt-offering that is included in the money. But one is not liable for misuse of consecrated property if he benefits from some of the money, as the money he took is possibly that of the peace-offering, to which the prohibition against misuse does not apply.

[121] If one said: This money is for my burnt-offering and the rest is for the rest of my obligations of naziriteship, the money for the burnt-offering goes for a burnt-offering, and one who benefits from it is liable for misuse of consecrated property. And the rest is allocated for communal gift offerings, as the sum includes the value of a sin-offering. And one who benefits from all of it is liable for misuse of consecrated property, due to the value of a sin-offering included in it, but one is not liable for misuse of consecrated property if he benefits from some of the money, as he might have taken the money for a peace-offering, as stated above.

[122] § Rav Huna said that Rav said: They taught only that there is a difference between unallocated and allocated money of a nazirite with regard to money designated for the purchase of offerings. However, if one designated an animal it is treated as allocated. A nazirite is obligated to bring three types of animals, a female sheep for a sin-offering, a male sheep for a burnt-offering, and a ram in its second year for a peace-offering. It is therefore evident which offering he had in mind when designating a particular animal. Consequently, if the owner died each offering is treated in the appropriate manner: The sin-offering must be left to die, like all sin-offerings whose owners have died; the burnt-offering is sacrificed as a burnt-offering; and the peace-offering is brought as a peace-offering, although it must be eaten in one day and does not require bread.

[123] Rav Naḥman said: When they say that if one designates an animal it is considered as allocated, they taught this only if it is unblemished and is fit to be sacrificed itself. However, if one separated a blemished animal, even if he set aside the three required types, a female sheep, a male sheep, and a ram in its second year, each one is considered as unallocated. This is because one will not sacrifice the animals themselves but will sell them and use the money. However, this is not the case with

regard to a bar of silver [naskha]. If one separated three silver bars they are considered allocated, as each is a distinct item, designated for a particular offering.

[124] And Rav Naḥman bar Yitzḥak said: Even a silver bar is considered unallocated; however, a pile [sevar] of beams is not. If he set aside three piles of construction beams for his offerings, they are treated as allocated money. Rav Shimi bar Ashi said to Rav Pappa: What is the reasoning of the Rabbis, i.e., Rav, Rav Naḥman, and Rav Naḥman bar Yitzḥak, who say: Money and not an animal, and not a silver bar; and similarly, money and not a pile? Do they maintain that the halakha of unallocated funds applies only to money and not to other items? However, if that is so, one should likewise say that it applies to money and not birds.

[125] And if you would say: So too, this is in fact the case, and birds cannot be considered allocated, but what about this statement that Rav Ḥisda said: Nests, i.e., a pair of turtle doves or pigeons, one for a burnt-offering and the other for a sin-offering, are considered allocated only by either the acquisition of the owner, if the owner designates each bird for a particular offering upon their purchase, or by the actions of the priest who decides which bird is for which offering when he sacrifices them. This clearly indicates that the birds are considered unallocated beforehand.

[126] Therefore, the question arises: Why is this so? Didn’t we learn this halakha only with regard to money, whereas Rav Ḥisda’s statement indicates that birds are also considered unallocated? If Rav Ḥisda’s opinion is accepted, the same halakhot should also apply to animals, bars, and piles of beams.

[127] Rav Pappa said to him: And according to your reasoning, which leads to the conclusion that all items can have the status of unallocated funds, consider that which we learned in a mishna (45a): Rabban Shimon ben Gamliel says: If one brought three different animals for his naziriteship and did not specify which was for which offering, that which is fit for a sin-offering, a ewe, is sacrificed as a sin-offering; the animal suitable for a burnt-offering, a male sheep or bull, is sacrificed as a burnt-offering; and the animal fit for a peace-offering, any other male or female, is sacrificed as a peace-offering. But according to your opinion, why is this so? Didn’t you say that an animal is not considered as allocated, but is instead like unallocated funds; how can one decide which animal to use for each offering?

[128] Rav Shimi bar Ashi said to him: As for the case of birds, this is an exception, as there is an explicit verse to this effect there: It states with regard to the owner of a bird offering: “And he shall take one he-lamb for a guilt-offering to be waved, to make atonement for him, and one tenth part of an ephah of fine flour mingled with oil for a meal-offering, and a log of oil; and two turtledoves or two young pigeons, such as his means suffice for, and the one shall be a sin-offering and the other a burnt-offering” (Leviticus 14:21–22), and it later states with regard to the priest: “And he shall sacrifice one of the turtledoves, or of the young pigeons, such as his means suffice for; even such as his means suffice for, the one for a sin-offering, and the other for a burnt-offering” (Leviticus 14:30–31).

[129] The Merciful One thereby states that the birds are allocated and designated for their offering either by the acquisition of the owner, by designating each bird for a particular offering upon their purchase, or by the action of the priest. With regard to the ruling of Rabban Shimon ben Gamliel, it presents no difficulty either, as it is a special case as well. Here too, when one separates these particular animals for his naziriteship offerings,

[130] how can you say that this one that is for the sin-offering shall be sacrificed as a burnt-offering? Here, only a female may be sacrificed as a sin-offering, whereas here, in the case of a burnt-offering, it must be male. Therefore, it is as though he allocated each animal for a specific offering. Consequently, you cannot compare this case to that of items that are not inherently designated for a particular purpose, e.g., a blemished animal or a silver bar, as they have the status of unallocated funds.

[131] § Rav Hamnuna raised an objection against Rav Naḥman's statement: And do we say that a blemished animal is considered like unallocated funds? Come and hear a proof to the contrary from the following baraita, which begins: How, in what case, did the Sages say that a man shaves, i.e., bring the offerings sacrificed at the end of a term of naziriteship, for his father's naziriteship? The Gemara cites a part of that baraita which records a case where the son does not bring the offerings for his father's naziriteship: When he and his father were both nazirites, and his father separated money for the offerings of his naziriteship and died, and the son said: I am hereby a nazirite on the condition that I will shave, i.e., bring my offerings, through the money my father set aside, in that case he cannot shave for his father's naziriteship.

[132] Consequently, if the father had unallocated funds, they are allocated for communal gift offerings. If he had allocated animals, that which is for a sin-offering must be left to die, like any sin-offering whose owner has died; the animal for a burnt-offering is sacrificed as a burnt-offering, and the animal for a peace-offering is sacrificed as a peace-offering. What, is it not referring even to the case of a blemished animal, as the baraita differentiated only between money and animals? This indicates that a blemished animal is also considered allocated, which contradicts Rav Naḥman's ruling.

[133] The Gemara rejects this suggestion: No; it is referring only to an unblemished animal, which is considered allocated because it is suitable for an offering itself. The Gemara asks: However, if that is so, is a blemished animal considered like unallocated funds? In that case, why does the baraita specifically distinguish between animals and unallocated funds? Let the baraita say as follows: If he had a blemished animal its money is allocated for communal gift offerings. The baraita would thereby distinguish between two similar cases that involve animals, from which one could infer the halakha of unallocated funds.

[134] The Gemara answers: So too, this is the meaning of the baraita, and there is no difference between a blemished animal and money. The Gemara clarifies this claim: For what purpose is a blemished animal consecrated? It is for the value of its sale, and this value is provided in money. Consequently, this baraita does not refute Rav Naḥman's opinion that the halakha of a blemished animal is like that of unallocated funds.

[135] § Rava also raises an objection against Rav Naḥman's opinion, from a baraita that deals with sin-offerings. The Torah states: "And he shall bring for his offering" (Leviticus 4:23), which indicates: He fulfills his obligation with his own offering, but he does not fulfill his obligation with his father's offering, if his father was obligated to bring a sin-offering and died after separating an animal for this purpose. One might have thought that one does not fulfill his obligation with an offering that his father separated only in a case where the son's transgression is not equal in severity to that of his father's sin, e.g., sacrificing his offering from animals that his father designated to atone for a minor transgression to atone for his own major transgression, or from animals that his father designated to atone for a major transgression, to atone for his own minor transgression.

[136] However, one might have thought that he does fulfill his obligation with an offering that his father separated if it is from animals his father set aside to atone for a minor transgression and the son atones for his own minor one, or from animals the father set aside to atone for a major transgression and the son atones for his own major one. Therefore, the verse states: “His offering” (Leviticus 4:23), and it repeats: “His offering” (Leviticus 4:28), to emphasize that he fulfills his obligation with his own offering, and he does not fulfill his obligation with his father’s offering even for similar transgressions.

[137] The baraita continues: One might have thought that a son does not fulfill his obligation with his father’s offering, i.e., with an animal that his father separated, even from animals that his father designated to atone for a minor transgression, to atone for the son’s minor one, or from animals the father set aside to atone for a major transgression, to atone for the son’s major one, as stated above, as a person cannot shave, i.e., bring an offering, for naziriteship with his father’s animal. Consequently, the halakhot of inheritance do not apply to this animal. However, it is nevertheless possible that a son can fulfill his obligation by purchasing a sin-offering with money that his father separated for his own sin-offering, even from money the father set aside to atone for a major transgression in a case where the son is atoning for a minor transgression, or from money the father set aside to atone for a minor transgression in a case where the son is atoning for a major one, as a person can shave, i.e., purchase an offering, with the money his father set aside for naziriteship,

[138] when they are unallocated and not when they are allocated. Consequently, the same should apply to one whose father separated money for a regular sin-offering, i.e., he should be able to use them for his own sin-offering. Therefore, the verse states: “His offering” (Leviticus 4:32), which serves to emphasize: He fulfills his obligation with his own offering, but he does not fulfill his obligation with the money separated for his father’s offering.

[139] The baraita continues this line of argument: One might have thought that he does not fulfill his obligation with the money that his father separated if it is from money the father set aside to atone for a minor transgression and the son atones for a minor one, or from money the father set aside to atone for a major transgression and the son atones for a major one. However, the son may fulfill his obligation with the offering he separated for himself. From animals he set aside to atone for a minor transgression, he may atone for a major one, or from animals he set aside to atone for a major transgression he may atone for a minor one. Therefore, the verse states: “Then he shall bring for his offering a goat, a female without blemish, for his sin” (Leviticus 4:28), which indicates that he does not fulfill his obligation unless his offering is for the sake of his particular sin, not for some other transgression.

[140] One might have thought that he does not fulfill his obligation with the animal he separated for himself, from animals he set aside to atone for a minor transgression to atone for a minor one; or from animals he set aside to atone for a major transgression, to atone for a major one; or even when from animals he set aside to atone for a minor transgression to atone for a major one; or from animals he set aside to atone for a major transgression to atone for a minor one.

[141] The reason is that if he separated an animal to bring as an offering for unintentionally eating forbidden fat and he instead brought that sin-offering for unintentionally consuming blood, or if he separated an animal to bring as an offering to atone for blood and instead brought it for eating forbidden fat, in that case he has not misused consecrated property, as the animal cannot lose its

consecrated status. And just as it cannot lose its consecrated status, so too it cannot be redesignated to atone for a different sin, and therefore this animal also does not atone for him.

142 However, one might think that he fulfills his obligation with the money he separated for himself, from money he set aside to atone for a minor transgression to atone for a different minor transgression; or from money he set aside to atone for a major transgression to atone for a different major transgression; or from money he set aside to atone for a major transgression to atone for a minor one; or from money he set aside to atone for a minor transgression to atone for a major one.

143 The reason is that if he separated money for himself to purchase a sin-offering to atone for unintentionally eating forbidden fat and he instead brought a sin-offering with that money for unintentionally consuming blood, or if he separated money to purchase a sin-offering to atone for consuming blood and with that money he instead brought a sin-offering for unintentionally eating forbidden fat, in that case he has misused consecrated property if he uses that money for a non-sacred purpose, as money can lose its sacred status when misappropriated. And just as it can lose its consecrated status, it can be redesignated to atone for a different sin; therefore this money atones for him if it was used to purchase an offering for a different transgression.

144 Therefore, the verse states: “For his sin” (Leviticus 4:35), which indicates that he does not fulfill his obligation unless his offering is for the sake of his particular sin, and he is not permitted to use money he consecrated for one type of sin to atone for a different sin. This concludes the baraita.

145 Rava now asks his question: In any event, the baraita teaches that a son may not use an animal separated by his father for his naziriteship offering. What, is it not referring even to a blemished animal? The fact that the baraita does not differentiate between types of animals indicates that a blemished animal has the status of allocated funds, as opposed to Rav Naḥman’s ruling that this animal is like his father’s unallocated funds, which the son himself may use. The Gemara rejects this: No; the baraita refers solely to an unblemished animal that is fit to be sacrificed; only an animal of this kind is considered allocated.

146 The Gemara asks: However, according to this explanation, what is the halakha of a blemished animal? Is it considered like an unallocated animal? If so, why does the baraita specifically teach that one may purchase an offering with the unallocated funds that his father separated? Let the baraita teach this halakha with regard to a blemished animal, and one would infer that the same applies to money. The Gemara answers as above: So too, this is the case; there is no difference between the two. The reason is that what is a blemished animal fit for? It is fit for its value, and this value is essentially money. Consequently, this baraita does not contradict Rav Naḥman’s opinion that a blemished animal has the status of unallocated funds.

147 MISHNA: The previous mishna discussed the case of a husband who nullified his wife’s vow after she separated her offerings of naziriteship. This mishna deals with a husband who nullified his wife’s naziriteship after she had completed her term and brought her offerings to the Temple. If the blood from one of her naziriteship offerings was sprinkled on the altar on her behalf, the husband cannot nullify her vow at this point. Rabbi Akiva says: Even before the sprinkling of the blood, he cannot nullify the vow as soon as any one of the animals for her offerings has been slaughtered on her behalf.

148 The mishna continues: In what case is this statement, that he can no longer nullify the vow, said? It is when she is bringing the offerings for her shaving of ritual purity, when she has completed her

term of naziriteship without becoming ritually impure (see Numbers 6:18). However, if she is sacrificing the offerings for her shaving of impurity, when she became ritually impure during her term of naziriteship, after which she restarts her naziriteship (see Numbers 6:9), her husband can nullify her vow. The reason is that he can say: I do not want a downcast [menuvvelet] wife, who does not drink wine. She would have to refrain from wine for a lengthy period if she were to begin her naziriteship anew. Rabbi Meir says: He can nullify her vow even at the stage of her shaving of purity, after she has begun sacrificing her offerings, as he can say: I do not want a shaven wife, and a nazirite is obligated to shave after bringing his or her offerings.

149 GEMARA: The Gemara comments: The mishna, which rules that a husband cannot nullify his wife's naziriteship after the blood of her offering has been sprinkled at the end of the naziriteship term, is not in accordance with the opinion of Rabbi Eliezer. As, if it followed the ruling of Rabbi Eliezer, didn't he say that shaving is indispensable for the end of a nazirite's term, i.e., a nazirite at the end of his naziriteship is prohibited from drinking wine and becoming impure from the dead until he actually shaves? And in this case, since she has not yet shaved, she remains prohibited from drinking wine. And since she becomes downcast through her abstinence from wine, evidently the husband can nullify her vow even after the sprinkling of the blood of her offerings of purity.

150 The tanna of our mishna holds: Once the blood has been sprinkled on her behalf she is immediately permitted to drink wine, and therefore she is not downcast. Consequently, the husband has no right to nullify her naziriteship vow at that point, as her vow does not affect him. And Rabbi Akiva holds: Even if the blood has yet to be sprinkled and wine remains forbidden to her, as soon as an animal is slaughtered for one of her offerings the husband can no longer nullify the vow, due to the loss of consecrated property. If he were to nullify her vow she would have no further need of the offerings, and it is prohibited to waste Sanctuary property.

151 Rabbi Zeira objects to this: And why should the result be a loss to the Sanctuary? He can avoid this by sprinkling their blood not for the sake of the offerings of a nazirite, and he will thereby permit the meat of the offering to be eaten, and the consecrated animal will not go to waste. Isn't it taught in a baraita: With regard to the communal peace-offering of two sheep that accompanies the two loaves on Shavuot, if one slaughtered them not for the sake of that offering, or slaughtered them before their time, on the eve of the Festival, or after their time, after the Festival, the blood shall be sprinkled, although not for the sake of that offering, as it is no longer fit for that purpose, and the meat is eaten.

152 And if it was a Shabbat, the blood may not be sprinkled. Since the meat cannot be eaten on that day, sprinkling the blood is considered a form of unnecessary labor on Shabbat. And if he sprinkled the blood on Shabbat anyway, the offering is accepted, and he must wait to burn its sacrificial parts on the altar in the evening, after the conclusion of Shabbat. In any case, this shows that it is permitted to sprinkle the blood of an offering not for its own sake ab initio so that its flesh can be eaten.

153 The Sages say in response: If he had slaughtered only the woman's naziriteship offerings of the burnt-offering or the peace-offering, so too, he may certainly proceed to sprinkle the blood not for the sake of that offering, to avoid the loss of a consecrated animal. In that case Rabbi Akiva would agree that the husband can still nullify her vow. However, with what are we dealing here? It is with a case where he slaughtered the sin-offering first. Since a sin-offering whose blood was sprinkled not for its sake is invalid, if the husband were to nullify her vow this would cause a loss of consecrated property.

[154] The Gemara cites the source that the order of a nazirite's offerings may be changed and the sin-offering may be sacrificed first. As we learned in a mishna (45a): If he shaved after the sacrifice of one of the three nazirite offerings, either the burnt-offering, the peace-offering, or the sin-offering, he has fulfilled his obligation.

[155] § The mishna taught: In what case is this statement, that a husband cannot nullify his wife's vow, said? It is with regard to a shaving of ritual purity; however, with regard to a shaving of impurity the husband can nullify it if he wishes. And Rabbi Meir says: He may even nullify the vow at her shaving of purity because he can say: I do not want a shaven wife.

[156] The Gemara analyzes these opinions: And the first tanna could have said to you in response to Rabbi Meir's argument: It is possible for her to compensate by wearing a wig, and therefore she would not appear shaven, and her husband would have no cause for complaint. And Rabbi Meir holds: As for compensating by wearing a wig, since it is dirty he is not amenable to this solution, and he may therefore nullify her vow.

[157] MISHNA: A man can vow that his minor son should be a nazirite, i.e., a father can declare his son a nazirite, but a woman cannot vow that her son should be a nazirite. How so; what are the details of this naziriteship? If the son shaved his hair, thereby demonstrating his rejection of the vow imposed by his father; or if his relatives shaved him; or if the son objected by saying that he has no desire for this naziriteship; or if his relatives objected on his behalf, the naziriteship is canceled.

[158] If this son who canceled the naziriteship had animals separated for his offerings, the one set aside for the sin-offering must die, and the burnt-offering is sacrificed as a burnt-offering, and the peace-offering is sacrificed as a peace-offering. And the peace-offering is eaten for one day, like the peace-offering of a nazirite, rather than the two days of a regular peace-offering, and it does not require bread, i.e., the loaves that accompany a nazirite's peace-offering.

[159] If he had unallocated funds, they will be allocated for communal gift offerings. If he had allocated funds for his offerings, the money for the sin-offering is taken and cast into the Dead Sea, as one may not benefit from it ab initio, but if he benefits from it, he is not liable to bring an offering for misuse of consecrated property. With the money for the burnt-offering they bring a burnt-offering; it is prohibited to derive benefit from those coins and if he benefits from it, he is liable to bring an offering for misuse of consecrated property. With the money for the peace-offering they bring a peace-offering, and it is eaten for one day and does not require bread.

[160] GEMARA: The mishna taught that a man can vow that his son should be a nazirite, but a woman cannot do so. The Gemara asks: What is the reason for this? Rabbi Yoḥanan said: It is a halakha transmitted to Moses from Sinai with regard to a nazirite. And Rabbi Yosei, son of Rabbi Ḥanina,

[161] said that Reish Lakish said: The purpose is in order to educate him in mitzvot, to teach him how to observe the mitzva of naziriteship. The Gemara asks: If so, even a woman as well should be able to impose naziriteship on her son for educational purposes. The Gemara answers: Reish Lakish holds that a man is obligated to educate his son in mitzvot, but a woman is not obligated to educate her son in mitzvot.

[162] The Gemara asks: Granted, according to the opinion of Rabbi Yoḥanan, who said it is a halakha transmitted to Moses from Sinai with regard to a nazirite, for that reason one can understand the ruling of the mishna, which indicates that for his son, yes, a father can vow that he should be a

nazirite, but with regard to his daughter, no, he cannot do so, as a halakha learned by tradition cannot be questioned. However, according to the opinion of Reish Lakish, a father should even be able to impose naziriteship upon his daughter for the sake of her education. Why does the mishna specify a son? The Gemara answers that Reish Lakish holds: A father is obligated to educate his son, whereas he is not obligated to educate his daughter, and for this reason he cannot vow that she should be a nazirite.

163 The Gemara asks another question: Granted, according to the opinion of Rabbi Yoḥanan, who said that it is a halakha with regard to a nazirite, this is why the mishna indicates that with regard to naziriteship, yes, a father can impose a vow upon his son, but with regard to other vows, no, he cannot do so. However, according to the opinion of Reish Lakish, who says it is for the son's education, a father should even be able to impose regular vows upon him as well. Why does the mishna specify naziriteship?

164 The Gemara answers: According to Reish Lakish the tanna of this mishna is speaking utilizing the style of: It is not necessary, as follows: It is not necessary to ask whether a father can impose regular vows of a mitzva where there is no deprivation of the son when he fulfills his father's vow, but even with regard to naziriteship, where there is deprivation of his son, as the son must refrain from wine and shaving, even so the father is obligated to educate him, and therefore he can vow in this manner too.

165 The Gemara asks another question: Granted, according to the opinion of Rabbi Yoḥanan, who said it is a halakha transmitted to Moses from Sinai with regard to a nazirite, this explanation is consistent with that which the mishna teaches: If he objected, or his relatives objected for him, the naziriteship is canceled, as the transmitted halakha may be that the acquiescence of the relatives is necessary.

166 The Gemara continues its question: However, according to the opinion of Rabbi Yosei, son of Rabbi Ḥanina, who said that Reish Lakish said that this vow serves educational purposes, is this really in the power of the relatives to say to the father: Do not teach him mitzvot? The Gemara answers: Reish Lakish holds that with regard to any education that is not important, e.g., the optional mitzva of naziriteship, the son is not amenable to the suffering he must endure for this purpose, and therefore he or his relatives can object.

167 The Gemara raises a further difficulty: Granted, according to the opinion of Rabbi Yoḥanan, who said it is a halakha with regard to a nazirite, it is due to that reason that the son must shave all of his hair at the conclusion of his naziriteship, despite the fact that he thereby performs the rounding of the corners of his head, in violation of the prohibition: "You shall not round the corners of your heads" (Leviticus 19:27). Since a halakha transmitted to Moses from Sinai has the status of Torah law, a minor nazirite shaves despite this prohibition.

168 The Gemara continues its question: However, according to the opinion of Rabbi Yosei, son of Rabbi Ḥanina, who said that Reish Lakish said that the reason the vow of naziriteship takes effect is in order to educate him in mitzvot, and it applies only by rabbinic law, how does he explain the fact that this nazirite performs the rounding of the head? How does a naziriteship, which is by rabbinic law, override a Torah prohibition?

169 The Gemara answers: Reish Lakish holds that the rounding of the entire head is prohibited only by rabbinic law, as the Torah itself prohibited shaving only the corners of the head, and the mitzva of

education also applies by rabbinic law. And therefore the mitzva of education, which is by rabbinic law, comes and overrides the prohibition against rounding the head, which likewise applies by rabbinic law.

170 The Gemara continues to ask along the same lines: Granted, according to the opinion of Rabbi Yoḥanan, who said it is a halakha with regard to a nazirite, this is why when he shaves at the conclusion of his naziriteship he brings an offering, as the halakha is that the minor is a nazirite in all regards, which means his offering is obligatory, like that of an adult nazirite.

171 The Gemara continues its question: However, according to the opinion of Rabbi Yosei, son of Rabbi Ḥanina, who said that Reish Lakish said that the reason is in order to educate him in mitzvot, the minor's offering is not a Torah obligation, which means that he brings non-sacred animals into the Temple courtyard for slaughter. The Gemara answers: Reish Lakish holds that the prohibition against slaughtering non-sacred animals in the Temple courtyard does not apply by Torah law but by rabbinic law, and therefore this prohibition is disregarded due to the importance of the son's education.

172 The Gemara asks yet another question: Granted, according to the opinion of Rabbi Yoḥanan, who said it is a halakha with regard to a nazirite, this is why when the son becomes ritually impure he brings an offering of birds, and the priest may eat the bird sin-offering that was killed by means of pinching, nipping the neck of the bird, rather than by regular slaughter. This permits a bird to be eaten only in the case of a proper bird offering.

173 The Gemara continues its question: However, according to the opinion of Rabbi Yosei, son of Rabbi Ḥanina, who said that Reish Lakish said that the reason the vow takes effect is to educate the son in mitzvot, in this case the priest eats an unslaughtered animal carcass. If the son is not obligated to bring the offering, the priest will be eating a bird that was killed in a manner that does not render it fit for consumption, which means it has the status of an unslaughtered carcass.

174 The Gemara answers: Reish Lakish holds in accordance with the opinion of Rabbi Yosei, son of Rabbi Yehuda, who holds that slaughter of a bird is not obligatory by Torah law. Rather, by Torah law birds are fit to be eaten no matter how they are killed, and it was the Sages who decreed that they must be slaughtered. And he also maintains that the prohibition against bringing non-sacred animals for slaughter in the Temple courtyard does not apply by Torah law. Consequently the rabbinic mitzva of education overrides these prohibitions, as they too are rabbinic.

175 The Gemara asks: And does Rabbi Yosei hold this opinion? But isn't it taught in a baraita that Rabbi Yosei, son of Rabbi Yehuda, says: From where is it derived that the bird sin-offering that comes due to uncertainty is not eaten? The verse states: "And they who have an issue, whether a male or a female" (Leviticus 15:33), which juxtaposes a female to a male: Just as a male brings an offering for a definite sin, i.e., for a transgression he is sure he committed inadvertently, so too, a female brings an offering for a definite sin. And just as a male brings a provisional guilt-offering for his uncertain transgression, so too, a female brings an offering for her case of uncertainty.

176 And furthermore: Just as a male brings an animal for his uncertain transgression, a ram as a guilt-offering, from the same type from which he brings a definite sin-offering, an animal sin-offering, so too, a female brings the same type for her case of uncertainty from the same type from which she brings for a definite offering, i.e., a bird if she is a zava or gave birth. This leads to the following question: If so, one can continue this line of thought: Just as a male brings an offering and it is eaten,

so too, a female brings an offering and it should be eaten when she sacrifices an offering for uncertain childbirth. With regard to this case you say:

177 No, you cannot make this claim, because if you say that this is true with regard to a male, when bringing his offering involves only one uncertain prohibition, i.e., that he might be bringing non-sacred animals into the Temple courtyard, shall you also say that this is the case with regard to a female, whose case includes two prohibitions? This concludes the baraita.

178 The Gemara asks: What are these two prohibitions? Are they not the prohibition against consuming an unslaughtered animal carcass by eating a bird killed by pinching, and the prohibition against bringing non-sacred animals into the Temple courtyard? This shows that the prohibition against bringing non-sacred animals into the Temple courtyard applies by Torah law according to the opinion of Rabbi Yosei, son of Rabbi Yehuda. Rav Aḥa, son of Rav Ika, objects to this: And perhaps one is not liable for these prohibitions by Torah law, rather, the baraita means that one is liable for this because it appears like two Torah prohibitions, although they actually apply only by rabbinic law.

179 § The Gemara returns to the question of whether the ruling that a man can impose naziriteship on his son is a halakha transmitted to Moses from Sinai or whether it is part of the boy's education. Let us say that this is parallel to a dispute between tanna'im. As it is taught: Until when can a father vow that his son should be a nazirite? It is until the son develops two pubic hairs; this is the statement of Rabbi Yehuda HaNasi. Rabbi Yosei, son of Rabbi Yehuda, says: It is until he reaches the age of vows, usually approximately a year earlier, when he demonstrates an understanding of the nature of vows. If he vows at that age and comprehends the significance of his utterance, his vow is valid.

180 What, is it not the case that this is a dispute between tanna'im: As Rabbi Yehuda HaNasi holds that it is a halakha transmitted to Moses from Sinai with regard to a nazirite, and therefore even though the son has already reached the age of vows and is capable of making his own decision with regard to the vow, this halakha states that the father continues to vow for him until he develops two pubic hairs, the sign of maturity. And Rabbi Yosei, son of Rabbi Yehuda, who says that the father can vow for the son only until he reaches the age of vows, holds that he imposes a vow on his son in order to educate him in mitzvot, and since the son has left the father's supervision to the degree that he can utter his own vows, the father is no longer obligated to educate him in this area of halakha.

181 The Gemara rejects this argument. The Sages say in response: No; this is not the correct explanation of that dispute, as one can say that everyone, both Rabbi Yehuda HaNasi and Rabbi Yosei, son of Rabbi Yehuda, agrees with Rabbi Yoḥanan that it is a halakha with regard to a nazirite, and here they disagree with regard to the issue of a minor one year before he or she reaches majority. In other words, they dispute the case of a child who utters a vow when he is almost mature, on the verge of puberty. It is an accepted halakha that the vow of this child is valid if he understands its meaning. The dispute concerns the source of this halakha.

182 Rabbi Yehuda HaNasi holds that the status of a minor one year before he or she reaches majority applies by rabbinic law, and therefore the halakha by Torah law that a father can vow on behalf of his son comes and overrides the decree that one who is near the age of maturity is considered an independent adult with regard to vows, which is by rabbinic law. And Rabbi Yosei, son of Rabbi Yehuda, holds that the status of a minor one year before he or she reaches majority applies by Torah law. Consequently, the halakha that a father can vow on behalf of his son does not apply to this case.

[183] And if you wish, say instead that everyone agrees that a father vows for his son in order to educate him in mitzvot, which means it is by rabbinic law, and likewise the status of a minor one year before he or she reaches majority is also by rabbinic law. In that case, the tanna'im dispute the following: Rabbi Yehuda HaNasi holds that the mitzva of education, which applies by rabbinic law, comes and overrides the status of a minor one year before he or she reaches majority, which is also by rabbinic law.

[184] And Rabbi Yosei, son of Rabbi Yehuda, who said that a father can vow for his son only until he reaches the age of vows, holds that the mitzva of education by rabbinic law does not come and override the status of a minor one year before he or she reaches majority. Consequently, there is no necessary connection between this dispute of tanna'im and the argument between Rabbi Yoḥanan and Reish Lakish as to whether the ruling that a father can impose naziriteship on his son is a halakha transmitted to Moses from Sinai or an educational tool.

[185] With regard to the dispute concerning the time period for a father's vow on behalf of his son, the Gemara suggests: Shall we say that the dispute between these tanna'im is like the dispute between those other tanna'im, as it is taught in a baraita (Tosefta, Nidda 5:9): An incident occurred involving Rabbi Ḥanina in which his father vowed that he should be a nazirite when he was a minor, and they brought him before Rabban Gamliel, and Rabban Gamliel examined him to discern if he had already developed two pubic hairs, in which case the vow would not take effect, or if he had not developed them, which would mean that the vow was valid.

[186] Rabbi Yosei says that Rabban Gamliel examined him to discern whether he had reached the age of vows or not, which he maintains is the decisive factor. The child said to Rabban Gamliel: My teacher, do not go to the trouble of examining me, since if I am a minor I shall be a nazirite due to my father's vow, and if I am an adult, I shall be a nazirite due to my own vow. Rabban Gamliel arose and kissed the child on his head. He said: I am certain of this child that he will eventually become an authority of halakha for the Jewish people. They said: In fact, it was only a few years later that the child issued rulings for the Jewish people.

[187] The Gemara explains its suggestion: Granted, according to the opinion of Rabbi Yosei, son of Rabbi Yehuda, who said that a father can vow on behalf of his son only until he reaches the age of vows, this is why the child said: If I am a minor I shall be a nazirite due to my father, as he means: If I have not yet reached the age of vows. However, according to the opinion of Rabbi Yehuda HaNasi, who said that a father can vow naziriteship for his son until he develops two pubic hairs, despite the fact that he is already mature with regard to vows, what is the meaning of: And if I am an adult, I shall be a nazirite due to my own vow?

[188] After all, he still remains under his father's authority with regard to naziriteship, as he has yet to develop two pubic hairs. Rather, one must explain that he said the following: I shall be a nazirite due to my father; I shall be a nazirite due to my own vow. In other words, he did not link his statement to the question of whether he was old enough to vow but to the issue of his father's authority with regard to naziriteship, i.e., whether he had developed two hairs.

[189] The Gemara asks: According to the opinion of Rabbi Yehuda HaNasi, if he had developed two pubic hairs from the outset, i.e., before his father vowed, he would stand bound by his own naziriteship, and if he reached physical maturity at the end, i.e., after the vow ended, he would stand

bound by his father’s vow of naziriteship. But if he developed two hairs in the middle of his naziriteship term, of what use would the son’s vow be?

190 The Gemara clarifies: This works out well according to the opinion of Rabbi Yosei, son of Rabbi Yehuda, who said that a father can vow on behalf of his son until he reaches the age of vows. The reason is that this stage is by rabbinic law, and therefore the fact that the son has reached this stage does not automatically cancel the father’s vow. The son would complete his term and bring his offerings.

191 However, according to the opinion of Rabbi Yehuda HaNasi, who said that a father can vow for his son only until he develops two pubic hairs, what can be said? If he grew two hairs during his father’s naziriteship it is no longer in effect, as by Torah law he is no longer under his father’s authority, so what is the halakha in that case? The Sages say in response: According to the opinion of Rabbi Yehuda HaNasi, this child has no rectification until he sits for his term of naziriteship and also sits for the naziriteship of his father, i.e., he must be a nazirite for sixty days, to ensure that he completes a full term of thirty days, either for his own naziriteship or for that of his father.

192 MISHNA: A man can shave, i.e., bring the offerings at the close of his term of naziriteship, by using offerings originally designated for his father’s naziriteship, but a woman cannot shave by means of the offerings for her father’s naziriteship. How so; how is this halakha applied? It applies to one whose father was a nazirite and separated unallocated money for his naziriteship, i.e., he did not state which coins were for which of his offerings, and he died before buying the animals, and the son said after his father’s death: I am hereby a nazirite on the condition that I will shave by means of the money that my father set aside.

193 Rabbi Yosei said: In that case these coins are allocated for communal gift offerings, and the son may not use them, as this is not the case of the halakha that a son can shave by using his father’s naziriteship. Rather, who is the son who can shave by using his father’s naziriteship? This is referring to a son and his father who were both nazirites during his father’s lifetime, and his father separated unallocated money for his naziriteship and died; this is the one who may shave by using his father’s naziriteship.

194 GEMARA: The Gemara asks: What is the reason for this difference between a man and a woman? Rabbi Yoḥanan said: It is a halakha transmitted to Moses from Sinai with regard to a nazirite. The Gemara asks: It is obvious that this is so, even without this halakha. What is the purpose of stating this? Is Rabbi Yoḥanan coming to say that a son inherits from his father whereas a daughter does not, and therefore only a son who inherits from his father can use his animals, but not a daughter? This is obvious, as it is stated in the Torah that a daughter does not inherit from her father if he has a son (see Numbers 27:8).

195 The Gemara answers: No, this halakha is necessary in a case when he has only a daughter, who does inherit from him. Lest you say that we learned this halakha with regard to heirs, i.e., that the halakha is that all heirs, including a daughter, can shave by means of their father’s offerings,

196 the mishna therefore teaches us that it is a halakha that is unrelated to inheritance; there is simply a tradition that a son can use the offerings for his father’s naziriteship while a daughter cannot.

197 § A dilemma was raised before the Sages: Do the Rabbis disagree with Rabbi Yosei, or do they not disagree? If you say they disagree, do they take issue with the first clause or with the latter clause

of his halakha? The Gemara suggests an answer: Come and hear the following baraita: How did the Sages say that a man can shave by using his father’s naziriteship?

198 With regard to one whose father was a nazirite and his father separated money for his naziriteship and died, and the son said: I am hereby a nazirite on the condition that I can shave by using my father’s money, this is the one who can shave by means of his father’s money. However, if a son and his father were both nazirites, and his father separated money for his own naziriteship and died, this money is allocated for communal gift offerings. This is the statement of Rabbi Yosei.

199 Rabbi Eliezer, and Rabbi Meir, and Rabbi Yehuda said: This is the one who can shave by using his father’s money. Their emphasis of: This is the one, indicates that they disagree with Rabbi Yosei entirely. In other words, where Rabbi Yosei rules that one can use his father’s money, they maintain that he cannot do so; and conversely, in a case where Rabbi Yosei says that one cannot spend his father’s money for his nazirite offerings, the Rabbis rule that he can do so.

200 § Rabba raised a dilemma: If a father has two nazirite sons, what is the halakha? The Gemara clarifies the sides of the dilemma: Does one say that we learned it as a halakha that a son can shave using money left for his father’s naziriteship, and therefore any son who precedes his brother and shaves using his father’s money has shaved and gained the entire sum? Or perhaps we learned this halakha from the case of inheritance, and consequently, each receives a half?

201 Similarly, Rava raised a dilemma: If one has two nazirite sons, a firstborn and a regular son, what is the halakha? Does one say that we learned it as a halakha that a son may shave using money left for his father’s naziriteship, and this ruling is unconnected to inheritance, and therefore he does not need to shave only in accordance with what he receives as an inheritance? Instead, either each son receives half the money, or whoever precedes the other receives the entire sum. Or perhaps it is an inheritance, and just as the firstborn takes a double portion of the estate, so too he shaves with a double portion of this money?

202 And if you say it is an inheritance and he shaves in accordance with the portion he receives, it is still possible that it is only with regard to non-sacred matters that a firstborn has a double portion, but with regard to consecrated property this halakha does not apply. Or perhaps, since he acquires that money, although he uses it for the purpose of shaving it is no different, i.e., it does not matter that the money is for a sacred matter.

203 The Gemara raises another dilemma: If his father was a permanent nazirite and he was an unspecified nazirite, or if his father was an unspecified nazirite and he was a permanent nazirite, what is the halakha? Can this son shave using money left for his father’s naziriteship? Does one say that when we learned the halakha that a son can shave using money left for his father’s naziriteship, this applies only in a case where they are both unspecified nazirites, or perhaps it is no different, and the same halakha applies even if their naziriteships are of two different kinds?

204 And if you say: Here, both cases are at least similar in that they involve ritually pure naziriteship, and therefore the son can make use of his father’s money, then Rav Ashi raises a different dilemma: If his father was an impure nazirite and he was a pure nazirite, or if his father was a pure nazirite and he was an impure nazirite, what is the halakha? Can the son shave using money left for his father’s naziriteship or not? No answer was found for any of these dilemmas, and the Gemara says that they shall stand unresolved.

Chapter 5

[1] MISHNA: Beit Shammai say: Consecration that one performs in error nevertheless renders property consecrated,

[2] and Beit Hillel say it is not consecrated. How so; what is considered an act of erroneous consecration? If one said: A black bull that will emerge from my house first is consecrated, and a white bull emerged first, Beit Shammai say it is consecrated and Beit Hillel say it is not consecrated. Similarly, if one said: A gold dinar that will come up first in my hand is consecrated, and when he reached into his pocket a dinar of silver came up, Beit Shammai say it is consecrated and Beit Hillel say it is not consecrated. Likewise, if one said: A barrel of wine that will come up first in my hand when I enter the cellar is consecrated, and a barrel of oil came up in his hand instead, Beit Shammai say it is consecrated and Beit Hillel say it is not consecrated.

[3] GEMARA: The mishna taught that Beit Shammai say that consecration performed in error renders property consecrated, and Beit Hillel say it is not consecrated. The Gemara analyzes their dispute: What is the reason of Beit Shammai? They maintain that we derive the halakha of the initial stage of consecration from the final stage of consecration. The final stage of consecration is referring to substitution, when one attempts to substitute a non-consecrated animal for a consecrated one. Just as an act of substitution takes effect even in error, i.e., if one meant to say that his black bull should be a substitute for his consecrated animal and he actually said: This white bull, the white bull is rendered consecrated, so too, the initial stage of consecration takes effect even when done in error.

[4] And Beit Hillel say: This matter, i.e., the halakha that consecration takes effect even when done in error, applies only to substitution, where there is an animal that is already fully consecrated. However, we do not have the initial status of consecration descend upon an item in error.

[5] The Gemara asks: And according to the opinion of Beit Shammai, who derive the halakha of the initial stage of consecration from substitution, just as if one said, at the start of the day: This animal is a substitute in exchange for this animal in the middle of the day, would it become a substitute from that time when he issued the statement, in opposition to his explicit statement? It would not. Rather, Beit Shammai certainly concede that the animal does not become consecrated as a substitute until the middle of the day arrives, at which point it becomes a substitution. So too, in the case of the mishna, the consecration should take effect when the situation is revealed to be in accordance with his statement, i.e., only if a black bull emerges first. Only then should the animal be rendered consecrated, but not if a white bull emerges first. Why do Beit Shammai hold that in the case of the mishna the consecration takes effect in opposition to his explicit statement?

[6] Rav Pappa said: Beit Shammai concede that consecration does not take effect in opposition to one’s explicit statement. Rather, they maintain that it is for this reason that the man states: The black bull that will emerge from my house first, as he means the following: When the first black bull of all the black bulls I possess will emerge from my house, it will be consecrated. When Beit Shammai ruled that the bull is consecrated, they were referring to the first black bull that emerged, even if it was not the first bull that emerged, as a white bull preceded it.

[7] The Gemara asks: But he said: Black bull, and are we not dealing even with a case where he only has this one black bull? If so, the Gemara’s initial interpretation of his statement is correct: The black bull is consecrated only if it is the first to emerge, but not if a white bull precedes it. The Gemara

answers: No; it is necessary to state this halakha with regard to a case where he has two or three black bulls. And Beit Hillel say: If so, i.e., if he intended to consecrate the first of his black bulls to emerge from the house, he should have said: The first black bull that will emerge from my house. Since he did not say this, he must have meant that the black bull should be consecrated only if it is the first bull of any kind to emerge.

[8] Rava from Barnish said to Rav Ashi, with regard to the explanation of Rav Pappa: Is this case he mentioned one of erroneous consecration? It is intentional consecration. According to the interpretation of Rav Pappa, there is no error. He intended to consecrate the first black bull that emerged, and that is what was consecrated. The Gemara answers: Nevertheless, it is called an erroneous consecration because he erred in his first statement. His statement of consecration gave the mistaken impression that he desired to consecrate the first bull that emerges, even if it is white. In any case, Rav Pappa indicates that even Beit Shammai hold that an erroneous act of consecration does not take effect.

[9] The Gemara questions this assumption: And do Beit Shammai hold that an indisputably erroneous act of consecration is not considered an act of consecration? But didn't we learn in the mishna (31b): With regard to one who took a vow of naziriteship and later made a request to the halakhic authorities to dissolve his vow, and they dissolved his vow, and he had already separated an animal for one of his nazirite offerings beforehand, it shall go out and graze among the flock, like any other non-sacred animal.

[10] The mishna continues: Beit Hillel said to Beit Shammai: Don't you concede that the reason for this ruling is because it is an erroneous act of consecration, and that a consecration of this kind does not take effect, and that is the reason it shall go out and graze among the flock? The same halakha should apply to all erroneous acts of consecration. One can learn from here by inference that Beit Shammai hold that an entirely erroneous act of consecration is considered consecration, as is evident from Beit Hillel's question.

[11] The Gemara answers: This is not the case; rather, it is Beit Hillel who erred in their understanding. They thought that Beit Shammai's reasoning was because an erroneous act of consecration is considered consecration, and therefore they raised a difficulty with regard to the case of a nazirite. And Beit Shammai said to them: Our reasoning in the case of the black bull is not because it is an erroneous act of consecration. Rather, it is merely called an erroneous consecration because he erred in his first statement, as he actually meant to consecrate the first of his black bulls to emerge from his house.

[12] The Gemara continues to ask: And do Beit Shammai hold that an indisputably erroneous act of consecration is not considered consecration? Come and hear proof from the mishna (32b) that they maintain that an erroneously consecrated item is considered consecrated: If there were several people walking along the way,

[13] and one other person was approaching them, and one of those walking said: I am hereby a nazirite if this person coming toward us is so-and-so. And another one of them said: I am hereby a nazirite if this is not so-and-so, while a third member of the group said: I am hereby a nazirite if one of you two is a nazirite, and a fourth said: I am hereby a nazirite if neither of you is a nazirite, and another added: I am hereby a nazirite if both of you are nazirites. Finally, the last person said: I am hereby a nazirite if all you who spoke before me are nazirites. Beit Shammai say that they are all nazirites, as

by saying: I am hereby a nazirite, they have accepted naziriteship upon themselves even if their statement turns out to be incorrect.

14 The Gemara analyzes this mishna: But here, it is clearly a case of an erroneous act of consecration, as the statements of some of these individuals must have been incorrect, and yet the mishna teaches that Beit Shammai maintain that they are all nazirites. The Sages say in response: In fact, in general Beit Shammai hold that an erroneous act of consecration is considered consecration, as is evident from this halakha involving nazirites. However, the particular mishna here, concerning black and white bulls, is not based on that halakha. Rather, Rav Pappa's explanation is the correct one.

15 Abaye said a different explanation of the mishna: It should not enter your mind that the mishna is dealing with one who was standing in the morning and referred to a future event, i.e., that an animal will emerge from the house. Rather, with what are we dealing here? With one who is standing at noon, after the bulls had already left the house, and said: The black bull that emerged first from my house first shall be consecrated. And people said to him: A white bull emerged first. And he said to them: Had I known that a white bull emerged, I would not have said black. Therefore, the consecration was erroneous.

16 The Gemara asks: How can you say that the mishna deals with one who is standing at noon and is speaking of a past event? But in a subsequent example the mishna teaches: A gold dinar that will come up in my hand first shall be consecrated, which is clearly referring to a future event. The Gemara answers: You should emend the mishna and teach: A gold dinar that came up, in the past tense. The Gemara continues to ask: Didn't the mishna state: A barrel of wine that will come up in my hand first shall be consecrated, which is also referring to the future tense. The Gemara similarly answers that one should teach in the mishna: A barrel that already came up.

17 § The Gemara quotes a statement related to the case in the mishna with regard to black and white bulls. Rav Ḥisda said: A black bull among white ones is deficient, as white bulls are superior in quality, and a white patch on a black bull is a deficiency. Having stated these assessments, the Gemara returns to discuss the mishna. We learned in the mishna that if one said: The black bull that will emerge from my house first is consecrated, and a white one emerged. It entered our minds to assume that when one consecrates property to the Temple treasury he consecrates sparingly, i.e., he does not give his property that is superior in quality or value, unless he expressly says so. And yet Beit Shammai say that the white bull in this case is consecrated, which indicates that the white one is inferior in quality, which contradicts the statement of Rav Ḥisda.

18 The Gemara examines this assumption: Rather, what then? Will you say that according to the opinion of Beit Shammai one typically consecrates generously and donates his property that is superior? However, the continuation of the mishna states that if one said: The gold dinar that will come up in my hand first, and a silver one came up, Beit Shammai say it is consecrated. If Beit Shammai hold that one would have in mind to consecrate only the superior property, why would the inferior silver coin be consecrated?

19 The Gemara counters: Rather, what then? Does a person consecrate sparingly? Yet the subsequent example of the mishna states that if one said: A barrel of wine that will come up in my hand first, and one of oil came up, Beit Shammai say it is consecrated. But oil is preferable to wine, so why is the oil consecrated? The Gemara answers: If the problem is due to that, this is not difficult, as this

mishna was taught in the Galilee, where wine is preferable to oil. Olive trees are plentiful in the Galilee, and therefore oil is cheaper than wine. Therefore, the entire mishna can be explained in accordance with the opinion that people consecrate sparingly.

[20] The Gemara comments: In any case, the first clause of the mishna poses a difficulty to the opinion of Rav Ḥisda, as it indicates that a white bull is less valuable than a black one. The Gemara answers that Rav Ḥisda could have said to you: When I said that a white one is superior, I was referring only to a Karmanian bull, a type of bull in which the white animals are superior in quality to the black ones. In all other cases black bulls are considered superior, and the mishna was referring to standard bulls.

[21] The Gemara quotes another statement with regard to bulls: And Rav Ḥisda said with regard to bulls: A black bull is good for its hide; a red one is good for its meat; while a white bull is good for plowing. The Gemara asks: But didn't Rav Ḥisda say: A black bull among white ones is deficient, which indicates that a black one is inferior in all regards? The Gemara again answers that Rav Ḥisda could reply: When I said that, I was referring only to a Karmanian bull, but not to other bulls.

[22] MISHNA: With regard to one who took a vow of naziriteship, who then regretted his vow and stopped observing the prohibition against drinking wine, and later requested of a halakhic authority to dissolve his vow, and the authority ruled that he is bound by his vow, finding no reason to dissolve it, he counts the term of naziriteship from the time that he vowed, including the days when he acted as though the vow were dissolved. In a case where he requested of a halakhic authority to dissolve his vow and the authority dissolved it, if he had an animal separated as a nazirite offering it shall go out and graze among the flock.

[23] On the basis of this halakha, and continuing their discussion in the previous mishna, Beit Hillel said to Beit Shammai: Don't you concede with regard to this case that it is an erroneous act of consecration, and yet the halakha is that it shall go out and graze among the flock? This shows that you too accept the principle that an erroneous act of consecration does not take effect. Beit Shammai said to Beit Hillel: Don't you concede with regard to one who was separating the animal tithe from his herd, i.e., passing his animals before him single file and consecrating every tenth one as a tithe, that if he erred and called the ninth animal: Tenth; and the tenth: Ninth; and the eleventh: Tenth, that each of them is consecrated? This proves that an erroneous act of consecration does take effect.

[24] Beit Hillel said to them: It is not the rod that consecrates it. The touch of the rod does not consecrate the animal, nor does the fact that he said: Tenth, by mistake. Not all errors cause the tithe to be consecrated, and the proof is as follows: And what would be the halakha if he had erred and placed the rod on the eighth or on the twelfth, and labeled them: Tenth? Can it be suggested that perhaps he performed anything of consequence? The halakha is that the eighth or twelfth animal cannot be consecrated as tithe. Rather, why is the ninth or eleventh animal consecrated? There is a specific reason for this halakha, as the same verse that consecrated the tenth also consecrated the ninth

[25] and the eleventh. It is a Torah edict that the consecration takes effect with regard to those two animals. Therefore, one cannot infer from this case that an erroneous act of consecration takes effect.

[26] GEMARA: The Gemara asks: Whose opinion is expressed in the mishna, when it rules that one whose request to dissolve his vow was rejected by a halakhic authority counts the duration of his naziriteship from the moment he took the vow, including the days on which he did not observe the

halakhot of naziriteship in practice? The Gemara responds: It is neither the opinion of Rabbi Yosei, nor that of the Rabbis.

[27] As it is taught in a baraita (Tosefta Nedarim 1:6): With regard to one who took a vow of naziriteship and later transgressed his vow of naziriteship by drinking wine, the halakhic authorities do not attend to his request to dissolve his vow, nor do they let him complete his term as a nazirite by sacrificing offerings, unless he counted, i.e., observed, days of the prohibitions of naziriteship for the same number of days in which he behaved with permissiveness concerning the restrictions of a nazirite. Only after he observes the prohibitions of naziriteship for the number of days that his observance lapsed will a halakhic authority hear his request for dissolution, or allow him to bring his offerings. Rabbi Yosei says: Thirty days is enough for him. He is required to observe additional days of naziriteship only if he transgressed his vow of naziriteship for thirty days or more.

[28] The Gemara elaborates: Which of these opinions might correspond to that of the mishna? If it is that of the Rabbis, it is difficult with respect to a short naziriteship, i.e., a standard term of naziriteship, which lasts for thirty days. The Rabbis maintain that he cannot include all the days from the time he took the vow even if his naziriteship was short. They hold that he must add days corresponding to the days that he failed to observe the halakhot required of a nazirite. If it is that of Rabbi Yosei, although he agrees that one who transgresses his vow of naziriteship for a short period of less than thirty days need not add to his term, it is nevertheless difficult with regard to a lengthy naziriteship, as even Rabbi Yosei rules that in such a case the individual must observe naziriteship for additional days.

[29] The Gemara answers: If you wish, you can say that the mishna is in accordance with the opinion of Rabbi Yosei, and if you wish, you can say it is in accordance with the opinion of the Rabbis. The Gemara explains: If you wish, you can say that the mishna is in accordance with Rabbi Yosei: Here, the baraita is speaking of a lengthy naziriteship; there, the mishna is referring to a short naziriteship. In other words, the mishna refers only to one who transgresses his vow of naziriteship for less than thirty days.

[30] And if you wish, you can say that the mishna follows the opinion of the Rabbis, by emending its wording: Do not say that he must observe naziriteship from the time that he vowed; rather, say: Like from the time that he vowed. That is, he must count his naziriteship corresponding to the time that has elapsed since he took his vow, exactly as stated by the Rabbis.

[31] § The mishna taught that with regard to one who requested of the halakhic authorities and they dissolved the vow for him, and he had already separated an animal for a nazirite offering, it shall go out and graze among the flock. Rabbi Yirmeya said: From the ruling of Beit Shammai one can learn a halakha with regard to the opinion of Beit Hillel. Is it not the case that Beit Shammai say that an erroneous act of consecration is considered consecration, and yet once the matter is revealed that his vow of naziriteship was not right, i.e., it has been dissolved, the animal is considered non-sacred and shall go out and graze among the flock.

[32] Rabbi Yirmeya continues: According to the opinion of Beit Hillel as well, even though they say that a substitution of a consecrated animal for another performed in error is a valid substitute, this applies only when the initial consecration, i.e., the consecration of the first animal, is in effect, in which case a substitution can take place. However, in a situation where the initial consecration has been uprooted, i.e., a halakhic authority dissolved the vow pertaining to the first consecration, the

first animal is no longer consecrated, and therefore the substitute is also uprooted, i.e., the animal remains non-sacred.

33 § The Master said in the mishna: Don’t you concede with regard to one who called the ninth animal: Tenth, that it is consecrated? It was stated that amora’im engaged in a dispute concerning this point. With regard to the animal tithe, Rav Naḥman said: It is consecrated in the above manner only if it resulted from his error, but not from his intentional declaration. If the owner was aware that it was the ninth animal and called it: Tenth, on purpose, his consecration is ineffective. Rav Ḥisda and Rabba bar Rav Huna say: His error consecrates the animal, and all the more so his intentional declaration, i.e., if he called the ninth or eleventh animals: Tenth, in full knowledge that they were not the tenth.

34 Rava said to Rav Naḥman: According to your opinion, that you say it is only his error that consecrates the ninth animal and not his intentional declaration, consider that Beit Shammai said the following to Beit Hillel in the mishna as proof that erroneous consecration is valid: Don’t you concede that if he called the ninth: Tenth; the tenth: Ninth; and the eleventh: Tenth, that all three are consecrated? And Beit Hillel were silent in face of this question.

35 However, according to your opinion, let Beit Hillel say to Beit Shammai: While it is correct that an erroneous act of consecration takes effect with regard to animal tithe, one cannot learn the halakha of other types of consecration from there, as what is unique about tithe is that it is not consecrated if his declaration concerning the wrong animal was intentional, whereas other types of consecration are typically the result of a purposeful act. Since other types of consecration take effect with intent, an erroneous act of consecration is not considered consecration.

36 Rav Shimi bar Ashi said: This is the reason that Beit Hillel did not say that answer to Beit Shammai, as one can argue in the opposite manner, by saying that it is an a fortiori inference: If tithe, which is not consecrated when he acts intentionally, is nevertheless consecrated if he acted erroneously; with regard to other types of consecration, which are consecrated intentionally, is it not all the more so that an act of erroneous consecration should render an item consecrated?

37 The Gemara rejects this argument: And this is not so, as this a fortiori inference is flawed, as consecration depends on the intention of the owner, and therefore it cannot apply when done in error. By contrast, the animal tithe is not consecrated through the intention of its owner but merely by counting, as every tenth animal is consecrated.

38 MISHNA: With regard to one who took a vow of naziriteship and went to bring his animal which he set aside for his nazirite offering and discovered that it was stolen, and due to the need to separate an additional animal now regrets having taken his vow, if he took a vow of naziriteship before his animal was stolen, he is a nazirite, as a vow cannot be dissolved as the result of a later event.

39 But if he took a vow of naziriteship after his animal was stolen, he is not a nazirite, as it is retroactively established that his vow was taken in error from the outset, as he relied on an animal he did not possess. And this was the error that Naḥum the Mede erred when he failed to distinguish between an event that occurred before the vow was taken and an event that occurred afterward. The incident in question was as follows: When nazirites were ascending from the exile to sacrifice their offerings, and they found the Temple destroyed, Naḥum the Mede said to them: If you had known that the Temple would be destroyed, would you have taken a vow of naziriteship? They said to him:

Certainly not, as there is no remedy for a naziriteship in this case. And Naḥum the Mede dissolved the vow for them.

40 And when the matter came before the Rabbis, they said: His ruling is incorrect. Rather, whoever took a vow of naziriteship before the Temple was destroyed, like these nazirites from the exile, he is a nazirite, as he committed no error at the time of his vow, and one cannot dissolve vows based a new situation. However, one who stated his vow after the Temple was destroyed is not a nazirite, as he vowed based on an erroneous assumption.

41 GEMARA: In relation to the mishna's statement with regard to the dissolution of a vow of naziriteship due to a new situation, the Gemara cites a statement that Rabba said: The Rabbis overwhelmed Rabbi Eliezer until he retracted his ruling and established the halakha in accordance with their opinion. To what does this refer? As we learned in a mishna in Nedarim (64a): They may broach dissolution by asking about a new situation, i.e., a halakhic authority can dissolve a vow due to a new situation that the one who took the vow did not anticipate at the time he took his vow. This is the statement of Rabbi Eliezer; but the Rabbis prohibit this. Since Rabbi Eliezer does not disagree in the case of naziriteship in this mishna, he must have accepted the opinion of the Rabbis.

42 And Rava said, with regard to the same issue: Even though the Rabbis said that they may not broach dissolution by asking about a new situation, however, they may broach dissolution by asking about the conditions of a new situation, i.e., with situations similar to a new situation. What are the circumstances of this type of broaching dissolution? The halakhic authorities say to the nazirites who took their vows before the destruction of the Temple: If a person had come and said to you before you took your vow that the Temple will be destroyed, would you have vowed? Although the destruction of the Temple itself is a new situation, its potential occurrence existed when they vowed, and therefore if they answered that they would not have vowed had they known this, their vows are dissolved.

43 Rav Yosef said: If I had been there, when those nazirites arrived, I would have said the following to them, in order to dissolve their vows: Isn't it written: "The Sanctuary of the Lord, the Sanctuary of the Lord, the Sanctuary of the Lord, are these" (Jeremiah 7:4). This thrice repetition of "Sanctuary of the Lord" is referring to the First Temple and the Second Temple which are destined to be destroyed, leading to a Third Temple. These nazirites should have considered the possibility of the Temple's destruction, and this can serve as a means of broaching the dissolution of their vows.

44 The Gemara responds: Although they might have known that the Second Temple would be destroyed, as the verse speaks of three Temples, did they know when it would be destroyed? Would they have considered that it might occur in their lifetimes, preventing them from sacrificing their offerings? Abaye said: And did they not know when? But isn't it written: "Seventy sevens are decreed upon your people and upon your sacred city" (Daniel 9:24), which indicates that the Second Temple would be destroyed seventy Sabbatical cycles of seven years after the destruction of the First Temple, which is 490 years. The Gemara answers: And still, did we know on which day it would be destroyed? It was therefore impossible to use this factor as a means to broach the dissolution of their vows.

45 MISHNA: If there were people walking along the way, and one other person was approaching them, and one of those walking said: I am hereby a nazirite if this person approaching us is so-and-so. And another one of them said: I am hereby a nazirite if this is not so-and-so, while a third member

of the group said: I am hereby a nazirite if one of you two is a nazirite, and a fourth said: I am hereby a nazirite if neither of you is a nazirite, and another added: I am hereby a nazirite if both of you are nazirites. Finally, the last person said: I am hereby a nazirite if all you who spoke before me are nazirites.

[46] Beit Shammai say that they are all nazirites, as by saying: I am hereby a nazirite, they have accepted naziriteship upon themselves even if their statements turn out to be incorrect. Beit Shammai maintain that a vow of naziriteship taken in error is considered a valid vow of naziriteship. And Beit Hillel say: Only he whose statement was not fulfilled is a nazirite. And Rabbi Tarfon says: Not a single one of them is a nazirite, including those whose statements were correct. Rabbi Tarfon maintains that a vow of naziriteship must be pronounced in an explicit manner, without any hint of uncertainty. In this case, none of them knew for sure the identity of the person coming toward them, and therefore they could not be certain they were nazirites at the time of their vows.

[47] If the person approaching them turned back so that his identity was never discovered, not one of them is a nazirite. The matter was never clarified, and the halakha is lenient in cases of uncertain naziriteship. Rabbi Shimon says that the halakha is stringent with regard to an uncertainty of this kind, and therefore they should proceed as follows in order to avoid any uncertainty: Each of those who took a vow should say: If it was in accordance with my statement, I am hereby an obligatory nazirite, as my condition was fulfilled, and if not, I am hereby a voluntary nazirite, and in this manner they are all nazirites either way.

[48] GEMARA: The Gemara questions the opinion of Beit Hillel: Why is he whose statement was not fulfilled a nazirite? Rav Yehuda said: One must emend the wording of the mishna so that it says: Only he whose statement was fulfilled becomes a nazirite.

[49] Abaye said: One must correct his understanding of the mishna, so that it deals with a situation where in addition to his first statement he said: Even if it is not so-and-so, I shall be a nazirite. And what is the meaning of the phrase: Whose statement was not fulfilled? It means: His first statement was not fulfilled, as it was not that person; rather, he is a nazirite because his last statement was fulfilled.

[50] § The mishna taught that if the individual walking toward them turned back, so that his identity remained unknown, not one of them is a nazirite. The Gemara clarifies: The reason is only because he turned back, from which it may be inferred that if that person comes before us and is identified, the one who said he would be a nazirite if it is so-and-so is considered to be a nazirite. The Gemara inquires: In accordance with whose opinion is this halakha? This amud has no Gemara text, as in the classic Vilna layout it is entirely filled with the commentary of Tosafot.

[51] If we say it is the opinion of Rabbi Tarfon, even in a case where the individual in question came before us and identified himself, is the one who claimed to know his identity a nazirite? Since at the time when he vowed he did not know whether the subject of their debate is so-and-so or not, does naziriteship take effect with regard to him? But isn’t it taught in a baraita (Tosefta 3:19) that Rabbi Yehuda says in the name of Rabbi Tarfon: In the case of the mishna not one of the six people is a nazirite, since naziriteship is imposed upon someone only if the vow is stated with explicitness [hafla’a]. The Torah says that a vow must be “clearly” pronounced, as the verse states: “When either man or woman shall clearly utter [yafli] a vow, the vow of a nazirite” (Numbers 6:2). This verse indicates that his vow is valid only if it is explicit.

[52] Rather, the mishna represents the opinion of Rabbi Yehuda, as stated with regard to a heap of grain. As it is taught in a baraita (Tosefta 2:9): If someone said: I am hereby a nazirite on the condition that this heap of grain contains one hundred kor, a measurement of volume, and when he went to measure it he discovered that the heap was stolen or lost, so that the amount it held cannot be determined, Rabbi Shimon deems him prohibited in all the halakhot of naziriteship, as the heap might have contained one hundred kor. And Rabbi Yehuda deems him permitted, as he maintains that the halakha is lenient in cases of uncertain naziriteship. Rabbi Yehuda's reasoning applies equally to the case of the mishna.

[53] As for Rabbi Shimon, who disputes the ruling of the mishna, he holds with regard to the heap of grain: Since if the heap had not been stolen perhaps it might have contained one hundred kor and he would have been a nazirite, now too, he is a nazirite due to the uncertainty. And here too, in the case of the mishna, since if that person would have come before us and we would have known that he was so-and-so, the one who took the vow would have been a nazirite, consequently, now too, he is a nazirite as a result of the uncertainty cast by the unknown identity of the individual.

[54] MISHNA: Someone saw a kosher animal with characteristics of both a domesticated animal and a non-domesticated animal [koy], and said: I am hereby a nazirite if this is a non-domesticated animal; and another individual said: I am hereby a nazirite if this is not a non-domesticated animal; and a third person said: I am hereby a nazirite if this is a domesticated animal; and a fourth said: I am hereby a nazirite if this not a domesticated animal.

[55] The mishna continues: A fifth person added: I am hereby a nazirite if this is a non-domesticated animal and a domesticated animal, and a sixth person said: I am hereby a nazirite if this is neither a non-domesticated animal nor a domesticated animal. Someone who heard all the above statements said: I am hereby a nazirite if one of you is a nazirite, and another one stated: I am hereby a nazirite if not one of you is a nazirite, and a final person said: I am hereby a nazirite if all of you are nazirites. In this case, they are all nazirites.

[56] GEMARA: With regard to the ruling of the mishna that they are all nazirites, it is taught in one baraita that this case involves a total of nine nazirites, and it is taught in the other baraita that there are nine sets of naziriteship here. The Gemara clarifies: Granted, one can understand the baraita that says that there are nine nazirites, for example, if there were many people who associated their naziriteship with the status of this koy, each with one of the statements listed above.

[57] However, how can you find these circumstances of nine sets of naziriteship in one person? Granted, you find six, as we learned in the mishna that there are six ways in which the nature of a koy can be expressed: It is a non-domesticated animal; it is not a non-domesticated animal; it is a domesticated animal; it is not a domesticated animal; is a non-domesticated animal and a domesticated animal; it is neither a non-domesticated animal nor a domesticated animal. One person could associate his acceptance of naziriteship with all of the above possibilities.

[58] However, how can you find these circumstances of the other three sets of naziriteship? The statements: If one of you is a nazirite, and: If one of you is not a nazirite, are necessarily expressed by individuals who did not make the initial six statements, as these last three statements address the group of people who made the first six statements. Rav Sheshet said: It is possible in a case where nine people issued the statements mentioned in the mishna, and someone said: I am hereby a nazirite

and the naziriteship of all of them are incumbent upon me. Since each of the nine people is obligated to observe a term of naziriteship, this last one is obligated to observe nine terms.

Chapter 6

[1] MISHNA: Three types of actions are prohibited for a nazirite: The contraction of ritual impurity from a corpse, and the shaving of one’s hair, and eating or drinking any substances that emerge from the vine. The mishna adds: And all products that emerge from the vine combine with one another to the amount that renders a nazirite liable to receive lashes. And he is liable only if he eats an olive-bulk of the grapes.

[2] An initial version of the mishna says that a nazirite is liable to receive lashes only if he drinks a quarter-log of wine. Rabbi Akiva says: Even if he soaked his bread in wine and the two together contain enough to combine to the amount of an olive-bulk, he is liable. And furthermore, a nazirite is liable to receive lashes for consuming wine by itself, and for grapes by themselves, and for ḥartzannim by themselves, and for zaggim by themselves, as each of these is forbidden separately by the Torah. Rabbi Elazar ben Azarya says: He is liable only if he eats an olive-bulk that includes at least two ḥartzannim and one zag, in accordance with the verse “From ḥartzannim to zag” (Numbers 6:4), where the first term is in the plural and the second in the singular.

[3] The mishna discusses the meaning of these terms: Which parts are ḥartzannim and which are zaggim? The ḥartzannim are the outside parts, the skin of the grape, while the zaggim are the inner parts, the seeds. This is the statement of Rabbi Yehuda. Rabbi Yosei says: The opposite is the case and this is the mnemonic so that you should not err: It is like a bell [zog] worn by an animal, in which the outer part, which corresponds to the skin of a grape, is called zog, and the inner portion of the bell, the clapper, which corresponds to the seeds in a grape, is called inbal.

[4] GEMARA: The mishna taught that three types of actions are prohibited for a nazirite: Contracting ritual impurity, shaving, and consuming products of the vine. The Gemara infers: That which emerges from the vine, yes, it is included in the prohibition; however, any part of the vine itself, other than its fruit, no, this is not forbidden. The Gemara comments: The mishna is not in accordance with the opinion of Rabbi Elazar. This is as it is taught in a baraita that Rabbi Elazar says: Even the leaves and tendrils of the vine are included in the prohibitions of naziriteship.

[5] Some say this statement with regard to the latter clause of the mishna: He is liable to receive lashes only if he eats an olive-bulk of the grapes. The Gemara infers: If he eats from the grapes, yes, he is liable, but if he eats from the vine itself, no, he is not liable. If so, the mishna is not in accordance with the opinion of Rabbi Elazar. This is as it is taught in a baraita that Rabbi Elazar says: Even the leaves and tendrils are included in the prohibition.

[6] The Gemara asks: With regard to what do Rabbi Elazar and the Rabbis disagree; what is the basis of their dispute? The Gemara explains: Rabbi Elazar interprets the verses employing the hermeneutical principle of amplifications and restrictions, while the Rabbis interpret them employing the hermeneutical principle of generalizations and details. The Gemara clarifies: Rabbi Elazar interprets the verses employing the principle of amplifications and restrictions, as the phrase: “He shall abstain from wine and strong drink” (Numbers 6:3), restricts the prohibition to wine and strong

drink, and the subsequent phrase: “Anything that is made of the grapevine” (Numbers 6:4), amplifies the prohibition.

7 The Gemara elaborates: In this manner, the Torah restricts and amplifies, which, according to the principles of exegesis, amplifies and includes virtually all substances. What does it amplify and include? It amplifies and includes all matters and substances that come from the vine. What does it restrict? After all, the phrase “He shall abstain from wine and strong drink” must be excluding something. According to this interpretation, the verse restricts only one part of a vine, the branches. A nazirite who eats the branches of the vine has not committed a transgression.

8 And conversely, the Rabbis interpret the verses employing the principle of generalizations and details, as the phrase “He shall abstain from wine and strong drink” (Numbers 6:3) is an example of a detail, the phrase “anything that is made of the grapevine” (Numbers 6:4) is a generalization, and when the verse continues: “From pits to grape skin,” it has given an example of a detail again. This is a detail, and a generalization, and a detail. According to this exegetical method, you may deduce that the verse is referring only to items similar to the detail: Just as the items mentioned in the detail are clearly defined as a fruit or fruit waste, i.e., grape seeds or skins, so too, everything forbidden by the generalization is a fruit or fruit waste, but not leaves or tendrils, as maintained by Rabbi Elazar.

9 The Gemara asks: If so, one can suggest an alternative derivation: Just as the items mentioned in the detail are clearly defined as a complete, i.e., ripe, fruit, so too, everything forbidden must be a complete fruit, excluding unripe fruit. Why, according to the Rabbis, are unripe grapes included in the prohibition? You will say the following counterargument: If so, what has the verse left you to derive from its meaning that it has not stated? If you say grapes and raisins, these are explicitly written; if you say wine and vinegar, these are also written. What, then, does the generalization come to add? Evidently, you cannot learn in accordance with the last version, which excludes unripe fruit; rather, you must learn in accordance with the first version, which includes this fruit and excludes only leaves and tendrils.

10 The Gemara asks: And as we eventually include everything that is similar to the detail of fruit and the waste of fruit, what is the meaning when the verse states: “From pits to grape skin”? This serves to tell you a general principle of exegesis that applies throughout the Torah: Wherever you find only a detail and a generalization, you cannot broaden it and learn that the generalization is limited to be like the detail, by saying that the generalization merely clarifies the previous detail.

11 Rather, the generalization becomes added to the detail so that it includes all matters, even those dissimilar to the detail, until the verse specifies and adds another detail after the generalization, in the manner that it specified with regard to a nazirite, by inserting the phrase “from pits to grape skin” after “anything that is made of the grapevine.” The exegetical method of: A detail, a generalization, and a detail, means that the generalization includes only something that is similar to the detail. In this particular example, leaves and tendrils are excluded.

12 The Gemara analyzes the details of this baraita. The Master said above: Just as the items mentioned in the detail are clearly defined as a fruit or fruit waste, so too everything forbidden to the nazirite by the Torah is a fruit or fruit waste. The Gemara clarifies: The fruit mentioned by the Torah is grapes. What is fruit waste? Vinegar, as in the verse: “He shall drink no vinegar of wine or vinegar of strong drink” (Numbers 6:3).

[13] What is the statement: So too everything forbidden by the generalization is a fruit, serving to include? It serves to include unripe grapes. And what is the statement: So too everything forbidden by the generalization is a fruit or fruit waste, stated with regard to fruit waste, serving to include? Which fruit waste unspecified by the verse is added by means of this derivation? Rav Kahana said: This serves to include grapes that have become wormy. With regard to the phrase “from pits to grape skin,” Ravina said: This serves to include the part of the fruit that is in between the seeds and the skin.

[14] The Gemara continues to analyze the baraita, which it cites at length. The Master said above: If so, just as the items mentioned in the detail are clearly defined as a complete fruit, so too everything is a complete fruit. You say: If so, what has the verse left you to derive from its meaning that it has not stated? Grapes and raisins, these are written; wine and vinegar, these are written. You cannot learn in accordance with the last version; rather, you must learn in accordance with the first version. And as we eventually include everything, what is the meaning when the verse states: “From pit to grape skin”? This serves to tell you that wherever you find a detail and a generalization, you cannot broaden it and learn that the generalization is limited to be like the detail; rather, the generalization becomes added to the detail, until the verse specifies for you

[15] in the manner that it specified with regard to a nazirite: “From pits to grape skin” (Numbers 6:4). The Gemara asks: And according to the opinion of Rabbi Elazar ben Azarya, who establishes this verse: “From pits to grape skin” (Numbers 6:4), as serving to say that a nazirite is liable only if he eats two grape seeds and a grape skin, if so from where does he derive the detail? It is unclear how he applies this method of a detail, a generalization, and a detail, as according to his interpretation, the phrase “from pits to grape skin” does not serve to limit the previous generalization but to state a different halakha. The Gemara answers: Rabbi Elazar ben Azarya holds in accordance with the opinion of Rabbi Elazar, who interprets this by saying that a verse restricts and amplifies.

[16] And if you wish, say instead that Rabbi Elazar ben Azarya holds in accordance with the opinion of the Rabbis that this is a case of a detail, a generalization, and a detail. As, if it should enter your mind that the verse is merely teaching that which was stated by Rabbi Elazar ben Azarya, let the Merciful One write this phrase: “From pits to grape skin,” alongside the other details of wine and vinegar. For what halakha did the Torah write: “From pits to grape skin,” after the generalization? Conclude from it that you should derive this halakha by means of the method of a generalization and a detail.

[17] The Gemara asks: But if so, you can say that the entire phrase comes only for this purpose, for a generalization and a detail, and Rabbi Elazar ben Azarya should not derive his halakha, that a nazirite is liable only if he eats two grape seeds and a grape skin, from this verse at all. The Gemara answers that Rabbi Elazar ben Azarya would say: If so, let the Torah write either two grape seeds and two grape skins, with both terms in the plural, or a grape seed and a grape skin, with both terms in the singular. For what halakha did the Merciful One write: “From pits to grape skin”? Learn from it that one should interpret it in the manner of a generalization and a detail, and one can also interpret from it that a nazirite is liable only if he eats two grape seeds and a grape skin.

[18] The Gemara asks: And Rabbi Elazar, who interprets by the method of restriction and amplification that even tendrils and the leaves of a grapevine are included in the prohibition, from where does he derive the method of a detail, a generalization, and a detail?

[19] Rabbi Abbahu says: He derives it from this verse, which deals with a bailee: “And if a man deliver to his neighbor a donkey, or an ox, or a sheep, or any animal to guard, and it dies…the oath of the Lord shall be between them both” (Exodus 22:9). The phrase “a donkey, or an ox, or a sheep” is a detail; “or any animal” is a generalization that includes all animals; and in the phrase “to guard” the Torah detailed again. This is a detail, and a generalization, and a detail. In this case, you may deduce that the verse is referring only to items similar to the detail; i.e., items that can be guarded.

[20] Rava said: Rabbi Elazar derives the method of a detail, a generalization, and a detail from this verse: “And if his offering is from the flock, whether of the sheep or of the goats, for a burnt-offering, he shall offer it a male without blemish” (Leviticus 1:10). The phrase “and if his offering is from” is a detail, as it indicates part but not all of something, “the flock” is a generalization that includes animals that have been used sinfully, and when it stated: “Sheep,” and: “Goats,” the Torah has detailed again.

[21] This is a detail, and a generalization, and a detail, and therefore you may deduce that the verse is referring only to items similar to the detail. The details teach that only animals that copulated with a person may not be brought as offerings.

[22] Rav Yehuda of Diskarta said to Rava: And let Rabbi Elazar derive the method of a detail, a generalization, and a detail from this earlier verse, which appears in the same chapter: “From animals, from the herd or from the flock, you shall bring your offering” (Leviticus 1:2), in the following manner: “From” is a detail that excludes an undomesticated animal; “animals” is a generalization which includes undomesticated animals (see Deuteronomy, chapter 14); and when it states: “Herd,” and: “Flock,” the Torah has detailed again. This is a detail, and a generalization, and a detail, and therefore you may deduce that the verse is referring only to items similar to the detail, i.e., domesticated animals.

[23] Rava said to Rav Yehuda of Diskarta: One cannot derive the method of a detail, a generalization, and a detail from this verse, as if the source were from there, I would say the phrase “animals”

[24] is referring even to undomesticated animals, as an undomesticated animal is included in the general category of animal.

[25] Rav Yehuda of Diskarta said to Rava: How can you suggest that in this verse an undomesticated animal is included in the general category of animal? It is written: “Herd” and: “Flock,” and this entire phrase is a detail, and a generalization, and a detail, from which you may deduce that the verse is referring only to items similar to the detail, which are herd and flock, not undomesticated animals.

[26] § The Gemara asks: And from where do we derive that it is so, that in the methodology of generalizations and details, the generalizations are similar to the details? It is as it is taught in a baraita: The verse states with regard to the mitzva to bring money for the second tithe to Jerusalem: “And you shall bestow the money on all that your heart desires, on cattle, on sheep, on wine, and on strong drink, and on whatever your soul requests” (Deuteronomy 14:26).

[27] The baraita elaborates: The phrase “And you shall bestow the money on all that your heart desires” is a generalization, as no particular type of food is specified. The phrase “on cattle, on sheep, on wine, and on strong drink” is a detail, as specific foods are mentioned. And when the verse concludes: “On whatever your soul requests,” it then generalized again, as no specific type of food is stated.

[28] Since the verse is formulated as a generalization, and a detail, and a generalization, you may deduce that it is referring only to items similar to the detail. Just as the items mentioned in the detail are clearly defined as the produce of produce, i.e., not only the produce itself but also items that come from it, such as grapes from a seed, and they are also items grown from the ground, as all of these items grow from the ground or receive their main sustenance from it, so too, the generalization includes all items that are the produce of produce and are grown from the ground. This includes birds, but it does not include fish, water, or salt.

[29] § The Gemara discusses a series of problems with regard to these and other methods of halakhic exegesis: Now, in the case of a generalization, and a detail, and a generalization, one derives that all items which are like the detail are included. However, if that is so, what purpose does the last generalization stated in the verse serve? The same conclusion would be reached if the verse had stated merely a generalization and a detail. The Gemara answers: The purpose of the last generalization is to add all that is similar to it, i.e., even those articles or cases not explicitly listed among the details.

[30] And furthermore, in the case of a detail, and a generalization, and a detail, one again derives that all items which are like the detail are included. If so, what purpose does the last detail stated in the verse serve? The same conclusion would apply if there was simply a detail and a generalization. The Gemara answers: If it were not for the last detail, I would say that the generalization becomes added to the detail, which is broadened in all possible ways. Therefore, the last detail limits the generalization to items or cases that are similar to the detail.

[31] The Gemara continues this line of questioning. And now that it has been established that both with regard to two generalizations and a detail, i.e., a generalization, a detail, and a generalization, and two details and a generalization, i.e., a detail, a generalization, and a detail, one derives that all items that are like the detail are included, what difference is there between this method and that one? The two methods are apparently identical.

[32] The Gemara answers: There is a difference between them, as whereas in a case of two generalizations and a detail, if there is another detail that is similar to the detail specified in the verse even in one aspect, one includes it, due to the two generalizations. By contrast, in the case of two details and a generalization, if there is another detail that is similar to the one mentioned in the verse in two aspects, one includes it. However, if it is similar in only one aspect one does not include it, as the halakha is limited by two details.

[33] The Gemara asks another question: Now, in the method of a detail and a generalization, the generalization becomes added to the detail, and all matters are included by the generalization. And the method of restriction and amplification also amplifies and includes everything, and therefore all matters are included in both cases. If so, what difference is there between the method of restriction and amplification and that of a detail and a generalization?

[34] The Gemara answers: There is the following difference, as whereas in the method of a detail and a generalization one includes and renders forbidden to a nazirite even leaves and tendrils of the vine, with the method of restriction and amplification one includes less, as tendrils, yes, they are included in the prohibition, whereas leaves, no, they are not included.

[35] § Rabbi Abbahu says that Rabbi Yoḥanan says: With regard to all prohibitions that are written in the Torah, a permitted substance does not combine with a forbidden substance. If one eats a

permitted food with a forbidden food and together they constitute the minimum prohibited measure, he is exempt from punishment for this act of consumption. This principle applies to all halakhot except for the prohibitions of a nazirite, who is liable for eating a mixture of that kind, as the Torah said with regard to a nazirite: “Neither shall he drink anything soaked in grapes” (Numbers 6:3). This verse indicates that a nazirite is prohibited from consuming not only wine and vinegar, but also any food that was soaked in these liquids.

[36] Ze’eiri says: Permitted and forbidden substances combine with regard to the prohibition against offering leaven on the altar, as well, as it states: “For any [kol] leaven and any [kol] honey shall not be offered as a burnt-offering before the Lord” (Leviticus 2:11). This indicates that one is also liable for sacrificing leaven in a mixture in addition to the liability for sacrificing pure leaven. The Gemara asks: In accordance with whose opinion did Ze’eiri issue his ruling? It is in accordance with the opinion of Rabbi Eliezer, who derives from the term kol in the verse “You shall eat nothing [kol] leavened” (Exodus 12:20) that a mixture with part leaven is forbidden on Passover.

[37] The Gemara raises a difficulty: If so, then with regard to the matter of leavened bread on Passover, one should also be liable for eating leaven combined with a permitted substance, e.g., less than an olive-bulk of bread soaked in wine, so that the volume is now an olive-bulk. The Gemara answers: Yes, indeed it is so. Rather, when Ze’eiri specifies that the prohibition applies with regard to sacrificing leaven in offerings, he meant to exclude the statement of Abaye, who says: There is significance to sacrificing less than an olive-bulk of leaven on the altar, i.e., one is flogged for sacrificing an offering of that kind. By noting that one is liable due to the fact that permitted substances combine with forbidden substances, Ze’eiri teaches us that there is no significance to sacrificing less than an olive-bulk, and therefore this is not punishable by lashes.

[38] § Rav Dimi sat and stated this halakha of Rabbi Yoḥanan that a permitted substance does not combine with a forbidden substance except in the case of a nazirite. Abaye raised an objection to his opinion from a mishna (Tevul Yom 2:3): In a case where the thick soup was made with produce that had the status of teruma but the garlic and oil therein were of non-sacred produce, and one who was ritually impure who immersed that day and is waiting for nightfall for the purification process to be completed touched some of the contents, he has disqualified all the contents of the pot from being eaten, as it all is considered teruma soup. However, if the thick soup was made with produce of non-sacred status but the garlic and the oil had the status of teruma produce, and one who immersed himself that day touched some of them, he has disqualified only the contents in the place that he touched.

[39] Abaye continues: And we discussed this issue: Why are the contents in the place that he touched disqualified? Since the primary ingredients of the dish are of non-sacred produce, it should not be disqualified by contact with one who immersed himself that day. And Rabba bar bar Ḥana says that Rabbi Yoḥanan says: What is the reason that the contents become disqualified? It is due to the fact that a non-priest is flogged for eating an olive-bulk of the soup, as anything into which teruma is mixed is considered teruma by Torah law.

[40] Abaye concludes his question: What is Rabbi Yoḥanan’s reason that one is flogged for eating this mixture?

[41] Is it not due to the fact that the permitted substance combines with the forbidden substance? This would mean that this principle applies in other areas of Torah law besides naziriteship. Rav Dimi said

to him: No; what is the meaning of an olive-bulk in this mishna? It means that there is enough teruma in the mixture so that when one eats from the mixture he will consume an olive-bulk of teruma in the time it takes to eat a half-loaf of bread. In that case one is liable to receive a punishment for eating this olive-bulk, as though he ate the teruma alone.

42 Abaye asked him: But is eating an olive-bulk in the time it takes to eat a half-loaf of bread prohibited by Torah law, and is one flogged for it? Rav Dimi said to him: Yes. Abaye asked in response: If so, why do the Rabbis disagree with Rabbi Eliezer with regard to eating Babylonian kutaḥ, a dip that contains bread, on Passover? The Rabbis maintain that one is not punished by Torah law for eating a mixture that contains leaven. Although the Rabbis do not derive from the term "nothing [kol]," that leaven in a mixture is forbidden, they should nevertheless hold one liable for eating an olive-bulk of a forbidden substance in the time it takes to eat a half-loaf of bread.

43 Rav Dimi said to Abaye: Leave aside the case of Babylonian kutaḥ, as there is no possibility that one will consume an olive-bulk of the leaven in the time it takes to eat a half-loaf of bread. If he eats kutaḥ in its pure, unadulterated form, by swallowing [shareif] it as food, not as a dip, his intention is rendered irrelevant by the opinions of all other people. It is unusual for a person to eat a pungent dip by itself, and especially so quickly. One receives no punishment for conduct that anomalous. And if he dips [shatar] other food into the kutaḥ and eats it, he will not be found to have consumed an olive-bulk in the time it takes to eat a half-loaf of bread. Due to the pungency of the dip, one typically adds only a small portion of it to his food.

44 Abaye raised an objection to Rav Dimi from a baraita: With regard to two spice mortars, one used for teruma spices and one used for non-sacred spices, before which were two pots, one of teruma produce and the other one of non-sacred produce, and the contents of these mortars fell into these pots, but it is unknown which produce fell into which pot, the contents of both pots are permitted; the pot containing the teruma produce is permitted for a priest and the pot containing non-sacred produce is permitted for all. This is because I say, with no definitive proof to the contrary, that the non-sacred spices fell into the non-sacred produce and the teruma spices fell into the teruma.

45 Abaye explains his objection: And if it would enter your mind to say that eating an olive-bulk of a forbidden substance in the time it takes to eat a half-loaf of bread is prohibited by Torah law, why do we say this principle: Because I say that the non-sacred spices fell into the non-sacred produce? If the teruma spices fell into the pot containing non-sacred produce, one who eats from the mixture will consume an olive-bulk of teruma within the time it takes to eat a half-loaf of bread, and he will thereby violate a Torah prohibition. One is not lenient in a case of this kind.

46 Rav Dimi said to him: Rather, what will you say? That the permitted substance combines with the forbidden substance? But if so, one can still ask why we say this principle: Because I say that the non-sacred spices fell into the non-sacred produce. After all, it is possible that the second mortar contained slightly less than an olive-bulk of teruma, and the permitted substance combined with it to form the amount of an olive-bulk. Rather, leave aside the case of teruma separated from spices, which is teruma by rabbinic law. By Torah law one is required to separate teruma only from grain, wine, and oil. The Sages are lenient with regard to teruma by rabbinic law.

47 Abaye raised an objection to Rav Dimi from a similar baraita: There were two baskets, one filled with teruma and one filled with non-sacred produce, and before them were two containers each containing a se'a of produce, one of non-sacred produce and the one of teruma, and these, the

contents of each of the baskets, fell into those, each of the containers before them. Although it is prohibited for non-priests to eat a mixture of teruma and non-sacred produce, and it is possible that the teruma fell into the non-sacred produce, the contents of both of the vessels are nevertheless permitted; the container of teruma produce is permitted for a priest and the container of non-sacred produce is permitted for all. This is because I say that the non-sacred produce fell into the non-sacred produce and the teruma fell into the teruma.

48 Abaye explains: And if it would enter your mind to say that eating an olive-bulk of forbidden food in the time it takes to eat a half-loaf of bread is prohibited by Torah law, why do we say the principle: Because I say the non-sacred produce fell into the non-sacred produce? Why are the Sages not concerned that one might eat an olive-bulk of teruma in the time it takes to eat a half-loaf of bread, which is prohibited by Torah law?

49 Granted, according to my opinion, as I say that this is because permitted food combines with forbidden food, I can explain that this is referring to a case where there is more non-sacred produce than teruma, and the combination assumes the status of the forbidden item or teruma only when those are the majority. However, according to your opinion, that you say this is because there is an olive-bulk consumed in the time it takes to eat a half-loaf of bread, then even if there is more non-sacred produce, what of it? In any case there is an olive-bulk of teruma eaten within the time it takes to eat a half-loaf of bread.

50 Rav Dimi said to Abaye: Leave aside teruma in the present, as it applies by rabbinic law. Since the exile of the Jewish people from Eretz Yisrael, the halakhot of teruma and tithes apply by rabbinic law, not Torah law. This is the basis for the lenient ruling with regard to this mixture.

51 Abaye said to him: From where do you derive that this verse: “Nor shall he drink anything soaked in grapes” (Numbers 6:3), comes to teach the principle that permitted food combines with forbidden food, as stated by Rabbi Yoḥanan (35b)? Perhaps instead it comes to establish the principle that the legal status of the flavor of a forbidden food is like that of its substance. This principle states that any food that absorbs the taste of a forbidden item assumes the status of this forbidden item itself.

52 The Gemara expresses surprise at Abaye’s question. And according to the opinion of Abaye, initially that which Rav Dimi said was difficult for him. Rav Dimi had cited Rabbi Yoḥanan as saying that permitted food combines with forbidden foods only in the case of naziriteship (36a), due to the term “soaked,” and Abaye had objected with all these aforementioned refutations to prove that this principle applies in all areas of Torah law. And yet he then said to him that one should derive a very different principle from that same verse, that the verse establishes the principle that the legal status of the flavor of a forbidden food is like that of its substance.

53 The Gemara answers: After Rav Dimi resolved Abaye’s difficulties, and Abaye had accepted his answer that the principle that permitted food combines with forbidden food does not apply to the rest of Torah law, he said to Rav Dimi that perhaps the verse comes to establish that the legal status of the flavor of a forbidden food is like that of its substance, with the following application.

54 This is relevant for that which is taught in a baraita: The term “soaked” serves to establish the principle that the legal status of the flavor of a forbidden food is like that of its substance. As, if a nazirite soaked grapes in water and the water has the taste of wine, he is liable to receive punishment for drinking this liquid, as it assumes the status of wine. And from here you derive the halakha with regard to all prohibitions of the Torah; in all cases, the legal status of the taste of a forbidden food is

like that of its substance. The fact that with regard to all other prohibitions, the legal status of the flavor of a forbidden food is like that of its substance, is derived from the halakhot of naziriteship.

[55] The baraita explains the derivation: And just as with regard to a nazirite, whose prohibition against eating grapes is not a permanent prohibition, as he will be permitted to eat grapes once his term of naziriteship is over, and furthermore his prohibition is not a prohibition against deriving benefit from wine, and there is a way to permit his prohibition against eating grape products by requesting from a halakhic authority to dissolve his vow, and nevertheless, in his case the Torah rendered the legal status of the flavor of food like that of its substance. With regard to a forbidden mixture of diverse kinds in a vineyard, i.e., grain seeds sown with grape seeds, whose prohibition is a permanent prohibition and whose prohibition is a prohibition against deriving benefit, and there is no way to permit their prohibition, is it not right that the Torah should render the legal status of the flavor of its forbidden food like that of its substance?

[56] The baraita adds: And the same is true for the prohibition against eating the fruit of a tree during the first three years after its planting [orla], on two of three counts: Although the prohibition of orla is not a permanent prohibition, as one may eat the fruit of this tree after three years have passed, it is prohibited to derive benefit from orla, and this prohibition cannot be permitted, as the fruits that grow during the first three years remain forbidden. Similarly, all other prohibitions in the Torah are more severe than the case of a nazirite in one of these aspects, and therefore this principle is universal. Abaye is asking Rav Dimi: In any case doesn't this entire derivation present a difficulty for Rabbi Yoḥanan, who derives a different halakha from the term "soaked"?

[57] One of the Sages said to Abaye: When Rabbi Abbahu said that Rabbi Yoḥanan said that the principle of permitted food combining with forbidden food is derived from the term "soaked," he spoke in accordance with the opinion of Rabbi Akiva. The Gemara asks: To which statement of Rabbi Akiva is the Gemara referring? If we say it is referring to the opinion of Rabbi Akiva of this mishna, as we learned (Shevuot 21b) that Rabbi Akiva says: Even if a nazirite soaked his bread in wine, and the bread and the wine contain enough to combine to constitute an olive-bulk, he is liable; but from where do we know that Rabbi Akiva means an olive-bulk taken from the bread and the wine together? Perhaps that ruling applies only when there is an olive-bulk of wine as is, without the bread?

[58] And if you would say: In that case, what is the purpose of stating this ruling? What is the novelty of Rabbi Akiva's statement if the mixture contains an olive-bulk of wine? One can say that it serves to exclude the opinion of the first tanna, who said that he is liable only if he drinks a quarter-log of wine. Rabbi Akiva emphasizes that one is liable even if he drinks the amount of an olive-bulk.

[59] Rather, the reference is to the following statement of Rabbi Akiva in a baraita. As it is taught in a baraita that Rabbi Akiva says: A nazirite who soaked his bread in wine and ate an olive-bulk of the mixture of bread and wine is liable. This baraita indicates that according to the opinion of Rabbi Akiva a permitted substance combines with a forbidden substance.

[60] Rav Aḥa, son of Rav Avya, said to Rav Ashi: According to Rabbi Akiva, who establishes the verse "neither shall he drink anything soaked" (Numbers 6:3) as referring to the principle that the permitted combines with the forbidden, from where does he derive the principle that the legal status of the flavor is like that of the substance itself? The Gemara answers: He derives this principle from the prohibition of meat cooked in milk. Is it not the case that there is no actual milk present, and it is

merely the taste of the milk absorbed in the meat, and yet the mixture is prohibited? Here too, in the case of other prohibitions, it is no different, and the legal status of the flavor is like that of the substance itself.

[61] The Gemara asks: And with regard to the Rabbis, who disagree with Rabbi Akiva and derive the halakha that the legal status of the flavor is like that of the substance itself from the phrase “neither shall he drink anything soaked,” why do they not derive this principle from the case of meat cooked in milk? The Gemara answers: The Rabbis claim that we do not derive other prohibitions from meat cooked in milk, as that prohibition is a novelty, and one does not learn general halakhot from unusual cases.

[62] The Gemara asks: What is the novelty of that prohibition? If we say that it is unique in that this meat alone and that milk alone are each permitted, and yet together they are forbidden, that characteristic is not unique to meat cooked in milk. In the case of forbidden mixtures of diverse kinds too, this element alone and that element alone are each permitted, and yet together they are forbidden.

[63] The Gemara answers: Rather, the novelty is that if one soaks meat in milk all day, it is permitted by Torah law, despite the fact that the meat certainly absorbed some taste of the milk, whereas if one cooked meat in milk even for a short time, the mixture is forbidden by Torah law. The novelty is that it is not the fact that they are mixed together that renders meat and milk forbidden, but the act of cooking.

[64] The Gemara asks: And Rabbi Akiva too, he certainly agrees that the halakha of meat cooked in milk is a novelty. How can he derive a general principle from this case? Rather,

[65] Rabbi Akiva derives the principle: The legal status of the flavor of forbidden food is like that of the substance itself, from the vessels of gentiles that require purging [gi’ulei], where the Jews were commanded to purge the non-kosher flavor from the vessels they seized from the Midianites. As the Merciful One states in the section of the Torah that deals with the spoils of Midian: “Every thing that passes through the fire, you shall make it pass through the fire” (Numbers 31:23). That is to say that the vessels of gentiles that require purging are forbidden to be used until they have been purged through fire and purified. Isn’t there mere taste absorbed in the vessels through the process of cooking? And even so, these vessels are forbidden if this purging was not performed. Here, too, with regard to other matters of Torah law, it is no different; and the legal status of the flavor is like that of the substance itself.

[66] Rav Aḥa further suggested to Rav Ashi: And according to the opinion of the Rabbis, who derive this principle from the verse: “Neither shall he drink anything soaked” (Numbers 6:3), let them also derive it from the vessels of gentiles that require purging, as does Rabbi Akiva. Rav Ashi said to him: The Rabbis maintain that there the halakha of purging vessels of gentiles is also a novelty. What is the novelty of this halakha? As with regard to all dietary laws in the Torah, anything that gives flavor, i.e., contributes taste, that renders the food tainted, is permitted. If the taste added by the forbidden food does not enhance the permitted food, it does not render that food forbidden.

[67] But here, with regard to the halakha of vessels of gentiles that require purging, the Torah states that even if they contribute taste that renders the food tainted, nevertheless they are forbidden. If twenty-four hours have passed since food was cooked in a pot, the assumption is that the flavor released from the pot will contribute a deleterious taste to any foods subsequently cooked in the pot.

Even so, vessels taken from gentiles remain forbidden until they have been purged, despite the fact that the taste they contribute taints the food.

[68] The Gemara asks: And according to the opinion of Rabbi Akiva too, the case of vessels of gentiles that require purging is apparently a novelty. Rabbi Akiva derives this principle from the required purging of the vessels of gentiles. How then does he respond to the previous claim? Rav Huna, son of Ḥiyya, said: The Torah prohibited the use of unpurged vessels of gentiles only in the case of a pot that was used on that day, which is not a case where the pot gives flavor that renders the food tainted. Accordingly, it is not a novelty that the vessels were forbidden.

[69] The Gemara asks: And why don't the Rabbis derive the halakha from there, as it is no longer a novelty? The Gemara answers: They hold that even in the case of a pot used on that day, it is impossible that the vessel does not slightly taint the food absorbed in the vessel. Consequently, the halakha of purging vessels of gentiles is a novelty, from which general principles cannot be derived.

[70] § Rav Aḥa, son of Rav Avya, said to Rav Ashi: From the opinion of the Rabbis, we infer the proper understanding of the opinion of Rabbi Akiva. Don't the Rabbis say that the term "soaked" teaches that the principle that the legal status of the flavor of forbidden food is like that of its substance applies not only to a nazirite, but that from here you derive the halakha with regard to all prohibitions of the Torah? According to Rabbi Akiva as well, who establishes this term: "Soaked," as teaching that the permitted substance combines with the forbidden substance with regard to a nazirite, let us say that from here you derive the halakha with regard to all prohibitions of the Torah. This explanation runs counter to the opinion of Rabbi Yoḥanan, who applies this principle only to a nazirite.

[71] Rav Ashi said to him: This cannot serve as a proof, due to the fact that the halakhot of a nazirite and those of a sin-offering are from two verses that come as one, i.e., to teach the same matter, and any two verses that come as one do not teach their common aspect to apply to other cases. The Gemara comments: The derivation that a permitted substance joins together with a forbidden substance in the case of a nazirite is that which we stated, from the term "soaked." With regard to a sin-offering, what is the derivation that a permitted substance combines with a forbidden substance?

[72] It is as it is taught in a baraita with regard to the verse discussing a sin-offering "Anything that touches in its flesh shall become consecrated" (Leviticus 6:20). One might have thought that non-sacred meat that touched any part of a sin-offering is consecrated even if it did not absorb the taste of the sin-offering it touched. Therefore, the verse states: "In its flesh," to teach that this meat is not consecrated until the taste of the sin-offering is absorbed within its flesh.

[73] The baraita continues: "Shall become consecrated," means that its legal status becomes like that of the sin-offering itself; that is, if the sin-offering is disqualified, the non-sacred meat that touched it will also be disqualified. And if the sin-offering is valid, the non-sacred meat that touched it may be eaten in accordance with the more stringent standards of a sin-offering, with regard to when and where it may be eaten. The principle that a permitted substance combines with a forbidden substance is thereby stated in the case of a sin-offering as well. Consequently, the principle cannot be extended to the entire Torah, as a halakha stated in two cases is not applied elsewhere.

[74] And the Rabbis, who disagree with Rabbi Akiva, would maintain that both these sources are necessary, as neither the case of a nazirite nor the case of a sin-offering could be derived from the other. Therefore, this is not a case of two verses that come as one. The Gemara elaborates: For had

the Merciful One written this halakha only with regard to a sin-offering, I would say that the case of a nazirite cannot be derived from it, due to the fact that we do not derive the halakha of a nazirite from that of consecrated items. This is because the prohibitions of naziriteship are unrelated to the Temple and offerings, and therefore it is possible that the halakha in question is unique to consecrated items.

[75] And conversely, had the Merciful One written this halakha only with regard to a nazirite, I would say that we do not derive the halakha of a sin-offering from that of a nazirite due to the fact that its prohibition is stringent. In what way? It is stringent as even a grape seed is forbidden to a nazirite, although the seeds are not usually eaten. Therefore, the halakha of a sin-offering cannot be derived from the case of a nazirite, which means that this is not a case of two verses that come as one. Consequently, one can derive a general halakha from them.

[76] And Rabbi Akiva could have said to you, in rebuttal of this claim: Why are these cases both necessary? Granted, if the Merciful One had written this principle only with regard to a sin-offering, one would not derive the halakha of a nazirite from it, as we do not derive halakhot of non-sacred items from those of consecrated items. Certain stringencies and strictures apply only to consecrated property. However, let the Merciful One write this principle with regard to a nazirite, and you could derive the case of the sin-offering from that of a nazirite, just as the application of this principle to all prohibitions in the Torah is derived from the halakha of a nazirite. Since it is not necessary to state this principle in both cases, one cannot derive a general principle from them.

[77] The Gemara asks: And the Rabbis, who maintain that the principle that the legal status of the flavor of a forbidden substance is like that of the substance itself is not limited to these two cases, would say to you that both sources are required. The case of a sin-offering is necessary to derive the principle that a permitted substance combines with a forbidden substance, and this stringency is not extrapolated to other prohibitions, in accordance with the principle that one cannot derive the halakhot of non-sacred items from consecrated items.

[78] And the term “soaked,” which appears in the context of a nazirite, teaches the principle that the legal status of the flavor of forbidden food is like that of its substance. Since both examples are necessary, they are not considered two verses that come as one, and it is therefore possible to derive a general principle from them. And consequently, from here you derive the halakha with regard to all of the prohibitions of the Torah.

[79] The Gemara asks: And how would Rabbi Akiva respond to this claim? The Gemara answers: Rabbi Akiva would say that both cases teach the principle that a permitted substance combines with a forbidden substance, and they are two verses that come as one, to teach about the same issue. And the rule is that any two verses that come as one do not teach their common aspect to apply to other cases.

[80] § Rav Ashi said to Rav Kahana: But consider that which is taught in a baraita. The verse “He shall not eat anything that is made of the grapevine” (Numbers 6:4) taught with regard to prohibitions of a nazirite that these substances combine with each other. If a nazirite ate only a small amount of each substance, which together amount to the measure that determines liability, he is liable. According to the opinion of Rabbi Akiva, now that one says that permitted substances combine with forbidden substances, is it necessary to teach that one forbidden substance combines with another forbidden substance? According to Rabbi Akiva’s opinion, this derivation is apparently unnecessary.

[81] Rav Kahana said to Rav Ashi that this derivation is necessary because the two cases are not identical: Permitted substances combine with forbidden substances only when they are eaten simultaneously, whereas forbidden substances combine with other forbidden substances even when eaten one after the other. Therefore, according to the opinion of Rabbi Akiva, if a nazirite eats half an olive-bulk of grape skins and then eats half an olive-bulk of grape seeds, he is liable.

[82] The Gemara asks: And Rabbi Shimon,

[83] who is not of the opinion that the principle of combination is operative, as he renders one liable for consumption of forbidden substances of any amount (see Makkot 13a), what does he derive from the verse "anything that is made of the grapevine" (Numbers 6:4)? The Gemara answers: Rabbi Shimon could have said to you: That verse is necessary to teach that one is never considered a nazirite until he vows naziriteship from all of them. Rabbi Shimon maintains that if one vows to be a nazirite only with regard to one or two of the prohibitions of naziriteship, the vow does not take effect at all.

[84] Rabbi Abbahu said that Rabbi Elazar said: With regard to every halakha that is in the Torah that involves a quarter-log, a permitted substance does not combine with a forbidden substance to complete this measure, apart from the quarter-log of a nazirite. In the case of a nazirite, permitted liquid combines with wine to render him liable, as the Torah stated: "Soaked" (Numbers 6:3). The Gemara asks: What difference is there between the opinion of Rabbi Yoḥanan, who stated (35b) that a permitted substance does not combine with a forbidden one with regard to any prohibition of the Torah apart from that of a nazirite, and that of Rabbi Elazar, who apparently says the same thing in different terms?

[85] The Gemara answers: There is a difference between them, as Rabbi Yoḥanan amplifies the halakha to include even foods, i.e., he renders a nazirite liable for eating an olive-bulk of bread and grapes combined, and Rabbi Elazar maintains that with regard to liquids, yes, the permitted combines with the forbidden, but for other matters, i.e., solids, no, the different foods do not combine.

[86] § Apropos a quarter-log, the Gemara cites a statement that Rabbi Elazar says: There are ten applications of the quarter-log measurement in various areas of halakha, and Rav Kahana held in his hand the following mnemonic for them: Five are red and five are white. The Gemara elaborates: The five red ones of wine and blood are listed in the following mnemonic: A nazirite; and one who performs the ritual of the Paschal offering; who instructed; in the Temple; and they died.

[87] The Gemara explains this mnemonic: A nazirite, this is referring to the quarter-log of wine for which a nazirite is liable for drinking. Who performs the ritual of the Paschal offering, this is as Rav Yehuda says that Shmuel says: It is a mitzva to drink these four cups at the Passover seder and they must each contain the amount of a quarter-log. Who instructed, this is referring to the following halakha: One who drank a quarter-log of wine may not issue rulings to others in matters of halakha, lest he err. In the Temple, this is referring to the halakha that one who drank a quarter-log of wine and entered the Temple is liable to receive the death penalty (see Leviticus 10:9).

[88] And they died, this is as it is taught in a mishna (Oholot 2:10): From where is it derived with regard to a quarter-log of blood that emerges from two corpses, that it renders people and objects ritually impure in a tent, i.e., a house, meaning that one who enters that house contracts ritual impurity imparted by a corpse? As it is stated, with regard to the prohibition against ritual impurity for priests: "Neither shall he go in to any dead bodies" (Leviticus 21:11). The plural form indicates

that the blood of two people joins together to form the minimum amount of a quarter-log for ritual impurity in a tent.

[89] And the five white cases of oil and water are listed in this mnemonic: The loaf of, a nazirite, and a leper, which were disqualified, on Shabbat. The Gemara elaborates: The loaf of, this is referring to the quarter-log of oil added to the loaves of a thanks-offering. A nazirite, this is referring to the quarter-log of oil for the wafers of a nazirite, which were brought with his offering. A leper, this is referring to the quarter-log of spring water into which a bird is slaughtered for the ritual purification of a leper (see Leviticus 14:5).Which were disqualified, this is as we learned in a mishna (Me’ila 17b): And all other ritually impure liquids disqualify the body to the extent that one who drinks them may not eat teruma, if one drank the amount of one quarter-log.

[90] On Shabbat, this is as we learned in a mishna which lists the minimum amounts of various liquids for which one is liable for violating the halakhot of Shabbat for carrying them from one domain to another. At the conclusion of this list, the mishna states (Shabbat 76b): And the measure that creates liability for carrying all other liquids, those not specified in the list, is a quarter-log, and the measure for carrying all waste water is likewise a quarter-log. This completes the list of ten halakhot that feature the quarter-log.

[91] The Gemara asks: And are there no more than ten? But there is also the following mishna (Yadayim 1:1): With a quarter-log of water one can wash the hands of one person before eating bread, and this amount can be used even for two people, if they do so in the correct manner. The Gemara answers: Rabbi Elazar, who listed ten cases, does not deal with halakhot that are subject to a dispute, and some Sages disagree with the ruling that two people can wash their hands with a single quarter-log.

[92] The Gemara further asks: But there is this halakha concerning a sota (Sota 15b): The priest who dealt with a sota would bring an earthenware vessel [pailei] and place in it a half-log of water from the basin in the Temple, and Rabbi Yehuda says it was a quarter-log. This is another case involving a quarter-log. The Gemara answers as before, that Rabbi Elazar does not deal with halakhot that are subject to a dispute, and this quarter-log applies only according to the opinion of Rabbi Yehuda.

[93] The Gemara continues to ask. But there is the following halakha: How much water must one place in a vessel that contains urine, before he can pray nearby? Any quantity is sufficient. Rabbi Zakkai said: A quarter-log. The Gemara again answers that Rabbi Elazar does not deal with halakhot that are subject to a dispute. The Gemara suggests another example: But there is the case of a ritual bath, as it is taught that one may immerse extremely small vessels in a quarter-log of rainwater in the ground. The Gemara answers: His list excludes that case, as the Sages annulled that halakha by ruling that one must use a standard ritual bath of forty se’a even for extremely small vessels.

[94] § The mishna taught: And he is liable to receive lashes only if he eats an olive-bulk of the grapes. The mishna continues by noting that with regard to drinking, the first tanna holds that a nazirite is liable for a quarter-log, whereas Rabbi Akiva maintains that the amount of an olive-bulk applies to liquids as well. The Gemara explains this dispute: The first tanna does not liken all the other prohibitions of a nazirite to the prohibition of drinking wine, and therefore the measurements for eating and drinking are the same as for prohibitions in other contexts: An olive-bulk of food and a quarter-log of drink. And Rabbi Akiva maintains that since it is written: “Nor eat fresh grapes or

dried” (Numbers 6:3), this verse teaches that just as eating is measured by the amount of an olive-bulk, so too, all the prohibitions of a nazirite are measured by an olive-bulk.

95 § The mishna further taught: And he is liable for consuming wine by itself, and for grapes by themselves, and for grape seeds by themselves, and for grape skins by themselves. The Sages taught: The verse: “Nor eat fresh grapes or dried” (Numbers 6:3), serves to render him liable for this by itself and for that by itself, i.e., that he need not consume all of the grape products listed in the verses. From here you derive the halakha with regard to all prohibitions of the Torah: Just as here there is one type of food, grapes, which are called by two names, fresh or dried, and he is liable for this by itself and for that by itself, so too, in all cases where there is one type and they are called by two names, one is liable for this by itself and for that by itself.

96 The Gemara adds that in the case of a nazirite this principle serves to include new wine, i.e., grape juice, and grapes. Although these are apparently a single type, as the juice, before fermenting, is merely grapes in liquid form, nevertheless one is liable for grape juice and grapes separately, as they have different names.

97 § Abaye says: A nazirite who ate a grape seed is flogged twice, i.e., two sets of thirty-nine lashes, one set for the specific prohibition stated with regard to grape seeds, and the other for the general prohibition “anything that is made of the grapevine” (Numbers 6:4). Likewise, if he ate a grape skin he is flogged twice. If he ate a grape seed and a grape skin he is flogged three times, for the seed, for the skin, and for the prohibition “anything that is made of the grapevine.” Rava says: He is flogged only once if he ate a seed or a skin. He is not flogged for “anything that is made of the grapevine,” because one is not flogged for violating a general prohibition. One is not liable to receive lashes for violation of a single prohibition that includes many items or cases.

98 Rav Pappa raised an objection to Abaye’s statement. Rabbi Eliezer says: A nazirite who was drinking wine all day is liable to receive only one set of lashes. If two witnesses said to him in warning: Do not drink, do not drink, and he continued drinking, he is liable for each and every one of the warnings that was followed by an act of drinking. If he ate grapes and raisins, grape seeds and grape skins, and squeezed a cluster of grapes and drank the juice, he is flogged five times. The difficulty for Abaye is as follows: If so, that Abaye’s opinion is accepted, let him be flogged six times, to include one more for transgressing the verse “anything that is made of the grapevine” (Numbers 6:4).

99 Abaye responded: Rabbi Eliezer taught certain prohibitions and omitted others. He did not include all the prohibitions for which one is liable to be flogged. The Gemara asks: What else did he omit that he omitted this? He would not have listed all relevant prohibitions less one. The Gemara answers: He also omitted the additional prohibition of “He shall not profane his word” (Numbers 30:3), as the nazirite profaned his word by violating his vow of naziriteship.

100 The Gemara retorts: If it is due to that verse, this is not an omission, as when Rabbi Eliezer teaches and lists the lashes which a nazirite is liable to receive, he includes only matters that are not found elsewhere, i.e., he mentions only prohibitions that apply exclusively to a nazirite. The prohibition “He shall not profane his word” is relevant to vows in general, and therefore he omitted it. Consequently, Rabbi Eliezer should have mentioned the prohibition “anything that is made of the grapevine,” and the fact that he did not do so presents a difficulty for the opinion of Abaye.

101 Ravina from Parzakya said to Rav Ashi: But he omitted the case of in between. Rabbi Eliezer could have added that a nazirite is liable not only for the seed and skin of a grape but also for the substances in between them, as the verse: “From pits to grape skin” (Numbers 6:4), comes to include all that is in between the two (see 34b). Rather, Rav Pappa said: Actually, Rabbi Eliezer did not teach anything about five sets of lashes, but merely stated that he is flogged for all those actions, without enumerating the precise number. Therefore, this source does not present a difficulty for Abaye. The Gemara asks: But

102 Rav Pappa himself raised his objection to Abaye’s opinion based on the premise that the tanna taught five sets of lashes, and since in the baraita it is not taught five sets of lashes, what is the reason that Rav Pappa raised his objection to Abaye’s opinion? Rav Pappa said: I held that it is not a tradition in Abaye’s hand that a nazirite is also flogged for “anything that is made of the grapevine,” but merely his own opinion, and therefore I assumed that were I to cite a baraita that explicitly contradicts his opinion he would retract his opinion. Consequently, I myself changed the wording of the baraita to see how Abaye would respond. But I did not know that this halakha is a tradition in Abaye’s hand and that therefore he did not retract his opinion.

103 § The mishna taught: Rabbi Elazar ben Azarya says: He is liable only if he eats at least two ḥartzannim and one zag that together form the volume of an olive-bulk. The mishna then cites two opinions as to whether ḥartzan is a grape seed and zag is the skin, or the reverse. Rav Yosef said: In accordance with whose opinion do we translate the verse “from ḥartzannim to zag” (Numbers 6:4) as: From the seeds [purtzanin] to the skins [itzurin]? He explains: This translation is in accordance with the opinion of Rabbi Yosei.

104 MISHNA: A naziriteship of unspecified length lasts for thirty days. If a nazirite shaved his hair during that period, or if he was shaved by bandits [listim] against his will, this negates thirty days of his naziriteship, which he must count afresh. With regard to a nazirite who shaved his hair, whether he did so with scissors or with a razor, or if he pulled out [sifsef] any amount, he is liable.

105 GEMARA: A dilemma was raised before the Sages: Does this hair that grows on the body grow from the bottom or from the top? Which part of the hair is new? The Gemara explains: What is the difference between these possibilities? The Gemara answers: It is relevant for the case of a nazirite who was shaved by bandits or shaved himself, but his head was not entirely shaved. Rather, they left part of it, so that the hair is long enough to bend its end to its root.

106 The Gemara explains the two sides of the dilemma: If you say that hair grows from the bottom, he has removed the hair of the naziriteship, which is the hair he vowed not to shave, and therefore he must add extra days to his term of naziriteship to allow for its proper growth. But if you say that it grows from the top, that hair which he sanctified still exists in part. Consequently, he may conclude his naziriteship and perform the mitzva of shaving.

107 The Gemara suggests: Come and hear a solution to this dilemma from an examination of this live louse [inba], which is always found in the root of the hair. And if it should enter your mind that hair grows from the bottom, the louse should be situated on the end of the hair, as it would be pushed up with the hair’s growth. The Gemara rejects this suggestion: Actually, one could say that hair grows from the bottom, and because it is alive the louse continuously descends, as it is always crawling toward the scalp from where it draws its nourishment.

[108] The Gemara suggests another proof: Come and hear from the fact that a dead louse is invariably found on the end of the hair. And if it should enter your mind that hair grows from on top, it should be situated on the root of the hair. The Gemara rejects this: There too, one could say that because it has no strength it is caught where it was when it died and goes up with the growing hair.

[109] The Gemara proposes a different proof: Come and hear from an examination of the long hair [belorit] of gentiles, which is grown for idolatrous purposes, by braiding the ends of the hair. As, after they braid it, it becomes loose underneath, which suggests that hair grows from below. The Gemara rejects this: There too, since it crumples from the effect of the person who lies upon it, it becomes loose underneath.

[110] The Gemara offers an additional suggestion: Come and hear from the dye used on sheep, as the dyed wool becomes loose underneath. This shows that hair grows from the bottom. The Gemara adds: And this case of dyeing sheep is not merely anecdotal, as it was taught with regard to the halakhot of animal tithe. And furthermore, when old men dye their beards, we see that the beards turn white

[111] at the roots of their hair. You can learn from it that hair grows from the bottom, as the new hair is not dyed. The Gemara concludes: Indeed, learn from it that it is so.

[112] The Gemara asks: But what about this halakha that is taught in a baraita: With regard to a nazirite who was shaved by bandits, and they left him with enough hair to bend its end to its root, this does not negate the days of his naziriteship. And if it should enter your mind that hair grows from the bottom, let it negate the days of his naziriteship in that case as well, as the remaining hair grew only after his acceptance of naziriteship. The Gemara answers: This is referring to a case where they shaved him after the completion of his naziriteship but before he sacrificed his offerings, and whose opinion is expressed in this baraita? It is the opinion of Rabbi Eliezer, who says: With regard to any nazirite who became ritually impure after the completion of his term, this negates only seven days.

[113] The Gemara asks: What is the reason of Rabbi Eliezer? The Gemara answers: He derives the halakha of the shaving of ritual purity at the end of his term of naziriteship (see Numbers 6:18) from the shaving of impurity (see Numbers 6:9): Just as with the shaving of impurity, if he became impure on the day of the completion of his term he must wait seven days, at which point he is purified from the impurity imparted by a corpse and shaves his hair, so too with the shaving of purity; if he was shaved before he brought his offerings, he negates only seven days.

[114] And the Sages, including Rabbi Eliezer, have an accepted tradition that every seven days hair grows enough to bend its end to its root. Consequently, if this amount of hair remained after he was shaved on the day of the completion of his naziriteship, he does not forfeit any days and need not wait any longer.

[115] § The mishna taught: With regard to a nazirite who shaved his hair, whether he did so with scissors or with a razor, or if he pulled out any amount, he is liable. The Sages taught: The Torah states with regard to a nazirite: “A razor shall not come upon his head” (Numbers 6:5). I have derived only a razor; from where do I derive that he is liable if he tore out, uprooted, or pulled out any amount of his hair? The verse states: “He shall be holy, he shall let the locks of the hair of his head grow long” (Numbers 6:5). This is the statement of Rabbi Yoshiya.

[116] Rabbi Yonatan says a different interpretation: From “razor” I have derived only a razor, whereas if he tore out, uprooted, or pulled out any amount of his hair, he is exempt. The Gemara asks: But isn’t it written: “He shall be holy”? The Gemara answers: That is to say that if he shaved his hair with a razor he stands liable for violating both a positive mitzva and a prohibition. By shaving with a razor he also transgresses the positive mitzva of: “He shall be holy, he shall let the locks of the hair of his head grow long” (Numbers 6:5).

[117] It is taught in another baraita: From “razor” I have derived only a razor; from where do I derive that he is also liable if he tore out, uprooted, or pulled out any amount of it? The verse states: “A razor shall not come upon his head” (Numbers 6:5), indicating that he may not remove his hair in any manner. The baraita asks: And since we eventually include everything that removes hair, what is the meaning when the verse states: “A razor shall not come upon his head”? Why does the verse mention a razor, when other implements are equally forbidden?

[118] The baraita answers: It is because we have not learned that the last shaving, i.e., the nazirite’s shaving of ritual purity, must be performed specifically with a razor, as the verse merely states: “He shall shave his head” (Numbers 6:18), without specifying an implement. It is impossible to learn this requirement from the halakha that a leper must use a razor (see Leviticus 14:9),

[119] as one does not derive a halakha in a lenient case from the halakha in a more stringent one in a manner that would cause one to be stringent in the more lenient case. Since the case of a leper is more stringent than that of a nazirite, as a leper must shave his entire body, one cannot derive from the halakhot of a leper that a stringent halakha applies to a nazirite. It is therefore necessary for the verse to specify that a nazirite’s final shaving must be performed with a razor.

[120] Rabbi Yehuda HaNasi says that the term “razor” itself is not necessary to teach that a nazirite’s final shaving must be performed with a razor, as the verse states: “A razor shall not come upon his head until the completion of the days that he vowed naziriteship to God” (Numbers 6:5). This full sentence indicates that the Torah said: After the completion of his term the shaving must be performed only with a razor.

[121] The Gemara comments: Rabbi Yehuda HaNasi claims that the term “razor” indicates that shaving, in this case that of a nazirite after the completion of his term, may be performed only with a razor. If so, the verse should be understood in the same manner with regard to the prohibition of shaving. But if one examines the first part of the verse by itself, isn’t it written: “A razor shall not come upon his head” (Numbers 6:5), and the first tanna, whose opinion Rabbi Yehuda HaNasi does not dispute, derives from this verse that he is prohibited from shaving by other means as well, notwithstanding the explicit mention of a razor.

[122] The Gemara explains that the phrase “shall not come upon his head” teaches that a nazirite may not remove his hair in any manner. As for the mention of razor in this context, it serves to teach that he will violate two prohibitions for this action of using a razor, one for removing his hair and one for doing so with a razor.

[123] § Concerning a nazirite who shaves his hair, Rav Ḥisda says: With regard to flogging, a nazirite who shaved his hair is flogged for shaving even one hair; with regard to invalidation, i.e., the ritual shaving of his hair at the end of his naziriteship, the shaving is invalidated if he failed to remove two hairs; and as for negating his naziriteship, shaving during his term negates it only if he shaved most of his head. And this applies only if he removed his hair with a razor.

[124] The Gemara asks: This indicates that according to the opinion of Rav Ḥisda, a nazirite who shaved with a razor, yes, he negates thirty days, whereas if he did so with anything else, no, he does not negate days. But isn't it taught: From where is it derived to include all implements that remove hair, i.e., that a nazirite is liable if he uses any of them? The verse states: "Shall not come upon his head," meaning in any manner. This indicates that a nazirite must add days to his term of naziriteship even if he shaved with an implement other than a razor. Rather, say that Rav Ḥisda meant: In the manner of a razor. That is, the nazirite negates his naziriteship only if he removes his hair as one does with a razor, without leaving any part of it.

[125] This opinion is also taught in a baraita (Tosefta 4:3): With regard to a nazirite who tore out, uprooted, or pulled out any amount of hair, this negates days of his naziriteship only if he shaved most of his head, and only if he did so in the manner of a razor. Rabbi Shimon ben Yehuda says in the name of Rabbi Shimon: Just as leaving two hairs invalidates his shaving of ritual purity at the end of his term, and the act is considered incomplete, so too, leaving a mere two hairs negates days of his naziriteship, if he shaved during his term.

[126] § We learned in a mishna there (Nega'im 14:4): Three types of people must shave their hair, and their shaving is a mitzva: A nazirite; and a leper, as it is stated: "And he who is to be cleansed shall wash his clothes, and shave off all his hair" (Leviticus 14:8–9). And the third category is Levites, when they were first sanctified for their service, as it is stated: "And this you shall do to them to cleanse them: Sprinkle the water of purification upon them, and let them cause a razor to pass over all their flesh" (Numbers 8:7). And with regard to all of them, if they shaved with an implement other than a razor, or if they left two hairs uncut, they have done nothing, i.e., they have not fulfilled their obligation.

[127] The Gemara analyzes this mishna. The Master said there: Three types of people must shave and cut their hair, and their shaving is a mitzva. The Gemara asks: This is obvious; after all, doesn't the Torah command all three to shave? The Gemara answers: The statement of the mishna is necessary, lest you say that the mitzva is due to and aimed at the removal of hair, and therefore even one who applied a depilatory [nasha] to remove his hair has fulfilled his obligation. The mishna therefore teaches us that this is not so, as the mitzva must be performed by shaving.

[128] The mishna further teaches: And with regard to all of them, if they shaved with an implement other than a razor, they have done nothing. The Gemara asks: Granted, with regard to a nazirite the source of this halakha is clear, as it is written: "A razor shall not come upon his head" (Numbers 6:5), which indicates that when he does shave he must do so with a razor. And similarly, with regard to the Levites it is written: "And let them cause a razor to pass over all their flesh" (Numbers 8:7). However, from where do we derive that a leper must be shaved with a razor for his ritual purification?

[129] And if you would say that this halakha is derived from the case of the Levites, as, just as Levites require shaving and their shaving is only with a razor, so too, I will bring the case of a leper, who requires shaving and say that his shaving can likewise be performed only with a razor, then this comparison can be refuted. What is unique about Levites is that they have an extra stringency, in that they require waving of their bodies, i.e., Aaron was required to pick up and wave the bodies of the Levites as part of the ritual of their sanctification (see Numbers 8:11). Will you say the same with regard to a leper, who does not require waving?

[130] Rather, the halakha that a leper must use a razor is derived from the case of a nazirite, who does not require waving either. However, this comparison can also be refuted: What is unique about the nazirite is that his offering requires bread. Will you say the same with regard to a leper, who does not require bread as part of his purification process? Rather, clearly the halakha of a leper is not derived from either one of the above cases, that of the Levites or the nazirite. Therefore, let it be derived from the two of them.

[131] The Gemara elaborates: As stated previously, from which single case can it be derived? If you say it can be derived from the Levites, what is unique about Levites is that they require waving of their bodies. This suggestion can be countered by saying that the case of a nazirite proves that this stringency is not the decisive factor leading to the requirement of a razor, as a nazirite is not waved and yet he must be shaved with a razor. And if you respond: What is unique about the nazirite is that his offering requires bread, one can similarly argue that the Levites prove that this stringency does not lead to the halakha of shaving with a razor, as the offering of the Levites does not require bread and nevertheless they must be shaved with a razor.

[132] And in this manner the derivation has reverted to its starting point. However, at this stage the halakha is derived from a combination of the two sources: The aspect of this case is not like the aspect of that case, and the aspect of that is not like the aspect of this; each case has its own special features. The common denominator is that they require shaving and their shaving is with a razor. Therefore, I will also bring the case of the leper, who requires shaving, and say that his shaving must be with a razor.

[133] Rava of Barnish said to Rav Ashi: And let us refute this derivation in the following manner: What is the common denominator between the Levites and the nazirite? Their common denominator is that

[134] the offering in each case does not include a level of poverty. In both cases the offering is fixed, i.e., a poor person does not have the option of bringing a less expensive offering due to his financial straits. Will you say the same with regard to the leper, whose offering includes a level of poverty, as a poor person can bring turtledoves instead of sheep (Leviticus 14:21–22)? Since the Torah was more lenient in the case of a leper than the cases of a nazirite and the Levites, it could also be that the halakha is also lenient with regard to his shaving, by not demanding the use of a razor. Consequently, there is no proof that a leper is obligated to shave with a razor.

[135] In continuation of this discussion, Rava bar Mesharshiyya said to Rava: This tanna initially said, with regard to the obligation of a nazirite to shave with a razor (39b): It is impossible to learn this requirement from the halakha that a leper must use a razor, as one does not derive a halakha in a lenient case from the halakha in a more stringent one in a manner that would cause one to be stringent in the more lenient case. This indicates that it is obvious to the tanna that a leper himself must shave with a razor. And he then said: Let us derive by means of an inference that a leper must use a razor, and ultimately he did not derive it from an inference by analogy either, due to Rava of Barnish's objection. What, then, is the source for the halakha that a leper must use a razor?

[136] Rava said to Rava bar Mesharshiyya: That baraita, which states that one cannot derive the halakha from the case of a leper, which indicates that it is evident that a leper must shave with a razor, is in accordance with the opinion of the Rabbis. They derive the halakha of a leper's shaving from the prohibition against destroying one's beard. Conversely, this source, which attempted to derive the shaving of a leper from that of a nazirite and the Levites, is in accordance with the opinion

of Rabbi Eliezer, who does not derive the halakha of a leper’s shaving from the prohibition against destroying one’s beard. Rabbi Eliezer must therefore derive this halakha by analogy from the cases of a nazirite and the Levites. This is as we learned in a mishna (Makkot 20a): And one is liable for destroying his beard only if he removes it with a razor. Rabbi Eliezer says: Even if he removed it with small tweezers or a plane [rehitni] he is liable. Rabbi Eliezer maintains that one violates the prohibition even by destroying his beard with means other than a razor.

137 The Gemara asks: What is the reason of the Rabbis; how do they derive from this halakha that a leper must shave with a razor? As it is taught in a baraita that the verse states with regard to the shaving of a leper: “He shall shave all his hair off his head and his beard” (Leviticus 14:9). Since the verse states: “All his hair,” what is the meaning when the verse states: “His beard”? It is because it is stated with regard to priests: “Neither shall they shave off the corners of their beards” (Leviticus 21:5). One might have thought that the same should also apply to a leper, i.e. that a leper who was a priest should be prohibited from shaving his beard. For this reason the verse states: “His beard,” which emphasizes that despite the general prohibition barring a priest from shaving his beard, a priest who is a leper is obligated to do so.

138 And from where do we derive that this shaving of a leper must be performed with a razor? It is as it is taught in a baraita, with regard to the prohibition against a priest shaving his beard in the verse “Neither shall they shave off the corners of their beards” (Leviticus 21:5): One might have thought that a priest should be liable even if he shaved his beard with scissors. The verse states, in the general prohibition issued to all Jewish men: “Neither shall you destroy the corners of your beard” (Leviticus 19:27). This teaches that one is liable only if he shaves in a destructive manner, by uprooting the hairs entirely, which excludes the use of scissors.

139 One might have thought that even if he removed it with tweezers or planes he should be liable. The verse states: “Neither shall they shave off the corners of their beards” (Leviticus 21:5), which indicates that the priests are liable only for removing their beards in a manner of shaving. How so? What is the manner of shaving that involves destruction? You must say this is shaving with a razor. The Rabbis learn from here that the implement forbidden to a priest is the same one that must be used for the shaving of a leper, namely a razor.

140 The Gemara asks: From where do we know that this is correct? Perhaps if a leper actually removed it with tweezers or a plane he also performs the mitzva and thereby fulfills his obligation, and this verse is coming to teach us that even if the leper shaved with a razor he is not liable for destroying his beard. In other words, one might have thought that a leper is prohibited from shaving with a razor, and the verse teaches that this is not correct. If so, there is no proof from here that the shaving of a leper must be performed with a razor.

141 They say in response: If it should enter your mind that if a leper performs his shaving with tweezers or a plane too, it is well and he has performed the mitzva, then let the verse be silent and refrain from the extra phrase, “his beard.” And I would say the following: And just as with regard to a nazirite, who performs a transgression by shaving his hair during his naziriteship and who, even so, is deemed liable for removing hair without the use of a razor, here too, in the case of a leper, where his shaving is a mitzva, does it not follow all the more so that he should be permitted to shave with any implement?

[142] And furthermore, if it should enter your mind that when he performs his shaving with tweezers or a plane he performs a mitzva, from the fact that the word razor is not written he should not be allowed to use a razor at all, in accordance with the opinion of Reish Lakish, who says a principle in this regard.

[143] The Gemara cites the relevant principle: Any place where you find a positive mitzva and a prohibition that clash with one another, if you can find some way to fulfill both, that is preferable; and if that is not possible, the positive mitzva will come and override the prohibition. In this case the leper can fulfill his duty with tweezers or a plane, and therefore it should be prohibited for him to shave with a razor. Since it was necessary for the verse to say that the positive mitzva for a leper to shave overrides the prohibition against destroying one's beard, this proves that the mitzva can be performed only with a razor.

[144] The Gemara asks: And Rabbi Eliezer, what is his reason? From where does he derive the halakha that a leper must use a razor? He derives it from the fact that the verse states with regard to a leper: "He shall shave all his hair off his head and his beard" (Leviticus 14:9). As it is taught in a baraita: Why does the verse state: "His head," if it already stated: "All his hair"? It is because it is stated with regard to a nazirite: "No razor shall come upon his head" (Numbers 6:5), and therefore one might have thought that the same should also apply to a nazirite who is a leper, i.e., it should be prohibited for him to shave his head even for the purification ritual for his leprosy. Therefore, the verse states: "His head," to teach that a nazirite who is a leper must shave his head with a razor. Being that a nazirite is prohibited only to use a razor, if a leper could fulfill his obligation to remove his hair using other implements, a nazirite who is a leper would not be permitted to use a razor. Therefore, it can be inferred from the halakha of a nazirite who is a leper that the only way for a leper to remove his hair is with a razor.

[145] The Gemara rejects this suggestion: And from where do you know that a leper must shave his head with a razor? Perhaps even if he actually removed it with tweezers or a plane he performs a mitzva. And if you would say: If so, why do I need the verse to teach me that he uses a razor, through the derivation of the superfluous term "his hair," as above, one can answer: That is to say that he is permitted to shave even with a razor. As, it might enter your mind to say that since with regard to a nazirite, when he performs the act of shaving with a razor he is liable for transgressing the prohibition, with regard to a nazirite who is a leper as well, he should also be liable even if he shaved for his leprosy. The verse therefore teaches us that this is not the case, but it does not teach that a leper must use a razor.

[146] The Gemara rejects this suggestion: If it should enter your mind that when a leper performs his hair removal with tweezers or a plane he performs a mitzva, then from the fact that the verse did not explicitly write: Razor, it can be inferred that he is not allowed to use one, in accordance with the aforementioned principle of Reish Lakish that one may not violate a prohibition, even for the sake of a mitzva, if it is possible to perform the mitzva in a different manner. Rather, the verse must be coming to teach that the mitzva of the shaving of a leper can be fulfilled only with a razor.

[147] The Gemara asks: And the Rabbis, with regard to this term: "His head," which is referring to a leper, what do they learn from it? The Gemara answers: They require this term to override the prohibition of rounding the corners of the head. As it is taught in a baraita with regard to the verse "You shall not round the corners of your heads" (Leviticus 19:27): One might have thought that the

same should also apply to a leper, that it should also be prohibited for him to round the corners of his head when he shaves. Therefore, the verse states: “His head,” with regard to a leper.

148 The Gemara asks: Why do I need the Torah to write: “His head”? And let one derive this halakha that the mitzva of shaving overrides that prohibition from the term “his beard” (Leviticus 14:9). As it is taught in a baraita: Why does the verse state: “His beard”? It is because the verse states with regard to priests: “Neither shall they shave off the corners of their beards” (Leviticus 21:5), and therefore one might have thought that the same prohibition against shaving one’s beard should also apply to a leper. Therefore, the verse states: “His beard.”

149 The Gemara asks: If so, why do I need the Torah to write: “His head,” and why do I need it to write: “His beard”? One source should suffice to teach that the shaving of a leper overrides any prohibitions that would be violated by that act. The Gemara answers: Both verses are necessary. As, had the Merciful One written only: “His beard,” and not written: “His head,” I would say that the rounding of the entire head, i.e., shaving all the hair off one’s head and not merely the sides, is not called a prohibited rounding. If that were so, the shaving of a leper’s head would not be prohibited by Torah law. For this reason the Merciful One writes: “His head,” to teach that the shaving that the leper performs would be considered a prohibited rounding of the head had the Torah not commanded him to shave.

150 And had the Torah written only: “His head,” and not written: “His beard,” I would say that “his head” teaches two matters. First, that a positive mitzva comes and overrides a prohibition. And it also teaches that rounding the entire head is called rounding. And still, from where do we derive that a leper must shave with a razor? For this reason the Merciful One also wrote: “His beard,” and we derive from the prohibition that bars priests from destroying their beards that the removal of the beard involves the use of a razor.

151 The Gemara asks: And Rabbi Eliezer, from where does he derive the general principle that a positive mitzva will come and override a prohibition? The Gemara answers: He derives it from the mitzva of ritual fringes. As it is taught in a baraita: This verse: “You shall not wear diverse kinds of wool and linen” (Deuteronomy 22:11),

152 indicates that fringes in the mitzva stated in the adjacent verse: “You shall make for yourself fringes” (Deuteronomy 22:12), can be from them, wool and linen. By juxtaposing the mitzva of ritual fringes to the prohibition against diverse kinds of cloth, the Torah teaches that the positive mitzva of ritual fringes, which includes dyed blue wool, overrides the prohibition against diverse kinds of cloth, i.e., one may attach woolen ritual fringes to a linen garment. From here one derives the general principle that a positive mitzva overrides a prohibition.

153 § The Gemara returns to the mishna that teaches that nazirites, lepers, and Levites must shave their hair. The Master said above: And with regard to all of them, if they shaved with an implement other than a razor, or if they left two hairs uncut, they have done nothing. Rav Aḥa, son of Rav Ika, said: That is to say that the principle: The majority of an entity is considered like all of it, applies by Torah law.

154 The Gemara asks: From where do we learn this? The Gemara explains: This principle is derived from the fact that the Merciful One revealed in the Torah and specified with regard to a nazirite: “On the seventh day he shall shave it” (Numbers 6:9), despite the fact that the same verse already stated: “And he shall shave his head on the day of his cleansing.” This teaches that it is only in this case here

that he does not fulfill the mitzva of shaving until there is the removal of all of it, i.e., shaving part of his head is insufficient. This shows that in general the majority of an entity is like all of it.

155 Rabbi Yosei, son of Rabbi Ḥanina, objects to this assertion. This verse: “On the seventh day he shall shave it,” is written with regard to a ritually impure nazirite, not a pure one, whereas the halakha in the mishna applies even to a pure nazirite. This shows that the above inference is invalid. They laughed at this difficulty in the West, i.e., Eretz Yisrael: After all, from where do we derive the halakha that an impure nazirite shaves with a razor? It is derived from the halakha of a pure nazirite. If so, let the case of a pure nazirite come and derive the following halakha from the case of an impure nazirite: Just as with regard to an impure nazirite, if he leaves two hairs he has done nothing, here too, if a pure nazirite leaves two hairs he has done nothing.

156 On the same topic, Abaye raised a dilemma: With regard to a nazirite who shaved and left two hairs, which is not considered an act of shaving, if the hairs of his head grew and he again shaved, this time those two hairs alone, what is the halakha? Do these hairs invalidate the fulfillment of his obligation or not? Has he now completed his initial act of shaving, or is the shaving of two hairs from a head full of hair of no significance, and he must now shave his entire head?

157 Similarly, Rava raised a dilemma: With regard to a nazirite who shaved and left two hairs, and afterward shaved one of them, and the other one fell out of its own accord, what is the halakha? Is this considered shaving one’s entire head or not? Rav Aḥa of Difti said to Ravina: Is Rava raising a dilemma as to whether one can shave his head one hair by one hair? How does this case differ from that of one who shaves his entire head one hair at a time, which is a fulfillment of his obligation?

158 Rather, say that the dilemma is as follows: If one hair fell out and he shaved the other one, what is the halakha? Has he performed the obligation of shaving if there was only one hair left when he came to shave? Ravina said to him: In that case there is no shaving here; there is no hair here. The Gemara expresses surprise at this expression: If there is no hair here, then there is shaving here, as no hair remains. The Gemara explains: This is what he said: Even though there is no hair here, as only one hair remains, nevertheless there is no fulfillment of the mitzva of shaving here, as he failed to shave it all on the first attempt, and the second time he shaved less than the required amount.

159 MISHNA: A nazirite may shampoo [ḥoses] his head and separate [mefaspes] his hairs manually, without concern that hairs might fall out. However, he may not comb his hair.

160 GEMARA: The Gemara clarifies: Who is the tanna who maintains that a nazirite may shampoo and separate his hairs? It is Rabbi Shimon, who says: An unintentional act is permitted. Even if hairs do fall out as a result of this action, as he did not intend this to happen the action is permitted. Yet in the latter clause of the mishna, which states: However, he may not comb his hair, we have come to the opinion of the Rabbis. Although this nazirite also does not intend to tear out any hair when he combs it, it is nevertheless prohibited.

161 This leads to a surprising conclusion, that the first clause represents the opinion of Rabbi Shimon and the latter clause is the opinion of the Rabbis. Rabba said: The entire mishna is in accordance with the opinion of Rabbi Shimon, as he maintains that anyone who combs his hair intends to remove stray hairs, and therefore this is considered an intentional act.

162 MISHNA: Rabbi Yishmael says: A nazirite may not shampoo his hair with earth because this causes the hair to fall out.

163 GEMARA: A dilemma was raised before the Sages: What is the precise wording of the mishna? Do we learn: Because it removes hair, i.e., earth in general removes hair, or do we perhaps learn: Because of that which removes hair. In other words, although some types of earth do not remove hair, it is prohibited to use these as well, due to those types that do remove hair. The Gemara inquires: What is the difference of this textual question?

164 The Gemara explains: There is a difference in a case where there is a type of earth that does not remove hair. If you say that we learned in the mishna: Because it removes hair, then in a case where we know that it does not remove hair it is fine to shampoo with that substance. However, if you say the text reads: Because of that which removes hair, this indicates that the Sages prohibited using any type of earth, due to the type that removes hair. If so, a nazirite may not shampoo his head with any earth at all, not even if it does not remove hair. No answer was found, and the Gemara says that the dilemma shall stand unresolved.

165 MISHNA: A nazirite who was drinking wine all day is liable to receive only one set of lashes. If people said to him during the course of the day: Do not drink, do not drink, and nevertheless he continues to drink, he is liable for each and every time he was warned. If a nazirite kept shaving all day, he is liable to receive only one set of lashes. If they said to him: Do not shave, do not shave, and he shaves, he is liable for each and every time he was warned. If he became ritually impure from a corpse many times all day, he is liable to receive only one set of lashes. If they said to him: Do not become impure, do not become impure, and he continues to become impure, he is liable for each and every time he was warned.

166 GEMARA: A dispute among amora'im was stated. Rabba said that Rav Huna said: The Torah stated a halakha involving a nazirite in a categorical verse: "He shall not become impure for his father, or for his mother, for his brother, or for his sister, when they die" (Numbers 6:7). This includes all manners of contracting impurity imparted by a corpse, whether ritual impurity imparted by contact, by carrying, or in a tent, i.e., a corpse under the same roof. When the Torah states: "He shall not come near to a dead body" (Numbers 6:6), it serves to warn him with regard to contracting impurity from a corpse in any manner, as above, and to warn him with regard to entering an enclosure with a corpse, which is a unique prohibition applicable to a nazirite that is added by the phrase "He shall not come near to a dead body," and he is liable separately for each. However, with regard to one contracting impurity from a corpse and again contracting impurity from a corpse, the verse does not warn him, and he is liable to receive only one set of lashes.

167 And Rav Yosef says in the form of an oath: By God! Rav Huna actually says that he is separately liable even for contracting impurity from a corpse and again contracting impurity from a corpse, not only if he entered an enclosure with a corpse. As Rav Huna says: With regard to a nazirite who was standing in a cemetery, who is already ritually impure, and they extended his corpse, i.e., the corpse of his relative, to him, and similarly if they extended a different corpse to him and he touched it, he is liable. But why is he liable; he has already become impure and is standing in his state of impurity? Rather, isn't it correct to conclude from this that Rav Huna said he is separately liable even for contracting impurity from a corpse and again contracting impurity from a corpse?

168 Abaye raised an objection to Rav Yosef from a baraita: With regard to a priest who had a corpse placed on his shoulder, and they extended his corpse, i.e., the corpse of his relative, to him, and similarly if they extended a different corpse to him and he touched it, one might have thought that he

should be liable even for this contact. Therefore, the verse states, with regard to the prohibition against a High Priest becoming impure: “And he shall not profane the Sanctuary of his God” (Leviticus 21:12). This teaches that the prohibition of impurity applies to one who is not yet profaned, excluding this one who is already profaned and standing in that state of ritual impurity.

169 Rav Yosef said to him: But if, as you claim, one is not liable for contracting one impurity after another, the mishna should pose a difficulty for you. As we learned in the mishna: If a nazirite became ritually impure from corpses many times all day, he is liable to receive only one set of lashes. If they said to him: Do not become impure, do not become impure, and he continues to become impure, he is liable for each and every time he was warned. But why should this be so? He has already become impure and is standing in his state of impurity.

170 Rather, the mishna and baraita pose a difficulty for each other. The Gemara answers: This is not difficult, as here the baraita is referring to a concurrent contact with impurity, i.e., when he touched the second corpse he was still in contact with the first, so he is not liable for the second impurity. Conversely, there the mishna is referring to impurity that was not a concurrent contact. He touched the second corpse only after he had separated himself from the first, and therefore he is liable for each impurity.

171 The Gemara asks: And this halakha, that a nazirite is exempt from being flogged for a second contact with a corpse in a case of concurrent impurity, does it apply by Torah law? Didn’t Rav Yitzḥak bar Yosef say that Rabbi Yannai said: They stated the principle of concurrent impurity only with regard to partaking of teruma and consecrated foods, i.e., that one who touches a person who is in contact with a corpse is ritually impure with impurity imparted by a corpse for seven days. However, with regard to a nazirite, i.e., the question of whether a nazirite is considered ritually impure and has to bring offerings due to this contact, and with regard to one who performs the ritual of the Paschal offering, this halakha does not apply. And if you say that this halakha applies by Torah law, what is different between the case of teruma and the case of a nazirite?

172 The Gemara explains that there are two different types of concurrent impurity. Here, where there is a difference between teruma and a nazirite, it is referring to concurrent contact of one person with another person. If one touched another while the other was in contact with a corpse, the impurity of the first is by rabbinic law. By contrast, there it is referring to concurrent contact of a person with a corpse. One who is touching a corpse is considered linked to impurity by Torah law with regard to his second contact with a corpse.

173 The Gemara summarizes: The fact that one who is touching a corpse is not liable for contact with a second corpse leads to Rabba’s aforementioned ruling: However, with regard to contracting impurity from a corpse and again contracting impurity from a corpse, i.e., if a person contracted impurity imparted by a corpse and then touched another corpse while still in contact with the first corpse, he is not liable for the second impurity, as he has already become impure and is standing in his state of ritual impurity.

174 The Gemara asks: If so, with regard to impurity and entering one should say likewise, that when he enters an enclosure containing a corpse when he is in contact with a corpse, he has already become impure and is standing in his impurity. Why should he be flogged again for entering the enclosure? Rabbi Yoḥanan said: In the case of impurity and entering one must again distinguish between two instances: Here, where Rav Huna said that one will be liable for both contractions of

impurity, it is referring to one who was pure and who went into a house that contained a corpse, rendering him liable twice. The entering the house and the ritual impurity imparted by a corpse in a tent, i.e., to that which is under the same roof, occurred simultaneously, and therefore he is liable twice, once for contracting ritual impurity and once for violating the particular prohibition against a nazirite entering an enclosure with a corpse in it.

175 Whereas there, where he is liable only once, it is referring to one who was in a field. In other words, if a nazirite touched a corpse in a field and subsequently entered an enclosure with a corpse in it while he was still in contact with the first corpse, he is not liable separately for that entering, as he was already ritually impure.

176 The Gemara asks: With regard to one who enters into a house too, why should he be liable twice? Since one typically enters a place with his hands before his body, once he inserts his hand he immediately becomes ritually impure. This means that when all the rest of him enters, this person is already impure.

177 Rather, Rabbi Elazar said: If he inserted his hand into the house first, there is liability due to contracting ritual impurity; however, there is no liability due to entering the enclosure. But if he joined his body and his hands, i.e., all of him entered at once, contraction of impurity and entering the enclosure occur simultaneously, and in that case he is liable twice. The Gemara objects: It is impossible that his nose would not enter first, and once it does, impurity would descend to it and thereby to this person immediately, before the rest of his body entered the house.

178 Rather, Rava said: If he entered with only his hand there is liability due to contracting ritual impurity, but there is no liability due to entering an enclosure with a corpse, as he cannot be considered inside the house. If he entered with his body by standing upright so that his head would not enter first, contraction of impurity and entering the enclosure occur simultaneously. The Gemara asks: But even so, it is impossible that his toes would not enter first, and once they do, impurity would thereby descend to them, causing him to become impure before his entire body enters the house.

179 Rather, Rav Pappa said: We are dealing with a case where one entered into a house in a chest, a box, or a cabinet, which are not susceptible to ritual impurity and which protect their contents from impurity when they can hold more than forty se’a, and another came and opened the cover of the vessel from over him. In that case contracting impurity and entering the enclosure occur simultaneously. Mar bar Rav Ashi said: It is referring to a case where one entered the house when someone there was dying, and the latter’s soul departed when he was sitting there. In that case too, contracting impurity and entering the enclosure with a corpse occur simultaneously. Since there was no corpse in the enclosure when he entered, he is considered to have entered an enclosure with a corpse at the moment the person died.

180 § With regard to the ritual impurity of a corpse, the Sages taught: The Torah states concerning a priest’s exposure to ritual impurity imparted by a corpse: “He shall not become impure, a chief among his people, to profane himself” (Leviticus 21:4), from which it is derived that the prohibition does not apply until the time that the person with whom he comes into contact dies. A priest does not become impure or profane his priesthood at any earlier stage. Rabbi Yehuda HaNasi says that the verse stated with regard to a nazirite: “He shall not become impure for his father, or for his mother,

for his brother, or for his sister, when they die” (Numbers 6:7), from which one can infer that when they die, one contracts ritual impurity from them, i.e., not until the other person actually dies.

181 The Gemara asks: What is the difference between these two derivations? They apparently state the same halakha from different verses. Rabbi Yoḥanan says: The interpretation of the meaning of the verse is the difference between them. There is no practical difference between them; rather, they derive the halakha from different verses. Reish Lakish said: The difference between them is with regard to a dying person: According to the one who says that one derives the halakha from “He shall not become impure, a chief among his people, to profane himself,” even a dying person is included in the prohibition of impurity. According to the one who says that it is derived from “when they die,” once he dies, yes there is impurity, whereas a dying person, no, he does not impart impurity.

182 The Gemara asks with regard to Reish Lakish’s opinion: And according to the one who says that it is derived from “to profane himself,” isn’t it written: “When they die”? What does he derive from that verse? The Gemara answers: He requires that verse for that which was taught by Rabbi Yehuda HaNasi. As it is taught in a baraita that Rabbi Yehuda HaNasi says that the verse stresses “when they die,” to teach: In a case when they die he may not become impure; however, he may become impure from their leprosy or from their gonorrhea-like discharge. A nazirite is prohibited from contracting ritual impurity only if it is from a corpse.

183 The Gemara asks: And according to the one who says that the earliest time the prohibition takes effect is derived from the phrase “when they die,” he also requires that verse for this reason; how does he derive two halakhot from the same verse? The Gemara answers: If so, let the verse state: When he dies; what is the reason for the emphasis of “when they die”? You can learn from this verse two halakhot, that one does not impart impurity until he is actually dead, and that a nazirite is prohibited from contracting only the impurity of a corpse.

184 The Gemara asks the reverse question: And according to the one who says that the source for the earliest time of the impurity of a corpse is the verse “when they die,” isn’t it written: “To profane himself”? What does he derive from that verse? The Gemara answers: “To profane himself” comes for this purpose, that the prohibition against becoming impure apply only to one who is not profaned, excluding one who is already profaned. There is no prohibition against a ritually impure priest becoming impure from a corpse.

185 The Gemara asks: And according to the one who says that the source for the commencement of impurity imparted by a corpse is “to profane himself,” he also requires that verse for this reason; how does he derive two halakhot from the same verse? The Gemara answers: If so, let the verse state: To profane; what is the reason for the emphasis of “to profane himself”? You can learn from this verse two halakhot, that a nazirite is prohibited from becoming impure even through contact with a dying person, and that there is no prohibition against contracting impurity a second time for one who is already impure.

186 The Gemara raises an objection from a mishna (Oholot 1:6): A person renders others impure only when his soul departs from him, even if he has severe lacerations [meguyyad], and even if he is dying. But according to the one who says that the commencement of the impurity of a corpse is derived from “to profane himself,” this baraita is difficult, as it teaches that a dying person does not impart impurity. The Gemara answers: With regard to imparting impurity, he does not impart

impurity until his soul departs, but with regard to profaning the sanctity of the priesthood, a priest is profaned by a dying person.

187 § Rav Ḥisda said that Rav said: If the head of his father, or any other relative for whom a priest becomes impure, was severed, he may not become impure to bury him. What is the reason for this? The verse states: “None shall become impure for the dead among his people, except…for his father” (Leviticus 21:1–2), which indicates that this applies when his father is whole, and not when he is lacking. Rav Hamnuna said to Rav Ḥisda: If that is so, then in a case where one was walking in the valley [pakta] of Aravot, a place frequented by bandits, and robbers severed his head, will you also say that his son the priest does not become impure to bury him because he is not whole?

188 Rav Ḥisda said to him: Do you speak of a corpse with no one to bury it [met mitzva]? This halakha certainly does not apply to a case of this kind. For now consider, if one can say that to bury others, i.e., non-relatives, he is obligated to become ritually impure, as even priests and nazirites must become impure to bury an unattended corpse, then with regard to a met mitzva who is his father is it not all the more so the case that he must become impure to bury him even if his head is severed?

189 The Gemara asks: And is this a met mitzva? But isn’t it taught in a baraita: Which is a met mitzva for whom a priest must become impure? It is anyone who does not have people to bury him apart from this priest. If the corpse is in a place where if he would call, others would answer him, that is not considered a met mitzva. And if this dead father has a son who was with him, it means the father is not classified as a met mitzva, and therefore his son the priest must ensure that others tend to his burial, without doing so himself. The Gemara answers: Since he was walking along the way, he is considered like one who does not have people to bury him.

190 The Gemara raises an objection against Rav Ḥisda’s opinion. The superfluous term “for her” in the verse “And for his sister a virgin who is near to him, who has no husband, for her he becomes impure” (Leviticus 21:3) teaches that it is to bury her in her whole state that he becomes impure, but he does not become impure to bury her limbs. If a limb was severed from her during her lifetime he does not tend to it, because he may not become impure to bury a limb severed from one of his living relatives, including that of his father. However, he may search for a bone that is a barley-grain-bulk. If he was already impure from his father’s body, he may search for and bury a bone that was detached from the corpse, even if it is large enough to impart impurity itself.

191 The Gemara asks: What is the meaning of: He may search for a bone that is a barley-grain-bulk? Isn’t this to say that if the deceased father is lacking a small part, i.e., a single bone, his son the priest becomes impure to bury him? This would contradict Rav Ḥisda’s statement in the name of Rav that he becomes impure to bury his father only if he is whole.

192 The Gemara answers: No, this presents no difficulty, as that baraita is in accordance with the opinion of Rabbi Yehuda. As it is taught in a baraita that Rabbi Yehuda says: “For her he becomes impure” (Leviticus 21:3), this indicates that to bury her he becomes impure but he does not become impure to bury her limbs, as he does not become impure to bury a limb severed from one of his living relatives, including that of his father. However, he does become impure to bury a limb from his dead father. Rav Ḥisda disagrees with the opinion of Rabbi Yehuda and rules in accordance with the Rabbis, who maintain that a priest may become impure only to bury his relative’s whole body.

193 The Gemara asks: But isn’t it taught in a baraita that Rav Kahana, son of Rabbi Eliezer ben Ya’akov, said: The words “for her he becomes impure” (Leviticus 21:3) indicate that to bury her he

becomes impure when she is whole, but he does not become impure to bury her limbs. This serves to exclude an olive-bulk of solid material from a corpse, and an olive-bulk of fluid from a corpse, and a full spade of dust from a corpse.

194 One might have thought that he may not become impure for a spine and a skull, or for most of the skeleton or most of the number of bones from his sister's corpse. Therefore, it is written at the beginning of this passage dealing with the impurity of priests: "Speak to the priests, the sons of Aaron, and say to them" (Leviticus 21:1). The repetition of "speak" and "say" indicates that the verse added a different form of impurity permitted to a priest.

195 One might have thought that he may not become impure to bury a spine, or for a skull, or to bury most of the skeleton or most of the number of bones of other relatives for whom a priest becomes impure. You say in response: Just as his sister is unique in that her body is dependent upon the brother tending to her burial, and he becomes impure to bury a spine, or to bury a skull, or to bury most of her skeleton, or to bury most of her number of bones, so too, with regard to every person whose body is dependent upon him, i.e., his other close relatives, he becomes impure to bury a spine, or to bury a skull, or to bury most of his skeleton, or to bury most of his number of bones. This presents a difficulty for the opinion of Rav that a priest may not become impure to bury any relative whose head has been severed.

196 The Gemara answers: That baraita also represents the opinion of Rabbi Yehuda. And Rav stated his opinion in accordance with the opinion of this tanna, as it is taught in a baraita: An incident occurred in which the father of Rabbi Yitzḥak the priest died in Ginzak, and they came and informed him after three years had passed, and he came and asked Rabbi Yehoshua ben Elisha and four Elders who were with him whether he was permitted to become ritually impure by transferring his father's remains to his ancestral grave, as was the custom.

197 And they said to Rabbi Yitzḥak that the verse states: "For his father" (Leviticus 21:2), which indicates a priest may become impure only when his father is whole, and not when he is lacking. After three years the father's body was certainly not whole, and therefore his son, a priest, was no longer permitted to become impure to bury him.

198 MISHNA: Three types of actions are prohibited for a nazirite: Contracting ritual impurity imparted by a corpse, and shaving his hair, and eating or drinking any substances that emerge from the vine. There is a greater stricture with regard to the prohibitions of impurity and shaving than that of substances that emerge from the vine, as impurity and shaving negate his naziriteship, i.e., he must add thirty days to his term of naziriteship or start it afresh. But if he eats or drinks that which emerges from the vine, this does not negate his naziriteship.

199 Conversely, there is a greater stricture with regard to substances that emerge from the vine than with regard to impurity and shaving, as in the case of products that emerge from the vine nothing is exempted from its general prohibition in certain circumstances, i.e., there are no exceptions. But with regard to impurity and shaving certain cases are exempted from their general prohibition. For example, there are the cases of obligatory shaving, e.g., a leper who was purified during his naziriteship, and of a corpse with no one to bury it [met mitzva]. A nazirite may tend to the burial of a met mitzva, despite the fact that he will thereby contract ritual impurity from a corpse.

200 The mishna adds: And there is a greater stricture with regard to impurity than with regard to shaving, as a nazirite's impurity negates all his days of naziriteship and begins his term afresh, and he

is liable to bring an offering for it, before starting his new term of naziriteship. But shaving negates only thirty days at most, and he is not liable to bring an offering for it.

[201] GEMARA: The Gemara asks: And perhaps one should say that the ritual impurity of a nazirite should not be exempted from its general prohibition even for a met mitzva, due to an a fortiori inference from the prohibition of wine: And if wine, whose prohibition is lighter, as it does not negate his naziriteship, is nevertheless not exempted from its general prohibition, then with regard to impurity, which is stringent, as it does negate his naziriteship, is it not logical that it should not be exempted from its general prohibition?

[202] The Gemara answers: Therefore, the verse states, in addition to the general prohibition: “He shall not come near to a dead body” (Numbers 6:6), that: “For his father or his mother, for his brother or for his sister, he shall not become impure when they die” (Numbers 6:7). This verse teaches that it is to bury his father or for his mother that he may not become impure; however, he becomes impure to bury a met mitzva.

[203] The Gemara suggests: If so, one can make the reverse argument. And let wine be exempted from its general prohibition due to an a fortiori inference from the prohibition of impurity: If impurity, which negates naziriteship, is exempted from its general prohibition; with regard to wine, which does not negate naziriteship, is it not logical that it should be exempted from its general prohibition for the sake of a mitzva, e.g., for one who took an oath to drink wine? The Gemara answers: It is for this reason that the verse states with regard to a nazirite: “He shall abstain from wine and strong drink” (Numbers 6:3). The emphasis on the words “wine and strong drink” comes to prohibit obligatory wine like optional wine.

[204] The Gemara further asks: And let wine negate all his days of naziriteship, due to an a fortiori inference from the prohibition of impurity: If impurity, which is exempted from its general prohibition, negates all of his naziriteship, then with regard to wine, which is not exempted from its general prohibition, is it not all the more so logical that it should negate his entire naziriteship?

[205] The Gemara answers: Therefore, the verse states: “But the former days shall be void, for his naziriteship was rendered impure” (Numbers 6:12). The phrase “for his naziriteship was rendered impure” is apparently redundant, as it is clear from the context that the verse is referring to an impure nazirite. Rather, this teaches that only impurity negates his naziriteship, and wine does not negate it.

[206] The Gemara continues to ask along the same lines: And let shaving negate all his naziriteship, due to an a fortiori inference from the prohibition of impurity: And if in the case of impurity, in which the one who renders another impure is not like the one who becomes impure, i.e., one who renders a nazirite ritually impure does not perform a transgression, as only the nazirite who contracts the impurity has performed a transgression, impurity nevertheless negates all his naziriteship; then with regard to shaving, in which the one who shaves is like the one who is shaved, as someone who shaves a nazirite also performs a transgression, is it not logical that it should negate all his naziriteship?

[207] The Gemara answers: Therefore, the verse states: “But the former days shall be void, for his naziriteship was rendered impure” (Numbers 6:12). The emphasis on the phrase “for his naziriteship was rendered impure” teaches that impurity negates all, and shaving does not negate all.

[208] The Gemara suggests: But in that case, one can argue the opposite: With regard to impurity, let the one who renders another impure be like the one who becomes impure, due to an a fortiori inference from the prohibition of shaving: If in the case of shaving, which negates only thirty days, the one who shaves is like the one who is shaved; then, with regard to impurity, which negates all, is it not logical that the one who renders another impure should be like the one who becomes impure?

[209] The Gemara responds: Therefore, the verse states: “And if any man dies very suddenly beside him, and he renders impure his consecrated head” (Numbers 6:9). This teaches that the prohibition of impurity applies only to one who renders impure his consecrated head, but not to others who render him impure.

[210] The Gemara suggests: But if so, one can say the reverse: And with regard to shaving, let the one who shaves not be like the one who is shaved, due to an a fortiori inference from the prohibition of impurity: And if in the case of impurity, which is stringent in that it negates all his naziriteship, the one who renders another impure is nevertheless not like the one who becomes impure; then with regard to shaving, which negates only thirty days, is it not all the more so logical that one who shaves should not be like the one who is shaved?

[211] The Gemara answers: Therefore, the verse states: “No razor shall come upon his head” (Numbers 6:5). Since the verse is written in the passive, read into the verse that he, the nazirite himself, shall not cause a razor to come upon his head; and read the verse as also referring to any other person, who shall not cause a razor to come upon the nazirite’s head.

[212] The Gemara asks: And let shaving not be exempted from its general prohibition in the case of a leper, due to an a fortiori inference from the prohibition of wine: And if wine, which does not negate naziriteship, is not exempted from its general prohibition; then, with regard to shaving, which does negate naziriteship, is it not logical that it should not be exempted from its general prohibition? The Gemara answers: Therefore, the Merciful One states with regard to a leper: “That he shall shave all his hair,” and adds: “Off his head” (Leviticus 14:9). And the Merciful One further states: “And his beard,” which teaches that he shaves despite the prohibition of naziriteship.

[213] The Gemara proposes the reverse argument: And let shaving not negate naziriteship at all, due to an a fortiori inference from the prohibition of wine: And if wine, which is not exempted from its general prohibition, does not negate naziriteship; then with regard to shaving, which is exempted from its general prohibition, is it not logical that it should not negate naziriteship? The Gemara answers: We require hair growth, and there is none at that point. Consequently, the nazirite must necessarily wait until his hair is of sufficient length to shave.

[214] The Gemara asks: And let wine negate thirty days, due to an a fortiori inference from the prohibition of shaving: And if shaving, which is exempted from its general prohibition, nevertheless negates thirty days; then with regard to wine, which is not exempted from its general prohibition, is it not logical that it should negate thirty days? The Gemara answers: As that reason for the halakha that shaving causes a nazirite to negate thirty days is only due to hair growth, so that he has sufficient hair at the end of his naziriteship to shave, the halakha does not apply with regard to wine, since his hair remains in place. The nazirite himself has not changed, so the fact that he has drunk wine is not sufficient reason to negate any time.

[215] MISHNA: With regard to the shaving of ritual impurity performed by a nazirite who became impure during his naziriteship, how is it performed? The priest would sprinkle the waters of

purification on him on the third and the seventh days after he contracted his impurity, as performed for all those who contracted impurity imparted by a corpse. And he shaves his hair on the seventh day and brings his offerings on the eighth day. And if he shaved on the eighth day he brings his offerings on that day, this is the statement of Rabbi Akiva. Rabbi Tarfon said to him: What is the difference between this ritual and that of a leper? A leper also shaves on the seventh day and sacrifices his offerings on the eighth. However, if a leper shaves on the eighth day he brings his offerings on the ninth day, not on the day of his shaving.

[216] Rabbi Akiva said to him: The purification of this impure nazirite depends on his days, as he immerses on the seventh day like all those who contract impurity imparted by a corpse, which means he is already ritually pure on the eighth day. But with regard to a leper, his purification depends on his shaving. Any immersion performed earlier is of no account, and must be repeated. And a leper brings his offering only if the sun has set following his immersion. Since offerings are not sacrificed at night, the bringing of his offering is postponed until the following day.

[217] GEMARA: The Gemara asks: Did Rabbi Tarfon accept this claim from Rabbi Akiva, or did he not accept it? Come and hear an answer to this from that which Hillel the amora taught: If a nazirite shaved on the eighth day, he brings his offerings on the ninth. And if it should enter your mind that Rabbi Tarfon accepted the claim from Rabbi Akiva, let the nazirite bring his offerings on the eighth day itself, in accordance with the opinion of Rabbi Akiva. Rather, this baraita is certainly in accordance with the opinion of Rabbi Tarfon, who remains steadfast in his rejection of Rabbi Akiva's opinion.

[218] Rava said: This is not difficult, i.e., it is possible that Rabbi Tarfon accepted Rabbi Akiva's opinion with regard to a nazirite who shaved on the eighth day, and there is a difference between the two statements: In this case of the mishna, it is referring to a nazirite who immersed on the seventh day, which means that he is entirely pure on the eighth and can therefore bring his offerings on the same day after shaving. By contrast, in that case of Hillel's baraita, it is referring to one who did not immerse on the seventh. Consequently, as he immerses on the eighth day he may sacrifice his offerings only after sunset, on the ninth day.

[219] § Abaye said: I encountered the members of the assembly of Rav Natan bar Hoshaya sitting and saying the following: The verse states with regard to a man who experiences a gonorrhea-like discharge [zav] who immerses on the seventh day of his purification: "And on the eighth day he shall take for himself two turtledoves or two young pigeons and come before the Lord to the entrance of the Tent of Meeting and give them to the priest" (Leviticus 15:14). When does he come to the courtyard to sacrifice his offerings? Only when he has immersed on the seventh day and performed the requirement to wait until sunset. In that case, yes, he brings his offerings, but if he has not immersed and has not performed the requirement to wait until sunset, no, he may not enter the courtyard.

[220] Apparently, this tanna maintains that one who immersed himself that day to release himself from the status of a zav is considered like an actual zav. Just as a zav is prohibited from entering the Levite camp in his state of impurity, the same applies to him on the day of his immersion, as he must wait until after sunset, when he is entirely pure.

[221] Abaye adds: Upon hearing this, I said to those Sages: If that is so, with regard to an impure nazirite too, as it is written: And he shall bring them, referring to the verse "And on the eighth day he

shall bring two turtledoves or two young pigeons to the priest, to the entrance of the Tent of Meeting” (Numbers 6:10), this can be explained in a similar manner: When does he come to the courtyard to sacrifice his offerings? When he has immersed himself and performed the requirement to wait until sunset.

222 Abaye continues: Now consider the Gate of Nicanor, where all those lacking atonement stand to bring their offerings; where is it located? In the gates of the Levites. Three camps are detailed in the verses, each having its own restrictions as to who may or may not enter them (see Numbers, chapter 5). The verses speak of the camps of the Jewish people in the wilderness, and the Sages taught that the statuses of certain areas of Jerusalem corresponded to those camps. The camps in the wilderness were the Israelite camp, the Levite camp, and the camp of the Divine Presence. They correspond to Jerusalem, the Temple Mount, and the Temple itself. The Gate of Nicanor had the status of the Levite camp.

223 Abaye continues: But isn’t it taught in a baraita (Tosefta, Kelim 1:8) that one who is impure due to contact with a corpse is permitted to enter the Levite camp; and not only one impure from a corpse, but even a corpse itself may be brought inside the Levite camp, as it is stated: “And Moses took the bones of Joseph with him” (Exodus 13:19). The baraita explains: What is the meaning of “with him”? The phrase “with him” indicates that Joseph’s bones were taken within Moses’s boundary, with him in the Levite camp. This demonstrates that even a corpse may be brought into the Levite camp. If so, certainly a nazirite who was impure from contact with a corpse and who has been sprinkled and immersed may enter there. Consequently, the halakha that a nazirite must wait until the eighth day to sacrifice his offerings cannot be due to a prohibition against entering the Gate of Nicanor. One can similarly infer that the halakha that a zav who has immersed may not bring his offerings before the eighth day is not because he is prohibited from entering the Gate of Nicanor.

224 Rather, Abaye says: The baraita should be understood slightly differently than suggested by the assembly of Rav Natan bar Hoshaya: One who immersed himself that day to release himself from the status of a zav, i.e., a full-fledged zav, who experienced three emissions, not merely two, is considered like a zav with regard to the prohibition against entering the Levite camp. But the reason for this prohibition is not that a zav who immersed himself that day may not enter the Levite camp. Rather, granted that he is permitted to enter the Levite camp in terms of his impurity, even so, since he is lacking atonement, as he has yet to sacrifice his offerings, he may not enter the Levite camp.

225 Abaye elaborates: The reason he may not enter is that the Torah states with regard to a zav: “And he shall come before the Lord to the entrance of the Tent of Meeting” (Leviticus 15:14), and if he is standing in the Levite camp, at the Gate of Nicanor, when he brings his offerings, why does the Torah call it “the Tent of Meeting”? Rather, this verse must be coming to say: Just as there, with regard to the Tent of Meeting itself, i.e., the camp of the Divine Presence, one who is lacking atonement may not enter there, so too, with regard to the Levite camp as well, one who is lacking atonement may not enter there.

226 The Gemara asks: And from where do we derive that one who lacks atonement may not enter there, i.e., the camp of the Divine Presence? The Gemara answers: As it is taught in a baraita: The Torah states with regard to the prohibition against an impure person entering the Tabernacle: “He shall be impure; his impurity is yet upon him” (Numbers 19:13). The phrase “he shall be impure” serves to include one who immersed himself that day in the prohibition against entering the Temple.

“His impurity is yet upon him” serves to include one who lacks atonement, who is prohibited from entering the camp of the Divine Presence until he has sacrificed his offerings of purity.

227 MISHNA: With regard to a nazirite’s shaving of purity after the completion of his term of naziriteship, how is it performed? He would bring three animals: One for a sin-offering, one for a burnt-offering, and one for a peace-offering. And he slaughters the peace-offering and shaves his hair after he slaughters them. This is the statement of Rabbi Yehuda. Rabbi Elazar says: He would shave only after he slaughtered the sin-offering, as the sin-offering precedes the other offerings in all places, and therefore he sacrifices the sin-offering first. He shaves his hair after he slaughters this offering. And if he shaved after the sacrifice of any one of the three of them, he has fulfilled his obligation after the fact.

228 Rabban Shimon ben Gamliel says: If a nazirite brought three animals without specifying which of them was for which offering, the one that is fit for a sin-offering, i.e., a female sheep in its first year, is sacrificed as a sin-offering; that which is fit for a burnt-offering, a male sheep in its first year, is sacrificed as a burnt-offering; and that which is fit for a peace-offering, a ram, i.e., a male sheep over the age of one year, is sacrificed as a peace-offering.

229 GEMARA: The Gemara first addresses the opinion of Rabbi Yehuda, whose reasoning was not stated in the mishna. The Sages taught that when the Torah states: “And the nazirite shall shave his consecrated head at the entrance to the Tent of Meeting” (Numbers 6:18), the verse is speaking of the peace-offering, as the phrase “the entrance to the Tent of Meeting” alludes to a peace-offering, as it is stated: “And if his offering is a sacrifice of peace-offering…and he shall slaughter it at the entrance to the Tent of Meeting” (Leviticus 3:1–2).

230 Do you say the verse is speaking of the peace-offering, i.e., that the nazirite shaves after bringing his peace-offering? Or perhaps it is only teaching that he shaves at the actual entrance to the Tent of Meeting, at the gate to the Sanctuary, as indicated by a literal reading of the verse? You can say in response: If so, that is a degrading manner of service, to shave at the entrance to the Sanctuary.

231 Rabbi Yoshiya says: This proof is not necessary, as the Torah states: “And you shall not ascend by steps to My altar, so that you should not reveal your nakedness upon it” (Exodus 20:23). If the Torah is concerned about the disrespect to the altar presented by normal human behavior, then by an a fortiori inference the Torah prohibits acting in a degrading manner by shaving at the entrance to the Sanctuary.

232 A different version of this derivation is stated in the midrash to the Torah portion of Naso. The Torah states: “And the nazirite shall shave his consecrated head at the entrance to the Tent of Meeting, and shall take the hair of his consecrated head and put it on the fire which is under the sacrifice of the peace-offering” (Numbers 6:18). Rabbi Yoshiya says: The verse is speaking of the peace-offering. Or perhaps it is only teaching that he shaves at the actual entrance to the Tent of Meeting? If so, the Torah said: “And you shall not ascend by steps to My altar” (Exodus 20:23). By an a fortiori inference with regard to this matter it is derived that he should not shave at the entrance to the Tent of Meeting. Rather, the verse is speaking of the peace-offering.

233 Rabbi Yitzḥak says: It is not necessary to cite an indirect proof that a nazirite may not shave at the entrance to the Sanctuary, as the verse states with regard to a nazirite: “And he shall take the hair of his consecrated head and put it on the fire which is under the sacrifice of the peace-offering” (Numbers 6:18). The verse is referring to one who has not yet performed only the stages of taking

and placing his shaven hair under the pot of the peace-offering, which is outside the Sanctuary. These two stages are the only ones he lacks; he does not have to do any other action. That excludes this one, a nazirite who shaved at the entrance to the Sanctuary, as he has not yet performed three actions, taking, bringing the hair from one sanctified area to another, and placing his shaven hair under the pot of the peace-offering.

234 Some say a different version of this statement. Rabbi Yitzḥak says: The verse is referring to the peace-offering. He clarifies his assertion: Do you say the verse is speaking of the peace-offering, or is it teaching only that he shaves at the actual entrance to the Tent of Meeting? The verse states: “And he shall take the hair of his consecrated head and put it on the fire which is under the sacrifice of the peace-offering” (Numbers 6:18). This indicates that in the same place where he would cook the peace-offering, outside the courtyard, there he would shave.

235 Abba Ḥanan says in the name of Rabbi Eliezer that the verse “And the nazirite shall shave his consecrated head at the entrance to the Tent of Meeting” (Numbers 6:18) is referring to the time rather than the place of his shaving, i.e., this verse teaches that as long as the entrance to the Tent of Meeting is not open, he may not shave. He may shave only during those hours when the entrance to the Sanctuary is open.

236 Rabbi Shimon Shezuri says: The phrase “And the nazirite shall shave his consecrated head at the entrance to the Tent of Meeting” does not refer to the place of his shaving. Rather, the masculine form of the word nazirite serves to emphasize that this applies to a male nazirite and not a female nazirite. A woman does not shave her head in the Sanctuary,

237 lest the young priests [pirḥei khehuna] present will become aroused by her when she uncovers her hair in their presence. One of the other Sages said to Rabbi Shimon Shezuri: According to your statement, the case of a sota will prove that this is not a concern, as it is written with regard to her: “And he shall set her before the Lord” (Numbers 5:16), and yet we are not concerned that perhaps the young priests will become aroused by her when her hair is uncovered.

238 Rabbi Shimon Shezuri said to them: There is a difference between a female nazirite and a sota. This one, the nazirite, paints her eyes blue [koḥelet] and applies blush [fokeset] to her face, and therefore there is a concern that young priests might be aroused by her appearance. By contrast, that one, the sota, does not apply blue eye shadow and does not apply blush. Since a sota is not beautified, but is made to appear wretched and looks disheveled, there is no concern that she might arouse the men.

239 MISHNA: After the nazirite shaved off his hair, he would take the hair of his consecrated head and throw it under the pot in which the peace-offering was cooked, where it would burn. And if the nazirite shaved in the rest of the country, i.e., outside the Temple, he would not throw the hair under the pot. In what case is this statement said? It is said with regard to the shaving of purity. However, with regard to the shaving of impurity, i.e., shaving that accompanied his guilt-offering and sin-offering of birds after his term of naziriteship was interrupted by impurity, he would not throw his hair under the pot in which his offerings were cooked, as the Torah stated this requirement only for a pure nazirite.

240 Rabbi Meir says: Everyone throws his hair under the pot, including a pure nazirite who shaved outside the Temple and an impure nazirite, except for an impure nazirite who shaved in the rest of the country. In that case alone he refrains from throwing his hair to be burned beneath his offering.

241 GEMARA: The mishna states that he would take the hair of his consecrated head. The Sages taught: And afterward, after cooking the peace-offering, he takes the gravy [rotev] in which the offering had been cooked, places it on the shaven hair of his consecrated head, and throws the hair under the pot of his peace-offering. And if he threw his hair under the pot of the sin-offering or the guilt-offering, he has fulfilled his obligation after the fact. The Gemara expresses surprise at this statement: Is there a guilt-offering brought by a pure nazirite? Only an impure nazirite brings a guilt-offering. Rava said that this is what the tanna said, i.e., meant: And if an impure nazirite threw his hair under the pot of the guilt-offering, he has fulfilled his obligation.

242 The Gemara asks: From where are these matters derived, that he must pour gravy from the offering over his hair? Rava said that as the verse states: “And he shall take the hair of his consecrated head and put it on the fire which is under the sacrifice of the peace-offering” (Numbers 6:18), this indicates that part of his sacrifice must be under the hair.

243 With regard to the statement of the baraita: And if he threw his hair under the pot of the sin-offering he has fulfilled his obligation, the Gemara asks: What is the reason for this? The Gemara answers that the verse states: “The sacrifice of the peace-offering,” when it could simply have stated: The peace-offering. This serves to include the sin-offering and the guilt-offering, which are also sacrifices. The Gemara asks: But you have already derived from this term “sacrifice” that he must pour part of the gravy of the peace-offering over his hair. The Gemara answers: If so, let the verse say explicitly: From the gravy of the peace-offering. Why does it state: “Sacrifice”? Learn from here that it serves to include the sin-offering and the guilt-offering.

244 The Gemara questions this statement from a different perspective: And one can say that this verse comes entirely to teach about the sin-offering and guilt-offering, and it does not refer to the gravy at all. The Gemara answers: If so, let it state: Peace-offering and a sacrifice; for what reason does it write: “The sacrifice of the peace-offering”? Conclude two conclusions from the verse.

245 § The Sages taught (Tosefta 4:6): All nazirites would throw their hair under the pot, except for an impure nazirite who shaved in the rest of the country, because that one’s hair is buried. This is the statement of Rabbi Meir. Rabbi Yehuda says: Pure nazirites, whether they are here or there, inside or outside the Temple, would throw their hair under the pot; impure nazirites, whether here or there, would not throw it. And the Rabbis say: None would throw their hair under the pot, except for a pure nazirite in the Temple, because only in that case is the mitzva performed properly, as commanded by the Torah.

246 MISHNA: The nazirite would cook the peace-offering or overcook it, i.e., cook it thoroughly. The priest takes the cooked foreleg from the ram, and one unleavened loaf from the basket, and one unleavened wafer, and places them on the palms of the nazirite and waves them, as described in the Torah (Numbers 6:19–20). And afterward the nazirite is permitted to drink wine and to contract ritual impurity imparted by a corpse.

247 Rabbi Shimon says: Once the blood of one of the offerings has been sprinkled on the nazirite’s behalf, the nazirite is permitted to drink wine and to contract ritual impurity imparted by a corpse. The rest of the ritual is not indispensable for his purification.

248 GEMARA: The Sages taught: It states at the end of the passage dealing with naziriteship: “And after that the nazirite may drink wine” (Numbers 6:20), which means after all the actions, i.e., after he has sacrificed all the offerings and shaved, thereby completing the entire ritual of a nazirite. This

is the statement of Rabbi Eliezer. And the Rabbis say: After a single action. He may drink wine after sacrificing one offering, even if he has yet to shave, as shaving is not indispensable for being permitted to drink wine.

249 The Gemara clarifies: What is the reason of the Rabbis? It is written here: “And after that the nazirite may drink wine,” and it is written there, in the previous verse: “And the priest shall take the cooked foreleg…and place it on the palms of the nazirite after he has shaven his naziriteship” (Numbers 6:19). It is derived by verbal analogy: Just as there the term “after” means after a single action, i.e., shaving, here too, the term “after” means after a single action, sacrificing one offering.

250 The Gemara asks: Perhaps one can say that a nazirite is not permitted to drink wine until there are both actions, i.e., sacrificing an offering and shaving, as implied by a straightforward reading of the verse. The Gemara answers: If so, why do I need this verbal analogy? It must be teaching that a nazirite can drink wine after the performance of a single action.

251 § Rav said: The priest’s lack of waving of the offering of a nazirite precludes the release of the prohibitions of his naziriteship. The Gemara asks: According to whose opinion did Rav state this halakha? If we say that he spoke in accordance with the opinion of the Rabbis, this is difficult, as the Rabbis say that even lack of shaving does not preclude the completion of his naziriteship. Is it necessary, then, to state that waving, which is not indispensable in the case of other offerings, is not essential for the ritual of a nazirite?

252 Rather, will you say that it is in accordance with the opinion of Rabbi Eliezer, who permits a nazirite to drink wine only after he has completed the entire ritual? This is obvious; didn’t Rabbi Eliezer say that he is permitted to drink wine only after all the actions are completed? The Gemara answers that the statement is necessary, lest you say: Since with regard to the atonement effected by all other offerings, waving is considered a peripheral aspect of the mitzva, i.e., one achieves atonement even if he did not perform the ritual of waving, here too its lack does not preclude the release of a nazirite’s prohibitions. Rav therefore teaches us that according to the opinion of Rabbi Eliezer waving is essential in the case of a nazirite.

253 The Gemara raises a difficulty against Rabbi Eliezer’s opinion: And does a lack of waving preclude the performance of the purification ritual of a nazirite? But isn’t it taught in a baraita (Tosefta 1:5): The inclusive phrase: “This is the law of the nazirite,” (Numbers 6:21) teaches that all nazirites are bound by the same halakha, whether he has palms, or whether he does not have palms. Since one who is lacking palms certainly cannot wave, this indicates that waving is not essential.

254 The Gemara refutes this proof: But what about that which is taught in a similar baraita (Tosefta 1:5): “This is the law of the nazirite” whether he has hair or whether he does not have hair; so too, will you explain that lack of shaving does not preclude the ritual in the case of one who has no hair? But isn’t it taught in a baraita (Tosefta 1:6): With regard to an entirely bald nazirite, who cannot shave his hair with a razor as required, Beit Shammai say: He need not pass a razor over his head, and Beit Hillel say: He must pass a razor over his head.

255 And Ravina said: What is the meaning of the term: Need not, stated by Beit Shammai? It means that he need not shave, and he has no remedy, and he has no way to complete his naziriteship. This indicates that according to Beit Hillel he does have a remedy, i.e., he can pass a razor over his head and thereby fulfill the mitzva, despite the fact that he does not have any hair. Similarly, one can say

that Rabbi Eliezer holds that waving is indispensable, and when the baraita states: Whether he has palms or whether he does not have palms, could mean that waving is indispensable.

256 The Gemara adds: And this interpretation, that Beit Shammai and Rabbi Eliezer maintain one who is unable to perform the action mandated by the Torah has no remedy and cannot complete his naziriteship, is in accordance with a statement of Rabbi Pedat. As Rabbi Pedat said: Beit Shammai and Rabbi Eliezer said the same thing, i.e., they follow the same principle.

257 To what statement of Rabbi Eliezer is Rabbi Pedat referring? As it is taught in a baraita: A leper who does not have a thumb or big toe, upon both of which he must place the blood and oil of his purification ritual (Leviticus 14:14) can never attain ritual purity. This is the statement of Rabbi Eliezer. Rabbi Shimon says: The priest puts it on the spot of the missing thumb, and the leper thereby fulfills his obligation. The Rabbis say: Let him put it on the left thumb and thereby fulfill his obligation. According to Rabbi Pedat, Rabbi Eliezer and Beit Shammai both maintain that if the ritual cannot be performed in the precise manner delineated, one cannot fulfill his obligation and has no remedy. This is one version of the discussion.

258 The Gemara cites another version of this discussion. Some say that Rav said: The priest's lack of waving of the offering of a nazirite precludes the release of the prohibitions of his naziriteship. The Gemara asks: According to whose opinion did he state this halakha? If we say that he spoke in accordance with the opinion of Rabbi Eliezer, this is obvious; didn't Rabbi Eliezer say that he is permitted to drink wine only after all his actions, including waving? Rather, you will say that Rav spoke in accordance with the opinion of the Rabbis. However, this too is puzzling: Now that one can say that with regard to shaving, a central part of the naziriteship ritual, the Rabbis say that its omission does not preclude the fulfillment of his ritual, is it necessary to state that waving is not essential?

259 The Gemara asks: And doesn't the lack of waving preclude a nazirite's ritual? But isn't it taught in a baraita (Tosefta 1:5): The inclusive phrase: "This is the law of the nazirite," teaches that whether he has palms or whether he does not have palms waving is always required, and a nazirite is not exempted by a lack of palms. The Gemara questions this interpretation of the baraita. But what about that which is taught in the same baraita (Tosefta 1:5): "This is the law of the nazirite," whether he has hair or whether he does not have hair; so too, will you say that the lack of shaving precludes his ritual?

260 But isn't it taught in a baraita (Tosefta 1:6): With regard to an entirely bald nazirite, Beit Shammai say: He need not pass a razor over his head, and Beit Hillel say: He must pass a razor over his head. This baraita indicates that even according to the opinion of Beit Hillel a nazirite does not have to actually shave. Rabbi Avina said: What is the meaning of: He must, as stated by Beit Hillel? It means that he must shave, and if he fails to do so he has no remedy, and can never drink wine.

261 Conversely, according to the opinion of Beit Shammai he has a remedy, as he does not have to use a razor at all. And this interpretation disagrees with the opinion of Rabbi Pedat. Rabbi Pedat claims that both Beit Shammai and Rabbi Eliezer maintain that if the ritual cannot be performed in the precise manner delineated, one cannot fulfill his obligation and has no remedy. By contrast, Rabbi Avina contends that Beit Shammai exempt the nazirite from this obligation, while Beit Hillel say that he has no remedy.

262 MISHNA: As taught earlier (45a) the nazirite shaves after having brought one, or all, of his offerings. This mishna discusses what the halakha is if the offering was found to be invalid after the nazirite had shaved. If a nazirite shaved based upon the requisite offering, and afterward the offering was found to be invalid for any reason, his shaving is invalid and his offerings do not count toward the fulfillment of his obligation. If he shaved based upon the sin-offering, that was found to have been sacrificed not for its own sake, which invalidates the offering, and afterward he brought his other offerings for their own sake, his shaving is invalid and his other offerings do not count toward the fulfillment of his obligation. If he shaved based upon the requisite burnt-offering or having brought the requisite peace-offering, and these were offered not for their own sake, and afterward he brought his remaining offerings for their own sake, his shaving is invalid and his offerings do not count toward the fulfillment of his obligation.

263 Rabbi Shimon says: In the case of one who shaved based upon a burnt-offering or a peace-offering that was sacrificed not for its own sake, that offering, which was performed incorrectly, does not count toward the fulfillment of his obligation; however, his other offerings do count. And everyone agrees that if he shaved based upon all three of them, i.e., he brought all three offerings, without specifying which offering he is basing his shaving upon, and even one of them was found valid, his shaving is valid, but he must bring the other offerings in order to fulfill his obligation.

264 GEMARA: Rav Adda bar Ahava said: That is to say that Rabbi Shimon maintains that a nazirite who shaved based upon voluntary peace-offerings has fulfilled his obligation. A peace-offering that was sacrificed not for its own sake does not count toward the fulfillment of one’s obligation but is considered a voluntary gift-offering. It is clear from the mishna that Rabbi Shimon maintains that shaving based upon any valid offering, even a peace-offering of this type, is effective. What is the reason for this? It is as the verse states: “And put it on the fire which is under the sacrifice of the peace-offering” (Numbers 6:18), and it is not written: On his peace-offering. This indicates that he fulfills his obligation with any type of peace-offering.

265 MISHNA: With regard to one on whose behalf the blood of one of his nazirite offerings was sprinkled on the altar, and he became ritually impure before bringing the rest of his offerings, Rabbi Eliezer says: His impurity negates the entire tally, and he remains a nazirite. And the Rabbis say: Let him bring the rest of his offerings and be purified. The Rabbis said to Rabbi Eliezer: An incident occurred involving Miriam of Tarmod who was a nazirite, that the blood of one of her offerings was sprinkled on her behalf, and they came and told her that her daughter was mortally ill. And she went and found that her daughter was dead, and thereby contracted impurity. And the Rabbis said: Let her bring the rest of her offerings and be purified.

266 GEMARA: It is taught in the mishna: Rabbi Eliezer says that this negates the entire tally. The Gemara asks: But didn’t Rabbi Eliezer say (16b): With regard to any nazirite who became ritually impure after the completion of his term, this negates only seven days. Rav said: What does: Negates, that Rabbi Eliezer said in the mishna here mean? It means that his impurity negates all his offerings. Rabbi Eliezer did not mean that the nazirite must count his entire term of naziriteship afresh; rather, he must bring all his offerings a second time, including the one whose blood was sprinkled before he became impure.

267 The Gemara comments: So too, it is reasonable that this is the meaning of Rabbi Eliezer’s statement, as the mishna later teaches: And the Rabbis said: Let her bring the rest of her offerings and

be purified. Learn from here that they disagree only with regard to the offerings, but not the naziriteship itself.

268 The Gemara cites the rest of the mishna, which also indicates that the tanna’im disagree with regard to the offerings. And an incident also occurred involving Miriam of Tarmod, that the blood of one of her offerings was sprinkled on her behalf, and they came and notified her that her daughter was mortally ill. And she went and found that her daughter was dead, and thereby contracted impurity. And the Rabbis said: Let her bring the rest of her offerings and be purified. The Gemara concludes: Indeed, learn from the mishna that this is so.

Chapter 7

1 MISHNA: A High Priest and a nazirite may not become ritually impure even to bury their deceased relatives. However, they become impure to bury a corpse with no one to bury it [met mitzva]. If one of them comes across the corpse of a Jew, and there is nobody else available to bury it, he must bury the body. If a High Priest and a nazirite were walking along the way and they found a met mitzva, and one of them can tend to the burial by himself, Rabbi Eliezer says: Let the High Priest become impure, and do not let the nazirite become impure. And the Rabbis say: Let the nazirite become impure, and do not let even a common priest become impure.

2 Rabbi Eliezer said to the Rabbis: It is preferable to let the priest become impure, as he does not bring an offering for his impurity, and do not let the nazirite become impure, as he brings an offering for his impurity. The Rabbis said to him: On the contrary, let the nazirite become impure, as his sanctity is not permanent, and do not let a priest become impure, as his sanctity is permanent.

3 GEMARA: In light of the mishna’s dispute between Rabbi Eliezer and the Rabbis, the Gemara compares the status of various individuals. Granted, with regard to a High Priest and a nazirite, one can explain the dispute as follows. This Sage, the Rabbis, holds that it is preferable that a High Priest remain ritually pure, as his sanctity is permanent. And this Sage, Rabbi Eliezer, holds that it is preferable that a nazirite remain ritually pure, as he is obligated to bring an offering for his impurity.

4 Additionally, if the two walking together were a High Priest anointed with the anointing oil, as was performed during the First Temple period,

5 and a High Priest of many garments, i.e., one who was not anointed with oil but who was sanctified by wearing the eight garments of a High Priest, it is preferable that the one who was anointed with the anointing oil remain ritually pure. The Gemara explains: As a High Priest anointed with the anointing oil brings the bull brought for all the mitzvot, i.e., if an anointed priest ruled erroneously with regard to a prohibition that if a Jew transgressed it he would be liable to bring a sin-offering, he brings a bull for his sin-offering (see Leviticus 4:3–12), while a High Priest of many garments does not bring a bull.

6 In a case where a former anointed High Priest, i.e., a priest who had temporarily substituted for a High Priest, is walking together with one of many garments, it is preferable that the one who wears many garments remain ritually pure. The reason is that a High Priest of many garments still performs the service, whereas a former anointed High Priest is no longer able to perform the service.

[7] In a case where an anointed High Priest who temporarily left his role due to his seminal emission is walking with a former anointed High Priest who left his role due to his blemish, it is preferable that the former High Priest who left due to his seminal emission remain ritually pure, as this one, the High Priest who experienced an emission, is fit for the Temple service the following day, while the former anointed High Priest who left due to his blemish is no longer fit for the service at all (see Leviticus 21:16–24).

[8] § The above cases are all easily resolved and are mentioned merely to introduce the following inquiries, for which there are no obvious answers. A dilemma was raised before the Sages. For which of these two is it preferable that he remain ritually pure: A priest anointed for war, who was anointed with oil and appointed to admonish the troops before battle (see Deuteronomy 20:2) or the deputy [segan] High Priest? Is it preferable that the priest anointed for war remain ritually pure, as he is fit for war? Or, perhaps it is preferable that the deputy High Priest remain ritually pure, as he is fit for service in the Temple in place of the High Priest.

[9] The Gemara suggests: Come and hear a resolution, as it is taught in a baraita: The difference between a priest anointed for war and a deputy High Priest is only that if they were walking along the way and found a met mitzva, the ruling is: Let the one anointed for war become impure, and do not let the deputy become impure.

[10] The Gemara asks: But isn't it taught in a different baraita: A priest anointed for war takes precedence over the deputy High Priest? Mar Zutra said: This is not difficult. With regard to preserving his life and rescuing him from captivity or from a dangerous situation, it is preferable to preserve the one anointed for war. What is the reason for this? The reason is that the public depends on him in a time of war.

[11] But with regard to ritual impurity, it is preferable that the deputy High Priest remain ritually pure, as it is taught in a baraita that Rabbi Ḥanina ben Antigonus says: Why did the Sages institute a deputy for the High Priest? So that if a disqualification befalls the High Priest, his deputy can enter the Temple and serve in his stead. The deputy High Priest cannot fulfill this function if he is allowed to become ritually impure.

[12] The Gemara turns its attention to the halakha of the mishna. Rabbi Eliezer and the Rabbis disagree only with regard to a High Priest and a nazirite who are walking together and find a met mitzva, in which case one of them must become impure. However, it is evident that if each of them is walking separately, they are able, i.e., they are required, to become impure. From where are these matters derived? From where is it learned that a High Priest and a nazirite, who are prohibited from becoming impure even to bury their relatives, must nevertheless become impure to bury a met mitzva?

[13] It is as the Sages taught: The verse states with regard to a High Priest: "Neither shall he go in to any dead bodies; nor defile himself for his father or for his mother" (Leviticus 21:11). With regard to what bodies is the verse speaking? If it is referring to distant people, i.e., non-relatives, that halakha can be derived by an a fortiori inference: And if a common priest, who becomes impure to bury his close family members, may not become impure to bury distant people, then with regard to a High Priest, who does not become impure even to bury close members of his family, is it not logical that he does not become impure to bury distant people? Rather, the verse is speaking of close family members, and it prohibits a High Priest from becoming impure to bury any person, even his relatives.

[14] The Gemara comments: With regard to the rest of the verse: “Nor defile himself for his father or for his mother” (Leviticus 21:11), each of these clauses must serve to teach a novel halakha. And the phrase “for his father” teaches: It is to bury his father that he may not become ritually impure, from which it may be inferred that he becomes impure to bury a met mitzva.

[15] The phrase “or for his mother” serves as a verbal analogy, in accordance with the opinion of Rabbi Yehuda HaNasi, as it is taught in a baraita: Rabbi Yehuda HaNasi says: It states with regard to a nazirite: “He shall not become defiled for them when they die” (Numbers 6:7), which indicates: It is only when his relatives die that he may not become impure for them. However, he may become impure for their leprosy and for their emission of a zav, i.e., a nazirite is not forbidden to contract those forms of ritual impurity. And I have derived only that this halakha applies to a nazirite, the subject of this verse. From where do I derive that this applies to a High Priest as well?

[16] You can say as follows: The verse need not say “his mother” with regard to a High Priest, as there is no need for the verse to state this, since this halakha is derived a fortiori: And if in a case where a common priest becomes impure to bury his paternal brother, a High Priest may not become impure even to bury his father, then in a case where a common priest may not become impure to bury his maternal brother, who is not considered a relative with regard to impurity, is it not logical that a High Priest may not become impure to bury his mother herself?

[17] And if you have successfully derived this halakha from the a fortiori inference, what is the meaning when the verse states “his mother” with regard to a High Priest? It is free to teach a novel halakha, and one can compare and learn a verbal analogy from it as follows: It is stated “his mother” with regard to a nazirite (Numbers 6:7), and it is stated “his mother” with regard to a High Priest (Leviticus 21:11).

[18] The Gemara explains: Just as the phrase “his mother” stated with regard to a nazirite teaches that in his parents’ death he may not become impure to bury them but he may become impure for their leprosy and for their emission of a zav, as a nazirite is not prohibited from contracting these impurities, so too, the phrase “his mother” stated with regard to a High Priest means that in his parents’ death he may not become impure, but he may become impure for their leprosy and for their emission of a zav.

[19] The Gemara clarifies: We found a source for the halakha that a High Priest must become impure for a met mitzva; from where do we derive that a nazirite is likewise obligated? As it is taught in a baraita that it is stated with regard to a nazirite: “All the days that he consecrated himself to the Lord he shall not come near to a dead body [nefesh met]” (Numbers 6:6).

[20] I would derive from this verse that a nazirite is prohibited from coming near all bodies, including even the body of an animal, similar to that which is stated: “And he who smites the body [nefesh] of an animal” (Leviticus 24:18). Therefore, the verse states: “He shall not come near to a dead body,” employing the dual term nefesh met, which indicates that the verse is speaking of the body of a person. Rabbi Yishmael says: This exposition is unnecessary, as the verse states: “He shall not come near,” indicating that the verse is speaking only of bodies that render people and items ritually impure through going in, i.e., entering. In other words, the verse is referring solely to corpses. Entering into a tent in which the corpse is contained renders one impure. By contrast, an animal carcass imparts impurity only by means of contact and carrying.

[21] In any case, once it has been derived that a nazirite is prohibited from becoming impure to bury any person, both relatives and non-relatives, the passage “he shall not become defiled for his father, or for his mother” (Numbers 6:7) is available to teach another halakha, that it is for only them that a nazirite may not become impure, but he may become impure to bury a met mitzva.

[22] The baraita asks: Even if the verse had not stated this halakha, I have a way of deriving it by right, i.e., logically, with an a fortiori inference: And if a High Priest, whose sanctity is permanent, may become ritually impure to bury a met mitzva, then in the case of a nazirite, whose sanctity is not permanent, is it not logical that he may become impure to bury a met mitzva as well?

[23] The baraita rejects this inference: No; if you say that this is true with regard to a High Priest, who does not bring an offering for his impurity, shall you also say that this is the case with regard to a nazirite, who does bring an offering for his impurity? Since a nazirite brings an offering for his impurity, perhaps he should not become impure to bury a met mitzva? Therefore, the verse states: “He shall not become defiled for his father, or for his mother” (Numbers 6:7). However, he does become impure to bury a met mitzva.

[24] The baraita suggests: Or perhaps one should expound this verse differently: He may not become impure to bury his father or for his mother; however, he may become impure to bury other dead people. The Gemara rejects this suggestion: You can say that this argument can be refuted a fortiori: And if a common priest, who becomes impure to bury his relatives, nevertheless may not become impure to bury other dead people (see Leviticus 21:1–2), then in the case of a nazirite, who may not become impure to bury his relatives, is it not logical that also he should not become impure to bury other dead people?

[25] If so, what is the meaning when the verse states: “For his father, or for his mother” (Numbers 6:7)? It emphasizes that it is to bury his father and to bury his mother that he may not become impure; however, he may become impure to bury a met mitzva.

[26] The baraita questions the need for this derivation: Even if the verse had not stated this halakha, I have a way of deriving it by right, i.e., logically, with an a fortiori inference: General prohibitions are stated in the Torah with regard to a High Priest contracting impurity from a corpse, i.e., “neither shall he go in to any dead bodies” (Leviticus 21:11), and similar general prohibitions are stated with regard to a nazirite: “He shall not come near to a dead body” (Numbers 6:6). The baraita explains: Just as the general prohibitions stated with regard to a High Priest teach that it is to bury his father that he may not become impure, but he may become impure to bury a met mitzva, so too, the general prohibitions stated with regard to a nazirite indicate that it is for his father that he may not become impure, but he may become impure to bury a met mitzva. Accordingly, there is no need for the derivation from the phrase “for his father or for his mother.”

[27] The baraita refutes this proof: Or perhaps you can go this way and accept a different interpretation: General prohibitions are stated with regard to a common priest contracting impurity imparted by a corpse, i.e., “there shall none defile himself for the dead among his people” (Leviticus 21:1), and general prohibitions are stated with regard to a nazirite. Just as the general prohibitions stated with regard to a common priest teach that he may become impure to bury his father (Leviticus 21:2), so too, the general prohibitions stated with regard to a nazirite say that he may become impure to bury his father. Perhaps a nazirite is compared to a common priest, not a High Priest.

[28] Since one cannot learn from the general prohibitions, one must revert to the previous derivation: The verse states with regard to a nazirite: “He shall not become defiled for his father, or for his mother” (Numbers 6:7), which indicates that he may become impure to bury a met mitzva. The baraita raises a difficulty with this last proof: One requires this verse for the halakha itself, to say that a nazirite, unlike a common priest, may not become impure to bury his father. How, then, can one learn from here that he may become impure to bury a met mitzva?

[29] Rather, the baraita explains as follows: The superfluous phrase “for his father” serves to say that he may not become impure to bury his father, and all the more so for his other relatives. The phrase “for his brother” teaches that he may not become impure to bury his brother but he may become impure to bury a met mitzva. “And for his mother”; this phrase is for a verbal analogy in accordance with the opinion of Rabbi Yehuda HaNasi, that a nazirite may contract ritual impurity of types other than a corpse.

[30] As for the phrase “and for his sister,” it is used for that which is taught in a baraita, as it is taught in a baraita: “And for his sister”; what is the meaning when the verse states this with regard to a nazirite? This detail is apparently superfluous, as the halakha that a nazirite may not become impure to bury a relative has already been derived.

[31] The baraita continues: Rather, the term “and for his sister” teaches the following: If someone went to slaughter his Paschal offering or to circumcise his son, which are particularly stringent positive mitzvot, as their neglect is punished by karet, and he hears that a relative of his had died, one might have thought that he should become impure to bury his dead relative and abandon his performance of the mitzva. You can say in response that he may not become impure, as one is not permitted to neglect the obligation of the Paschal offering or circumcision, even to bury a close relative.

[32] The baraita continues: One might have thought that he may not become impure even to bury a met mitzva. The verse states: “For his sister.” It is only for his sister or another close relative that the nazirite may not become impure, but he does become impure to bury a met mitzva. Since the verse had already taught that a nazirite may not become impure to bury a relative but does become impure to bury a met mitzva in an ordinary circumstance, the additional term “and for his sister” teaches that the same halakha applies even when he is going to perform an important mitzva.

[33] Rabbi Akiva says that this verse dealing with a nazirite should be explained differently. “He shall not come near to a dead body” (Numbers 6:6) teaches the following: “Body”; these are the distant people. “Dead”; these are the close relatives. The subsequent verse stresses that “for his father or for his mother” he may not become impure; however, he does become impure to bury a met mitzva.

[34] The next term in the verse, “for his brother,” indicates that even if he was a High Priest and he was also a nazirite, he may not become impure to bury his brother, but he may become impure to bury a met mitzva. As for the term “for his sister,” this is used to teach that which is taught in a baraita: If one was going to slaughter his Paschal offering or to circumcise his son and encountered a met mitzva, the obligation to bury the corpse takes precedence over the other important mitzva.

[35] The Gemara asks: And according to the derivation of Rabbi Akiva, from where does he derive the halakha of the verbal analogy of Rabbi Yehuda HaNasi that a High Priest may contract impurities other than the impurity of a corpse? How does Rabbi Akiva derive this halakha?

[36] The Gemara answers: Rabbi Akiva could have said to you: Since the Master said that if someone was a High Priest and also a nazirite, it is to bury his brother that he may not become impure but he does become impure to bury a met mitzva, one can therefore argue: What difference is it to me if he was only a High Priest, and what difference is it to me if he was both a nazirite and a High Priest? Once the Torah has stated that a nazirite may contract other forms of ritual impurity, the same halakha applies equally to a nazirite who is also a High Priest.

[37] The Gemara asks: And according to the derivation of Rabbi Yishmael, from where does he derive that a High Priest who is also a nazirite must become impure to bury a met mitzva? The Gemara answers: Since the Merciful One permits one prohibition with regard to a met mitzva, either that of a High Priest or that of a nazirite, what difference is it to me if one prohibition is permitted, and what difference is it to me if two prohibitions are permitted? Once the Torah has permitted both a High Priest and a nazirite to contract ritual impurity to bury a met mitzva, it makes no difference if a single prohibition or two prohibitions are involved.

[38] The Gemara asks further: If so, why do I need the term “his sister”? The Gemara answers: It might enter your mind to say that when the Merciful One permits the contracting of impurity to bury a met mitzva, this is in the case of a nazirite and a priest, each of which involves a negative prohibition not to become impure. However, with regard to circumcision and the Paschal offering, whose neglect entails the punishment of karet, perhaps one should not become impure to bury a met mitzva. The verse therefore teaches us that one must become impure even if this forces him to neglect a mitzva whose neglect is punishable by karet.

[39] The Gemara asks: And according to the derivation of Rabbi Akiva, now consider, it is no different whether the individual was a High Priest alone, and it is no different if he was a High Priest who was also a nazirite; the halakha that he must become impure to bury a met mitzva is derived from the phrase “for his brother,” stated with regard to a nazirite (Numbers 6:7). But if so, why do I need the expression “for his father, or for his mother” (Numbers 6:7)? The general prohibition against contracting impurity from any corpse should suffice.

[40] The Gemara answers: Both are necessary, as had the verse written only “for his father,” I would say that this is the reason that a nazirite may not become impure for his father: Because it is merely a presumption that he is his father, as one cannot be absolutely sure of the identity of one’s father. However, with regard to his mother, whom we know gave birth to him, perhaps let him become impure to bury her. The verse therefore states: “His mother.”

[41] And conversely, had the Merciful One written only “for his mother,” I would say that it is solely to bury his mother that he may not become impure, as her seed does not follow her, i.e., a man’s lineage is determined by his father, not his mother. However, with regard to his father, since the Master said with regard to the verse “by their families, by their fathers’ house” (Numbers 1:2) that one’s family ancestry follows his father, you might say: Let him become impure to bury him. The verse therefore teaches us that a nazirite may not become impure to bury his father either.

[42] The Gemara asks: According to the derivation of Rabbi Akiva, why do I need the words “neither shall he go in to any dead bodies” (Leviticus 21:11), stated with regard to a High Priest?

[43] “In to any” serves to exclude contracting impurity to bury distant people, for whom a High Priest may not become impure; “dead” comes to exclude relatives; “bodies” comes to exclude a quarter-log of blood that emerges from two corpses, for it renders people and objects impure in a tent, as it is

stated: “Neither shall he go in to any dead bodies” (Leviticus 21:11). The plural “bodies” teaches that the blood of two people combines to form the minimum quantity for ritual impurity.

44 MISHNA: A nazirite shaves for having become impure from these following sources of ritual impurity: For having become impure with impurity imparted by a corpse; and for impurity imparted by an olive-bulk of a corpse; and for impurity imparted by an olive-bulk of fluid [netzel] from a corpse; and for impurity imparted by a full ladle [tarvad] of dust from a corpse; and for impurity imparted by the spine; and for impurity imparted by the skull; and for impurity imparted by a limb from a corpse or for impurity imparted by a limb severed from a living person, upon either of which there is a fitting quantity of flesh; and for impurity imparted by a half-kav of bones from a corpse; and for impurity imparted by a half-log of blood.

45 And a nazirite shaves in each of these cases for becoming impure by coming into contact with them; and for becoming impure by carrying them; and for becoming impure by their tent, i.e., if he was positioned like a tent over them, or if he entered a tent that contains them, or if they served as a tent over him. And as for a bone that is a barley-grain-bulk, he shaves for becoming impure by coming into contact with it and by carrying it. However, he is not rendered impure with the impurity imparted in a tent, i.e., by being under the same roof as the bone.

46 For all of these occurrences, a nazirite shaves, and a priest sprinkles the ashes of the red heifer on him on the third and on the seventh days to purify him from the impurity imparted by a corpse. And he negates all the previous days he counted toward his naziriteship, and he begins counting his term of naziriteship again only after he becomes pure and brings his offerings.

47 GEMARA: The Sages taught: After Rabbi Meir’s death, Rabbi Yehuda said to his students: Do not let the students of Rabbi Meir enter here, into the house of study, because they are vexatious and they do not come to study Torah, but they come to overwhelm me with their halakhot. Nevertheless, Sumakhos, a student of Rabbi Meir, forced his way and entered the house of study.

48 When they reached the topic of the mishna, Sumakhos said to them: Rabbi Meir taught me like this: A nazirite shaves for becoming impure from these following sources of ritual impurity: For impurity imparted by a corpse and for impurity imparted by an olive-bulk from a corpse. Rabbi Yehuda grew angry and said to his disciples: Didn’t I say to you like this: Do not let the students of Rabbi Meir enter here because they are vexatious? He explained his annoyance. The clause: For a corpse, is unnecessary, as, if a nazirite must shave for impurity imparted by an olive-bulk from a corpse, is it not all the more so that he must shave for impurity imparted by an entire corpse?

49 Rabbi Yosei said: Now they will say: Meir is dead, Yehuda is angry, and Yosei remained silent and did not respond. If so, what will become of the Torah? Rabbi Yosei therefore said: It is not necessary to teach that a nazirite must shave for impurity imparted by a corpse, but only that he must shave even for impurity imparted by a corpse upon which there is not an olive-bulk of flesh. The Gemara asks: But one could still say: If he must shave for impurity imparted by a limb from a corpse, even if it is less than an olive-bulk, as stated in the mishna, is it not all the more so that he must shave for impurity imparted by all of a corpse, even if it does not contain an olive-bulk of flesh?

50 Rather, the mishna should be explained as Rabbi Yoḥanan said, with regard to a different issue: It is necessary only for a miscarried fetus whose limbs had not yet become joined to its sinews. Here too, one can say that the mishna’s statement that a nazirite must shave for impurity imparted by a corpse is referring to a miscarried fetus whose limbs had not yet become joined to its sinews.

Although it does not impart impurity through one of its limbs, as the limbs lack sinews and bones, this corpse itself does impart impurity.

51 Rava said a different explanation: This ruling is necessary only for the majority of the structure or the majority of the number of bones of a very small corpse, despite the fact that together they do not contain a quarter-kav of bones. Since these bones comprise the majority of the structure or the majority of the number of bones of a corpse, they have the status of a whole body. This halakha could not have been derived from the measure of impurity of part of the body, as this corpse is very small.

52 § The mishna taught: A nazirite shaves for impurity imparted by an olive-bulk of a corpse and for impurity imparted by an olive-bulk of fluid. The Gemara explains: And what is fluid? This is referring to flesh of the corpse that liquefied and subsequently congealed, and liquid [mohal] from the corpse that began to boil and then hardened.

53 The Gemara asks: What are the circumstances in which the congealment is a determinative factor in the imparting of impurity? If we say that we do not know that the substance with which the nazirite came into contact is from the corpse, even if it congealed, what of it? Rather, you will say that we know that it came from the corpse. But then the nazirite should be impure even though it has not congealed.

54 Rabbi Yirmeya said that this is referring to an unspecified substance that is definitely from the corpse but is not necessarily a substance that imparts impurity. One therefore examines the substance: If the substance eventually congeals, it is liquid from the corpse, which imparts impurity; if it does not congeal, perhaps it is his phlegm and his spittle, which do not impart impurity.

55 § With regard to the impurity of fluids from a corpse, Abaye raised a dilemma before Rabba: Is there the category of fluid with regard to animals, or is there no category of fluid with regard to animals? In other words, does fluid from an animal carcass impart impurity like the animal carcass itself or not? The Gemara explains the two sides of the dilemma: Do we say that it is learned as a tradition that fluid that comes from a person is impure but fluid that comes from an animal is not impure? Or perhaps it is no different, as fluid from a corpse is always considered like the flesh itself?

56 The Gemara comments: This works out well according to the one who says that a carcass imparts impurity by a severe impurity, through contact and carrying, only until the carcass becomes inedible for a stranger, i.e., in order impart impurity it must be fit for human consumption. And the carcass imparts impurity by a light impurity that imparts impurity on food through contact until the carcass become inedible for a dog. According to this opinion, it is well, as the halakha of fluid certainly does not apply to an animal, since meat that has liquefied is no longer fit for human consumption.

57 However, according to the one who says that a carcass imparts impurity by a severe impurity until it becomes inedible for a dog, what is there to say? Since fluids from an animal carcass are presumably fit to be eaten by a dog, the above dilemma as to whether it is impure remains pertinent.

58 The Gemara answers: Come and hear a resolution from the Tosefta (Zavim 5:9): The fat of an animal carcass that someone liquefied in fire is still impure. However, if it melted in the sun, which impairs its taste, it is pure. And if it enters your mind that according to the opinion that a carcass imparts impurity until it becomes inedible for a dog the impurity of fluids does apply to an animal carcass, if so, even fat that dissolved in the sun should also be impure. Even if its taste is spoiled, it remains edible for a dog.

[59] The Gemara answers: When does this fat liquefy? After it has putrefied, which is why it was thrown out, at which point it melted in the sun. However, once it putrefied, it had already become like dust and lost any status of ritual impurity it once had. Once it has melted, it is no longer edible for a dog. Consequently, this source provides no proof.

[60] § The Gemara discusses a related issue. We learned in a mishna (Makhshirin 5:9): Anything that is poured remains ritually pure. In other words, if one pours liquid from one vessel into another, the stream of liquid is not considered to connect the two vessels. Consequently, if the upper vessel and its contents are pure, they do not become impure even if the lower vessel into which the liquid is poured is impure. The stream of liquid does not link them in this manner.

[61] The mishna adds: This is the case for all liquids except for zifim honey, a very thick type of honey, and batter, e.g., flour mixed with honey. Since these substances are highly viscous, they are not considered liquids. Rather, they are a kind of soft solid food, which means that they are a single unit that links the two vessels with regard to impurity.

[62] Beit Shammai say: Even the stream of a stew made of crushed and broken beans or of whole beans also connects two items because it returns backward. When one stops pouring this stew, part of the dish reverts to its place of origin, and therefore the stream is considered a single unit.

[63] § Rami bar Ḥama raises a dilemma: According to the opinion of the Rabbis that in general, poured liquid does not serve to connect, is there a stream for food, or is there not a stream for food? If one pours melted food into an impure vessel, does the food which one is pouring become impure? The Gemara explains the two sides of the dilemma: Do we say that zifim honey and batter connect different items because they have a flow that returns backward, and these regular foods do not have a flow that returns backward? Or, perhaps the reason why zifim honey and batter connect is because they are viscous, and here the melted foodstuffs are also viscous.

[64] Rava said: Come and hear a resolution from the Tosefta (Oholot 4:3): If there was fat of a corpse that was whole and contained an olive-bulk, and one melted it, it is ritually impure. If from the outset the fat was separated into pieces smaller than an olive-bulk, which do not impart impurity, and one melted it, so that it combined into an olive-bulk in its melted state, it is pure. And if it enters your mind that there is no stream for food, even if it was whole and one melted it, it should also be pure, as it became liquid and spread throughout the pan. Consequently, each part should be considered separate, which means the food is not the size of an olive-bulk.

[65] Rabbi Zeira said: I and Mar, son of Ravina, explained it: With what are we dealing here? With a case where as he was heating it, the column of fire rose from under the pan to the mouth of the vessel, and the fat congealed there, so that it was all present together, i.e., there was no stream at all.

[66] Ravina said to Rav Ashi: Come and hear a resolution from the mishna to the question of whether food is considered a stream. Beit Shammai say: Even the stream of a stew made of crushed and broken beans or of whole beans also connects two items because it returns backward. This indicates that the dispute in the mishna is whether or not stew meets the criteria of returning backward, and the Rabbis hold that honey and anything like it, which return backward, are considered a stream. Rav Ashi replied: Are the cases comparable? There, in the case of honey, one might suggest it is a stream because it is viscous. Here, with regard to the stew, the reason Beit Shammai rule stringently is due to the flow, which returns backward. The Rabbis do not agree that this is a factor at all.

[67] § The mishna taught: And for impurity imparted by a full ladle of dust. The Gemara inquires: And how much is this measure of a full ladle of dust? Ḥizkiyya said: A full palm of the hand. Rabbi Yoḥanan said: His handfuls, i.e., the amount that can be held in the whole hand, including the fingers. The Gemara cites a relevant source. We learned in the Tosefta (Oholot 2:2): The full ladle of dust that the Sages spoke of includes all that can be contained from the base of the fingers and above; this is the statement of Rabbi Meir. And the Rabbis say: His handfuls.

[68] Granted, Rabbi Yoḥanan spoke in accordance with the opinion of the Rabbis. But in accordance with whose opinion did Ḥizkiyya state his opinion? His ruling is neither in accordance with the opinion of Rabbi Meir nor in accordance with that of the Rabbis. The Rabbis require his handfuls, Rabbi Meir refers only to the amount contained in the fingers themselves, while Ḥizkiyya rules that it is the amount that can rest on the palm of a hand. The Sages say in response that Ḥizkiyya's amount of a full palm of his hand and Rabbi Meir's measurement of a full amount of his finger joints from the palm of the hand and above are one and the same measure.

[69] The Gemara raises a difficulty with regard to the basis of the question directed toward the opinion of Ḥizkiyya. Rav Shimi bar Adda said to Rav Pappa: From where do we know that this amount specified by Rabbi Meir: From his finger joints and above, means toward the ends of the fingers? Perhaps it is referring to below it, toward the arm, in which case it is exactly the same as Ḥizkiyya's amount: A full palm of the hand. If so, this baraita presents no difficulty to Ḥizkiyya at all. No answer was found, and the Gemara says that the question shall stand unresolved.

[70] § The mishna taught that one of the sources of ritual impurity for which a nazirite must shave is a full ladle of dust from a corpse. The Sages taught (Tosefta, Oholot 2:3): Which is a corpse that has the halakha of dust, i.e., whose dust imparts impurity? A corpse that was buried naked in a marble coffin or on a stone floor; this is a corpse that has the halakha of dust that imparts impurity. Any dust found there must have come from the corpse. However, if it was buried in its cloak, or in a wooden coffin, or on a brick floor, this is a corpse that does not have the halakha of dust that imparts impurity. In the latter cases it is assumed that the dust from the corpse includes particles from the clothes, wood, or bricks that disintegrated, and there is a tradition that the impurity of dust applies only to dust that comes solely from the corpse, not to a mixture from different sources.

[71] With regard to the same issue, Ulla said: Dust is only that which comes from the flesh and from the sinews and from the bones of the corpse together, but not if it came from one of these alone. Rava raised an objection to Ulla from the following baraita: Dust that comes from the flesh is pure. It can be inferred from here that if it comes from the bone it is impure, even though there is no dust of flesh mixed with it. Ulla replied: You should say and infer like this: Dust that comes from the flesh is pure, unless there is bone in the flesh.

[72] Rava continued to question Ulla's opinion: Even if one interprets the baraita in this manner, there is no mention of sinews here at all, and Ulla maintains that sinews must also contribute to the makeup of part of the dust. Ulla replied that there is no need to mention sinews explicitly, as it is impossible for there to be flesh and bones without sinews. Once it is established that the dust is from bones and flesh, it necessarily includes sinews as well.

[73] § The Gemara continues to discuss the dust of a corpse. Rav Shmuel bar Abba said that Rabbi Yoḥanan said: Two corpses that were buried with one another become a mixture [galgallin] with one another. Their dust is considered mixed together and does not impart the impurity of the dust from a

single corpse. Rav Natan raises an objection to this opinion: But it is taught that dust that comes from two corpses is impure.

[74] Rava said: That baraita is referring to a case where they buried this corpse by itself and that corpse by itself, and they decayed separately, and they both stood at, i.e., yielded the amount of, a full ladle of dust. In this situation, the dust imparts impurity despite the fact that it is not from a single corpse, as the status of dust from a corpse initially applied to each corpse. However, if the corpses decayed together they are considered to be mixed together, which means that their dust does not impart impurity.

[75] The Gemara cites a further statement with regard to dust of a corpse. Rabba bar bar Ḥana said that Rabbi Yoḥanan said: If one cut the hair of a corpse and buried the hair with it, the hair becomes part of the mixture for the dust, and it does not impart impurity. In relation to the above, the Gemara states: We learned in a mishna there (Oholot 3:3): Everything that is in a corpse is impure, except for the teeth, the hair, and the nails, which do not impart impurity as part of the body. But when they are attached to the corpse, they are all impure.

[76] With regard to this halakha, Ḥizkiyya raised a dilemma: If hair of a corpse is ready to be shaved, or its nail is ready to be cut, what is the halakha? Do we say that anything that is ready to be cut is considered cut, and therefore these are considered detached from the body and do not impart impurity? Or, perhaps now, in any event, they are attached, and therefore they should impart impurity?

[77] The Gemara asks: And let Ḥizkiyya resolve this dilemma from the aforementioned statement of Rabba bar bar Ḥana, that hair buried with a corpse forms a mixture with the corpse. The inference is as follows: The reason that it forms a mixture is because he cut the hair, from which it may be inferred if he did not cut the hair it would not form a mixture, even if it was ready to be cut. The Gemara rejects this argument: One can respond that this is what Rabba bar bar Ḥana is saying: If he cut it, it definitely forms a mixture; if he did not cut it, Rabba bar bar Ḥana is unsure as to the halakha and he raises this case as a dilemma.

[78] § Rabbi Yirmeya raised another dilemma concerning the dust of a corpse: With regard to dust that comes from the heel, what is the halakha? The Gemara explains the two sides of the dilemma: Do we say that when we learn this halakha through tradition, is it only in reference to dust that comes from all of a corpse, but with regard to dust that comes from its heel, no, this halakha does not apply; or perhaps it is no different?

[79] The Gemara suggests a resolution of this dilemma: Come and hear, as Rabbi Natan, son of Rabbi Oshaya, taught: Dust that comes from two corpses is impure. And if it enters your mind that dust that comes from the heel does not impart impurity, go here and consider that perhaps the dust came from the heel, and go here too and consider that perhaps it came from the heel. The fact that the dust is considered definitely impure shows that dust from the heel imparts impurity as well.

[80] The Gemara rejects this argument: If the entire corpse decayed and the dust came from the heel, so too, it is all impure, as the dust of the heel is not considered to be a foreign substance. Rather, here Rabbi Natan is referring to a case where one limb decayed and the dust came from the heel. It was with regard to this situation that Rabbi Yirmeya asked: What is its halakha? Does this dust impart impurity or not? No answer was found, and therefore the Gemara states that the dilemma shall stand unresolved.

[81] § Rabbi Yirmeya raised yet another dilemma: Does a dead fetus in its dead mother’s womb form a mixture with regard to her, so that the bodies are considered like two corpses buried together, or not? The Gemara explains the two sides of the dilemma: Do we say that since the Master said that a fetus is considered as the thigh of its mother, it is therefore like her body and it does not form a mixture with it? Or perhaps one should maintain: Since in most cases a fetus will ultimately emerge from the womb at birth, it is already considered separated from her, and it is like any other corpse buried with the woman. And if you say that a fetus, which will ultimately emerge, is considered separated from her and is not part of her body, one must still ask this question

[82] with regard to semen in a dead woman’s womb. What is the halakha in this case? Does it form a mixture with respect to the woman’s body? The Gemara explains the two sides of this dilemma: Do we say that since no fetus was formed from the semen, it is considered like her body? Or, perhaps one should argue that since it comes from outside, it is not considered part of her body.

[83] Rav Pappa raised a similar dilemma: With regard to her excrement, the food waste that remains in a woman’s intestines, what is the halakha? Once again, the Gemara explains the two sides of this dilemma: Do we say that since she cannot subsist without food it is considered her life, which means that the food left inside her body is part of her and does not form a mixture with the corpse? Or perhaps this too comes from outside and is therefore not part of her body, and does form a mixture with her corpse. Similarly, Rav Aḥa, son of Rav Ika, raised a dilemma concerning a corpse: With regard to its skin, what is the halakha? Rav Huna bar Manoaḥ likewise raised a dilemma: With regard to its phlegm and its spittle, what is the halakha?

[84] Rav Shmuel bar Aḥa said to Rav Pappa: But if it enters your mind that all these cases of which they spoke form a mixture, under what circumstances do you find this case of dust that imparts impurity? Dust from a corpse will always include some components of the aforementioned elements. The Gemara answers: It is possible. For example, if someone was given palm water [mei dekalim], a powerful laxative, to drink before he died, and was rubbed with a depilatory agent to remove his hair, and was boiled after death in the hot waters of Tiberias until the skin came off, this would remove all matter that is not part of the corpse itself.

[85] Abaye said: We have a tradition that a corpse that was ground into small pieces has no halakha of dust. A dilemma was raised before the Sages: If a corpse was ground after death and the remains later decayed, what is the halakha? The Gemara clarifies the two sides of the dilemma: Is the halakha of dust of a corpse only due to the fact that there is flesh and sinews and bones, and all these are present in this case, so it is impure? Or perhaps, we require the corpse to have decayed from its initial state, before it was ground, and this is not the situation here. As was the case with regard to the previous inquiries, no answer was found, and the Gemara says that the dilemma shall stand unresolved.

[86] § Ulla bar Ḥanina teaches: A corpse that lacks a part does not have the halakha of dust, which imparts ritual impurity in the amount of a full ladle, nor the halakha of earth that is caught [tefusa] and considered part of a corpse. If a deficient corpse is moved, the surrounding earth is not considered part of it and need not be moved together with the body, as must be performed for a whole corpse. Nor does the halakha of a graveyard apply. If three corpses are discovered in close proximity and one of them is deficient in some way, one need not search for more bodies out of concern that the location might have been a cemetery, as must be done if three intact corpses are found. Rather, the bodies are considered isolated corpses.

[87] The Gemara raises an objection from a mishna (Eduyyot 6:3) that addresses the question of whether an olive-bulk of flesh that came from a living person imparts ritual impurity as it would were it to come from a corpse: No, if you say that an olive-bulk of flesh imparts impurity with regard to a corpse, whose halakhot of impurity are stringent, as the majority of its structure or the majority of the number of its bones, or a quarter-kav of its bones, or even a full ladle of its dust impart impurity, shall you also say that it imparts impurity with regard to a living person, who does not have the halakha of the majority of structure or the majority of the number of its bones, nor a quarter-kav, nor a full ladle of dust?

[88] The Gemara analyzes this passage: What are the circumstances of that mishna that deals with a limb from a living person? If you say that one limb of a living person decayed, and the mishna is indicating that in the corresponding situation with regard to a corpse, there is dust even from one limb. This shows that the halakha of dust applies to a corpse that is missing a limb and not just to a complete corpse. The Gemara rejects this argument: Did the mishna teach that this corpse in that particular case of an isolated limb has the halakha of dust? That is merely an inference, as it is not stated explicitly in the mishna itself. Rather, the mishna teaches us this: The name, i.e., the category, of a corpse has dust. However, the name of a living person does not have dust.

[89] Rava raised a dilemma: If a limb of a body decayed when he was alive, and that individual subsequently died, what is the halakha? Do we say that when this is learned as a tradition that dust imparts ritual impurity, this applies only if the body decayed when he was dead, but not when he was alive, and therefore this corpse is considered deficient and its dust does not impart impurity? Or perhaps, now in any event he is dead, and his whole body has decomposed, and consequently its dust does impart impurity.

[90] The Gemara suggests: Come and hear the aforementioned mishna: No, if you say that an olive-bulk of flesh imparts impurity with regard to a corpse, whose halakhot of impurity are stringent, as the majority of its structure or the majority of the number of its bones, or a quarter-kav of its bones, or even a full ladle of its dust imparts impurity, shall you also say that it imparts impurity with regard to a living person, who does not have the halakha of the majority of structure or the majority of the number of its bones, nor a quarter-kav, nor a full ladle of dust.

[91] The Gemara infers from this passage: The reason the olive-bulk of flesh does not impart impurity is due to the fact that it is from a living person, from which it may be inferred that in a corresponding situation involving a corpse, the corpse has the halakha of dust, even if the limb had decomposed during the deceased's lifetime. The Gemara rejects this contention as above: Did the mishna teach that this corpse in that particular case of an isolated limb has the halakha of dust? That is merely an inference, as it is not stated explicitly in the mishna itself. Rather, the mishna teaches us this: The name, i.e., the category, of a corpse has dust. However, the name of a living person does not have dust.

[92] § In relation to the above discussion concerning a body without a limb, Rava raised a dilemma: If someone eats an entire ant, even if it is less than an olive-bulk in volume, he is liable for eating a creeping animal because it is a whole creature. Rava's dilemma was as follows: If one eats an ant that lacks a part, e.g., a leg, what is the halakha? Is this individual liable to receive lashes? The two possibilities are as follows: Is it learned as tradition that the amount for which one is liable is a whole

ant, and this one is lacking? Or did we learn that he is punished for a viable entity, and there is a viable entity here, despite the missing limb?

93 Rav Yehuda from Diskarta said: Come and hear the following halakhic midrash concerning the ritual impurity of creeping animals. The verse states: “Whoever touches them when they are dead shall be impure” (Leviticus 11:31). One might have thought this halakha applies only to all of them, i.e., to complete creatures. Therefore, the verse states: “And upon whatever any of them, when they are dead, fall, it shall be impure” (Leviticus 11:32), which indicates that part of these creatures also imparts impurity. If the halakha were derived solely from the phrase “of them,” one might have thought that it applies even to a small part of them. The verse therefore states: “Them,” which means all of them.

94 How so? How can one reconcile the two verses? He does not become ritually impure unless he touches at least part of them that is equal in measure to all of them, i.e., a large part. And the Sages calculated that this is the volume of a lentil-bulk. Why is this? As the start of the formation of a skink, one of the eight impure creeping animals, is the size of a lentil-bulk. This concludes the halakhic midrash. With regard to the issue at hand, one can learn from here that it is learned as a tradition that the amount for a creature to be considered whole is a lentil-bulk. If so, an ant missing a limb should likewise not have the status of a creature.

95 Rav Shemaya said, in refutation of this argument: When we require the above amount, that if it is not the volume of a lentil-bulk it does not impart impurity, the requirement applies only in a case where the creature does not have a living soul before it grows to the size of a lentil. However, if it does have a soul, this volume is not required. If the creature can survive, perhaps it does impart impurity even if it is lacking a limb. Consequently, with regard to an ant that is missing a limb, the dilemma remains unresolved for you.

96 § The mishna taught that a nazirite must shave for impurity imparted by a spine and skull. A dilemma was raised before the Sages: Did we learn a spine and [ve] skull together? Or perhaps the mishna means either a spine or a skull. Does the conjunctive vav signify: And, or: Or? Rava said: Come and hear a resolution from a baraita: In the case of a spine, the majority of whose ribs were removed while the spine itself remained intact, it is ritually pure. And if it was in a grave, even if it was broken or disassembled, it is impure, due to the grave, which joins all the bones together.

97 The Gemara infers from this baraita: The reason it is ritually pure in the first case is due to the fact that the ribs were removed, from which it may be inferred that if they were not removed, it is impure on its own, even without the skull. Learn from this that the mishna teaches: Either a spine or a skull. The Gemara rejects this claim: The baraita does not teach this explicitly. It does not state that if the ribs were not removed the spine imparts ritual impurity by itself. Rather, the baraita teaches us this, that if the ribs were removed the spine is pure. And as to the other issue, the impurity of a spine on its own, the dilemma remains unresolved for you.

98 The Gemara further suggests: Come and hear a resolution from the Tosefta (Oholot 4:2). Rabbi Yehuda says that Rabbi Akiva deems six items impure that the Rabbis deem pure, and Rabbi Akiva later retracted his opinion. And an incident occurred in which they brought a box that was full of bones to the synagogue of blacksmiths [tarsiyyim], and they placed it in an open airspace, not under the roof, so that it would not impart ritual impurity. And Todos the doctor entered and all the other

doctors entered with him, and they said, after examining the pile: There is not a full spine from one corpse here.

[99] The Gemara infers from this incident: The reason it is ritually pure is due to the fact that there was no spine from one corpse, from which one can infer that if there is either a spine or a skull from one corpse, a nazirite must shave due to it. Learn from this that we learned in the mishna that a nazirite shaves either for a spine or a skull. The Gemara rejects this argument: The tanna of the baraita is speaking utilizing the style of: It is not necessary, as follows: It is not necessary to state that there is no spine and skull from one corpse in the box, but even the remains of either a spine from one corpse or a skull from one corpse, which together impart impurity, are not present. Instead, there are parts of spines and skulls from several bodies.

[100] The Gemara further suggests: Come and hear from the tally in the above baraita: And what are those six items that Rabbi Akiva deems ritually impure and the Rabbis deem ritually pure? They consist of a limb from a corpse that comes from, i.e., is combined with, two corpses; and a severed limb from a living person that comes from two living people; and half-kav of bones that come from two corpses; and a quarter-log of blood that comes from two corpses; and of a bone that is a barley-grain-bulk, even from one body, that was divided into two; and the spine and the skull from two corpses.

[101] And if it enters your mind that the halakha applies to either a spine or a skull and they are two separate halakhot, these are seven cases, rather than six. The Gemara rejects this claim: No proof can be brought from here, as when the tanna teaches this tally he lists seven items. However, only six are fully relevant here, and therefore he said they were six. The Gemara inserts a mnemonic device for the ensuing suggestions as to which item in the list is not necessary in this context: An individual disagrees with him; that he; a nazirite shaves for it; and one quarter-log.

[102] The first explanation is: Rabbi Akiva listed the spine and skull as separate items, but the six include anywhere that many Sages disagree with him, to the exclusion of the case of a bone that is a barley-grain-bulk, as here it is an individual who disagrees with Rabbi Akiva, as it is taught in a mishna (Oholot 2:7): If a bone that is a barley-grain-bulk was divided into two, Rabbi Akiva deems it impure and Rabbi Yoḥanan ben Nuri deems it pure. In this case, only one Sage disagrees with Rabbi Akiva.

[103] And if you wish, say a different item on the list that is omitted from the tally: When he teaches six, he includes a limb severed from a corpse, but he does not teach a limb severed from a living person, and that was the case that was not listed.

[104] And if you wish, say a different item on the list that is omitted from the tally: When he teaches six, he mentions anywhere that a nazirite shaves for his overlaying, i.e., he formed a tent over the remains of a corpse, to the exclusion of the case of a bone that is a barley-grain-bulk, as it does not impart ritual impurity in a tent. As stated in the mishna, this bone imparts impurity only through contact and carrying.

[105] And if you wish, say a different item on the list that is omitted from the tally: When he teaches six, he lists anywhere that Rabbi Akiva retracted his opinion, to the exclusion of a quarter-log of blood, as he did not retract his opinion in that case, as Rabbi Yehuda HaNasi said to bar Kappara: Do not teach a quarter-log of blood in the list of Rabbi Akiva’s retractions, as Rabbi Akiva held onto his opinion in this regard.

[106] And furthermore, the verse supports his opinion, as it states: “Neither shall he go in to any dead bodies” (Leviticus 21:11). The plural form “bodies” indicates that two corpses can join together, as stated by Rabbi Akiva. Similarly, Rabbi Shimon says: All his days, Rabbi Akiva would deem a quarter-log of blood from two corpses ritually impure. Whether he retracted his opinion after he died, this I do not know. A Sage taught: Rabbi Shimon’s teeth blackened due to his fasts, which he undertook for uttering this irreverent comment about Rabbi Akiva.

[107] § The Gemara returns to the earlier discussion. Come and hear an answer to the question of whether a spine and skull must be together to impart ritual impurity, as it is taught in a mishna (Eduyyot 1:7) that Beit Shammai say: The quarter-kav of bones, which imparts impurity in a tent, can be from several bones [ha’atzamim] or from two or from three bones, but they cannot be from one bone. And Beit Hillel say: The quarter-kav of bones must come from the same body, either from the majority of the structure of the skeleton or from the majority of the number of 248 bones in the body. Rabbi Yehoshua said: I can establish the statement of Beit Shammai and the statement of Beit Hillel as one. In other words, I can explain their opinions so that there is no dispute between them.

[108] How so? As when Beit Shammai say: From two or three bones, they mean either from two shins and one thigh, or from two thighs and one shin. Since the majority of a person’s height is contained in the height of these limbs, they are considered the majority of the structure of the body. And Beit Hillel say: Parts from the body, or from the majority of the structure, or from the majority of the number of bones, since they include the joints of the hands and feet, which comprise many small bones, impart impurity. Shammai says: Even a bone from the spine or from the skull imparts impurity. In this source, Shammai explicitly refers to a spine or a skull.

[109] The Gemara rejects this proof: One cannot establish a general halakha from this source, for Shammai is different, as he is invariably stringent, whereas the Rabbis might disagree. The Gemara inquires: If so, let us resolve the opposite from this baraita: The reason that Shammai spoke of a spine or a skull is that Beit Shammai are stringent, from which it may be inferred that according to the Rabbis a spine and skull are not ritually impure unless both a spine and skull are present. The Gemara rejects this proof too: No, the Rabbis disagree with Shammai only with regard to one bone that comes from the spine or from the skull, but when it is intact, even if the bone is from one of them, either the spine or the skull, they possibly agree that it imparts impurity.

[110] § Rami bar Ḥama raised a dilemma: With regard to a quarter-kav of bones from a spine and a skull, what is the halakha? Does a nazirite shave for them? The Gemara explains the two sides of the dilemma: When the mishna teaches that one shaves for a half-kav of bones, does this apply only when they are from his other limbs, but in the case of bones from the spine and skull, which are stringent, as they impart ritual impurity on their own, even a quarter-kav of bones imparts impurity? Or perhaps it is no different.

[111] Rava said: Come and hear a resolution from the mishna, which teaches: The spine and the skull. And if it enters your mind that a quarter-kav of bones that come from a spine and skull is more stringent than other limbs and imparts ritual impurity, let the tanna teach this halakha in a manner that presents a greater novelty, by stating: For a quarter-kav of bones that come from the spine and the skull.

[112] The Gemara expresses surprise at this argument: But wasn’t it Rava himself who said: This statement is necessary only for a whole spine and skull that do not contain a quarter-kav of bones?

This indicates that in his opinion a quarter-kav of bones from a spine does impart ritual impurity. The Gemara answers: After he heard the statement of the tanna, he understood from Rabbi Akiva that his dispute in the baraita (52a) concerns a spine and skull from two corpses, not a quarter-kav from a spine and skull. This interpretation led Rava to change his mind.

[113] The Gemara further suggests: Come and hear a resolution from the following: Shammai says that one bone from the spine or from the skull imparts ritual impurity. Although the Rabbis dispute his ruling, it can be assumed that they do not have a vastly different opinion. Rather, they accept that a quarter-kav from a spine imparts impurity and renders a nazirite obligated to shave. The Gemara rejects this proof: Shammai is different, as he is very stringent, and therefore nothing at all can be inferred from his opinion with regard to that of the Rabbis.

[114] The Gemara counters: If in fact the Rabbis maintain an extremely different opinion from that of Shammai, let us resolve the problem in the opposite manner: The reasoning here is that of Shammai, who is particularly stringent. From this it may be inferred that, according to the opinion of the Rabbis, one is not rendered impure and a nazirite is not required to shave unless there is a half-kav of bones from the spine and skull.

[115] The Gemara rejects this claim as well: Perhaps the argument is not that extreme after all, and the Rabbis disagree with Shammai only with regard to whether one bone from the spine or from the skull imparts impurity. However, with regard to a quarter-kav of bones, even the Rabbis might concede that it renders people and items ritually impure, and a nazirite must shave for it.

[116] § Rabbi Eliezer said that some of the early Elders would say: A half-kav of bones and a half-log of blood impart ritual impurity in all forms. Their impurity applies by Torah law, and therefore they impart impurity in a tent. But a quarter-kav of bones and a quarter-log of blood, they do not impart impurity in all forms, i.e., they do not impart impurity in a tent. And some of these Elders would say that even a quarter-kav of bones and a quarter-log of blood impart impurity in all forms. This was the dispute of earlier generations.

[117] The court that followed them said: A half-kav of bones and a half-log of blood impart ritual impurity in all forms. A quarter-kav of bones and a quarter-log of blood impart impurity only with regard to teruma and offerings, i.e., the Sages decreed that they impart impurity in a tent to invalidate teruma and offerings but not with regard to a nazirite. A nazirite is not required to shave or bring offerings for impurity after contact with a quarter-kav of bones or a quarter-log of blood. And similarly, one who performs the ritual of the Paschal offering may proceed despite the fact that he came into contact with this amount of blood or bones, as the Sages did not apply this decree in cases where one’s impurity precludes the performance of a mitzva whose neglect is punishable by karet.

[118] The Gemara asks about the ruling of halakha in this case. Now consider, there is a principle that the decision of the third opinion is not considered a decision. A compromise ruling that seeks to resolve a dispute by including factors and cases that were not mentioned in the other two opinions is not considered decisive, so how could the later court make a distinction between a Paschal offering and other cases? Rabbi Ya’akov bar Idi said: This ruling was not stated as a compromise. Rather, they said it from tradition, from Haggai, Zechariah, and Malachi, the last of the prophets. This was not a new attempt to mediate between two earlier opinions but an ancient ruling in its own right.

[119] § The mishna taught that for all these aforementioned sources of ritual impurity a nazirite shaves. The Gemara explains that the phrase: For these, in the mishna’s first clause, serves to exclude a bone

that is a barley-grain-bulk. As for touching it and carrying it, yes, a nazirite shaves, but for his overlying it, no, he does not shave. And the phrase: For these, in the mishna's latter clause, serves to exclude an overhanging [hasekhukhit] stone. Although a stone that forms a cover over a corpse imparts impurity in a tent, a nazirite is nevertheless not obligated to shave due to this source of impurity.

120 § In its list of sources of impurity for which a nazirite must shave, the mishna taught: And a half-kav of bones.

121 The Gemara analyzes this ruling of the mishna: A half-kav of bones, yes, a nazirite must shave if he contracts impurity from them; a quarter-kav of bones, no, he does not. What are the circumstances? If we say that they contain bones that are a barley-grain-bulk, let the tanna of the mishna derive the halakha that it imparts ritual impurity due to the fact that it is a bone that is a barley-grain-bulk. Rather, the mishna is referring to a situation where it has been made like flour. In that case, a half-kav of bones render people and items impure in a tent, although they do not include a bone the volume of a barley-grain-bulk.

122 § The mishna taught that a nazirite shaves for a limb severed from a corpse and for a limb severed from a living person, upon either of which there is a fitting quantity of flesh. The Gemara asks: If there is not a fitting quantity of flesh upon them, what is the halakha? Rabbi Yoḥanan said: The nazirite does not shave for them. Reish Lakish said: The nazirite does shave for them.

123 The Gemara explains their respective opinions. Rabbi Yoḥanan said: The nazirite does not shave for them, as the tanna teaches in the first clause of the mishna in the list of sources of ritual impurity for which a nazirite must shave: For a limb severed from a corpse and for a limb severed from a living person that contains a fitting quantity of flesh. One can infer from this: Those upon which there is an olive-bulk of flesh, yes, he must shave for them, but if there is not that amount of flesh upon them, no, a nazirite need not shave due to them.

124 And Rabbi Shimon ben Lakish says that he shaves, employing the following reasoning: From the fact that the mishna does not teach the following in the latter clause, i.e., the subsequent mishna (54a), in the list of sources of impurity for which a nazirite need not shave: A limb that does not contain a fitting quantity of flesh, one can infer that a nazirite is obligated to shave for a limb of that type.

125 And Rabbi Yoḥanan could have said to you, in response to Rabbi Shimon ben Lakish's argument: The fact that the mishna omits this case from the list is not proof, as the tanna does not teach in the latter clause anything that can be understood by inference from the earlier mishna.

126 The Gemara raises a difficulty against this claim of Rabbi Yoḥanan: But the first clause of the mishna lists the case of a half-kav of bones, which indicates: A half-kav of bones, yes, a nazirite must shave for that; a quarter-kav of bones, no, he is not obligated to shave for that. And yet the tanna teaches in the latter clause that a nazirite does not shave for a quarter-kav of bones. This shows that the next mishna does not rely on the rulings of this mishna. Rather, it lists all the items for which a nazirite need not shave.

127 The Gemara rejects this argument: There, had the tanna not taught a quarter-kav of bones, I would say that he need not shave even for touching it or carrying it. For this reason it was necessary

for the mishna to teach the case of a quarter-kav of bones, to indicate that it is only for their ritual impurity contracted in a tent that a nazirite does not shave.

[128] The Gemara raises a further difficulty: But the mishna lists a half-log of blood among those sources of impurity for which a nazirite must shave, from which you can learn that for a half-log of blood, yes, he shaves; for a quarter-log of blood, no, he does not shave. And yet the latter clause of the mishna teaches that he need not shave for a quarter-log of blood. The Gemara answers: It is also necessary to state this halakha unambiguously there, to exclude the opinion of Rabbi Akiva, as Rabbi Akiva said: A quarter-log of blood that comes from two corpses renders people and items impure in a tent, whereas the mishna simply states: A quarter-log, which indicates that all of the blood comes from a single corpse.

[129] The Gemara analyzes the dispute between Rabbi Yoḥanan and Reish Lakish: What are the circumstances of this limb severed from a corpse that is not covered by sufficient flesh? If it contains a bone that is a barley-grain-bulk, what is Rabbi Yoḥanan's reason for maintaining that a nazirite does not have to shave for this ritual impurity? A bone of this size imparts impurity even if there is no flesh upon it. And if it does not contain a bone that is a barley-grain-bulk, what is Reish Lakish's reason for saying that a nazirite must shave due to this bone? The Gemara explains that Reish Lakish could have said to you: Actually we are dealing with a limb that does not contain a bone that is a barley-grain-bulk, and even so the Merciful One includes it as a source of ritual impurity.

[130] This is as it is taught in a baraita: "And whoever in the open field touches one who is slain by the sword, or one who dies on his own, or a bone of a man, or a grave, shall be unclean seven days" (Numbers 19:16). This verse is expounded by the Sages as follows: "In the open field"; this is referring to the halakha of one who overlies a corpse, even without touching it. "One who is slain"; this is referring to a limb slain, i.e., severed, from a living person, that contains enough flesh for the limb to heal.

[131] The Sages further derive from the phrase "one who is slain by the sword" that the legal status of a metal sword in terms of its degree of ritual impurity is like that of one who is slain, i.e., a metal implement, e.g., a sword, that was rendered impure through contact with a corpse is impure to the same degree of severity as a corpse itself. "Or one who dies on his own"; this is a limb that was slain, i.e., severed, from a corpse and is covered with enough flesh that it would heal if he were alive. "Or a bone of a man"; this is a quarter-kav of bones. "Or a grave"; this is a sealed grave, which imparts impurity when there is less than a handbreadth between the corpse and its cover.

[132] As the Master said: Ritual impurity in a sealed grave breaks through and ascends and breaks through and descends, so that the grave imparts impurity like the corpse itself. While with regard to contact with these sources of impurity, Rav Yehuda said that it is taught in a baraita that the verse "and upon him that touched a bone, or the slain, or the dead, or the grave" (Numbers 19:18) is expounded as follows: "A bone"; this is a bone that is a barley-grain-bulk. "Or the slain"; this is a limb slain, i.e., severed, from the living, which does not contain enough flesh for it to heal.

[133] The baraita continues its interpretation of the verse. "Or the dead"; this is a limb slain from a corpse, which is not covered by enough flesh for it to heal were he alive. "Or the grave"; Reish Lakish said: This is a grave that contained a corpse from before the time the command of these halakhot was given to the Jewish people. These graves render people and items ritually impure by contact, but do not carry the halakhot of impurity imparted in a tent.

[134] The Gemara asks: With regard to this limb from a corpse, which is listed above as imparting ritual impurity by contact, what are the circumstances of the case? If the limb contains a bone that is a barley-grain-bulk, this is included in the halakha of one who touches a bone, and it was already taught that a bone imparts impurity by contact. Rather, it must be that it does not contain a bone that is a barley-grain-bulk, and even so the Merciful One includes it in the halakhot of impurity, despite the fact that it does not contain enough flesh. This indicates that a nazirite shaves for a limb of this kind, in accordance with the opinion of Reish Lakish.

[135] The Gemara responds: In answer to this proof of Reish Lakish, Rabbi Yoḥanan could have said to you: Actually, you should explain that it does contain a bone the volume of a barley-grain-bulk, and if it does not need to refer to the matter of its contact, as the verse explicitly states: “Anyone who touches a bone,” have it refer to the matter of its carrying, i.e., that one who carries it is also rendered ritually impure.

[136] § The mishna taught with regard to any nazirite who became impure from one of the listed sources of impurity: And a priest sprinkles the ashes of the red heifer on him on the third and on the seventh days, and he negates all the previous days he counted toward his naziriteship, and he does not begin counting a fresh term of naziriteship until after he becomes pure and brings his offerings.

[137] A dilemma was raised before the Sages: What is the meaning of that which is taught that a nazirite does not start counting until he is purified? Does the mishna refer to one who is standing on the seventh day of his purification and mean: Until he performs the requisite waiting for sunset? And whose opinion is it? It is the opinion of Rabbi Eliezer, who rules that a nazirite starts counting from the eighth day, even before he brings his offerings. Or perhaps it is referring to one who is standing on the eighth day. And then, what is the meaning of: Until he is purified? It means: Until he brings his offerings. And who is the author of this opinion? It is the Rabbis, who maintain that he begins his fresh period of naziriteship only after he has sacrificed his offering of impurity (see 18b).

[138] The Gemara answers: Come and hear a resolution of this dilemma from the fact that it teaches in the latter clause of the next mishna that a nazirite who does not have to bring an offering starts counting immediately after the conclusion of his seven days of purification. The Gemara infers from this mishna: If so, what is the meaning of the different term used in the first clause: Until he is purified? It means until he brings his offerings, and whose opinion is it? It is that of the Rabbis, who say that the naziriteship of purity does not commence until the eighth day.

[139] MISHNA: The previous mishna listed the sources of ritual impurity for which a nazirite must shave. This mishna adds: However, the nazirite does not shave for these: The hanging branches over a corpse, i.e., a tree overhanging a body that a nazirite passes, but it is uncertain which branches are over a corpse; and the projecting stones from fences when the place of the impurity is unknown; and a beit haperas, a place that contained a grave and was plowed. In the latter case, the entire area around the grave is impure from a corpse due to an uncertainty, as it might contain human bones.

[140] The mishna continues its list: And the land of the nations, i.e., a nazirite left Eretz Yisrael for another land. The Sages decreed that all land outside of Eretz Yisrael is ritually impure. And the grave cover; and the grave walls upon which the cover rests; and a quarter-log of blood from a corpse; and a tent; and a quarter-kav of bones of a corpse; and vessels that are touching a corpse. And if the nazirite is in the days of his counting, i.e., the seven days a leper must count after purification from his leprosy; or in his days of full leprosy, when he is a full-fledged leper, for these the nazirite

does not shave. This is the case even if he is rendered impure by one of the sources listed in the previous mishna.

[141] And in those cases listed that involve ritual impurity from a corpse, one sprinkles the purification water upon him on the third and on the seventh days of his purification,

[142] and he does not negate the earlier days of his naziriteship, but they are considered part of his naziriteship term. And he starts counting the rest of his naziriteship to complete his term immediately after his purification, and he has no obligation to sacrifice an offering of impurity for these sources of ritual impurity. Actually they said an ancient tradition that these days of the impurity of the zav (Leviticus 15:1–15) and the zava (Leviticus 15:25–30) and the days of the confinement of a leper before he is confirmed as a full-fledged leper (Leviticus 13:4–5) count for him toward the period of his naziriteship.

[143] GEMARA: The Gemara explains the terms hangings and projections by citing a mishna (Oholot 8:2). And these are the hangings: A tree that overhangs the earth. And the projections are stones that protrude from a fence.

[144] § The mishna further taught: And the land of the nations does not render a nazirite obligated to shave, despite the fact that it is considered ritually impure. The Gemara inquires with regard to the nature of this impurity. A dilemma was raised before the Sages: Did the Sages decree the land of the nations impure with regard to the air, i.e., is one rendered impure merely by being there? Or perhaps they decreed it impure with regard to the earth, i.e., one who touches the ground or overlays it becomes impure.

[145] The Gemara suggests: Come and hear a resolution to this question from the mishna, which lists one who enters the land of the nations and states: And one sprinkles on him on the third and on the seventh days. And if you say that the decree was with regard to the air, why do I need this sprinkling? He neither touched something ritually impure nor overlaid it.

[146] Rather, is it not with regard to the earth that the land of the nations was decreed impure? The Gemara rejects this proof: No, actually I could say to you that the decree is due to the air, and when the mishna teaches that he receives the sprinkling, it is referring to the other items listed in the mishna, e.g., the grave cover, the grave walls, and a quarter-log of blood.

[147] The Gemara comments: So too, it is reasonable that this is the case, from the fact that the mishna also teaches: And vessels that are touching a corpse. Now do people who touch these vessels require sprinkling? Does one who touches a vessel that is ritually impure from a corpse require the sprinkling of purification water? This individual is impure only until that evening. Rather, learn from this that the halakha that he is sprinkled on the third and on the seventh days does not refer to all the cases in the mishna but only to some of the others.

[148] Let us say that this is parallel to a dispute between tanna’im, as it is taught: With regard to one who enters the land of the nations not on foot but in a chest, a box, or a cabinet, Rabbi Yehuda HaNasi deems him ritually impure. And Rabbi Yosei, son of Rabbi Yehuda, deems him pure. What, is it not correct to say that they disagree in this regard: Rabbi Yehuda HaNasi, who deems him impure, holds that the Sages decreed impurity with regard to the air, and Rabbi Yosei, son of Rabbi Yehuda, holds that the Sages decreed impurity with regard to the earth, and consequently he is not impure, as the container prevents him from overlying the impurity?

149 The Gemara rejects this suggestion: This is not necessarily the correct interpretation of their dispute, as one can say that everyone agrees that the decree is with regard to the earth, and their dispute concerns only the case of one who enters in a chest, a box, or a cabinet. One Sage, Rabbi Yosei, son of Rabbi Yehuda, holds that a moving tent, an item that serves as a tent as it passes over ritual impurity, is called a tent, and therefore a person who enters the land of the nations in a large container is protected from its impurity. And one Sage, Rabbi Yehuda HaNasi, holds that a moving tent is not called a tent. Consequently, nothing separates this individual from the impurity, and he becomes impure by overlying the land of the nations.

150 The Gemara asks: But isn't it taught in a baraita that Rabbi Yosei, son of Rabbi Yehuda, says: A box that is full of utensils that one threw over a corpse in a tent, in such a manner that it overlay the corpse, is impure, and everything inside it is also rendered ritually impure, as it does not provide the protection of a tent. And if it was placed down and positioned as a tent over a corpse, it is pure, and its contents are protected from the impurity. This shows that according to the opinion of Rabbi Yosei, son of Rabbi Yehuda, a moving tent is not considered a tent, which contradicts the above claim.

151 In light of this argument, the Gemara concedes that the previous explanation of the dispute is incorrect. Rather, one must say that everyone agrees that the decree of impurity concerning the land of the nations is with regard to its air, and one Sage, Rabbi Yosei, son of Rabbi Yehuda, holds that since it is not common for one to move around in an enclosure, the Sages did not decree impurity with regard to this case. And one Sage, Rabbi Yehuda HaNasi, holds that although it is not common the Sages nevertheless decreed impurity with regard to it.

152 The Gemara adds: And it is taught in the Tosefta (Oholot 18:5) in accordance with this explanation of the opinion of Rabbi Yosei, son of Rabbi Yehuda: One who enters the land of the nations in a chest, a box, or a cabinet is ritually pure. If he was in a wagon [karon], boat, or raft [iskareya], he is ritually impure. The difference is that the latter vessels are commonly used to convey people.

153 And if you wish, say an alternative explanation of the dispute between Rabbi Yehuda HaNasi and Rabbi Yosei, son of Rabbi Yehuda. Both agree that the ritual impurity of the land of the nations is with regard to the earth, and a moving tent is considered a tent. Therefore, the person in question should be ritually pure according to both opinions. However, here they disagree with regard to a different issue, the concern lest he remove his head and the majority of his body from the chest, box, or cabinet into there, i.e., the land of the nations.

154 And it is taught likewise in a baraita that Rabbi Yosei, son of Rabbi Yehuda, says: One who enters the land of the nations in a chest, a box, or a cabinet is pure, unless he actually removes his head or the majority of his body into the land of the nations. By contrast, Rabbi Yehuda HaNasi renders him ritually impure due to concern that one's head might protrude from the container.

155 § The mishna taught that a nazirite who became ritually impure through sources of impurity that do not cause him to forfeit his naziriteship, including his days of leprosy, starts counting again from the day of his purification, as his period of impurity does not count toward his naziriteship. Rav Ḥisda said: They taught this halakha of a leper only with regard to a short naziriteship of thirty days, as he shaves his hair for purification from leprosy, and therefore he must count an additional thirty days to allow his hair to grow sufficiently to shave for his naziriteship. However, with regard to a

lengthy naziriteship, when thirty days or more remain in his naziriteship after having shaved for his leprosy, those days also count toward his term, and he need not recount his days as a leper.

[156] Rav Sherevya raises an objection from the mishna: He starts counting immediately, and he does not negate the earlier days due to them. To what case is the mishna referring? If we say it is referring to a short naziriteship, he requires a thirty-day period of hair growth, and as he shaved for purification of his leprosy, he must negate the earlier days as a practical manner, to enable his hair to regrow.

[157] Rather, is it not the case that the mishna is referring to a lengthy naziriteship, and nevertheless it teaches: He starts counting immediately, which indicates that his time as a leper is not included? Rav Sherevya raised the objection and he resolved it: The mishna is referring to a naziriteship of fifty days, in a case where he sat and observed twenty days of his vow, and at that point he developed leprosy. In that case, he shaves for his leprosy, and he again sits for thirty days as a nazirite. The problem of thirty days' hair growth does not arise in this situation, as at the end of this period there is hair growth of thirty days.

[158] Rami bar Ḥama raised an objection from a mishna (59b): With regard to a nazirite who has uncertain impurity from a corpse and whose status as a confirmed leper is uncertain,

[159] he eats sacrificial food after sixty days, when the status of uncertain leprosy has passed, and when he has completed all his obligations of naziriteship. He cannot shave for his leprosy right away, as he might be a pure nazirite, and the status of uncertain leprosy does not override naziriteship. Instead, after thirty days he shaves for his uncertain status as a confirmed leper and for his uncertain status as a pure nazirite. Once again, he is not permitted to shave a second time seven days later for the shaving done by a leper as part of his purification process in case he was not a leper but impure. Were that the case, it would mean that the previous shaving was for his impurity, and therefore he would be required to observe naziriteship in purity for thirty days. At the conclusion of this period, i.e., the sixtieth day, he shaves and may eat sacrificial food on the following day, as even if he was a full-fledged leper he has now shaved twice.

[160] And he drinks wine and may become impure to bury a corpse after 120 days. In other words, this individual has not yet completed his naziriteship vow, as he might have been a confirmed leper, in which case both his acts of shaving would have counted for his leprosy. He therefore waits another thirty days and proceeds to shave on day ninety. Even at that stage, he may not yet drink wine or contract ritual impurity from a corpse, as he might have been impure, which would mean that his third shaving was for his impurity. Consequently, he counts another period of thirty days for his naziriteship of purity, at the end of which he may perform the shaving of purity, drink wine, and become impure from a corpse, 120 days from the start of his naziriteship.

[161] And it is taught in the Tosefta (6:1) with regard to that mishna: In what case is this statement said? With regard to a short naziriteship of thirty days. However, with regard to a naziriteship of a year, he eats sacrificial food after two years. He cannot shave until a year has passed, in case he is not a leper, and he may shave the second time only after a second year, in case he was ritually impure, and this was his naziriteship observed in purity. After two years, he may eat sacrificial meat, for if he was a full-fledged leper he has shaved twice.

[162] However, if the first two shavings were for his leprosy, he has not shaved for his naziriteship at all, and therefore he must observe an additional year, shave, and observe another year of naziriteship,

as perhaps his third shaving was for impurity and the other for his naziriteship in purity. And consequently, he may drink wine and become impure to bury a corpse after four years.

[163] And if it enters your mind that the days during which he was ritually impure count toward his naziriteship, it should be enough for him to observe three years and thirty days. Due to uncertainty, he cannot shave for his leprosy until a year has passed, in case he was a pure nazirite, and he must wait another year for his second shaving, as he might have been an impure nazirite. However, at that point, if the days of his counting are considered part of his naziriteship, as claimed by Rav Ḥisda, he should be allowed to wait a mere thirty days for hair growth, shave for his impure naziriteship, and then add a final year for his naziriteship in purity. The fact that he is obligated to wait four years proves that his time as a leper does not count toward his naziriteship.

[164] And Rav Ashi raised a further objection from the following halakhic midrash: I have derived only that the days of impurity do not count as part of his tally of his naziriteship. From where do I derive that the days of his status as a confirmed leper also do not count toward his naziriteship? And is this not logical: After the days of impurity he shaves and brings an offering, and after his days of confirmed leprosy he likewise shaves and brings an offering; just as his days of impurity do not count as part of his tally, so too, the days of confirmed leprosy should not count as part of his tally.

[165] The Gemara rejects this argument: No, if you say that this is true with regard to his days of impurity, which negate the previous days, shall you also say that this is the case with regard to his days of confirmed leprosy, which do not negate the previous ones, as stated in the mishna?

[166] The Gemara suggests another proof. You can say it is an a fortiori inference: And if a nazirite who uttered his vow when he was in a ritually impure place, e.g., a place of a grave, whose hair is fit for the shaving of naziriteship, and yet those days when he was impure do not count as part of his tally, then with regard to his days of confirmed leprosy, when his hair is not fit for the shaving of naziriteship, as he must first perform the shaving of leprosy, is it not all the more so that they should not count toward his naziriteship?

[167] And I have derived only his days of confirmed leprosy. From where do I derive that his days of counting for purification from leprosy are not considered part of his term either? And is this not logical:

[168] Just as the days of his confirmed leprosy require shaving, so too, the days of his counting require shaving; and just as the days of his confirmed leprosy do not count as part of his tally of naziriteship, so too, the days of his counting should not count toward his term of naziriteship?

[169] One might have thought that even his days of quarantine as a leper should share the same halakha and not be counted. And it is logical that those days should not count for him either, as the two states are comparable: A confirmed leper renders items ritually impure through lying or sitting, and a leper in the days of his quarantine also renders items impure through lying or sitting. Consequently, if you learned with regard to the days of confirmed leprosy that they do not count as part of his tally, so too, the days of quarantine should not count as part of his tally either.

[170] The Gemara rejects this argument: You can say in response: No, if you said this halakha with regard to the days of confirmed leprosy, the reason is that his confirmed state of leprosy requires him to shave after he is healed and to bring an offering before he can commence his naziriteship. Therefore, these days do not count toward his naziriteship. However, will you say the same with

regard to the days of his quarantine, which do not require shaving and for which he does not bring an offering? Therefore, perhaps they should count toward his tally.

171 From here they stated: The days of a leper’s counting and the days of his confirmed leprosy, when he is a full-fledged leper, do not count as part of his tally of his term of naziriteship. However, the days of the impurity of the zav and the zava and the days of a leper’s quarantine do count as part of his tally of his term of naziriteship.

172 With regard to the issue at hand, in any event the baraita teaches: No, if you say that this is true with regard to his days of impurity, which negate the previous days, shall you also say that this is the case with regard to his days of confirmed leprosy, which do not negate the previous ones? The Gemara analyzes this argument: To what does this statement refer? If we say it is referring to a short naziriteship of thirty days, this cannot be the case, as we require hair growth of thirty days after his purification.

173 Rather, is it not the case that it is referring to a lengthy naziriteship, and nevertheless the baraita teaches that they do not count as part of his tally. Apparently, his days as a full-fledged leper do not count toward his term of naziriteship, which contradicts Rav Ḥisda’s ruling. The Gemara concludes: Learn from this that Rav Ḥisda’s opinion should be rejected.

174 MISHNA: Rabbi Eliezer said in the name of Rabbi Yehoshua: With regard to any ritual impurity from a corpse for which a nazirite must shave, one is liable due to the prohibition of entering the Temple after contracting that impurity. If someone who became impure from one of those sources of impurity enters the Temple, he violates the prohibition against an impure individual entering the sacred space. And with regard to any impurity from a corpse for which a nazirite does not shave, one is likewise not liable due to the prohibition of entering the Temple after contracting it.

175 Rabbi Meir said: This impurity from a corpse that does not obligate a nazirite to shave should not be more lenient than the impurity of a creeping animal. The Torah clearly states that one rendered impure from a creeping animal is prohibited from entering the Temple (see Leviticus 5:2–3).

176 GEMARA: The Gemara asks: And did Rabbi Eliezer learn this halakha in the name of Rabbi Yehoshua ben Ḥananya? But didn’t he learn it in the name of Rabbi Yehoshua bar Memel? As it is taught in a baraita that Rabbi Eliezer said: When I went to a place called Ardaskeya, I found Rabbi Yehoshua ben Petter Rosh sitting and discussing the following halakha before Rabbi Meir: With regard to any ritual impurity from a corpse for which a nazirite must shave, one is liable due to the prohibition of entering the Temple after contracting it. And with regard to any impurity from a corpse for which a nazirite does not shave, one is not liable due to the prohibition of entering the Temple after contracting it. Rabbi Meir said to him: This impurity of a corpse that does not obligate a nazirite to shave should not be more lenient than the impurity of a creeping animal.

177 Rabbi Eliezer continued: I said to Rabbi Meir: Are you at all familiar with Rabbi Yehoshua bar Memel? He said to me: Yes. I continued: Rabbi Yehoshua bar Memel said this to me in the name of Rabbi Yehoshua ben Ḥananya: With regard to any ritual impurity from a corpse for which a nazirite must shave, one is liable due to the prohibition of entering the Temple after contracting it. And with regard to any impurity from a corpse for which a nazirite does not shave, one is not liable due to the prohibition of entering the Temple after contracting it. This concludes the baraita. The Gemara comments: This is proof that Rabbi Eliezer learned this halakha in the name of Rabbi Yehoshua bar Memel, not directly from Rabbi Yehoshua ben Ḥananya.

178 They said: Learn from this case the following principle: With regard to any statement of halakha that was stated as a tradition of three scholars, we say the first and the last names in the chain but we do not say the middle one. Therefore, the mishna mentions the name of Rabbi Eliezer, the last link in the tradition, and Rabbi Yehoshua ben Ḥananya, the first scholar, but it omits that of Rabbi Yehoshua bar Memel, the middle scholar in the chain.

179 Rav Naḥman bar Yitzḥak said: We, too, learn in a mishna (Pe’a 2:6): Naḥum the Scribe [lavlar] said: This is the tradition that I received from Rabbi Meyasha, who received it from father, who received it from the pairs of Sages who served during the period of the Second Temple, who received it from the Prophets: It is a halakha transmitted to Moses from Sinai with regard to one who sows the plants of dill and mustard in two or three separate locations in a single field, that he leaves a corner to the poor for each and every one of these plots on its own, rather than one corner for all of them.

180 The Gemara explains the proof from this source: And yet Naḥum the Scribe does not mention the names of Joshua and Caleb, despite the fact that they were the Elders who passed down this halakha from Moses to the Prophets. Learn from this that the middle links in a tradition are not necessarily listed.

181 MISHNA: The mishna continues to address the sources of ritual impurity for which a nazirite must shave. Rabbi Akiva said: I discussed this matter before Rabbi Eliezer and suggested the following a fortiori inference: If, with regard to a bone that is a barley-grain-bulk, which does not render a person impure in a tent, a nazirite must nevertheless shave for touching it or carrying it, then in the case of a quarter-log of blood, which is more stringent in that it renders a person impure in a tent, is it not logical that a nazirite should shave for touching it or carrying it?

182 Rabbi Eliezer said to me: What is this, Akiva? One cannot argue by means of an a fortiori inference here, in this particular case. However, Rabbi Eliezer did not provide a reason for this response. Rabbi Akiva continued: And when I came and presented these matters before Rabbi Yehoshua, he said to me: You spoke well, i.e., your logic is flawless, but they indeed said that this is a halakha transmitted to Moses from Sinai, which cannot be refuted by means of an a fortiori inference.

183 GEMARA: A dilemma was raised before the Sages with regard to the halakha transmitted to Moses from Sinai mentioned in the mishna: Is the halakha that a nazirite must shave for a bone that is a barley-grain-bulk a halakha transmitted to Moses from Sinai, and it was the status of a quarter-log of blood that Rabbi Akiva sought to derive as an a fortiori inference, and with regard to this claim they said: One does not derive an a fortiori inference from a halakha transmitted to Moses from Sinai?

184 Or perhaps the ruling that a quarter-log of blood imparts ritual impurity in a tent is the halakha transmitted to Moses from Sinai, and Rabbi Akiva sought to use the case of a bone that is a barley-grain-bulk as the source of an a fortiori inference that a nazirite must shave for a quarter-log as well, to which the Sages replied that one does not derive an a fortiori inference from a halakha transmitted to Moses from Sinai. The Gemara answers: Come and hear the unequivocal statement of a baraita: A bone that is a barley-grain-bulk is a halakha, and a quarter-log of blood is an a fortiori inference, and one does not derive an a fortiori inference from a halakha.

Chapter 8

[1] MISHNA: With regard to two nazirites, where one other person said to them: I saw one of you become impure, but I do not know which one of you it was, they must each complete their naziriteship terms, shave their hair, and both together bring an offering of ritual impurity and an offering of purity, due to the uncertainty. And one of them says to the other: If I am the impure one, the offering of impurity is mine and the offering of purity is yours; and if I am the pure one, the offering of purity is mine and the offering of impurity is yours.

[2] And because of the uncertainty they each count a further thirty days of naziriteship and both together bring an offering of purity. And one of them says: If I am the previously impure one, that offering of impurity sacrificed earlier was mine, and the offering of purity was yours; and this offering sacrificed now is my offering of purity. And if I am the previously pure one, the offering of purity brought earlier was mine, and the offering of impurity was yours; and this current offering is your offering of purity.

[3] GEMARA: The mishna teaches with regard to two nazirites, that if one other person said to them: I saw one of you become impure, but I do not know which one of you it was, they must bring an offering of ritual impurity and an offering of purity. The Gemara expresses surprise at this case: But why should they be defined as having uncertain impurity? After all, the general principle that any uncertain impurity in a private domain is considered impure, from where do we derive this? From the case of a sota.

[4] Yet this situation is not similar to that of a sota, as just as the case of a sota involves only an adulterer and an adulteress, so too any uncertain impurity in a private domain is considered impure only in a case where there are no more than two people present. However, in the mishna here there are two nazirites and this other individual who is standing alongside them, who witnessed one of them become impure, which makes a total of three. Consequently, this is an uncertain impurity in the public domain, as three people are sufficient for the place to be considered a public domain with regard to this halakha, and the halakha with regard to any uncertain impurity in the public domain is that its uncertainty is considered pure.

[5] Rabba bar Rav Huna said that the mishna is referring to one who says: From a distance I saw an impure item thrown between you. Since he was not with them when one of the nazirites became impure, there were only two people present and therefore this is a case of uncertain impurity in a private domain. Rav Ashi said: The language of the mishna is also precise,

[6] as it teaches: But I do not know which one of you. This indicates that the third individual was too far away to detect which of them became impure. The Gemara says: Conclude from the inference from the mishna that it is so.

[7] § The mishna taught that the two nazirites shave and cut their hair and bring an offering of impurity and an offering of purity. The Gemara asks: But why are they permitted to shave? Perhaps both of them are not impure, and therefore one of them violates the prohibition against rounding the head, i.e., shaving the hair on the sides of the head (see Leviticus 19:27), when he shaves his hair unnecessarily. Since one of them does not need to shave, he thereby transgresses a mitzva by Torah law. Shmuel said: The mishna is referring to a case where each nazirite was a woman, who is not

prohibited from rounding the hair of her head, or a minor boy, who is not obligated in the observance of mitzvot.

[8] The Gemara analyzes Shmuel's answer: And let Shmuel establish the mishna as referring to a male who reached majority, and the reason it is permitted is because rounding the entire head, not merely its corners, is not called rounding as prohibited by the Torah. From the fact that he does not establish the mishna in this manner, conclude from it that Shmuel maintains that rounding the entire head is called rounding.

[9] Mar Zutra taught this halakha of Shmuel with regard to the latter clause of the following mishna (59b): A nazirite who has uncertain impurity and whose status as a confirmed leper is uncertain may eat sacrificial food after sixty days and shaves four times. One shaving is for his uncertain status as an impure nazirite, one is at the end of his term of naziriteship, and two are due to his status as a leper. A similar problem arose: But as he is not definitely obligated to shave, he violates the prohibition against rounding the head. Shmuel said: The mishna is referring to a woman or a minor boy, who are not prohibited from rounding their heads.

[10] With regard to the same issue, Rav Huna said: An adult who rounds the head of a minor boy is liable to receive lashes, despite the fact that the child himself is not obligated to observe mitzvot. Rav Adda bar Ahava, who disputed this ruling, said to Rav Huna: And with regard to your sons, who shaves them and rounds the corners of their heads? After all, you maintain that an adult may not round the head of a minor. Rav Huna said to him: Ḥova my wife does it, as she is not prohibited from rounding their heads. Rav Adda bar Ahava exclaimed in anger: Ḥova should bury her sons if she acts in this manner. The Gemara reports: During the years that Rav Adda bar Ahava was alive, Rav Huna's children did not survive. His children died due to the curse pronounced by Rav Adda.

[11] The Gemara asks: Since both Rav Huna and Rav Adda maintain that rounding the entire head is called rounding, with regard to what do they disagree? What is the reason for their respective rulings? The Gemara explains: Rav Huna, who prohibits an adult male from rounding the head of a minor but permits a woman to do so, maintains that the association between the two prohibitions in the verse: "You shall not round the corners of your heads, neither shall you destroy the corners of your beard" (Leviticus 19:27), teaches: Whoever has the prohibition of the destruction of the beard also has the prohibition of rounding. And these women, since they are not included in the prohibition of destruction, as they do not have beards, they are not included in the prohibition of rounding either.

[12] And Rav Adda bar Ahava, who permits anyone to shave a minor boy's head, maintains: Both one who rounds and one who is rounded are included in the phrase "you shall not round," which is stated in the plural. And in this manner the verse juxtaposes one who rounds to one who is rounded: Wherever one who is rounded is liable, the one who rounds is also liable; and with regard to this minor boy, since he himself is not liable to be punished for this transgression, an adult who rounds his head is also not liable due to this action.

[13] The Gemara asks: Shall we say that the issue of whether one who rounds the entire head is considered to have rounded its corners is a dispute between tanna'im? As the Sages taught in a baraita, with regard to a verse that deals with the shaving of a leper: "He shall shave all his hair; his head and his beard and his eyebrows, even all his hair he shall shave off" (Leviticus 14:9). Why must the verse state: "His head," after it has already stated: "All his hair"? The baraita explains that since it is stated: "You shall not round the corners of your heads" (Leviticus 19:27),

[14] one might have thought that even a leper should likewise be prohibited from rounding off his head. The verse therefore specifically states “his head” to teach that the mitzva for a leper to remove all the hair of his head overrides the prohibition against rounding one’s head. And it was taught in another baraita: Why must the verse state: “His head,” with regard to a leper? Since it states, with regard to a nazirite: “No razor shall come upon his head” (Numbers 6:5), one might have thought that even a nazirite leper should likewise be prohibited from shaving upon his purification. Therefore the verse states: “His head,” from which it is derived that a nazirite who contracted leprosy must shave his head like any other leper.

[15] The Gemara explains: What, is it not correct to say that this is a dispute between tanna’im? According to the one who says that the additional term “his head” is to counter a possible prohibition derived from the case of a nazirite, he holds that rounding the entire head is not called rounding, and therefore there is no need for a verse to teach that a leper can shave all the hair off his head. And when the verse “He shall shave all his hair; his head” comes, it comes to override both the prohibition: “No razor shall come upon his head,” and the positive mitzva stated with regard to a nazirite: “He shall be sacred, he shall let the locks of the hair of his head grow long” (Numbers 6:5). And the other tanna holds that rounding the entire head is called rounding, and consequently, when the verse comes, it serves to override only the prohibition against rounding one’s head.

[16] Rava said in refutation of this proof: No; it is possible that everyone agrees that rounding the entire head is not called rounding, even the tanna who maintains that the purpose of the verse is to permit a leper to round his head. And when the verse comes, it serves to address a particular case, such as one in which he rounded off only the corners of the head and ultimately shaved off the rest of his hair. Although shaving only the corners of one’s head is prohibited by the Torah, in this instance he is exempt. The reason is that since if he shaved his entire head at one time he would not be liable, then if he rounded off his head and ultimately shaved he is also not liable. Since a leper is permitted to shave all of his head, he can do so in any manner he chooses.

[17] The Gemara raises a difficulty with this explanation: And does the verse write this? Is it permitted unnecessarily to transgress a prohibition ab initio? But didn’t Reish Lakish say: Any place that you find positive mitzvot and prohibitions that clash with one another, if you can find some way to fulfill both, that is preferable; and if that is not possible, the positive mitzva will come and override the prohibition? If it is not prohibited to round the entire head, the leper can shave his hair in a permitted manner, and the Torah would not have allowed him to do so in a way that involves the violation of a prohibition.

[18] Rather, the Gemara retracts its previous explanation and states the opposite. It is that everyone agrees that rounding the entire head is called rounding. If so, the baraita that states that the verse: “He shall shave all his hair; his head” (Leviticus 14:9), comes to permit the rounding of a leper’s entire head is easily understood, as it is derived from here that a positive mitzva overrides a prohibition. But according to the one who establishes the verse “He shall shave all his hair; his head” as coming to override the prohibition and the positive mitzva of a nazirite, from where does he derive that a positive mitzva overrides only a prohibition?

[19] The Gemara answers: He derives it from the case of ritual fringes. How so? As the verse states: “You shall not wear diverse kinds, wool and linen together” (Deuteronomy 22:11), and it is taught in a baraita that although the command “You shall not wear diverse kinds” applies to most cases, the

juxtaposed verse: “You shall make for you fringes” (Deuteronomy 22:12), teaches that one may prepare ritual fringes even from diverse kinds of wool and linen. This teaches that the positive mitzva of ritual fringes overrides the prohibition of diverse kinds.

[20] The Gemara asks: And the tanna who derives the principle that a positive mitzva overrides a prohibition from “his head” stated with regard to a leper, what is the reason that he does not derive it from the verse that deals with ritual fringes? Why does he require another source? The Gemara answers: He could have said to you that the verse concerning ritual fringes does not teach that principle, as it comes for that which Rava said.

[21] As Rava raises a contradiction: It is written: “And that they put on the fringe of each corner a thread of sky blue” (Numbers 15:38). The phrase “the fringe of each corner” indicates that ritual fringes must be of the same type as the corner of the robe itself, upon which they must place “a thread of sky blue.” And yet it is written: “You shall not wear diverse kinds, wool and linen together” (Deuteronomy 22:11). The juxtaposition of these two verses teaches that ritual fringes must be made from wool and linen.

[22] How so? How can ritual fringes be made from the same material as the garment itself and also from wool and linen? The answer is that ritual fringes of wool and linen exempt a garment and fulfill the obligation of ritual fringes whether the garment is of their own type, i.e., wool and linen, or whether it is not of their own type, i.e., all other materials. By contrast, with regard to ritual fringes of other types of materials, they exempt a garment of their own type; but they do not exempt a garment that is not of their type. According to this, the verse juxtaposing ritual fringes to diverse kinds serves to teach that ritual fringes made of wool and linen exempt any garment, not to teach that a positive mitzva overrides a prohibition.

[23] The Gemara continues this line of inquiry: And according to this tanna, who derives from the term “his head” that a positive mitzva overrides only a prohibition, from where do we derive the halakha that the positive mitzva of a leper’s shaving comes and overrides the prohibition and the positive mitzva of a nazirite? From where does this tanna learn that a nazirite who contracted leprosy is obligated to shave? The Gemara answers: He derives it from the verse: “He shall shave all his hair; his head and his beard” (Leviticus 14:9).

[24] As it is taught in a baraita: Why must the verse state: “His beard”? After all, a beard is already included in the phrase “all his hair.” The baraita answers: Since it is stated, with regard to priests: “Neither shall they shave off the corners of their beard” (Leviticus 21:5), one might have thought that even a priest who is a leper is included in this prohibition against shaving his beard. Therefore, the verse states: “His beard” in connection to a leper.

[25] The Gemara asks: And the one who derives from “his head” that the mitzva of shaving overrides both the positive mitzva and prohibition of a nazirite, let him derive this principle from “his beard.” The Gemara refutes this suggestion: And according to your reasoning, that the term “his beard” teaches that a positive mitzva overrides the prohibition and positive mitzva of a nazirite, that which we maintain generally,

[26] that a positive mitzva does not come and override a prohibition and a positive mitzva, let him derive from the fact that a leprous priest must shave that this mitzva does override a prohibition and another positive mitzva.

[27] Rather, he would explain that we do not derive other cases of the Torah from the halakha of a priest, for the following reason: What is different about the prohibition of a priest is that it is a prohibition that is not equally applicable to all, i.e., the prohibitions of a priest do not apply to Israelites. For the same reason, the case of a nazirite also cannot be derived from that of a priest, as the prohibition of a priest is a prohibition that is not equally applicable to all, in contrast to that of a nazirite. Consequently, the derivation from “his head” is necessary to teach that the shaving of a leper overrides the prohibition stated with regard to a nazirite.

[28] The Gemara turns its attention to the other opinion: And according to the one who establishes this verse: “He shall shave all his hair; his head and his beard” (Leviticus 14:9), as referring to a nazirite, i.e., he derives from this verse the principle that in certain cases, including that of a leprous priest, a positive mitzva overrides a prohibition and a positive mitzva, why do I need the term “his beard”?

[29] The Gemara answers: He requires it for that which is taught in a baraita with regard to the shaving of a leper, which must be performed with a razor: Why must the verse state: “His beard,” as it already stated that he shaves all his hair? Since it is stated: “Neither shall they shave off the corners of their beard” (Leviticus 21:5), one might have thought that even a priest who is a leper is included in the prohibition against shaving. The verse therefore states: “His beard,” to teach that a leprous priest must shave his beard as well.

[30] And from where do we derive that a leper must shave with a razor? As it is taught in a baraita: “Neither shall they shave off the corners of their beard” (Leviticus 21:5). One might have thought that priests should be liable even if they shaved their beards with scissors. The verse states: “And you shall not destroy the corners of your beard” (Leviticus 19:27), which teaches that the prohibition applies only to the destruction of the beard from its roots. If the sole criterion is the phrase “you shall not destroy,” one might have thought that if he extracted his hair with tweezers or removed his hair with a carpenter’s plane, he should likewise be liable due to the prohibition against destroying his hair.

[31] The verse therefore states: “Neither shall they shave off the corners of their beard.” Together the two verses lead to the following conclusion: Which is the type of shaving [giluaḥ] that involves destruction [hashḥata]? You must say it is a razor. The fact that it was necessary for the Torah to permit a leper to shave his beard with a razor, notwithstanding the prohibition against using this implement, proves that the positive mitzva overrides this prohibition, as derived from the term “his beard.”

[32] The Gemara continues to inquire: And according to the one who derives from the term “his head” the principle that a positive mitzva overrides only a prohibition, why do I need the verse to write: “His head,” and why do I also need the same verse to write: “His beard”? Once is it derived from the phrase “his beard” that a positive mitzva overrides a positive mitzva and a prohibition, the same should certainly apply to a prohibition by itself.

[33] The Gemara answers: Both the term “his head” and the term “his beard” could come to teach the overriding of only a prohibition, and they also could teach the overriding of a prohibition and a positive mitzva. Since the verse is formulated in general terms, it includes a priest or a nazirite. Therefore, as it cannot be determined to which case the Torah is referring, it is even, i.e., equally balanced, and consequently let both terms come and teach this principle, one with regard to a nazirite, and the other with regard to a priest.

[34] The Gemara adds that both terms are necessary, as the halakha of a priest cannot be derived from that of a nazirite, as the case of a nazirite is lenient in that it is possible to dissolve naziriteship by request from a halakhic authority. Likewise, the halakha of a nazirite cannot be derived from that of a priest, as the case of a priest involves a prohibition that is not equally applicable to all. The Gemara comments: And generally, with regard to other halakhot, we cannot derive from these two cases that a positive mitzva overrides a prohibition and a positive mitzva, due to the fact that this argument can be refuted as we said here.

[35] § Rav said: A person who is not a nazirite may lighten his burden by removing all the hair of his body with a razor. One who feels he has too much hair may shave all of it off with a razor, apart from his beard and the corners of his head. The Gemara raises an objection against this from a baraita: A man who removes the hair of the armpit or the pubic hair is flogged for transgressing the prohibition: "A man shall not put on a woman's garment" (Deuteronomy 22:5), as this behavior is the manner of women.

[36] The Gemara answers: In this case he is flogged because he shaved with a razor, whereas in that case Rav said it is permitted because he was referring to one who removes hair with scissors, an act that is not considered a prohibition. The Gemara raises a difficulty: But Rav said it is permitted with a razor as well. The Gemara answers: He did not mean an actual razor; rather, he said that one may use an implement that is similar to a razor, i.e., scissors that cut very close to the skin, in the manner of a razor.

[37] Rabbi Ḥiyya bar Abba said that Rabbi Yoḥanan said: A man who removes the hair of the armpit or the pubic hair is flogged. The Gemara raises an objection against this ruling: The removal of hair is not prohibited by Torah law but by rabbinic law. Why, then, is he liable to receive lashes? The Gemara explains: What does it mean that Rabbi Yoḥanan says that he is flogged? This means that he is flogged by rabbinic law, a punishment known as lashes for rebelliousness, for disobeying a rabbinic decree.

[38] Some say a different version of this statement: Rabbi Ḥiyya bar Abba said that Rabbi Yoḥanan said: A man who removes the hair of the armpit or the pubic hair is flogged, due to the prohibition: "A man shall not put on a woman's garment" (Deuteronomy 22:5). The Gemara raises an objection from a baraita: The removal of hair is not prohibited by Torah law but by rabbinic law. How then does Rabbi Yoḥanan say that he is flogged, which by definition is a punishment for individuals who have transgressed a Torah law? The Gemara answers: It was he who said this halakha in accordance with the opinion of that tanna, as it is taught in a baraita: A man who removes the hair of the armpit or the pubic hair violates the prohibition of: "A man shall not put on a woman's garment."

[39] The Gemara asks: And what does the first tanna, who holds that the prohibition is by rabbinic law, learn from this verse: "A man shall not put on a woman's garment"? The Gemara answers: He requires it for that which is taught in the baraita, where it states: "A woman shall not wear that which pertains to a man, and a man shall not put on a woman's garment, for whoever does these things is an abomination to the Lord your God" (Deuteronomy 22:5). What is the meaning when the verse states this? If it teaches only that a man may not put on a woman's garment, and a woman may not wear a man's garment, it is already stated in explanation of this prohibition that "it is an abomination to the Lord your God," and there is no abomination here in the mere act of wearing a garment.

[40] Rather, it means that a man may not wear a woman’s garment and thereby go and sit among the women; and a woman may not wear a man’s garment and sit among the men. Rabbi Eliezer ben Ya’akov says: From where is it derived that a woman may not go out with weapons to war? The verse states: “A woman shall not wear that which pertains to a man, and a man shall not put on a woman’s garment,” which indicates that a man may not adorn himself with the cosmetics and ornaments of a woman, and similarly a woman may not go out with weapons to war, as those are for the use of males. Rabbi Yoḥanan’s ruling follows this opinion.

[41] § Rav Naḥman said: For a nazirite, it is permitted to shave armpit hair. The Gemara comments: And the halakha is not in accordance with his opinion. The Gemara reports that the Sages said to Rabbi Shimon bar Abba: We have observed that Rabbi Yoḥanan does not have armpit hairs, despite his own ruling that it is prohibited to shave them. He said to them: They fell out due to old age.

[42] The Gemara relates: There was a certain person who committed a transgression and was found liable to receive lashes before Rabbi Ami. When they removed his clothes to flog him, his armpit was exposed, and Rabbi Ami saw that he had not shaved his armpit hair. Rabbi Ami said to his attendants: Leave him; this is one of those who are meticulous in observance of mitzvot. We can see this is so, as he is particular about prohibitions that ordinary people do not observe.

[43] Rav raised a dilemma before Rabbi Ḥiyya: What is the halakha with regard to shaving armpit hair? He said to him: It is prohibited. Rav said to him: But it grows and is uncomfortable. Rabbi Ḥiyya said to him: Son of nobles [bar paḥtei], this hair has a limited time. Whenever a hair grows too long it falls out, and therefore there is no concern that one’s armpit hair will become too long.

[44] Rav raised another dilemma before Rabbi Ḥiyya: What is the halakha with regard to rubbing armpit hair and thereby removing it manually? Rabbi Ḥiyya said to him: It is prohibited. Rav continued to ask: What is the halakha with regard to rubbing armpit hair indirectly with one’s garment? Rabbi Ḥiyya said to him: It is permitted. Some say that this was not Rav’s question; rather, he raised the following dilemma before him: What is the halakha with regard to rubbing the armpit with one’s garment during prayer? Rabbi Ḥiyya said to him: It is prohibited. The Gemara comments: And the halakha is not in accordance with his opinion in this case.

[45] MISHNA: The previous mishna described how two nazirites sacrifice offerings of impurity and purity, in a situation in which one of them has become impure but they do not know which one. This mishna discusses what must be done if one of them dies before bringing his offerings. Rabbi Yehoshua said: The surviving nazirite asks someone in the marketplace, a non-nazirite, to vow to be a nazirite corresponding to him, i.e., under the same conditions as his own naziriteship, so that he can bring offerings together with him.

[46] And he says to him as follows: If I was impure, you are hereby a nazirite immediately; and if I was pure, you are hereby a nazirite after thirty days. And they both proceed to count thirty days and bring an offering of impurity and an offering of purity. And the nazirite who was defined as having uncertain impurity says: If I am the impure one, the offering of impurity is mine and the offering of purity is yours; and if I am the pure one, the offering of purity is mine and the offering of impurity we brought shall be of uncertain status.

[47] And they subsequently count another thirty days and bring an offering of purity, and the first nazirite says: If I was the impure one, the offering of impurity that we sacrificed at the end of the first thirty days was mine, and the offering of purity we brought then was yours; and this offering I am

bringing now is my offering of purity. And if I was the pure one, and the deceased nazirite was impure, the offering of purity we brought thirty days ago was mine, and the offering of impurity we brought earlier was of uncertain status, and this is your offering of purity.

48 Ben Zoma said to Rabbi Yehoshua: And who will listen to him to vow to be a nazirite corresponding to him? How can one design a halakha on the assumption that a non-nazirite will agree to be a nazirite for a lengthy term? Rather, a different procedure is available: After thirty days of naziriteship he brings a bird sin-offering and an animal burnt-offering, and says: If I was impure, the sin-offering is for my obligation as an impure nazirite, and the burnt-offering is a regular gift offering. And if I was pure, the burnt-offering is for my obligation as a pure nazirite, and the sin-offering is of uncertain status.

49 And he counts another thirty days, and brings an offering of purity, and says: If I was impure, the first burnt-offering I brought should be considered a gift offering, and this one I am bringing now is for my obligation. And if I was pure, the first burnt-offering I brought is for my obligation as a pure nazirite, and this one I am bringing now is a gift offering. And these, i.e., the sin-offering and peace-offering I am sacrificing now, comprises the rest of my offerings that I was obligated to bring earlier.

50 Rabbi Yehoshua said: According to your opinion, it turns out that this nazirite brings his offerings in halves, i.e., in stages. If he was pure, he brings his burnt-offering thirty days before the rest of his offerings. However, the Rabbis agreed with ben Zoma, and disregarded the concern about splitting up the offerings.

51 GEMARA: The mishna taught that Rabbi Yehoshua countered ben Zoma’s opinion by pointing out that his solution would cause the nazirite to bring his offerings in stages. The Gemara asks: What is wrong with that? And let him bring the offerings in stages. Rav Yehuda said that Shmuel said: Rabbi Yehoshua said this comment only to sharpen the minds of the students. He did not really maintain that it is prohibited to act in this manner; rather, he wanted to test his disciples to see if they were aware of the halakha.

52 Rav Naḥman said, in a light-hearted vein: What will Rabbi Yehoshua do with the intestines of his animals so that they will not spoil? If he insists that the offerings of purity must all be brought at the same time, the only way to do so is to wait thirty days after slaughtering the burnt-offering before burning its intestines, which is certainly impractical.

53 MISHNA: In the case of a nazirite who, on the first day of his naziriteship, was impure from a corpse as a matter of uncertainty and was also a confirmed leper as a matter of uncertainty, i.e., it was uncertain whether or not he had leprosy, how can he fulfill the shaving obligations of a pure nazirite and an impure leper? The problem facing this nazirite is that a leper must shave both when he begins his purification process and at the close of it, one week later. However, a nazirite is prohibited from shaving. Additionally, a leper may not partake of sacrificial food, but a nazirite may. Therefore, he may partake of sacrificial food sixty days after he may have become impure, when the uncertainty with regard to leprosy will have been clarified. He shaves for the first time for his leprosy after thirty days, and for the second time thirty days later, the shaving of the end of the purification process; at which point he brings the offerings of a purified leper and may partake of sacrificial food.

54 But he may drink wine and become impure from the dead, effectively ending his naziriteship, only after 120 days. This is because he might have been a full-fledged leper, which means that his shavings count toward his leprosy, not his naziriteship. Consequently, after the first sixty days he

must observe another thirty days of naziriteship and shave again. Even then he has yet to fulfill all his obligations, as he might have been impure from a corpse, which means his shaving after ninety days was for his impurity. He must therefore remain a nazirite for another thirty days, before shaving one final time at the end of 120 days to fulfill his naziriteship obligation.

[55] The mishna notes: The reason that he cannot shave for his leprosy after seven days and perform the second shaving of a leper seven days later is because the shaving of leprosy overrides the prohibition of the shaving of a nazirite only when his status as a leper is definite. However, when his status as a leper is uncertain, the shaving does not override his naziriteship, and therefore he must wait thirty days before each of his shavings for leprosy.

[56] GEMARA: The Sage taught: In what case is this statement of the mishna said? With regard to a short naziriteship of thirty days. However, with regard to a naziriteship of a year, he partakes of sacrificial food only after two years. He cannot shave until a year has passed, in case he is not a leper; he may shave the second time only a year later, in case he was impure during the first year and this second year was his naziriteship observed in purity. At this stage he may partake of sacrificial meat, for if he was a full-fledged leper he has shaved twice.

[57] Yet if the first two shavings were for his leprosy, he has not shaved for his naziriteship at all, and therefore he must observe a third year of naziriteship and shave. He then must observe another year of naziriteship and shave again, as perhaps his third shaving was for impurity and the fourth will be for his naziriteship in purity. And consequently he may drink wine and become impure from the dead only after four years.

[58] And it is taught with regard to the halakha of the mishna (Tosefta 6:1): And he shaves with four separate acts of shaving, each time for its own reason. How so? For his first shaving, after the thirty days of an unspecified naziriteship or at the end of the period he vowed to observe naziriteship, he brings two birds of a leper: One is slaughtered over spring water and the other is sent away (Leviticus 14:4–7).

[59] And he also brings a bird sin-offering for his shaving of impure naziriteship, as he may have contracted impurity from a corpse, and an animal burnt-offering for his shaving of purity, as he may not have contracted impurity from a corpse. For his second shaving he brings a bird sin-offering and an animal burnt-offering. For his third shaving he again brings a bird sin-offering and an animal burnt-offering. And for the fourth shaving he brings an offering of purity.

[60] The Gemara analyzes the details and reasons for this halakha: You said in this baraita that for the first shaving he brings the two birds of a leper, as well as a bird sin-offering and an animal burnt-offering. The Gemara explains: In this manner he brings the proper offerings whichever way you look at it. As, if his status as a leper is definite and he is not impure, the birds he brings are for his obligation to purify himself from leprosy. And as the bird sin-offering in case he was impure was brought due to uncertainty, it goes for burial, like all bird sin-offerings sacrificed in a case of uncertainty, which cannot be eaten. And the bird burnt-offering that he brought in case he was an impure nazirite is a gift offering.

[61] The Gemara further explains: But it is not possible to shave him right after seven days, as one usually does when purified from leprosy, as perhaps he is not a confirmed leper and has no obligation to shave but is bound by the naziriteship vow, and the Merciful One says: “No razor shall come upon his head; until the days are fulfilled in which he consecrated himself to the Lord” (Numbers 6:5).

This verse teaches that he cannot shave until the end of his naziriteship. Therefore, he shaves only after thirty days.

62 The Gemara continues to clarify the various uncertainties concerning the first shaving. And if he is not a definite leper but he is impure from a corpse, the bird sin-offering is for his obligation as an impure nazirite, and there is no problem with the unnecessary rituals of a leper’s birds, as they are performed outside the Temple, and are not subject to the prohibition against bringing non-sacred animals into the Temple courtyard. Therefore, the slaughter of one of the birds outside the Temple is not a transgression. And the animal burnt-offering is considered a gift offering.

63 And if he is neither a leper nor impure he has also acted correctly, as the birds are performed outside the Temple, which means no transgression is committed, while the bird sin-offering of uncertain necessity goes to burial, and the animal burnt-offering is for his obligation, like any nazirite who completes his naziriteship. The Gemara asks: But isn’t a leper required to bring a guilt-offering to complete his atonement and permit him to partake of sacrificial food? The Gemara answers: This ruling is in accordance with the opinion of Rabbi Shimon, who said that one may bring a guilt-offering and stipulate as follows: If I am obligated to bring this offering then it is for my obligation; and if not, it shall be a voluntary peace-offering.

64 For the second and third shavings he does not need to bring birds again, as he has already performed this ritual. What is the potential concern? That perhaps he was previously a confirmed leper of definite status. For this reason, one of the bird sin-offerings he brings at the second shaving is for the days of his counting when his status was uncertain. After the first purification of a confirmed leper he counts seven days, or thirty days in this case due to the uncertainty, and brings a sin-offering.

65 And the one sin-offering he brings at his third shaving is for his uncertain impurity. If he was a leper, the offerings he brought on the previous occasion were for purification of his leprosy, not his naziriteship. This means that, if he was impure, he is still required to bring a sin-offering for his impurity as a nazirite. Furthermore, the animal burnt-offerings he brings for his second and third shavings are for his naziriteship of purity. For his fourth shaving he brings an offering of purity and stipulates as follows:

66 And if he was a definite nazirite from the start and was neither impure from a corpse nor a leper, the first burnt-offering he brought after his initial shaving was for his obligation of pure naziriteship, and this one he is bringing now is a gift offering. And if he was impure from a corpse and a confirmed leper, the first burnt-offering he brought was a gift offering and this one he is bringing now is for his obligation. And these, the guilt-offering and peace-offering he is currently bringing, are for the rest of his obligatory offerings. This concludes the Gemara’s analysis of the case of the baraita.

67 § The Gemara addresses similar situations: A nazirite about whom it was uncertain if he was impure from a corpse, and he was a confirmed leper whose status was definite, partakes of sacrificial food after eight days. He counts seven days, after which he is purified from his leprosy. On the following day he brings his offerings and may partake of sacrificial food. And he may drink wine and become impure from the dead after sixty-seven days. He is required to count another thirty days for his naziriteship and shave, at which point he must observe another thirty days, in case his first shaving was for his impurity, and his second shaving is for his purity.

[68] The Gemara discusses another case: A nazirite whose status as a confirmed leper was uncertain and who was definitely impure from a corpse partakes of sacrificial food after thirty-seven days. He shaves after seven days for his definite impurity and starts counting thirty days of naziriteship afresh. At the conclusion of this period he shaves again, which renders him pure from any uncertain leprosy, and may partake of sacrificial food. However, he may drink wine and become impure from the dead only after seventy-four days. Since he might have been a confirmed leper, his first two shavings, after seven and thirty-seven days, count only toward the two stages of his purification from leprosy, for his first shaving and after the days of his counting. He must therefore observe a further thirty days for his naziriteship of purity.

[69] The Gemara mentions yet another case: A nazirite who was definitely impure from a corpse and he was a confirmed leper whose status was definite partakes of sacrificial food after eight days. He immediately shaves his first shaving for his leprosy, then counts seven days and shaves again for his leprosy and partakes of sacrificial food on the following day. And he may drink wine and become impure from the dead after forty-four days. He counts a further seven days of hair growth for his shaving of impurity, shaves, and finally observes thirty more days for his naziriteship of purity.

[70] § The students of Rabbi Shimon ben Yoḥai asked Rabbi Shimon ben Yoḥai: With regard to one who was a pure nazirite and a leper, what is the halakha concerning the possibility that he may shave one shaving and it will count for him both for this and for that? In other words, can it serve for his shaving of leprosy as well as for his naziriteship? He said to them: He may not shave once for both requirements.

[71] They said to him: Why not? He said to them: If the aim of both shavings were the same, this one to grow hair and that one to grow hair, or this one to remove hair and that one to remove hair, you would have spoken well. Now in actual fact the two shavings have different functions: A nazirite shaves to remove his hair, and a leper shaves to grow hair, so that he can shave again after the days of his counting.

[72] His students posed another question: But even if his shaving of naziriteship does not count for him as the shaving of the completion of his days of confirmed leprosy, let it at least count for him as the shaving at the end of the days of his counting, which is not followed by another act of shaving, and therefore is performed only for the purpose of removing his hair. And Rabbi Shimon ben Yoḥai said to them: If this one were performed before the sprinkling of blood and that one before the sprinkling of blood, you would have spoken well. However, a leper shaves before the sprinkling of his offering’s blood, and a nazirite does so after the sprinkling of the blood. Therefore, the two shavings are not equivalent.

[73] Rabbi Shimon ben Yoḥai’s students asked him yet another question: And granted that his shaving does not count for his days of leprosy and his naziriteship, let it at least count for his days of leprosy and his shaving of naziriteship of impurity, both of which are performed before the sprinkling of the blood. He said to them: If this one shaved before his immersion in water, and that one before immersion in water, you would have spoken well. However, an impure nazirite shaves after immersion in water, whereas a leper shaves before immersion in water.

[74] They said to Rabbi Shimon ben Yoḥai: You have spoken well, and convinced us that one shaving should not count for the days of his counting and for his naziriteship. But why not say that it should

at least count for his days of confirmed leprosy and his naziriteship of impurity, as the purpose of this shaving is to grow hair and the purpose of that one is to grow hair.

[75] He said to them: Here too the acts of shaving for naziriteship and leprosy are not exactly the same: If he is a pure nazirite and he is also a leper, the difference is that the aim of this one, the shaving of a leper, is to grow hair, and the aim of that one, the shaving of the pure nazirite, is to remove his hair. And if he is an impure nazirite and he is also a leper, the difference is that this shaving, of a leper, occurs before immersion in water, and that one, the shaving of an impure nazirite, is performed after immersion in water.

[76] Rabbi Ḥiyya teaches the same halakha: The shaving of a leper does not count for the shaving of naziriteship, as this one, a leper, shaves before immersion in water, and that one, an impure nazirite, shaves after immersion water. This one, the leper, shaves before the blood is sprinkled, and that one, the pure nazirite, shaves after the blood is sprinkled.

[77] § The mishna taught that the shaving of leprosy overrides the shaving of a nazirite only when he is a confirmed leper. Rami bar Ḥama raises a dilemma: Those four shavings about which the tanna spoke, the four that a nazirite performs for his leprosy and impurity, are they all due to the mitzva of shaving, or are some of them not performed for the sake of a mitzva, but for the sake of removing hair that grew in impurity, so that other hair can grow?

[78] The Gemara asks: What is the difference whether he shaves for one reason or another? The Gemara explains: It is relevant with regard to removing hair with a depilatory. If you say that the reason is due to a mitzva, removing with a depilatory is not an option, as the mitzva is specifically to shave. But if you say the reason is due to the removal of hair of impurity, even if he rubs it with a depilatory that is also effective.

[79] What then is the halakha? Rava said: Come and hear a resolution from a baraita (Tosefta 6:1): And he shaves with four acts of shaving. Now if it should enter your mind that the reason is for the sake of removing hair of impurity, even three shavings should be enough for him, two for his leprosy, and the last one for his naziriteship of purity. Since the third shaving is performed only to remove his hair of impurity so that he can start his pure naziriteship afresh, why is it included? Conclude from the baraita that all four shavings are due to the mitzva of shaving. The Gemara says: Conclude from the baraita that this is the case.

Chapter 9

[1] MISHNA: Gentiles do not have naziriteship, i.e., the halakhot of naziriteship do not apply to gentiles. They are not subject to the prohibitions of a nazirite, nor does one accept their offerings at the end of naziriteship. However, women and Canaanite slaves do have naziriteship. The mishna adds: There is a greater stringency in the case of women than in the case of slaves, as a master may force his slave to drink wine, shave his hair, or become ritually impure from a corpse, despite the slave’s vow of naziriteship, but a husband cannot force his wife to transgress her naziriteship.

[2] GEMARA: The mishna teaches that gentiles do not have naziriteship, whereas women and slaves can be nazirites. The Gemara asks: From where are these matters derived? It is as the Sages taught, that the beginning of the passage about naziriteship, which states: “Speak to the children of Israel”

(Numbers 6:2), serves to emphasize that these halakhot apply to Jews, but not to the gentiles. Furthermore, the continuation of the verse: “And say to them, when a man or woman shall clearly utter a vow,” serves to include slaves. The Gemara asks: Why do I need a verse to include slaves? Haven’t you said the following principle: Any mitzva that a woman is obligated in its performance, a slave is also obligated in its performance? Since the halakhot of naziriteship apply to a woman, they should likewise apply to slaves.

[3] Rava said: Here it is different, as with regard to vows the verse states: “To bind his soul with a bond” (Numbers 30:3), and the Sages expounded that this is referring only to one whose soul is in his possession, i.e., who is under his own jurisdiction. This excludes a slave, whose soul is not in his possession, but who is under his master’s control. The verse from Leviticus is necessary, lest you say that since a slave’s soul is not in his possession, one should say that with regard to the halakhot of a nazirite as well, he cannot undertake this vow notwithstanding the principle that slaves have similar halakhot to women with regard to obligations, who can become nazirites. The aforementioned verse teaches us that a slave can in fact take a vow of naziriteship.

[4] The Gemara returns to the earlier exposition of the verse. The Master said in the baraita that the verse specifies: “Speak to the children of Israel,” but not to the gentiles. The Gemara asks: And anywhere that “Israel” is written, are gentiles not included in that verse? But there is a counterexample in the verse written with regard to the halakhot of valuations, as it is written: “Speak to the children of Israel” (Leviticus 27:2), and it was taught in a baraita: The children of Israel can take a valuation vow but gentiles cannot take a valuation vow. If a gentile declares: I undertake to donate the value of so-and-so, his vow does not take effect.

[5] The baraita continues: One might have thought that this means that gentiles cannot be the subject of a valuation either, i.e., if a Jew says: I am obligated to give the value of so-and-so the gentile, his vow would not take effect. Therefore, the verse states the inclusive expression: “When a man shall clearly utter a vow of persons to the Lord, according to your valuation” (Leviticus 27:2), to teach that in this regard, every “man,” even a gentile, is included in halakhot of valuations. Inasmuch as the Torah also states with regard to a nazirite: “When a man or woman shall clearly utter a vow, the vow of a nazirite” (Numbers 6:2), perhaps one should include gentiles in the halakhot of naziriteship as well.

[6] The Gemara answers: Here, in the case of naziriteship, it is different, as the verse states: “For his father, or for his mother, for his brother, or for his sister, he shall not defile himself” (Numbers 6:7). From here it is derived that this mitzva applies only to one who has a father. This excludes a gentile, who does not have a father. The Gemara asks: With regard to what halakha does a gentile lack a father? If we say it is with regard to inheritance, but didn’t Rabbi Ḥiyya bar Avin say that Rabbi Yoḥanan said: A gentile inherits the estate of his father by Torah law, as it is stated: “Because I have given Mount Seir to Esau as an inheritance” (Deuteronomy 2:5)?

[7] Rather, this mitzva of naziriteship applies to one who is warned concerning the honor of his father, and as the mitzva to honor one’s father does not apply to a gentile, it is as though he has no father. The Gemara asks: Is it written: Honor your father, in the context of a nazirite? What is the connection between these two issues? Rather, the verse states with regard to a nazirite: “For his father, or for his mother, for his brother, or for his sister, he shall not defile himself” (Numbers 6:7), and it should be understood as referring to one who has the potential to become ritually impure,

[8] which excludes a gentile, who has no potential to become ritually impure. A gentile is not rendered impure even if he touches a corpse. An individual of this kind cannot become a nazirite. The Gemara asks: From where do we derive that gentiles do not have the ability to become ritually impure? It is as the verse states with regard to one who enters the Temple in a state of impurity: “But the man who shall be impure and shall not purify himself, that soul shall be cut off from the midst of the assembly” (Numbers 19:20). This indicates that the halakhot of ritual impurity apply only to one who has membership in the assembly of the Jewish people and excludes this gentile, who has no membership in the assembly, i.e., he is not part of the Jewish people.

[9] The Gemara asks: From where is it derived that this verse teaches that ritual impurity does not apply to a gentile at all? Perhaps the verse is referring merely to excision from the World-to-Come [karet], i.e., it is teaching that he is not liable to receive karet for entering the Temple when impure, but that perhaps a gentile does become impure. The Gemara answers that the previous verse states: “And the pure person shall sprinkle upon the impure”; this indicates that anyone who has the possibility of attaining ritual purity by means of the waters of purification also has the potential for ritual impurity, and anyone who does not have the possibility of attaining purity by means of the waters of purification does not have the potential for impurity either.

[10] The Gemara asks: But one can say that it is only purity by means of the waters of purification that he does not have, but he does have the potential for impurity. The Gemara answers: It is for this reason that the verse states: “But the man who shall be impure and shall not purify himself” (Numbers 19:20), to teach that these two statuses are interdependent. One who cannot be purified by the waters of purification cannot become impure in the first place.

[11] Rav Aḥa bar Ya’akov said a different reason why a gentile cannot become a nazirite, despite the fact that the term “man” does include gentiles in the case of valuations. Here, with regard to naziriteship, it is different, as the verse prohibits a nazirite from becoming impure for his father and mother. This prohibition is not relevant for gentiles because the verse states: “And you shall make them an inheritance for your children after you” (Leviticus 25:46). This verse establishes a child as one to whom a person can bequeath his slaves, the subject of this verse.

[12] Rav Aḥa bar Ya’akov explains: This verse teaches that anyone who has inheritance, i.e., he has the ability to bequeath his slaves to his children, also has the status of a father with regard to impurity, and the verse prohibiting a nazirite from becoming impure to bury his father can be addressing him. But anyone who does not have inheritance does not have the status of a father with regard to impurity. Since a gentile cannot bequeath slaves to his child (see Gittin 38a), the status of a father with regard to impurity also does not apply to him. Consequently, the verse prohibiting a nazirite from becoming impure to bury his father cannot be addressing him. The Gemara asks: If so, slaves should also not be included in the halakhot of ritual impurity or naziriteship, as they too cannot bequeath slaves to their children.

[13] Rather, Rava said a different reason why a gentile cannot become a nazirite, even though he is included in the halakhot of valuations, and despite the fact that the term “man” appears in both passages. Granted, with regard to valuations, as it is stated: “Speak to the children of Israel” (Leviticus 27:2), one can derive that the children of Israel can take a valuation vow but gentiles cannot take a valuation vow. One might have thought that gentiles cannot be valuated either. Therefore, the verse states: “Man” (Leviticus 27:2), so as to include a gentile in only one aspect of

the halakhot of valuations, i.e., that a gentile can be the subject of a valuation. This does not negate the derivation from “the children of Israel” that gentiles are generally excluded.

[14] Rava continues his explanation: However, here, in the case of naziriteship, there is no possibility of interpreting the word “man” to include a gentile in only one aspect of the halakhot of naziriteship. Rava explains: If one would suggest the following derivation: From the phrase “the children of Israel” (Numbers 6:2) derive that the children of Israel can both take a vow of naziriteship and bring the nazirite offering, but gentiles cannot both take a vow of naziriteship and bring the nazirite offering, one might have thought that gentiles cannot be nazirites at all; therefore, the verse states: “Man,” which includes gentiles in one aspect of the halakhot of naziriteship, i.e., that they can become nazirites.

[15] Rava continues his explanation: However, the Sages would say in response to this suggestion: If the phrase “the children of Israel” is written due to the need to exclude a gentile from bringing a nazirite offering, one does not need to derive this halakha from here, and this is because it is already derived from there, as a baraita teaches that the verse: “Any man from the house of Israel, or of the strangers in Israel, who sacrifices his offering, whether it be any of their vows, or any of their gift offerings, which are sacrificed to the Lord as a burnt-offering” (Leviticus 22:18), excludes a gentile from the offering of naziriteship; this is the statement of Rabbi Yosei HaGelili. Therefore, the phrase “the children of Israel” must exclude gentiles from the entire passage of naziriteship, and not just from bringing the offerings.

[16] The Gemara asks: But it can still be argued that “the children of Israel” is excluding a gentile from only some aspects of naziriteship, as one can say that this phrase teaches that the children of Israel can take a vow of permanent naziriteship, but gentiles cannot take a vow of permanent naziriteship, and one might have thought that gentiles cannot be nazirites at all. The verse therefore states: “Man,” to teach that they can become nazirites. The Gemara answers: Rabbi Yoḥanan said: Is it written: A permanent nazirite? Since the verse does not specify a particular type of naziriteship, it excludes gentiles from all types.

[17] The Gemara offers another suggestion: But it can still be argued that “the children of Israel” is excluding a gentile from only some aspects of naziriteship, as one can say that this phrase teaches that “the children of Israel” can vow that their minor sons be nazirites, but gentiles cannot vow that their minor sons be nazirites; and one might have thought that gentiles cannot be nazirites at all. The verse therefore states: “Man,” to teach that they can become nazirites. The Gemara answers: Didn’t Rabbi Yoḥanan say that the fact that a father can take a vow that his minor son will be a nazirite is a halakha transmitted to Moses at Sinai with regard to a nazirite? Since this halakha is not stated in the Torah, it cannot be excluded by a verse.

[18] The Gemara offers another suggestion: But it can still be argued that “the children of Israel” is excluding a gentile from only some aspects of naziriteship, as one can say that this phrase teaches that “the children of Israel” can shave and cut their hair by means of the offerings of their fathers’ naziriteships, but gentiles cannot shave and cut their hair by means of their fathers’ naziriteships. In other words, if the father of a nazirite, who was himself a nazirite, died after having separated his nazirite offerings, the son is able to bring those offerings at the close of his own naziriteship.

[19] One might have thought that gentiles cannot be nazirites at all. The verse therefore states: “Man,” to teach that they can become nazirites. The Gemara answers: Wasn’t it stated that Rabbi Yoḥanan

said that the halakha that a son may use his father’s nazirite offerings is a halakha transmitted to Moses at Sinai with regard to a nazirite? Since this halakha does not appear in the Torah, the verse cannot be coming to exclude it.

[20] § The Gemara asks: If so, why do I need the verse: “When a man shall clearly utter a vow of persons to the Lord, according to your valuation” (Leviticus 27:2), stated with regard to valuations, from which it is derived that gentiles are included in the halakhot of valuations? After all, aren’t valuations juxtaposed to vows, as the verse states: “When a man shall clearly utter a vow of persons to the Lord, according to your valuation.” And isn’t it taught in a baraita with regard to a verse dealing with vows: “Any man [ish] from the house of Israel, or of the strangers in Israel, who sacrifices his offering, whether it be any of their vows, or any of their gift offerings, which are sacrificed to the Lord as a burnt-offering” (Leviticus 22:18), what is the meaning when the verse states the extra emphasis: “Any man [ish ish]”? The baraita explains: This serves to include the gentiles, that they can take a vow for vow offerings and gift offerings like a Jew. It can be derived from this juxtaposition that gentiles are included in the halakhot of valuations.

[21] The Gemara now restates its question: In that case, why do I need the phrase “when a man shall clearly utter a vow” stated with regard to valuations? Rather, this term, “man,” does not include gentiles, but is necessary to include a minor one year before he or she reaches majority. If a minor takes a vow one year before coming of age, and shows a clear understanding of his statement, the vow takes effect. This individual is included in the halakhot of valuations as well.

[22] The Gemara comments: This works out well according to the one who says that a minor one year before he or she reaches majority must fulfill his or her vows by Torah law, because the verse serves as the source for this halakha. However, according to the one who says that this halakha applies by rabbinic law, why do I need the verse “when a man shall clearly utter a vow”? The Gemara answers: The verse serves to include a minor one year before he or she reaches majority who is a gentile, that this halakha applies to gentiles by Torah law.

[23] The Gemara comments: This works out well according to the one who says that it is inferred from the phrase: “The children of Israel” (Leviticus 27:2), that Jews can be valuated but gentiles cannot be valuated; and one might have thought that gentiles cannot take a valuation vow. Therefore, the verse states: “Man.” According to this opinion it is fine, as the phrase “when a man shall clearly utter a vow” can teach that if a gentile close to adulthood grasps the meaning of vows, he can take a valuation vow.

[24] However, according to the one who says that the children of Israel can take a valuation vow but gentiles cannot take a valuation vow, one might have thought that gentiles cannot be valuated; therefore, the verse states the additional term: “Man,” to teach that anyone, even a month-old baby, can be valuated according to the assigned value stated in the Torah. According to this opinion, it is of no importance how old the subject of the vow is, and therefore the verse clearly cannot be including a gentile on the verge of adulthood. Consequently, the question remains: Why do I need the phrase “when a man shall clearly utter a vow”?

[25] Rav Adda bar Ahava said: The verse is referring to all vows, and serves to include, i.e., to teach, the halakha of a type of adult gentile, who although he is an adult, he does not know how to clearly utter a vow. The verse teaches that his vows are invalid, as derived from the phrase “when a man shall clearly vow.” Vows of a gentile are valid only if he can express them clearly.

[26] Having clarified the verse concerning valuations, the Gemara asks: However, concerning the verse: “When a man or woman shall clearly utter a vow” (Numbers 6:2), which the Merciful One writes with regard to naziriteship, why do I need it? After all, isn’t the halakha of naziriteship juxtaposed to vows; why do I need the verse “when a man or woman shall clearly utter”?

[27] The Gemara answers: This verse serves to include the case of one who vowed by means of ambiguous intimations, i.e., he expressed only part of the formula of the vow, so that his meaning is unclear. As it was stated that amora’im had a dispute with regard to this issue: With regard to ambiguous intimations, Abaye said that they are considered intimations to vows, and the vows take effect, and Rava said that they are not considered intimations to vows, and the vows do not take effect. According to the opinion of Abaye, this answer works out well, as the phrase “when a man shall clearly utter,” serves to include all pronouncements indicative of vows, even ambiguous intimations. However, according to the opinion of Rava, what is there to say?

[28] Rather, the Gemara explains that the phrase “when a man or woman shall clearly utter” is necessary for that which was stated by Rabbi Tarfon, as it is taught in the Tosefta (3:19) that Rabbi Yehuda said in the name of Rabbi Tarfon: If several people took a vow of naziriteship as part of a wager with regard to an uncertain occurrence, not one of them is a nazirite, as naziriteship is imposed upon someone only if his vow is explicitly enunciated. That is, one is a nazirite only if he vows in a definitive manner, not if there was any uncertainty involved. The Gemara asks: This works out well according to the opinion of Rabbi Tarfon. However, according to the opinion of the Rabbis, who disagree with his ruling, what is there to say?

[29] Rather, the phrase “when a man or woman shall clearly utter” is necessary for that which is taught in a baraita: The halakhot of dissolution of vows, namely that one may request from a halakhic authority to dissolve them, fly in the air and have nothing to lean upon, i.e., these halakhot are not mentioned explicitly in the Torah.

[30] Rabbi Eliezer says: The halakhot of dissolution of vows have a basis upon which to lean, as it is stated: “When a man shall clearly utter a vow” (Leviticus 27:2) and: “When a man or woman shall clearly utter a vow” (Numbers 6:2), twice. One explicit utterance is for prohibition, i.e., when one takes a vow, he is bound to keep it, and one explicit utterance is for dissolution, i.e., in the event that he provides a halakhic authority with a reason why the vow should no longer apply, the vow can be dissolved and he will no longer be bound by it. This is an allusion in the Torah for the dissolution of vows.

[31] MISHNA: The previous mishna taught that the naziriteship of women includes a stringency that does not apply to slaves. This mishna adds: There is a greater stringency in the case of slaves than in the case of women, as a man can nullify the vows of his wife but he cannot nullify the vows of his slave, despite the fact that he can prevent him from fulfilling them in practice. Similarly, if he nullified the naziriteship of his wife it is permanently nullified, and it remains nullified even if she is later divorced or widowed. Conversely, if he nullified the naziriteship of his slave by forcing him to violate the terms of his vow of naziriteship, when the slave is emancipated he completes his naziriteship.

[32] GEMARA: The Sages taught (Tosefta 6:4): With regard to what matter can his master force a slave? With regard to naziriteship. However, he cannot force his slave in the case of other vows and

valuations. This baraita is apparently saying that a master cannot prevent his slave from fulfilling the terms of a vow.

[33] The Gemara asks: What is different with regard to a nazirite that a master can force his slave to transgress his naziriteship, as the Merciful One states: “To bind his soul with a bond” (Numbers 30:3), from which it is inferred that the Torah is referring only to one whose soul is in his possession, i.e., who is not owned by another; this excludes a slave, whose soul is not in his possession because he is under his master’s control. If so, then even with regard to vows that same halakha should apply as well, as that verse is written in the context of vows in general, not specifically vows of naziriteship. Why is a master unable to compel his slave to break a vow?

[34] Rav Sheshet said: With what are we dealing here? With a case where a cluster of grapes was placed before the slave and he vowed not to derive benefit from it. With regard to vows, when he is prohibited from eating this cluster he is not rendered prohibited from eating others; therefore, the master cannot force him to eat it, as he has no reason to insist that the slave consume this particular cluster of grapes.

[35] By contrast, with regard to naziriteship, when he is prohibited from eating this cluster he is rendered prohibited from consuming all others; therefore, the master can force him to eat. This is because the lack of food weakens the slave, who is the property of his master. The Gemara asks: And with regard to vows, are we not dealing even with a situation where he has only this cluster before him and he vows not to eat it, in which case if he does not eat it he is weakened? Why can’t the master compel him to eat the grapes in this case?

[36] Rather, Rava said that the difference between vows of naziriteship and other vows concerns a case where there was a grape seed, which provides only negligible nourishment, that was placed before the slave, and he vowed not to eat it. With regard to vows, concerning which he is prohibited to eat only this one seed, the master cannot force him to eat it, as refraining from eating a grape seed would not weaken him. With regard to a nazirite, who is prohibited from consuming other grape products as well, the master can force him.

[37] The Gemara again asks: And with regard to vows, are we not dealing even with a situation where he has only this grape seed in front of him, in which case if he does not eat it he would be weakened? Why, then, can the master compel him to violate only his naziriteship vow but not a regular vow?

[38] Rather, Abaye said that the baraita does not in fact list cases in which a master can compel his slave to violate his vow, but rather means the following: With regard to what situation is a master who wants to negate his slave’s vow required to force his slave to violate his vow by stating explicitly that he does not want him to fulfill it? It is the case of a vow of naziriteship. But he is not required to force him in the case of other vows and he is not required to force him in the case of an oath, as these do not take effect at all.

[39] What is the reason for this? It is as the verse states with regard to oaths: “Or if anyone swear clearly with his lips to do evil, or to do good” (Leviticus 5:4). Just as the “good” mentioned in this verse is referring to a voluntary action, so too the “evil” is voluntary, e.g., if he takes an oath not to derive benefit from an item. This excludes a slave, whose oath or vow would cause evil to others, as it is not in his power to affect his master adversely. Therefore, his statement is invalid. Here too, as the owner will suffer if his slave’s diet is restricted, a slave may not accept a vow or an oath upon himself.

[40] MISHNA: In a case where a slave took a vow of naziriteship but was prevented by his master from fulfilling the terms of his vow, the Sages engaged in a dispute what the halakha would be if he permanently left his master’s presence, i.e., he ran away without being emancipated. Rabbi Meir says: He may not drink wine. Since the slave is free in practice, his vow goes into effect. And Rabbi Yosei says: He may drink wine, as he is not emancipated.

[41] GEMARA: The Gemara suggests: Shall we say that Rabbi Meir and Rabbi Yosei disagree with regard to the following statement of Shmuel? As Shmuel said: With regard to one who renounces ownership of his slave, the slave is emancipated, and he does not require a bill of manumission. This halakha indicates that if a slave is free in practice, he no longer requires a bill of manumission but is automatically considered a freeman.

[42] The Gemara asks: If so, should one say that Rabbi Meir is of the opinion that the ruling is in accordance with the opinion of Shmuel, and therefore the slave is obligated in naziriteship as soon as he runs away, like any other freed slave, and Rabbi Yosei is of the opinion that the ruling is not in accordance with the opinion of Shmuel?

[43] The Gemara rejects this suggestion: No, it is possible that everyone is of the opinion that the ruling is in accordance with the opinion of Shmuel. Rather, the mishna is referring to a case where the master refused to declare the runaway ownerless, and was intent on recovering him. Consequently, the slave is not in fact a freeman at all, and the tanna’im disagree with regard to the following: Rabbi Yosei, the one who says that he may drink wine, maintains that the slave will ultimately return and come back to his master, and therefore it is preferable for him to drink wine so that he should not be weakened by the time he returns. And according to Rabbi Meir, the one who says that he may not drink wine, he maintains that it is better that the slave should suffer by being deprived of wine, so that he will return to his master, as the desire to drink wine will spur him to return.

[44] MISHNA: With regard to a nazirite who shaved for the conclusion of his naziriteship, and it later became known to him that during his naziriteship he was ritually impure from a corpse, if it was a known impurity, i.e., people were aware of the impurity when he became impure, he negates his entire naziriteship. And if it was ritual impurity imparted by a grave in the depths, one that was unknown at the time, he does not negate his naziriteship. If he discovered he was impure before he shaved, he negates his naziriteship in either case.

[45] The mishna asks: How does one differentiate between a known and an unknown impurity? If a nazirite descended to immerse in a cave, and a corpse was found floating at the mouth of the cave, he is impure, as an openly visible corpse is a known impurity. What, then, is an impurity of the depths? This is referring to a case where the corpse was found sunk into the ground of the cave in such a manner that it was unknown.

[46] However, even here the circumstances of the case must be taken into account. If one descended not to immerse himself in the water, as he was ritually pure, but to cool himself, he remains pure. If he was impure and entered the water to purify himself from the impurity from a corpse, he is impure. The reason is that something that has the presumptive status of impurity remains impure, and something that has the presumptive status of purity is pure, as there is a basis for the matter. It is reasonable that items or people retain their presumptive status.

47 GEMARA: The Gemara asks: From where are these matters derived, that there is a difference between known and unknown impurity? Rabbi Eliezer said that the verse states with regard to a nazirite: “And if any man shall die very suddenly beside him” (Numbers 6:9). The emphasis provided by the term “beside him” indicates that it is clear to him that he has become impure. However, one is not impure if the presence of the corpse is unknown.

48 Reish Lakish said a different source: The verse states with regard to the Paschal offering: “Any man of you who shall be ritually impure due to a corpse or on a road far away” (Numbers 9:10). The word “road” is juxtaposed in the verse to the term “ritually impure,” indicating that the impurity is like a road. Just as a road is in the open, so too, every impurity is in the open. It must be a known impurity.

49 The Gemara objects: But consider that which we learned in the Tosefta (Zavim 2:9): Which is the ritual impurity imparted by a grave in the depths? It is impurity imparted by any corpse of which no one is aware, even at the end of the earth. This type of impurity is permitted for both a nazirite and one who sacrifices the Paschal offering. However, if even one person is aware of it, even at the end of the earth, this is not impurity imparted by a grave in the depths.

50 The Gemara states its question: Granted, according to the one who says that this halakha is derived from the verse that states that ritual impurity is like a road, it is fine, as an item known to someone in the world can be compared to a road. However, according to the one who says that this halakha is derived from the term “beside him,” i.e., it is referring to an impurity that is clear to him, if one person at the other end of the earth is aware of this impurity, what of it? It was unknown to the nazirite himself.

51 And furthermore, consider that which is taught in another baraita (Tosefta, Zavim 2:8): In the case of one who finds a corpse lying across the width of a road, i.e., it had been buried there in such a way that it was impossible for the passerby to avoid becoming impure by passing over the corpse, then with regard to teruma, the passerby is impure. Therefore, if he is a priest, he may not eat teruma. However, with regard to both being a nazirite and being one performing the ritual of the Paschal offering, the passerby is pure. What is different about these situations? Rather, it must be that the halakha of impurity imparted by a grave in the depths is learned as a tradition and not from the verses, which are cited merely in support.

52 § The mishna taught that if a nazirite discovered he was ritually impure before he shaved, he negates his naziriteship even if he was rendered impure by impurity of the depths. The Gemara asks: Who is the tanna who taught this opinion? Rabbi Yoḥanan says: It is Rabbi Eliezer, who says that shaving is indispensable to the completion of one’s naziriteship. Consequently, if he discovered he was impure before he shaved, he became impure during his naziriteship, and he negates the period he has observed.

53 Rami bar Ḥama raised a dilemma: What is the halakha with regard to one who became impure during the full term of the regular days of his naziriteship but his impurity became known to him only after the full term but before he shaved? Perhaps we go according to his knowledge, and it is a case of knowledge after the full term, or perhaps the halakha is not determined by the time of his awareness but by the actual time of the impurity, which occurred during his naziriteship. The Gemara adds: And with regard to what issue was this dilemma raised? It was with regard to his possible negation of the period he observed as a nazirite: Does he negate his naziriteship, or is he considered

to have contracted impurity after the completion of his term, in which case he need not start his naziriteship afresh?

[54] Rava said: Come and hear a resolution to this dilemma from the mishna: If he discovered he was impure before he shaved, he negates the days of his naziriteship in either case. The Gemara seeks to clarify this: What are the circumstances of this case? When exactly did he find out about the impurity? If it became known to him during the full term of his naziriteship, need this be said, that he negates the previous days? After all, he has yet to complete his naziriteship vow. Rather, is it not referring to a case when the impurity was discovered after the full term of his naziriteship? Conclude from the mishna that he negates the days of his naziriteship even if he discovered the impurity after the completion of his term.

[55] The Gemara continues to analyze the aforementioned case. And you can still raise the dilemma: Does he negate the entire period of his naziriteship or does he negate just seven days? The Gemara asks: According to whom is this dilemma raised? If we say this dilemma is referring to the opinion of the Rabbis (see 16b), it is obvious that he negates it all, as they maintain that even a nazirite who becomes impure after the completion of his naziriteship must observe another thirty days. And if it is referring to the opinion of Rabbi Eliezer, his ruling with regard to any impurity after the full term of his term is that one negates only seven days.

[56] The Gemara responds: The one who raised this dilemma could have said to you: This statement of Rabbi Eliezer that a nazirite negates a mere seven days applies only if he became impure after the full term of his naziriteship, but this one became impure before the end of the full term, and therefore he negates the entire period. Or perhaps it is different here, as it is a case of knowledge that came to light after the full term of his naziriteship.

[57] The Gemara answers: And one can resolve the dilemma from this mishna itself. The mishna teaches that if the nazirite discovered he was impure before he shaved he negates his naziriteship in either case. And it does not distinguish between cases where this happened before the end of the full term or after it. This indicates that in any case he negates only seven days.

[58] § The Sages taught (Tosefta, Zavim 2:8): In the case of one who finds a corpse lying across the width of a road, with regard to teruma the passerby is impure. But with regard to both a nazirite and one performing the ritual of the Paschal offering, the passerby is pure, as it is considered impurity imparted by a grave in the depths. In what case is this statement said, that one is impure with regard to partaking of teruma? It is said in a case where he does not have space to pass by on the road without passing over the corpse.

[59] But if he has space to pass by, then even with regard to teruma he is pure. This is because it is possible that the passerby did not become ritually impure, and there is a principle that if an uncertainty arises concerning the ritual purity of a person or item in the public domain, the person or item is considered pure.

[60] Similarly, in what case is this statement said? It is said in a case where one finds the corpse whole. However, if it is broken or dismembered he is pure, even if there is no space to pass by. The reason is that we suspect that perhaps he passed between the parts of the corpse and did not touch or pass over any of them. This applies when he finds the corpse out in the open. But if he finds it in a grave, even if it is broken or dismembered, he is impure. This is because the grave joins the parts into one unit

and renders him impure if he passed over any part of the grave, even if he did not pass over part of the corpse.

[61] The baraita adds: In what case is this statement said, i.e., that if the corpse was dismembered the passerby is pure? It is said with regard to a passerby who travels by foot. However, if he was loaded with a heavy burden or was riding an animal, he is impure. This is because in the case of one who travels by foot, it is possible that he will not touch the corpse and will not move it and will not pass over it, whereas in the case of one who is loaded with a heavy burden and therefore does not walk in a straight line, or one riding an animal, it is impossible that he will not touch the corpse and will not move it and will not pass over it.

[62] In what case is this statement said, that a nazirite and one bringing a Paschal offering are considered pure? It is said with regard to impurity imparted by a grave in the depths. However, if the source of impurity was known to others but not to the individual who became impure, all three of them, i.e., a nazirite, one performing the ritual of the Paschal offering, and the one who wishes to partake of teruma, are impure.

[63] The baraita continues: And which corpse is considered to impart impurity of the depths? Any corpse of which no one is aware, even at the end of the earth. But if even one individual is aware of it, even if that person is at the end of the earth, this is not considered impurity imparted by a grave in the depths.

[64] The baraita continues: To ascertain whether anyone ever knew about the corpse, its condition is taken into account. If the body was concealed in hay or in pebbles, so the person might have died in an avalanche, it is likely that the corpse had never been found; this is impurity imparted by a grave in the depths. However, if it was found in water, or in a dark place, or in the clefts of the rocks, this is not impurity imparted by a grave in the depths. Although these are places where people do not often go, with the passage of time the corpse is likely to be discovered, and it is quite possible that someone already passed by and saw it.

[65] The baraita concludes: And the Sages said that the leniency of impurity imparted by a grave in the depths applies only with regard to a corpse, but not with regard to other sources of impurity.

[66] § The mishna taught: How does one differentiate between a known and an unknown impurity? If a nazirite descended to immerse in a cave, and a corpse was found floating at the mouth of the cave, he is impure. The Gemara comments: A floating impurity does not render a person or item impure in the case of a carcass of a creeping animal. As it is taught in a baraita (Tosefta, Teharot 5:6): With regard to the case of uncertain impurity, where an item might have touched something impure that was floating, either in water in a vessel or in water in the ground, e.g., a well, the item is pure. Rabbi Shimon says: If the impurity was floating in water that was in a vessel, the item is impure; if the impurity was in water in the ground, it is pure.

[67] What is the reason of the first tanna for declaring that in all uncertain cases of floating impurity the person or item remains pure? Rabbi Yitzḥak bar Avudimi says: In the passage dealing with the impurity of creeping animals and the prohibition of eating them it is written: “With any swarming thing that swarms” (Leviticus 11:43), indicating that a carcass of a creeping animal renders items impure in any place where it swarms. And it is written: “All swarming things that swarm upon the earth” (Leviticus 11:42), indicating that it transmits impurity only if it is on the earth. How so? How

can one reconcile these two verses? Definite contact with it renders one impure; one who has uncertain contact with it, e.g., the impurity is floating, remains pure.

[68] The Gemara asks: And Rabbi Shimon, what is the reason for his opinion? Ulla said that as it is written: “Nevertheless a fountain or a cistern in which there is a gathering of water shall be pure” (Leviticus 11:36), this indicates that a creeping animal found in one of these places does not impart impurity. And it is written in the same verse: “He who touches their carcass shall be impure until evening,” which indicates that it does render one impure. How so? If the impurity was floating in water contained in vessels, the item it touched is rendered impure, but if the water was in the ground itself, e.g., in a spring or pit, the item it touched is pure.

[69] The Sages taught (Tosefta, Teharot 3:13): All items that impart impurity that are carried by human hand or that are dragged along are not considered floating impurities, despite the fact that they are in motion. Rather, in a case where there is uncertainty whether a carried or dragged item affected a person, the individual is rendered impure, because the items are considered as though they were at rest. And in the case of items that are thrown by people, in uncertain cases that pertain to them, the individual remains pure.

[70] This is the halakha, except for an olive-bulk from a corpse, which transmits impurity through uncertain contact even if it was thrown; and that which overlies impurity when thrown, i.e., an item that might have been positioned over a corpse when it was thrown; and anything that renders items above it impure like it renders those below it impure. To what does this last clause refer? It comes to include a zav and a zava, who render items placed above and below them impure even without contact. If something thrown or floating might have come into contact with a zav or zava, it is impure.

[71] With regard to this halakha of a floating impurity, Rami bar Ḥama raises a dilemma: If there is a corpse in a vessel and the vessel is floating on water, and one did not overlie it but might have touched it, what is the halakha? Do we go according to the floating vessel or do we go according to the corpse, which is resting on a solid surface?

[72] If you say that we go according to the vessel and one is rendered ritually impure, the following question arises: If a corpse is placed on top of the carcass of a creeping animal, which is floating on water, what is the halakha? Do we say that since this impurity of a creeping animal is an impurity for an evening, i.e., it lasts one day, and this impurity imparted by a corpse is an impurity for seven days, it is considered as though the impurity imparted by a corpse were placed in a vessel, and he is impure? Or, perhaps the fact that both a corpse and a creeping animal impart impurity means that it is one solid impurity, and because the creeping animal is floating he is pure.

[73] And if you say that due to their different levels of impurity it is considered as though the impurity were placed in a vessel and therefore one is definitely impure, one can raise an additional dilemma. If a creeping animal is atop an unslaughtered animal carcass and the animal carcass is floating, then what is the halakha? Do we say that since they are both examples of an impurity for an evening, it is considered a single solid impurity, or perhaps here too they are different, as this one, the carcass, renders items impure when it is the amount of an olive-bulk, and this one, the creeping animal, does so when it is the amount of a lentil-bulk. In that case, the animal carcass and the creeping animal should be considered separate items, and it is as though the impurity is placed in a vessel, and he is impure.

[74] If in that case they are considered separate, then one can also ask: If a creeping animal is positioned atop another creeping animal, what is the halakha? Do we say that these certainly have the same measurement with regard to transmitting impurity, and that they consequently should be viewed as a single floating items, which means he is pure? Or, perhaps, since they are separate from each other and are not in fact a single item, they are not considered as one unit.

[75] And if you say that in the case of a creeping animal atop a creeping animal, since they are separate from each other, it is considered as though the impurity were placed in a vessel and is not floating, one can raise an additional dilemma. If a creeping animal was placed atop an animal carcass that has dissolved, what is the halakha? Do we say that since it has dissolved it has become like liquid, and therefore it is as though the creeping animal were floating on liquid? Or, perhaps this carcass is still considered food, rather than a liquid, and the creeping animal is on a solid surface.

[76] And if you say that a dissolved animal carcasses is considered food, one can raise an additional dilemma. If a creeping animal was placed on top of semen, which is certainly liquid, what is the halakha? Is this creeping animal considered a floating impurity? And if you say that once semen is ejaculated from the body it is considered like food rather than drink, as it is viscous, one can raise an additional dilemma. If a creeping animal was placed atop waters of purification, i.e., the water into which the ashes of the red heifer are mixed, which becomes highly viscous, and the waters of purification are floating on water, what is the halakha? The Gemara responds: We do not know the answer to any of these questions, and therefore the dilemmas shall stand unresolved.

[77] Rav Hamnuna says: In the case of a nazirite and one performing the ritual of the Paschal offering who walked by a grave in the depths, i.e., an unknown grave, on their seventh day of their purification, i.e., seven days after they were sprinkled with the purification waters after having contracted ritual impurity imparted by a corpse, they are pure. If the nazirite shaved for his impurity and completed his naziriteship in purity or if the one performing the ritual of the Paschal offering sacrificed his offering, then when he eventually discovers the impurity, it is considered as though he were pure all along. What is the reason for this lenient ruling? It is because the ritual impurity imparted by a grave in the depths is not strong enough to negate their actions, i.e., the nazirite offerings or the Paschal offering.

[78] Rava raised an objection to this ruling from the statement of the mishna that if there is one whose impurity imparted by a grave in the depths is uncertain and he descended to purify himself from the ritual impurity imparted by a corpse, he is impure, as a person or item that has the presumptive status of impurity remains impure, and one that has the presumptive status of purity remains pure. Here too, the nazirite and the one performing the ritual of the Paschal offering had not completed their purification at the time, as the seventh day following their being sprinkled had not ended. As their presumptive status is impure, they are retroactively rendered impure, even by an impurity of the depths.

[79] Rav Hamnuna said to Rava: I agree with you with regard to a nazirite who descended to purify himself and who is lacking the act of shaving. He has yet to shave his head for his impurity and is therefore not completely pure. Consequently, he follows his prior presumptive status of impurity.

[80] Rava said to him: I, too, agree with you with regard to one performing the ritual of the Paschal offering that he is pure, as he is not lacking anything. Since he does not have to perform any action on his body before he can bring an offering, one can say that he already has a presumptive status of

purity on the seventh day. Abaye said to him: But he is still lacking sunset, i.e., he is not fully pure until the sun sets on the seventh day. Rava said to Abaye: The sun sets by itself, and therefore this cannot be seen as a deficiency involving an action.

[81] The Gemara comments: And even Abaye accepted Rava's answer and retracted, as can be seen from that which is taught in a baraita. By Torah law, a woman who gives birth to a boy is ritually impure for seven days, and a woman who gives birth to a girl is impure for fourteen days. At that point, the woman immerses in a ritual bath and is purified. Any blood that emerges from the woman during her days of purity, i.e., for forty days following the birth of a male and eighty days following the birth of a female, does not render her impure. She cannot bring the offering brought by a woman who has given birth or miscarried until she has immersed at the end of these days (see Leviticus, chapter 12). The baraita discusses a case where a woman who had given birth became pregnant and miscarried before she had brought her offering for the first birth.

[82] The baraita teaches: If a woman miscarried on the day of the fulfillment of her purity, on the eighty-first day after a female, she must bring a separate offering for the miscarried fetus, as she was obligated to bring one offering before her miscarriage. If she miscarried during the fulfillment, i.e., before the conclusion of the eighty days for the birth of a daughter, she does not bring two offerings but only one, just as is the halakha in the case of one who gives birth to twins.

[83] The baraita continues: One might have thought that she should not bring an offering for her childbirth, i.e., miscarriage, that occurred before the fulfillment of the days of her purity but she should bring for her childbirth that occurred after its completion. In other words, if she had yet another miscarriage, after the days of her purity for her initial birth but within the eighty days of purity following her first miscarriage, she should bring an extra offering and thereby discharge both obligations, of her birth and her final miscarriage.

[84] Therefore, to counteract this possibility, the verse states: "And when the days of her purity are fulfilled…she shall bring" (Leviticus 12:6). This teaches that it is only if she miscarried on the day of the fulfillment itself that she must bring an offering for a miscarriage, but if she miscarried before the fulfillment of the days of her purity of the earlier miscarriage, even if this occurred more than eighty days after the first birth, she does not bring another offering.

[85] Rav Kahana said in explanation: Here it is different. The reason why she does not bring an offering for a miscarriage during her days of purity is that she lacks the possibility of bringing her offering. Since she cannot bring her offering until the end of her term of purity, she cannot incur another obligation during this period, no matter how many births occur within eighty days of the previous one. However, this leads Rav Kahana to ask: There too, if she had a miscarriage on the day of the completion of her term, she cannot bring her offering either, as she lacks sunset. Why, then, must she bring an additional offering?

[86] Abaye said to Rav Kahana: The sun sets by itself and is not considered a deficiency with regard to her purity. This discussion shows that Abaye accepted Rava's reasoning, as he submitted the same argument himself in a different context.

[87] MISHNA: One who finds a corpse for the first time, i.e., he discovers a single corpse in a place that was not previously established as a cemetery, if the corpse is lying in the usual manner of Jewish burial, he removes it from there and also its surrounding earth. It is assumed that this corpse was buried there alone. There is no concern that this area is a cemetery and therefore the corpse may not

be moved, nor does one take into account the possibility that another corpse may be buried in the vicinity.

[88] Similarly, if he found two corpses, he removes them and their surrounding earth. In a case where he found three corpses, if there is a space between this corpse and that corpse of four to eight cubits, in a standard design, this is a graveyard. There is a concern that this might be an ancient cemetery.

[89] One must therefore examine from that spot outward for twenty cubits. If one finds another corpse at the end of twenty cubits, he examines from that spot outward twenty cubits, as there is a basis for anticipating the matter. It is likely that he has stumbled upon an ancient gravesite. He is not permitted to relocate the corpses, despite the fact that if he had found the single corpse by itself at first he could have removed it and its surrounding earth.

[90] GEMARA: Rav Yehuda said the following inferences from the mishna: The phrase: He found, excludes a corpse that already had been found. If it was known that there was one corpse buried in a certain place, the discovery of two previously unknown corpses does not raise the concern that perhaps it is a forgotten graveyard. Similarly, the term corpse [met] excludes a killed [harug] person. Even if there were three corpses found, if there are signs that these people were killed, the area is not assumed to be a graveyard, as they may have been buried where they were found killed. Likewise, the term lying excludes a sitting person, as Jews were not generally buried in a seated position. The phrase: In the usual manner, excludes one whose head was placed between his thighs, as that is not the way Jews are buried.

[91] Ulla bar Ḥanina taught a baraita (Tosefta, Oholot 16:2): A corpse that is lacking a part of his body indispensable to life has no halakha of surrounding earth, i.e., there is no need to remove the nearby earth along with the corpse. Nor does it have the halakha of a graveyard, i.e., it does not join with two other corpses to establish this site as a cemetery. The Gemara asks: And with regard to all these listed above, i.e., a corpse that was buried in a sitting position or with its head between its thighs, what is the reason that they are not considered part of a graveyard? The Gemara answers: We say that perhaps the deceased was a gentile, as Jews are not usually buried in these ways.

[92] The baraita further states: If one found two corpses, with the head of this one by the feet of that one and the head of that one by the feet of this one, they do not have the halakha of surrounding earth, nor do they have the halakha of a graveyard. This is not the way Jews are buried, as corpses in a Jewish cemetery always face the same direction. If one found three corpses, one of which was previously known, while the other two were found for the first time now, or if one found two for the first time and two that were known, they do not have the halakha of surrounding earth, and they also do not have the halakha of a graveyard. One does not view these corpses as connected.

[93] The baraita relates: An incident occurred involving Rabbi Yeshevav, who examined and found two known corpses and one corpse discovered for the first time, and he wished to deem the three corpses a graveyard. Rabbi Akiva said to him: All your toil is in vain. They said it is a graveyard only in a case of three known corpses buried in one spot or three corpses found for the first time. However, if some were known and others were discovered for the first time, one does not combine them.

[94] § The mishna taught that he removes them and their surrounding earth. The Gemara asks: What are the circumstances of surrounding earth? Rav Yehuda said: The verse states with regard to Jacob’s instruction to Joseph to transfer his remains to Eretz Yisrael: “You shall carry me out from Egypt”

(Genesis 47:30), which indicates: Take some earth out from Egypt with me, i.e., take the earth that is near the corpse.

95 The Gemara further asks: And what is the measure of surrounding earth? Rabbi Elazar, son of Rabbi Tzadok, explained: One takes loose dirt from near the corpse, as it is assumed it has been loosened by the blood and moisture from the corpse, and digs virgin, uncultivated, ground to a depth of three fingerbreadths, in case this earth has absorbed the blood.

96 The Gemara raises an objection to this ruling from a different baraita: And what is the measure of surrounding earth? Rabbi Elazar, son of Rabbi Tzadok, explained: One takes wood chips found nearby, which might have been part of the coffin, and lumps of earth that might have absorbed the blood and moisture from a corpse.

97 And he discards that which is certainly not from the corpse, e.g., stones. And he sets aside the items with regard to which it is uncertain if they have a connection with the corpse. And the rest, i.e., anything that is apparently from the corpse, combine to reach the amount of the majority of the structure of a corpse, or of a quarter-kav of bones, or of a full ladle of dust from a corpse. The remains of a corpse impart ritual impurity in a tent only if they meet one of those three qualifications. Anything which is apparently the remains of the corpse is considered dust of a corpse with regard to this halakha. In any event, it is clear that this baraita presents a different definition of surrounding earth.

98 The Gemara answers: With regard to the first statement of Rabbi Elazar, it was he who said in accordance with the opinion of that tanna, ben Azzai, as it is taught in a baraita: And how much is the measure of surrounding earth? Rabbi Yoḥanan says in the name of ben Azzai: One takes loose earth and digs virgin ground to a depth of three fingerbreadths.

99 § The mishna taught that one must examine the ground for up to twenty cubits from that spot where a corpse was found.

100 Rava said: With regard to one who examined, found a corpse, and removed it from its place, and again examined nearby, found another corpse, and removed it from its place as well, if he examined yet again and discovered a third corpse, he does not move this third one alongside these two he has already moved, as he now knows that this was a graveyard and the corpses were buried there intentionally. And he does not return these two alongside this one either, as he is not obligated to restore the corpses to their prior locations after they have been reburied.

101 There are those who say that Rava said: Since permission was granted to move the first and second corpses, one may therefore move them all, including the third one. The Gemara asks: And let us deem them part of a graveyard. Since three corpses were found buried together, there might be others in the vicinity. Reish Lakish said: They found a pretext and deemed Eretz Yisrael ritually pure. Since at that point there was just one corpse, the Sages were lenient and were not concerned about any further impurity. The Sages wished to avoid uncertain impurity because people were careful to observe the halakhot of ritual purity in Eretz Yisrael, and additional cases of uncertain impurity would be complicated to observe.

102 The Gemara asks another question: If one examined twenty cubits from the location of those corpses and did not find anything, what is the halakha? Rav Menashya bar Yirmeya says that Rav says: This is a graveyard. Those three corpses compose the graveyard and there is no concern for

others. The Gemara asks: What is the reason for this ruling? Why is there no concern that there might be many more corpses in the surrounding area? Once again Reish Lakish said: They found a pretext and deemed Eretz Yisrael ritually pure. Eretz Yisrael is deemed pure in a case of uncertainty.

[103] MISHNA: Any case of uncertainty with regard to leprous sores is initially deemed pure until it is established that it is a case of ritual impurity. Once it has been determined to be a case of impurity, uncertainty concerning it is deemed impure.

[104] GEMARA: The Gemara asks: From where are these matters derived? Rav Yehuda said that Rav said: The verse states: “This is the law of the plague of leprosy…to pronounce it pure or to pronounce it impure” (Leviticus 13:59). Since the verse opened with purity first, this teaches that any case of uncertainty concerning leprous sores is deemed pure. The Gemara asks: If so, if the halakha is based on this verse, then even once it has been determined to be a case of impurity, uncertainty concerning it should be deemed pure as well, as this interpretation of the verse should apply to all cases of uncertainty with regard to leprosy.

[105] Rather, when this statement, that Rav Yehuda said that Rav said, was stated, it was stated with regard to the following dispute in a mishna concerning an uncertain leprous sore (Nega’im 4:11): If the snow-white leprous sore [baheret], which is one sign of leprosy, preceded the white hair, which is another sign, he is impure. This halakha is stated in the Torah (see Leviticus 13:3). And if the white hair preceded the baheret he is pure, as this is not considered a sign of impurity. If there is uncertainty as to which came first, he is impure. And Rabbi Yehoshua said: Keiha.

[106] The Gemara asks: What is the meaning of keiha? Rav Yehuda said: Rabbi Yehoshua pronounced the matter unsolvable and ruled it is pure. The Gemara further asks: And perhaps this means that he pronounced the matter unsolvable and ruled it is impure? Rav Yehuda said that Rav said: The verse states: “To pronounce it pure or to pronounce it impure” (Leviticus 13:59); since the verse opened with purity first, any case of uncertainty concerning leprous sores is deemed pure.

[107] MISHNA: This mishna discusses another case that includes the statement: There is a basis to anticipate the matter. One examines a man who experienced a gonorrhea-like discharge [zav] in seven ways, as long as he has not been confirmed as having a gonorrhea-like discharge [ziva]. With regard to an individual’s second such discharge, before he has been established as a greater zav, one examines to see whether there may have been a particular trigger of his discharge. One examines him with regard to food and with regard to drink, in case the discharge might have been the result of overeating or excess drinking; with regard to a burden, as it might have been caused by the weight of a heavy burden; and with regard to jumping, in case he jumped and this led to the discharge; and with regard to sickness; and with regard to an arousing sight; and with regard to the thought of a woman.

[108] Once he has been confirmed as having a ziva, after two definite discharges of ziva, one no longer examines him in this way, as any discharge is deemed impure. If one experiences three discharges of ziva, he is obligated to bring an offering following his purification. Accordingly, his discharge that was due to circumstances beyond his control, i.e., for one of the seven reasons listed above, and his discharge about which it is uncertain if it is ziva, and even his semen, which is not usually considered the discharge of a zav, are all impure. Why is this so? It is because there is a basis for anticipating the matter. Once he has the status of a zav, it can be assumed that subsequent discharges are of ziva as well.

109 The Sages similarly taught: With regard to one who strikes another with heavy blows, and doctors assessed that he would die as a result of the beating, but his health improved from what it was, so that they then determined that he would not die from his injuries, and afterward his condition worsened and he died, the one who struck him is liable to receive court-imposed capital punishment, as it is assumed that the victim's death was caused by the assault. Rabbi Neḥemya says: He is exempt, because there is a basis for anticipating the matter. Since the victim began to recover during his illness, it is reasonable to assume that his death was caused by a factor other than the assault.

110 GEMARA: The Gemara asks: From where are these matters derived, that one examines a zav before he has been confirmed as having a ziva, but not after? Rabbi Natan says that the verse states: "And the zav who has an issue [zav et zovo], whether it is a man or a woman" (Leviticus 15:33). This teaches that after two discharges, corresponding to the words zav and zovo, with regard to the third sighting, when one is already a zav, the verse juxtaposes the halakha of a male to that of a female: Just as it makes no difference in the case of a female whether her discharge of menstrual blood was triggered by an external factor, as she is ritually impure regardless, once a male zav has the status of impurity, one no longer examines him to see if his discharge was triggered by an external factor.

111 The Gemara asks: But isn't it taught in a mishna (Zavim 2:2) that Rabbi Eliezer says: For the third discharge one still examines him; for the fourth discharge one does not examine him. Where does the verse allude to the fourth discharge? The Gemara answers: Rather, they disagree with regard to instances of the word "et," i.e., whether or not the word "et" teaches an additional halakha, or whether it is written purely for syntactical reasons. Rabbi Eliezer expounds instances of the word "et," and therefore he counts the phrase "zav et zovo" as three words referring to three discharges. And the Rabbis do not expound instances of the word "et," which means that in their opinion this verse alludes to only two discharges.

112 § The mishna taught that his discharge that was due to circumstances beyond his control, and his discharge about which it is uncertain if it is ziva, are considered impure.

113 Rava said: Do not say that it is uncertain whether he saw a discharge and uncertain whether he did not see one. The uncertainty is not with regard to whether he experienced a discharge at all. Rather, he certainly saw a discharge, but it is uncertain whether the discharge was due to, i.e., defined as, an emission of semen, and it is uncertain whether the discharge was due to the sighting of ziva. In this case, once he has been confirmed as being ritually impure as a zav, his uncertain case is also impure.

114 § The mishna taught that his semen is impure. The Gemara asks: With regard to what halakha is the mishna stating that the semen of a zav is impure? If we say that this is referring to the impurity of contact, i.e., this semen renders one who touches it impure, there is no need to teach this halakha. Is it any worse than the semen of a pure man, which also imparts impurity through contact? Rather, the mishna is teaching that the semen of a zav renders people impure even by carrying, like the impurity of ziva.

115 The Gemara asks: Who did you hear that said that the semen of a zav renders one impure by carrying? If we say it is this tanna, as it is taught in a baraita that Rabbi Eliezer says: The semen of a zav does not render one impure by carrying, and Rabbi Yehoshua says: It does render one impure by carrying, because it is impossible for his semen to be without droplets of ziva; yet this source is no

proof, as even Rabbi Yehoshua said that this semen imparts impurity by carrying only due to the droplets of ziva it contains. However, he did not say that semen in its unadulterated form renders people impure.

[116] Rather, Rav Adda bar Ahava said: The mishna does not mean that the semen of a zav itself renders one impure by carrying. Rather, it comes to say that one does not attribute the ziva to it. Even if the man experienced a discharge within twenty-four hours of his ejaculation of semen, one does not say his discharge was triggered by a general weakening as a result of his seminal emission. Once the man has experienced two discharges of a zav he is an impure zav, and this third discharge is also considered ziva.

[117] When he was before Rava, Rav Pappa thought to say the following explanation for this halakha: Since he sees his discharges out of the weakness brought about from his previous ziva, it can be assumed that any later discharge, even one that follows a seminal emission, is ziva. Rava said to him: But didn't we learn in a mishna (Zavim 2:3): A convert who has just converted can immediately become impure as a zav. Even if he had a seminal emission as a gentile, subsequently converted, and then experienced the discharge of a zav, one does not associate the discharge of a zav with the earlier emission of semen. Rather, it is treated as the first discharge of a zav. In this case there is no prior weakness of a zav to speak of, and nevertheless the convert is impure as a zav. Rav Pappa said to Rava: There is no greater illness than this. The very acceptance of mitzvot can be considered an illness, as the burden of mitzvot is a weighty matter. For this reason, one does not ascribe a discharge of a zav to the earlier emission of semen.

[118] The Gemara comments: Rather, the possibility rejected earlier, that the mishna means that semen of a zav imparts impurity by carrying, is a dispute between tanna'im, as it is taught in a baraita: The semen of a zav renders one impure by carrying like the regular discharge of a zav for a twenty-four hour period. In other words, if a zav experienced a seminal emission within twenty-four hours of a ziva, the seminal emission does not impart impurity only through contact in the manner of the semen of a pure individual, but by carrying as well. And Rabbi Yosei says that it imparts impurity by carrying only on its day, i.e., if the seminal emission was before the evening of the day of the ziva. As opposed to Rabbi Eliezer and Rabbi Yehoshua cited earlier, these tanna'im both maintain that the semen of a zav imparts impurity by carrying like ziva does.

[119] The Gemara asks: With regard to what do the first tanna and Rabbi Yosei disagree? What is the basis of their dispute? The Gemara answers: They disagree with regard to the following issue discussed by Shmuel, as Shmuel raises a contradiction: It is written: "If there be among you any man who is not pure, by reason of that which chances him by night, then shall he go abroad out of the camp, he shall not come within the camp" (Deuteronomy 23:11). This verse is applied to a zav who experienced a seminal emission. And it is written: "When evening comes on, he shall bathe himself in water, and when the sun is down, he may come within the camp" (Deuteronomy 23:12).

[120] The Gemara explains the dispute. The one who says that the semen of a zav imparts impurity by carrying for a twenty-four hour period after experiencing a ziva infers from the phrase "when evening comes on" that the period can involve two evenings, as "comes on" indicates another evening. If so, the semen imparts impurity by carrying for a full twenty-four hour period. And the other Sage, Rabbi Yosei, infers from the expression "by reason of that which chances him by night"

that the seminal emission imparts impurity by carrying only until that night, i.e., until the end of the day on which the man experienced the ziva.

121 The Gemara asks: But according to the one who says that this halakha is derived from “when evening comes on,” isn’t it written: “By reason of that which chances him by night”? The Gemara answers: He could have said to you that this verse affords no proof, as it is referring to the usual case and it is the manner of a seminal emission to occur at night. Consequently, one cannot derive a halakha from this expression.

122 MISHNA: The tractate concludes with an aggadic statement about nazirites. Samuel the prophet was a nazirite, in accordance with the statement of Rabbi Nehorai, as it was stated that when Hannah, his mother, prayed for a son, she vowed: “And no mora shall come upon his head” (I Samuel 1:11). How is it derived that mora is an expression of naziriteship? It is stated with regard to Samson: “And no razor [mora] shall come upon his head, for the child shall be a nazirite to God” (Judges 13:5), and it is stated: “And no mora,” with regard to Samuel. Just as the term “mora” that is stated with regard to Samson means that he was a nazirite, so too the term “mora” that is stated with regard to Samuel indicates that he was a nazirite.

123 Rabbi Yosei said: But doesn’t the word “mora” mean nothing other than the fear of flesh and blood? The word should be read as though it were written with an ales, and not a heh, so that it means fear. Rabbi Nehorai said to him: But isn’t it already stated: “And Samuel said: How can I go; if Saul hears it he will kill me” (I Samuel 16:2). This verse indicates that there was fear of flesh and blood upon Samuel. Consequently, the term mora must be understood in accordance with its plain meaning of a razor. If so, Samuel was indeed a nazirite.

124 GEMARA: Rav said to his son Ḥiyya:

125 Seize the opportunity and quickly recite a blessing over the cup of blessing for the Grace after Meals. And similarly, Rav Huna said to his son, Rabba: Seize the opportunity and recite a blessing.

126 The Gemara asks: Is this to say that one who recites a blessing is preferable to one who answers amen? But isn’t it taught in a baraita that Rabbi Yosei says: The one who answers amen is greater than the one who recites the blessing? And Rabbi Nehorai said to him: By Heavens, it is so. Know that this is true, as the military assistants [gulyarim] descend to the battlefield and initiate the war and the mighty follow them and prevail. The amen that follows a blessing is compared to the mighty who join the war after the assistants, illustrating that answering amen is more significant than reciting the initial blessing.

127 The Gemara responds: This is a dispute between tanna’im, as it is taught in a baraita: Both the one who recites a blessing and the one who answers amen are included among those who “stand up and bless” (Nehemiah 9:5), but one hurries to first reward the one who recites the blessing. This baraita apparently holds that reciting the blessing is greater than answering amen.

128 Rabbi Elazar said that Rabbi Ḥanina said: Torah scholars increase peace in the world, as it is stated: “And all your children [banayikh] shall be taught of the Lord, and great shall be the peace of your children” (Isaiah 54:13). The Sages interpreted this verse homiletically: Do not read it as: “Your children [banayikh],” but as: Your builders [bonayikh]. Torah scholars are those who build peace for their generation.