

X

THE STRUCTURE AND SYSTEM OF BAVLI NAZIR

Whether or not the Talmud of Babylonia is carefully organized in large-scale, cogent structures and is guided by a program that we may call systematic forms the principal question addressed by an academic commentary. The question can be answered only by an inductive inquiry: are we able to explain in accord with a simple plan the selection and arrangement of the completed units of discourse (“sentences”) and compositions and even complex composites of said units (“paragraphs”, “chapters” in ordinary language). The preceding chapters have pointed toward the presentation set forth here. They make possible an outline of the whole, and the traits of the outline yielded by the Talmud definitively answer the questions before us. The outline allows us to infer the plan of the Talmud for the Mishnah-tractate before us. So here I answer the question, what makes Bavli Nazir a truly remarkable re-presentation of the Mishnah-tractate and its topic, even when measured against the numerous other tractates of the Bavli that lay claim to our admiration. I take up this question at the end of my account of the structure and system of the document.

These key-words, “structure” and “system,” require definition. By “structure” I mean, a clearly-articulated pattern that governs the location of fully-spelled out statements. “Structure” pertains to how is a document organized. By “system,” I mean, what do the compilers of the document propose to accomplish in producing this complete, organized piece of writing? “System” pertains to a well-crafted and coherent set of ideas that explain the social order of the community addressed by the writers of a document, a social philosophy, a theory of the way of life, world view, and character of the social entity formed by a given social group. The analytical work now complete and requiring systematization, the answers to both questions derive from a simple outline of the tractate as a whole, underscoring the types of compositions and composites of which it is comprised. Such an outline tells us what is principal and what subordinate, and — more important — how each unit, each composition formed into composites, composites formed into a complete statement, holds together and also fits with other units, fore and aft. The purpose of the outline then is to identify the character of each component of the whole, and to specify its purpose or statement. The former information permits us to describe the document’s structure, the latter, its system. I see a collective, anonymous, and political document, such as the one before us, as a statement to, and about, the way in which people should organize their lives and govern their actions.

At issue then in any document such as the remarkable one before us is simple: does this piece of writing present information or a program, facts to whom it may concern, or a philosophically and aesthetically cogent statement about how things should be? But can a

piece of writing permit us to move from structure to system? The connection between structure and system is plain to see. From the way in which people consistently frame their thoughts, we move to the world that, in saying things one way rather than in some other, they wish to imagine the world in which they wish to live, to which they address these thoughts. For if the document exhibits structure and sets forth a system, then it is accessible to questions of rationality. We may ask about the statement that its framers or compilers wished to make by putting the document together as they did. But if we discern no structure and perceive no systematic inquiry or governing points of analysis, then all we find here is inert and miscellaneous information, facts but no propositions, arguments, viewpoints.

Now the questions just now set forth jar. Conventional learning does not prepare us for them, for the Talmud commonly finds itself represented as lacking organization and exhibiting a certain episodic and notional character. That view moreover characterizes the reading and representation of the document by learned and experienced scholars, who have devoted their entire lives to Talmud study and exegesis. It must follow that upon the advocate of the contrary view — the one implicit in the representation of the document for academic analysis — rests the burden of proof. But in the academic commentary now in hand for the tractate, that proof has already been laid out and now requires explication. I maintain that through the normal procedures of reasoned analysis we may discern in the tractate a well-crafted structure. I hold that the structure made manifest, we may further identify the purpose and perspective, the governing system of thought and argument, of those who collected and arranged the tractate's composites and put them together in the way in which we now have them.

While the idea of simply outlining a Talmud-tractate beginning to end may seem obvious, I have never made such an outline before, nor has anyone else.* Yet, as we shall now see, the character of the outline — complete in this part of the work for the entire Bavli! — dictates all further analytical initiatives. Specifically, when we follow the layout of the whole, we readily see the principles of organization that govern. These same guidelines on organizing discourse point also to the character of what is organized: complete units of thought, with a beginning, middle, and end, often made up of smaller, equally complete units of thought. The former we know as composites, the latter as compositions.

*I have provided complete outlines for the Mishnah and for the Tosefta in relationship to the Mishnah, and, not always in outline form, for the Midrash-compilations of late antiquity as well.

Identifying and classifying the components of the tractate — the composites, the compositions of which they are made up — we see clearly how the document coheres: the plan and program worked out from beginning to end. When we define that plan and program, we identify the facts of a pattern that permit us to say in a specific and concrete way precisely what the compilers of the tractate intended to accomplish. The structure realizes the system, the program of analysis and thought that takes the form of the presentation we have before us. From what people do, meaning, the way in which they formulate their ideas and organized them into cogent statements, we discern what they proposed to do, meaning, the intellectual goals that they set for themselves.

These goals — the received document they wished to examine, the questions that they brought to that document — realized in the layout and construction of their writing, dictate the points of uniformity and persistence that throughout come to the surface. How

people lay out their ideas guides us into what they wished to find out and set forth in their writing, and that constitutes the system that defined the work they set out to accomplish. We move from how people speak to the system that the mode of discourse means to express, in the theory that modes of speech or writing convey modes of thought and inquiry.

We move from the act of thought and its written result backward to the theory of thinking, which is, by definition, an act of social consequence. We therefore turn to the matter of intention that provokes reflection and produces a system of inquiry. That statement does not mean to imply I begin with the premise of order, which sustains the thesis of a prior system that defines the order. To the contrary, the possibility of forming a coherent outline out of the data we have examined defines the first test of whether or not the document exhibits a structure and realizes a system. So everything depends upon the possibility of outlining the writing, from which all else flows. If we can see the order and demonstrate that the allegation of order rests on ample evidence, then we may proceed to describe the structure that gives expression to the order, and the system that the structure sustains.

The present work finds its place in the study of the history of religion, so far as that study undertakes the exegesis of exegesis, — in the present case, for the Talmud of Babylonia. That document, like its counterpart in the Land of Israel, is laid out as a commentary to the Mishnah. That obvious fact defined the character of my academic commentary, since we have already faced the reality that our Bavli-tractate is something other than a commentary, though it surely encompasses one. The problems that captured my attention derived from the deeper question of how people make connections and draw conclusions. To ask about how people make connections means that we identify a problem — otherwise we should not have to ask — and what precipitated the problem here has been how a composition or a composite fits into its context, when the context is defined by the tasks of Mishnah-commentary, and the composition or composite clearly does not comment on the Mishnah-passage that is subjected to comment.

The experience of analyzing the document with the question of cogency and coherence in mind therefore yields a simple recognition. Viewed whole, the tractate contains no gibberish but only completed units of thought, sentences formed into intelligible thought and self-contained in that we require no further information to understand those sentences, beginning to end. The tractate organizes these statements as commentary to the Mishnah. But large tracts of the writing do not comment on the Mishnah in the way in which other, still larger tracts do. Then how the former fit together with the latter frames the single most urgent question of structure and system that I can identify.

Since we have already examined enormous composites that find their cogency in an other than exegetical program, alongside composites that hold together by appeal to a common, prior, coherent statement — the Mishnah-sentences at hand — what justifies my insistence that an outline of the document, resting on the premise that we deal with a Mishnah-commentary, govern all further description? To begin with, the very possibility of outlining Babylonian Talmud tractate Nazir derives from the simple fact that the framers have given to their document the form of a commentary to the Mishnah. It is in the structure of the Mishnah-tractate that they locate everything together that they wished to compile. We know that is the fact because the Mishnah-tractate defines the order of topics and the sequence of problems.

Relationships to the Mishnah are readily discerned; a paragraph stands at the head of a unit of thought; even without the full citation of the paragraph, we should find our way back to the Mishnah because at the head of numerous compositions, laid out in sequence one to the next, clauses of the Mishnah-paragraph are cited in so many words or alluded to in an unmistakable way. So without printing the entire Mishnah-paragraph at the head, we should know that the received code formed the fundamental structure because so many compositions cite and gloss sentences of the Mishnah-paragraph and are set forth in sequence dictated by the order of sentences of said Mishnah-paragraph. Internal evidence alone suffices, then, to demonstrate that the structure of the tractate rests upon the Mishnah-tractate cited and discussed here. Not only so, but the sentences of the Mishnah-paragraphs of our tractate are discussed in no other place in the entire Talmud of Babylonia in the sequence and systematic exegetical framework in which they are set forth here; elsewhere we may find bits or pieces, but only here, the entirety of the tractate.

That statement requires one qualification, and that further leads us to the analytical task of our outline. While the entire Mishnah-tractate of Nazir is cited in the Talmud, the framers of the Talmud by no means find themselves required to say something about every word, every sentence, every paragraph. On the contrary, they discuss only what they choose to discuss, and glide without comment by large stretches of the tractate. A process of selectivity, which requires description and analysis, has told the compilers of the Talmud's composites and the authors of its compositions* what demands attention, and what does not. Our outline has therefore to signal not only what passage of the Mishnah-tractate is discussed, but also what is not discussed, and we require a general theory to explain the principles of selection ("making connections, drawing conclusions" meaning, to begin with, making selections). For that purpose, in the outline, I reproduce the entirety of a Mishnah-paragraph that stands at the head of a Talmudic composite, and I underscore those sentences that are addressed, so highlighting also those that are not.**

* This statement requires refinement. I do not know that all available compositions have been reproduced, and that the work of authors of compositions of Mishnah-exegesis intended for a talmud is fully exposed in the document as we have it. That is not only something we cannot demonstrate — we do not have compositions that were not used, only the ones that were — but something that we must regard as unlikely on the face of matters. All we may say is positive: the character of the compositions that address Mishnah-exegesis tells us about the concerns of the writers of those compositions, but we cannot claim to outline all of their concerns, on the one side, or to explain why they chose not to work on other Mishnah-sentences besides the ones treated here. But as to the program of the compositors, that is another matter: from the choices that they made (out of a corpus we cannot begin to imagine or invent for ourselves) we may describe with great accuracy the kinds of materials they wished to include and the shape and structure they set forth out of those materials. We know what they did, and that permits us to investigate why they did what they did. What we cannot know is what they did not do, or why they chose not to do what they did not do. People familiar with the character of speculation and criticism in Talmudic studies will understand why I have to spell out these rather commonplace observations. I lay out an argument based on evidence, not on the silences of evidence, or on the absence of evidence — that alone.

** A comparison of how the continuator-documents of the Mishnah read the Mishnah is therefore called for, lining up the Tosefta's, the Yerushalmi's, and the Bavli's reading of Taanit, and the Tosefta's, Sifré Numbers's, the Yerushalmi's, and the Bavli's reading of Nazir. Such a systematic comparison will allow us to form a theory of comparative hermeneutics for the Rabbinic classics. That is planned as *The Comparative Hermeneutics of Rabbinic Literature*.

It follows that the same evidence that justifies identifying the Mishnah-tractate as the structure (therefore also the foundation of the system) of the Talmud-tractate before us also presents puzzles for considerable reflection. The exegesis of Mishnah-exegesis is only one of these. Another concerns the purpose of introducing into the document enormous compositions and composites that clearly hold together around a shared topic or proposition, e.g., my appendix on one theme or another, my elaborate footnote providing information that is not required but merely useful, and the like. My earlier characterization of composites as appendices and footnotes signaled the fact that the framers of the document chose a not-entirely satisfactory way of setting out the materials they wished to include here, for large components of the tractate do not contribute to Mishnah-exegesis in any way at all. If these intrusions of other-than-exegetical compositions were proportionately modest, or of topical composites negligible in size, we might dismiss them as appendages, not structural components that bear much of the weight of the edifice as a whole. Indeed, the language that I chose for identifying and defining these composites — footnotes, appendices, and the like — bore the implication that what is not Mishnah-commentary also is extrinsic to the Talmud's structure and system.

But that language served only for the occasion. In fact, the outline before us will show that the compositions are large and ambitious, the composites formidable and defining. Any description of the tractate's structure that dismisses as mere accretions or intrusions so large a proportion of the whole misleads. Any notion that "footnotes" and "appendices" impede exposition and disrupt thought, contribute extraneous information or form tacked-on appendages — any such notion begs the question: then why fill up so much space with such purposeless information? The right way is to ask whether the document's topical composites play a role in the re-presentation of the Mishnah-tractate by the compilers of the Talmud. We have therefore to test two hypotheses:

1. the topical composites ("appendices," "footnotes") do belong and (ordinarily) serve the compilers' purpose

or

2. the topical composites do not participate in the re-presentation of the Mishnah-tractate by the Talmud and do not belong because they commonly add nothing and change nothing.

The two hypotheses may be tested against the evidence framed in response to a single question: is this topical composite necessary? The answer to that question lies in our asking, what happens to the reading of the Mishnah-tractate in light of the topical composites that would not happen were we to read the same tractate without them? The outline that follows systematically raises that question, with results specified in due course. It suffices here to state the simple result of our reading of the tractate, start to finish: the question of structure, therefore also that of system, rests upon the position we identify for that massive component of the tractate that comprises not Mishnah-commentary but free-standing compositions and composites of compositions formed for a purpose other than Mishnah-commentary.

The principal rubrics are given in small caps. The outline takes as its principal rubrics two large-scale organizing principles.

The first is the divisions of the Mishnah-tractate to which the Talmud-tractate serves as a commentary. That simple fact validates the claim that the tractate exhibits a fully-

articulated structure. But the outline must also underscore that the Mishnah-tractate provides both more and less than the paramount outline of the Talmud-tractate. It is more because sentences in the Mishnah-tractate are not analyzed at all. Mishnah-sentences that are subject to comment are given in bold face lower-case caps; those that are untreated are given in bold face lower case caps and underlining.

Second, it is less because the structure of the tractate accommodates large composites that address topics not defined by the Mishnah-tractate. That brings us to the second of the two large-scale modes of holding together both sustained analytical exercises and also large sets of compositions formed into cogent composites. These are treated also as major units and are indicated by Roman numerals, alongside the Mishnah-paragraphs themselves; they are also signified in small caps. But the principal rubrics that do not focus on Mishnah-commentary but on free-standing topics or propositions or problems are not given in boldface type. Consequently, for the purposes of a coherent outline we have to identify as autonomous entries in our outline those important composites that treat themes or topics not contributed by the Mishnah-tractate.

I. MISHNAH-TRACTATE NAZIR 1: 1

A. All euphemisms for [the form of words for] a Nazirite vow are equivalent to a Nazirite vow [and binding].

1. [I.1] *Since the Tannaite author deals with the division of Women, how come he repeats tractate Nazir [preliminary to tractate Sotah] where he does*

2. [I.2] The Tannaite framer of the law commences with euphemisms and exemplifies with cases of allusions! [There is a disjuncture here.]

B. He who says, “I will be [such]” — lo, this one is a Nazirite

1. [II.1] *Maybe when he says, “I will be,” he made reference to observing a fast day?*

C. Or: “I shall be comely” — he is a Nazirite. [If he says,] “Naziq “ or “Naziah “ or “Paziah “ — lo, this one is a Nazirite

1. [III.1] *Maybe when he says, “I shall be comely,” what he means is, “I shall be comely before him in the performance of religious duties”?*

a. [III.2] *But taking the Nazirite vow is a matter of transgression, and here it is called “comely”?!*

D. [If he says,] “Lo, I shall be like this one,”

1. [IV.1] *While he is holding on to his hair, he has not said, “I intend to be through this” [but only “like” this]!*

E. “Lo, I shall curl [my hair]:”

1. [V.1] *How do we know that this word that is used means “curl the hair”?*

F. “Lo, I shall tend [my hair]”

1. [VI.1] *How do we know that this word that is used means “tend the hair”?*

G. “Lo, it is incumbent on me to grow [my hair] long” — lo, this one is a Nazirite.

1. [VII.1] *How do we know that this word translated “to grow long” refers to increasing the hair?*

H. [If he says,] “Lo, I pledge myself [to offer] birds” — R. Meir says, “He is a Nazirite.” And sages say, “He is not a Nazirite.”

1. [VIII.1] *What is the scriptural foundation for the position of R. Meir?*

II. MISHNAH-TRACTATE NAZIR 1:2A-B

A. [He who says,] “Lo. I shall be an abstainer [Nazir] from grape pits” or “from grape skins” or “from haircuts” or “from uncleanness [of corpses]” — lo, this one is a .Nazirite [in all regards]. And all the details of a Nazirite vow pertain to him.

1. [I.1] *Our Mishnah-paragraph does not accord with the view of R. Simeon, for it has been taught on Tannaite authority: R. Simeon says, “One is a liable [as a Nazirite] only if he takes the [Nazirite] vow in all regards.” And rabbis say, “Even though he took the vow of a Nazirite only in one of the pertinent aspects, he is a Nazirite.”*

III. MISHNAH-TRACTATE NAZIR 1:2C

A. [He who says,] “Lo, I shall be like Samson” or “like the son of Manoah” or “like the husband of Delilah” or “like the one who tore down the gates of Gaza” or “like the one whose eyes the Philistines plucked out” — lo, this one is a Nazirite in the status of Samson

1. [I.1] *Why was it necessary for the Mishnah-author to go over all these cases?*

IV. MISHNAH-TRACTATE NAZIR 1:2D-H

A. What is the difference between a lifelong Nazirite and a Nazirite in the status of Samson [also a Nazirite for life]? A lifelong Nazirite: [If] his hair gets too heavy, he lightens it with a razor and brings three [offerings of] cattle (Num. 6:14). And if he is made unclean, he brings an offering on account of uncleanness. A Nazirite in the status of Samson: [If] his hair gets too heavy, he does not lighten it. And if he is made unclean, he does not bring an offering on account of uncleanness.

1. [I.1] ...a lifelong Nazirite: *whoever mentioned that item [and what is it doing here]?*

a. [I.2] It is an offering on account of uncleanness that he does not bring, but he is indeed a Nazirite in any event [and is not to contract corpse-uncleanness]. *Who then is the Tannaite authority behind our Mishnah-rule, since it cannot be either R. Judah or R. Simeon. For it has been taught on Tannaite authority*

1. [I.3] *May we say that at issue between R. Judah and R. Simeon is what is subject to dispute between the following Tannaite authorities, for it has been taught on Tannaite authority:*

- i. [I.4] With reference to the Nazirite too, it is written, “to the Lord” (Num. 6:2) [so why by the stated reasoning can one not take a vow to become a Nazirite like Samson]?
- ii. [I.5] But wasn’t Samson a Nazirite [by reason of a vow]?
- iii. [I.6] *And how do we know that Samson did contract corpse uncleanness?*

2. [I.7] And as to a lifelong Nazirite, *where is it written in Scripture?*

a. [I.8] *As to the forty years, what’s the point?*

V. MISHNAH-TRACTATE NAZIR 1:3A

A. A Nazirite vow that is unspecified [as to length] is for a period of thirty days.

1. [I.1] *What is the source of this rule*

VI. MISHNAH-TRACTATE NAZIR 1:3B-C

A. [If] he said, “Lo, I shall be a Nazirite for one long spell,” “Lo, I shall be a Nazirite for one short spell,” [or] even “From now until [for as long as it takes to go to] the end of the world” — he is a Nazirite for thirty days:

1. [I.1]] *Why should that be the case? Hasn’t he said, “from here to the end of the world”?*

VII. MISHNAH-TRACTATE NAZIR 1:3D-E

A. [If he said,] “Lo, I shall be a Nazirite and for one day [more],” “Lo, I shall be a Nazirite and for one hour [more],” “Lo, I shall be a Nazirite for one spell and a half” — lo, he is a Nazirite for two spells [of thirty days].

1. [I.1] *Why in the world was it necessary for the Tannaite framer to encompass all of these cases?*

VIII. MISHNAH-TRACTATE NAZIR 1:3F-G

A. [If he said,] “Lo, I shall be a Nazirite for thirty days and for one hour,” he is a Nazirite for thirty days and for one day, for Nazirite vows are not taken by the measure of hours

1. [I.1]] Said Rab, “They have taught this rule only if he said, ‘Thirty-one days,’ but if he had said, ‘Thirty days and one day,’ he is a Nazirite for two spells.”

IX. MISHNAH-TRACTATE NAZIR 1:4-5

A. [He who said,] “I will be a Nazirite like the hairs of my head” or “like the dust of the earth” or “like the sand of the sea” — lo, this one is a lifetime Nazirite. But he cuts his hair once every thirty days. Rabbi says, “Such a one as this does not cut his hair once every thirty days. But who is the one who cuts his hair once every thirty days? It is he who says, ‘Lo, I pledge myself to as many [distinct] Nazirite vows as

the hairs of my head' or 'as the dust of the earth' or 'as the sand of the sea.'" [He who says,] "Lo, I am a Nazirite, a jugful" or "a basketful" — they examine his intention. And if he said, "I intended to take a Nazirite vow for one long period," he is a Nazirite for thirty days. But if he said, "I took a Nazirite vow without specification," they regard the basket as if it is full of mustard seeds. And he is a Nazirite for the rest of his life. [If he said,] "Lo, I shall be a Nazirite from here to such-and-such a place," they make an estimate of how many days it takes to go from here to such-and-such a place. If it is less than thirty days, he is a Nazirite for thirty days. And if not, he is a Nazirite in accord with the number of days [required to go to such-and-such a place]. [If he said,] "Lo, I shall be a Nazirite according to the number of days of the year," he counts his Nazirite spell in accord with the number of days of the year. Said R. Judah, "There was a case of this sort, and once he had fulfilled his Nazirite vow, he dropped dead:"

1. [I.1] they regard the basket as if it is full of mustard seeds. And he is a Nazirite for the rest of his life: *but why? Rather regard the basket as though it were full of cucumbers or gourds and so he will have a remedy!*

2. [I.2]] *Our rabbis have taught on Tannaite authority:* "Lo, I am a Nazirite all the days of my life," "Lo, I am a lifelong Nazirite" — lo, this one is a life long Nazirite. "even for a hundred years," "even for a thousand years," this one is not a lifelong Nazirite, but he is a Nazirite for life [T. 1:5]

3. [I.3] *Our rabbis have taught on Tannaite authority:* [If he said,] "Lo, I am a Nazirite and one," lo, this one is a Nazirite for two spells [M. Naz. 1:3D]. [If he said,] "... and more," lo, he is a Nazirite for three spells. [If he said,] "... one and more and again," lo, this one is a Nazirite for four spells [T. 1:2C-E].

4. *Our rabbis have taught on Tannaite authority:*

B. "Lo, I am a Nazirite" — Sumkhos says, "If he added, 'hen,' he is liable for a single spell, 'digon,' two; 'trigon,' three, 'tetragon,' four, 'pentagon,' five" [T. 1:2]."

a. *Our rabbis have taught on Tannaite authority:* (1) A round house, (2) a three-cornered house, [(3) a house that is built on a ship, or (4) on a raft, [or] (5) on four beams, is not susceptible to uncleanness through plagues since it is not resting on the ground]. (1) And if it was four-

X. MISHNAH-TRACTATE NAZIR 2:1

A. [He who says,] "Lo, I am a Nazirite as to dried figs and pressed figs" — the House of Shammai say, "He is a Nazirite." And the House of Hillel say, "He is not a Nazirite." Said R. Judah, "Also: When the House of Shammai made this ruling, they made it only with reference to the one who says, 'Lo, they are unto me as a Qorban [in which case, the Nazirite vow is implied].'"

1. [I.1] [He who says,] "Lo, I am a Nazirite as to dried figs and pressed figs" — the House of Shammai say, "He is a Nazirite" — *now why should that be the case? The All-Merciful has said, "nothing that is made of the grape-vine" (Num. 6:4)!*

a. [I.2] *Our Mishnah-paragraph does not accord with the view of the following Tannaite authority, for it has been taught on Tannaite authority:* R. Nathan says, “The House of Shammai say, ‘He has vowed [not to eat figs] and he has vowed to become a Nazirite.’ And the House of Hillel say, ‘He has vowed [not to eat figs], but he has not undertaken the Nazirite vow.’”

2. [I.3] *There we have learned in the Mishnah:* [He who says,] “Lo, I pledge myself [to bring] a meal offering made of barley,” [in any case] must bring one made of wheat. [Free will meal offerings have to be made of wheat.] [He who says, “Lo, I pledge myself to bring a meal offering made] of meal,” must bring one made of fine flour. [He who says, “Lo, I pledge myself to bring a meal offering] without wine and frankincense,” must bring one with oil and frankincense. [He who says, “Lo, I pledge myself to bring a meal offering made of] a half-tenth,” must bring one made of a whole tenth. [He who says, “Lo, I pledge myself to bring a meal offering made of a tenth and a half-tenth,” brings one made of two [whole] tenths [of an ephah of fine flour]. R. Simeon declares free [of the obligation to bring a meal offering in any of the foregoing cases], for [in so specifying,] he has not volunteered [a freewill meal offering] in the way in which people volunteer [to make a freewill meal offering] [M. **Men. 12:3A-G**]. *Who is the Tannaite authority that takes the position, if he said, “Lo, it is incumbent on me to present a meal-offering of barley,” he presents a meal offering of wheat in any event? Said Hezekiah, “It is subject to dispute, and the Tannaite authority at hand is the House of Shammai, who take the position that we are guided by the words that are initially stated. For we have learned in the Mishnah:* [He who says,] ‘Lo, I am a Nazir as to dried figs and pressed figs’ — the House of Shammai say, ‘He is a Nazir.’ And the House of Hillel say, ‘He is not a Nazir’ [M. **Naz. 2:1A-C**]. *Here too, if he said, ‘made of barley,’ he still presents one made of wheat.’*

XI. MISHNAH-TRACTATE NAZIR 2:2

A. [If] one said, “This cow says, ‘Lo, I am a Nazirite if I stand up,’ “This door says, ‘Lo, I am a Nazirite if I am opened’” — the House of Shammai say, “He is a Nazirite.” And the House of Hillel say, “He is not a Nazirite.” Said R. Judah, “Also: When the House of Shammai made their ruling, they made it only with reference to the one who says, ‘Lo, this cow is unto me as a Qorban if it stands up [on its own].”

1. [I.1] *So do cows talk?*

a. I.2] *And the House of Shammai follow their theory of matters, and the House of Hillel follow their theory of matters.*

2. [I.3]] [Reverting to I.1] *said Raba, “But does the Tannaite formulation contain the qualifying language, ‘If it stood up of its own volition’?”*

XII. MISHNAH-TRACTATE NAZIR 2:3

A. [A] [If] they mixed a cup for someone, and he said, “Lo, I am a Nazirite from it,” lo, this one is a Nazirite. M'SH B: A woman was drunk and they filled a cup for her,

and she said, “Lo, I am a Nazirite from it.” Sages ruled, “She intended only to say, ‘Lo, it is unto me as a Qorban.’”

1. [I.1] *So is the case [C-D] cited to contradict the ruling [A-B]? In the beginning you have said, lo, this one is a Nazirite, and then go and repeat, M'SH B: A woman was drunk, therefore in that case in particular he forbids himself to this cup of wine, but he is permitted to drink other wine.*

XIII. MISHNAH-TRACTATE NAZIR 2:4

A. [If someone said,] “Lo, I am a Nazirite on condition that I shall drink wine and become unclean with corpse uncleanness,” lo, this one is a Nazirite. But he is prohibited to do all of these things [that he has specified as conditional upon his vow]. [If he said,] “I recognize that there is such a thing as Naziriteship, but I do not recognize that a Nazirite is prohibited from drinking wine,” lo, this one is bound [by the Nazirite oath]. And R. Simeon declares him not bound.

1. [I.1] *Should R. Simeon not register his disagreement also in the opening case [A-C, as in D-F]? Said R. Joshua b. Levi, “R. Simeon disagreed also in the opening case.” Rabina said, “R. Simeon did not disagree in the first case. How come? Because it is a case of stating a stipulation that contradicts what is written in the Torah, and anyone who stipulates to a condition contrary to what is written in the Torah — his stipulation is null.”*

a. [I.2] *It has been taught on Tannaite authority in accord with the position of Rabina*

B. [If he said,] “I recognize full well that a Nazirite is prohibited to drink wine, but I was thinking that sages would permit me to do so, because I cannot live without wine,” or “because I am in the work of burying the dead,” lo, this one is not bound. And R. Simeon declares him bound.

1. [II.1]] *[Contrasting D-F and G-I, we note that] in the prior clause, [where he says he did not know wine is forbidden] Rabbis bind the vow and R. Simeon is the one who releases it [and why not the same here]?*

XIV. MISHNAH-TRACTATE NAZIR 2:5

A. [If one said,] “Lo, I am a Nazirite, and I take it upon myself to bring the hair offering of a[nother] Nazirite,” and his friend heard and said, “So am I, and I take it upon myself to bring the hair offering of a[nother] Nazirite,” if they are smart, each brings the hair offering of the other, and if not, they bring the hair offering of other Nazirites.

1. [I.1] *The question was raised: If he heard his fellow take this vow and said simply, “So am I, what is the meaning of this “so am I”? Does this pertain to the entirety of the original statement, or does it pertain only to part of it? And if you should say, it pertains only to part of it, is it to the opening or to the closing clause of the original statement?*

B. FREE-STANDING EXERCISE THAT INVOKES THE MISHNAH-RULE AT HAND

1. [I.2] Said R. Isaac bar Joseph said R. Yohanan, “He who says to his messenger, ‘Go and betroth a woman for me,’ without further specification as to which woman, and then the agent died — the man is forbidden to marry any woman in the world [since she might be consanguineous with the woman whom the agent betrothed for him]. The reason is that an agent will be assumed to have carried out his commission, *and since the man did not spell out for him whom he wanted, he will not know whom he has betrothed for him.*”

XV. MISHNAH-TRACTATE NAZIR 2:6

A. “[If one said,] ‘Lo, I pledge myself to bring half of the hair offering of a Nazirite,’ and his friend heard and said, ‘And I too pledge myself to bring half the hair offering of a Nazirite,’ this one brings the whole hair offering of a Nazirite and that one brings the whole hair offering of a Nazirite,” the words of R. Meir. And sages say, “This one brings half the hair offering of a Nazirite, and that one brings half the hair offering of a Nazirite.”

[I.1] Said Raba, “All agree *that in any case in which he said, ‘Half of the offerings of a Nazirite are incumbent on me,’ he brings half of the offerings. ‘Half of a Nazirite is incumbent on me,’ he has to bring the entire offering. How come? Because we do not find a partial Naziriteship. Where there is a dispute is in the case of the use of the language recorded in our Mishnah-paragraph. R. Meir takes the view that, once he has said, ‘Lo, incumbent on me...,’ he has become obligated for the entire offering of a Nazirite vow. And when he continued with the language, ‘half of the Naziriteship,’ he does not have the power to [impose further limitations on his pledged word]. Sages take the view that what we have is a vow along with its own remission.*”

XVI. MISHNAH-TRACTATE NAZIR 2:7-8

A. [If one said,] “I will be a Nazirite when a son is born to me,” and a son was born to him, lo, this one is a Nazirite. [If] a daughter, a child of unclear sexual traits, [or] a child bearing the sexual traits of both sexes is born to him, he is not a Nazirite. If he said, “When I see that a child is born to me, [I shall be a Nazirite,]” even if a daughter, a child bearing unclear sexual traits, [or] a child bearing the sexual traits of both sexes, is born to him, lo, he is a Nazirite.

1. [I.1] [If one said, “I will be a Nazirite when a son is born to me,” and a son was born to him, lo, this one is a Nazirite:] *what’s the point of saying this [obvious rule]?*

B. [But if] his wife miscarried, he is not a Nazirite. R. Simeon says, “He should say, ‘If it was a viable fetus, lo, I am a Nazirite out of obligation. And if not, lo, I am a Nazirite by free choice.’” [If] she went and gave birth again, lo, this one is a Nazirite.”

1. [II.1] *So what else is new!*

2. [II.2] *Who is the Tannaite authority behind that rule*

C. R. Simeon says, “He should say, ‘If the first was a viable fetus, the first [Nazirite spell that I observed] is done out of obligation, and this one is by free choice. And if not, then the first was by free choice, and this one is out of obligation.’”

1. [III.1]] *R. Abba asked R. Huna, “‘[If he said,] ‘Lo, I shall be a Nazirite when I shall have a son,’ and his wife miscarried, his having set aside animals for the offering of the Nazirite, and his wife then gave birth [to a viable infant, twin of the miscarried infant] what is the law?’*

a. [III.2] *Ben Rehum asked Abbaye, “‘[If he said,] ‘Lo, I shall be a Nazirite when I have a son,’ and his friend heard and said, ‘So I undertake as well,’ what is the rule? Is the implicit meaning what the other has said, or is the implicit meaning, what becomes of the person of the other? [If it is to what he has said, then the sense is, ‘I will become a Nazirite when you have a son.’ If it is to the status of the friend, the meaning is, ‘I will become a Nazirite when I have a son.’”]*

XVII. MISHNAH-TRACTATE NAZIR 2:9

A. [He who said,] “Lo, I am a Nazirite, and [again] a Nazirite if a son is born to me,” [if] he began counting out the Nazirite days covering his own vow, and afterward a son was born to him, he completes the days of his own vow and afterward counts out the days of the vow pertaining to his son..

1. [I.1] *Raba raised this question: “If he said, ‘Lo, I shall be a Nazirite after twenty days time, and then he said, ‘For one hundred days, starting now,’ what is the law? Since these hundred days will not be complete in twenty days, they do not take effect [for now]? Or perhaps, since there will be ample time for him to grow a new head of hair for the purification-rite at the end of the hundred days, the twenty days do take effect immediately?”*

B. [If he said,] “Lo, I am a Nazirite when a son will be born to me, and [again] a Nazirite,” [if] he began to count out the days covering his own vow, and afterward a son was born to him, he puts aside [the observance of the days of] his own [vow] and counts out the days covering the vow he made for his son. And afterward he completes the days required for his own vow

1. [II.1] If he contracted uncleanness in the time of the Nazirite vow observed in honor of his son — R. Yohanan said, “He loses the first period as well [that is, the days observed before his son was born, on his own account].” R. Simeon b. Laqish said, “He does not lose the first period as well [that is, the days observed before his son was born, on his own account].”

a. [II.2] Said R. Yosé b. R. Hanina, “A Nazirite who has completed the period of his vow [but not yet presented his offerings] is flogged for contracting cultic uncleanness but not for cutting the hair or drinking wine.”

XVIII. MISHNAH-TRACTATE NAZIR 2:10

A. [A] [If he said,] “Lo, I am a Nazirite when a son will be born to me and a Nazirite for a hundred days,” [if] a son was born to him before seventy days [had passed], he has lost nothing. [The Naziriteship of thirty days on account of the son takes effect. Then he finishes up the hundred days on account of the vow taken for his own name.] [If the son was born] after seventy days [so the vow taken in regard to the son is now in effect], he loses the seventy days he has observed, for there is no cutting of hair in less than thirty days [from the beginning of the observance of the vow] [there are not thirty days left over from the first Naziriteship, the whole then does not count and he starts his own hundred days once more].

1. [I.1] Said Rab, “The seventieth day counts for this Nazirite oath and for that one.” [It is reckoned within both periods.] *We have learned in the Mishnah, [if] a son was born to him before seventy days [had passed], he has lost nothing. Now, if you should suppose that the seventieth day counts for this Nazirite oath and for that one, [the language “he has lost nothing” does not pertain, but rather,] he profits! Rather, in strict logic, the Tannaite formulation should not have encompassed the period before seventy days [had passed], but because in the latter part of the formulation of the rule, the Tannaite framer stated, [If the son was born] after seventy days, he loses the seventy days he has observed, he made reference also in the earlier clause to the seventy days*

XIX. MISHNAH-TRACTATE NAZIR 3:1-4

A. He who said, “Lo, I am a Nazirite,” cuts his hair on the thirty-first day. But if he cut it on the thirtieth day, he has fulfilled his obligation. [If he said,] “Lo, I am a Nazirite for thirty days,” if he cut his hair on the thirtieth day, he has not fulfilled his obligation. He who took a Nazirite vow for two spells cuts his hair for the first on the thirty-first day and for the second on the sixty-first day. And if he cut his hair for the first on the thirtieth day, he cuts his hair for the second on the sixtieth day. But if he cut his hair on the sixtieth day less one, he [nonetheless] has fulfilled his obligation. This testimony did R. Pappas present concerning one who took a vow to observe two spells as a Nazirite. If he cut his hair for the first spell on the thirtieth day, he cuts his hair for the second on the sixtieth. But if he cut his hair for the second on the sixtieth day less one, he has fulfilled his obligation. For the thirtieth day counts for him among the number [of days of the second Nazirite vow]. He who said, “Lo, I am a Nazirite,” [if] he was made unclean on the thirtieth day, he loses the whole [thirty days he already has observed]. R. Eliezer says, “He loses only seven days.”

1. [I.1] *R. Eliezer adopts the theory that any [uncleanness that is contracted] after the fulfillment causes the loss of only seven days.*

B. [If he said,] “Lo, I am a Nazirite for thirty [whole] days,” [and] was made unclean on the thirtieth day, he loses the whole [thirty days he already has observed]

1. [II.1] *R. Eliezer does not take issue here, because he supposes that the man said, “whole days.”*

C. “Lo, I am a Nazirite for a hundred days, [if] he was made unclean on the hundredth day, he loses the whole [hundred days already observed]. R. Eliezer says, “He loses only thirty days.” [If] he was made unclean on the hundred-and-first day, he loses thirty days. R. Eliezer says, “He loses only seven days.”

1. [III.1] *The whole may be interpreted in line with the view of Bar Peda or of R. Matena [as noted above].*

XX. MISHNAH-TRACTATE NAZIR 3:5

A. [A] He who vowed to be a Nazirite while in a graveyard, even if he was there for thirty days — those days do not count for him toward the number [of days owing under the vow]. Nor does he bring an offering for his uncleanness [for being in the graveyard]

1. [I.1] *It has been stated:* He who vowed to be a Nazirite while in a graveyard — R. Yohanan said, “The vow of Naziriteship takes effect on him.” And R. Simeon b. Laqish said, “The vow of Naziriteship does not take effect on him.” R. Yohanan said, “The vow of Naziriteship takes effect on him.” *he takes the view that the matter is suspended and ready for action, and once he becomes cultically clean, the matter takes effect.* And R. Simeon b. Laqish said, “The vow of Naziriteship does not take effect on him.” *if he goes and restates the oath [in a condition of cleanness], it will take effect, but if not, not.*

2. [I.2] *Raba raised this question:* “A person who took the oath as a Nazirite while located in a cemetery, *what is the law as to having to remain in the graveyard for an effective amount of time to be liable to a flogging? Does he or does he not [have to remain a specified span of time to incur liability]??”*

3. [I.3] **R.** *Ashi raised the question,* “If one took the vow of the Nazirite while located in a graveyard, is he required to shave the hair or not? *When one requires a haircut, that is in the case of a clean person who has contracted corpse uncleanness, in which case he has rendered his Naziriteship unclean, but an unclean person who has taken the vow of the Nazirite does not. Or perhaps there is no difference??”*

a. [I.4] *Who is the Tannaite authority who is responsible for that which our rabbis have taught on Tannaite authority:* There is no difference between a person who was unclean and took a vow as a Nazirite and a Nazirite who is cultically clean but then contracted corpse-uncleanness, except that in the case of one who was unclean and took a Nazirite vow, the seventh day of his purification rite counts for him as part of the period as a Nazirite, while the person who was clean and took a Nazirite vow and then contracted corpse-uncleanness does not count the seventh day of his purification process as part of his Nazirite-period?

i. [I.5] *Our rabbis have taught on Tannaite authority:* If the Nazirite contracted corpse uncleanness on the seventh day of purification, and then once more contracted corpse uncleanness on the seventh day following, he is liable to offer a single offering. If he contracts uncleanness on the eighth day and then again on the

eighth day following, he is liable to offer an offering for each event. He begins to count the days toward the new Naziriteship immediately [even prior to offering the sacrifices],” the words of R. Eliezer. And sages say, “He is obligated to a single offering for all occasions of uncleanness, so long as he has not yet offering his sin-offering [Num. 6:10-12] [such as is required for a Nazirite who has contracted uncleanness]. If he has presented his sin-offering and then contracts uncleanness, and again presents his sin-offering and again contracts uncleanness, he is liable to present an offering for each episode of uncleanness. If he has presented his sin-offering but not his guilt offering, he starts to count the days of his new Nazirite vow.

B. [If, however] he went out and then came back [into the graveyard], they do count for him toward the number [of required days]. And he does bring an offering for his uncleanness.

1. [II.1] *The Tannaite rule then is, they do count for him toward the number [of required days].* It is because he has left the grave yard that the Nazirite vow takes effect on him?

C. R. Eliezer says, “That is not the case if it is on the very same day, since it says, ‘But the former days shall be void’ (Num. 6:12) — [the offering for uncleanness is brought] only when the former days apply to him.”

1. [III.1] Said Ulla, “R. Eliezer made this statement only with reference to an unclean person who took the Nazirite vow, but as to a clean Nazirite who contracted uncleanness, his Naziriteship is void even on the first day [there are no ‘former days’].”

XXI. MISHNAH-TRACTATE NAZIR 3:6

A. He who [while overseas] took a vow to be a Nazirite for a long spell and completed his spell as a Nazirite, and afterward came to the Land [of Israel] — the House of Shammai say, “He is a Nazirite for thirty days.” And the House of Hillel say, “He is a Nazirite as from the very beginning

1. [I.1] *The opening clause states as the Tannaite formulation, the House of Shammai say, “He is a Nazirite for thirty days.” And the House of Hillel say, “He is a Nazirite as from the very beginning.” May one then suppose that this is what is at issue between them: The House of Shammai take the view that the sages declared the land of the gentiles to be unclean as to their soil, [20A] while the House of Hillel held that it was also on account of the air? [That would yield the more stringent ruling of the House of Hillel.]*

B. M'SH B: Helene the queen — her son went off to war, and she said, “If my son comes home from war whole and in one piece, I shall be a Nazirite for seven years.” Indeed her son did come home from war, and she was a Nazirite for seven years. Then at the end of the seven years, she went up to the Land. The House of Hillel instructed her that she should be a Nazirite for another seven years. Then at the end

of seven years she was made unclean. So she turned out to be a Nazirite for twenty-one years. Said R. Judah, “She was a Nazirite only fourteen years.”

1. [II.1] *The question was raised: is she assumed by R. Judah to have contracted uncleanness, so he agrees with the position of the House of Shammai, or perhaps his ruling concerned her not having contracted uncleanness, and it was spelled out in line with the position of the House of Hillel*

XXII. MISHNAH-TRACTATE NAZIR 3:7

A. He concerning whom two groups of witnesses gave testimony — these testify that he took a vow to be a Nazirite for two spells, and these testify that he took a vow to be a Nazirite for five spells the House of Shammai say, “The testimony is at variance, and no Naziriteship applies here at all.” And the House of Hillel say, “In the sum of five are two spells. So let him serve out two spells of Naziriteship.”

1. [I.1] *Our Mishnah-paragraph is not in accord with this Tannaite authority, for it has been taught on Tannaite authority: Said R. Ishmael b. R. Yohanan b. Beroqah, “The House of Shammai and the House of Hillel did not differ concerning a case in which there were two sets of witnesses giving testimony concerning him, one saying it was for two spells, and one saying it was five, that because in the sum of five are two spells, he is a Nazir for the shortest period [specified in their joint testimony]. Concerning what sort of case did they differ? Concerning a case in which there was a single set of witnesses, thus there were two individual witnesses giving testimony concerning him. The one says he took a vow for two spells, and the other, for five. For: The House of Shammai say, ‘The testimony is divided, [so that there is no obligation to be a Nazir here at all].’ And the House of Hillel say, ‘In the sum of five are two spells. So let him serve out two spells of Naziriteship’” [M. Naz. 3:7] [T. 3:1].*

2. [I.2] Said Rab, “All concur that where the witnesses enumerate, [the evidence is conflicting].”

XXIII. MISHNAH-TRACTATE NAZIR 4:1-2

A. He who said, “Lo, I am a Nazirite,” and his friends heard and said, “Me too,” “Me too,” “Me too” — all of them are Nazirites. [If] the vow of the first was declared not binding, the vows of all of them are deemed not binding. [If the vow of the] last of them was declared not binding, the last of them is not bound, but all the rest of them remain bound

1. [I.1] *R. Simeon b. Laqish went into session before R. Judah the Patriarch, and in session stated, “[The Nazirite vow takes effect when one says, ‘Me too,’] only when they make their vow within the brief span of time sufficient for continuing a conversation. And how much is such an interval of time sufficient for continuing a conversation? Enough time to greet someone. And how long is that span of time? It is the time that a disciple takes to greet his master [‘Peace to you, my lord’].”*

2. [I.2] *The question was raised: [when we invoke the criterion, the statement has to be made within an interval of time sufficient for continuing a conversation,] does that mean, one speaking immediately following upon the immediately preceding one, in such an interval of time, or all of them within an interval of time following the statement of the initial speaker*

B. [If] he said, “Lo, I am a Nazirite,” and his friend heard and said, “Let my mouth be like his mouth, and my hair like his hair,” lo, this one is a Nazirite [= M. 1:1A]. [If he said,] “Lo, I am a Nazirite,” and his wife heard and said, “Me too” — he [has the power to] release her vow, but his stands..

1. [II.1] **[If] he said, “Lo, I am a Nazirite,” and his friend heard and said, “Let my mouth be like his mouth, and my hair like his hair,” lo, this one is a Nazirite: Merely because he says, “Let my mouth be like his mouth, and my hair like his hair,” should it be the fact that lo, this one is a Nazirite?!**

C. [If the wife said,] “Lo, I am a Nazirite,” and her husband heard and said, “Me too,” he cannot release [her vow]. “Lo, I am a Nazirite, — and you?” and she said, “Amen” — If he releases hers, his is null

1. [III.1] *The question was raised: does the husband utterly uproot the vow, as if it had never taken place, or does he merely terminate the vow [from that time forward*

2. [III.2] *If a woman said to her, “Lo, I am a Nazirite in your path” [and then the vow of the original woman who took the Nazirite vow was released], what is the law? Does “in your path” mean, the whole way, and so she is released from the vow as the original woman is? or does “in your path” mean, prior to your husband’s releasing the vow, so she is still bound by the vow?*

D. [If she said] “Lo, I am a Nazirite, and you?” and he said, “Amen” — he has not got the power to release her vow

1. [IV.1] *By way of contradiction: He who says to his wife, “Lo, I am a Nazir, and [if] you [are]?” If she said, “Yes,” both of them are bound by his oath. And if not, both of them are not bound, because he makes his vow contingent upon her vow [T. 3:4(5)F-H].*

XXIV. MISHNAH-TRACTATE NAZIR 4:3

A. A woman who took a vow as a Nazirite but nonetheless went around drinking wine and contracting corpse uncleanness — lo, this one receives forty stripes. [If] her husband released the vow for her, but she did not know that her husband had released it for her and nonetheless continued to go around drinking wine and contracting corpse uncleanness, she does not receive forty stripes. R. Judah says, “If she does not receive forty stripes, nonetheless, she should receive punishment for disobedience.”

1. [I.1] *Our rabbis have taught on Tannaite authority: “Her husband has made them void and the Lord shall forgive her” (Num. 30:13) — Of whom does Scripture speak? It speaks of a woman who took a vow to be a Nazirite, [and] her husband annulled the vow for her, but she did not know that her husband*

had annulled it for her and nonetheless continued to go around drinking wine and contracting corpse uncleanness [M. Naz. 4:3C]., for she requires atonement and forgiveness.”

B. TOPICAL APPENDIX ON THE THEME OF INTENTIONALITY [1:1].*When R. Aqiba would come to this verse, he wept, saying, “If someone intended to eat ham and really had in hand veal, yet the Torah has said that he requires atonement and forgiveness, one who intends to eat ham and really had in hand ham — all the more so!”*

1. [I.2] *Said Rabbah bar bar Hannah said R. Yohanan, “What is the meaning of the verse of Scripture, ‘For the paths of the Lord are straight, that the righteous shall pass along them, but the transgressors will stumble in them’ (Hos. 14:10)? The matter may be compared to the case of two men who roasted their Passover offerings. One of them ate it for the sake of performing the religious duty, and the other one ate it to stuff himself with a big meal. The one who ate it for the sake of performing a religious duty — ‘the righteous shall pass along them.’ And as to the one who ate it to stuff himself with a big meal — ‘but the transgressors will stumble in them’”*

1. SUBSET ON LOT AND ABRAHAM

a. [I.3] Said R. Yohanan, “The entire verse of Scripture is formulated to express the intention of committing a transgression, as it is said, ‘And Lot lifted his eyes and saw the entire plain of the Jordan that it was well watered’ (Gen. 13:10).

b. [I.4] Rabbah expounded, “What is the meaning of the verse of Scripture: ‘A brother offended the mighty city, and contention is like the bars of a castle’ (Prov. 18:19)? A brother offended the mighty city:’ this refers to Lot, who took his leave from Abraham in order to sin with his daughters.

c. [I.5] *Raba, or some say, R. Isaac, expounded, “What is the meaning of the verse of Scripture: ‘To lust is a separatist drawn, and of any wisdom will he be contemptuous’ (Prov. 18:1)?*

d. [I.6] Said Ulla, “Tamar committed an act of prostitution, and Zimri committed an act of prostitution.

2. [I.7] Said R. Nahman bar Isaac, “A transgression committed for its own sake, in a sincere spirit, is greater in value than a religious duty carried out not for its own sake, but in a spirit of insincerity.

a. [I.8] [Reverting to the body of the foregoing:] Said R. Judah said Rab, “A person should always be occupied in study of the Torah and in practice of the commandments, even if this is not for its own sake [but in a spirit of insincerity], for out of doing these things not for their own sake, a proper spirit of doing them for their own sake will emerge.”

XXV. MISHNAH-TRACTATE NAZIR 4:4

A. A woman who took a vow to be a Nazirite and set aside her beast [for the required sacrifice], but afterward her husband released her vow for her — now if the beast [set aside for her] belonged to him, it goes forth and pastures in the corral.

1. [I.1] *What Tannaite authority takes the position that the husband is not obligated for his wife's offerings [so that if she sets aside the husband's animals without his authorization, they are not sanctified, B-C]?*

B. But if the beast [set aside for her] belonged to her, the animal designated as a sin offering is left to die. And the animal designated as a burnt offering is offered as a burnt offering.

1. [I.1] *Well, how in the world has she gotten title to the beast that it should belong to her, since, after all, whatever a woman acquires becomes the property of her husband!*

C. And the animal designated as a peace offering is offered as a peace offering. It is eaten for one day [like a Nazir's peace offering], but it does not require bread offering, [unlike a Nazir's offering]. [Now if] she had coins that she had not designated for any specific purpose, they fall to a free-will offering. [If the] coins [were] designated [for a specific purpose] — those designated for a sin offering are to go off to the Dead Sea. They are not available for benefit, but the laws of sacrilege do not apply to them. The coins set aside for the purchase of a burnt offering are used for the bringing of a burnt offering. And they are subject to the laws of sacrilege. The coins set aside for the purchase of a peace offering are used [for the bringing of a peace offering]. And [the animal] is eaten for one day and does not require a bread offering.

D. FREE-STANDING ANALYSIS OF A PROBLEM, INSERTED BECAUSE THE SOLUTION INTERSECTS WITH OUR MISHNAH-PARAGRAPH

1. [III.1] *Said Samuel to Abbuha bar Ihi, "You are not to take your seat until you explain the following matter: These are the four ram-offerings that do not require loaves along with the offering: his, hers, those after death, and those after atonement [an animal was lost, replaced so atonement was accomplished with another, and then found]."*

E. CONTINUATION OF THE FOREGOING: A PROTRACTED, FREE-STANDING EXPOSITION OF THE PROBLEM OF UTILIZING FUNDS SET ASIDE FOR THE PURCHASE OF OFFERINGS; THEMATICALLY CONNECTED TO THE MISHNAH'S PROBLEM BUT WORKED OUT IN ITS OWN TERMS

1. [III.2] **[If] he had set aside coins [for the purchase of his Nazirite offerings, and they] had not yet been designated, and he died, they fall to the purchase of a freewill offering [T. Meilah 1:9]:**

XXVI. MISHNAH-TRACTATE NAZIR 4:5

A. Once the blood of any one of the offerings has been tossed for her, he cannot any longer release the vow. R. Aqiba says, "Even if any one of the beasts has been slaughtered in her behalf [but the blood not yet tossed], he cannot release her vow." the vow. For he has the power to say, 'I don't want a wife whose hair is shaved off.'"

1. [I.1] *Our Mishnah-paragraph does not accord with the position of R. Eliezer, for has R. Eliezer not said, "The hair offering is indispensable [and must be*

completed] before it is permitted for the Nazirite to drink wine,” *and if she has not presented the hair offering, she is forbidden to drink wine, and since the consideration of her becoming disgraced still applies, the husband should be able to release her from the vow. The Tannaite authority at hand, by contrast, maintains that as soon as the blood is sprinkled on her behalf, she is permitted to drink wine, therefore is no longer subject to the consideration of her being disgraceful, while R. Aqiba takes the view that even though the animal has been slaughtered [but before the blood has been tossed], he may no longer release the vow, since the wanton use of Holy Things would result otherwise.*

B. Under what circumstances? In the case of the hair offering of a woman who has remained clean. But it was the hair offering of a woman who has become unclean, he may release her vow. For he has the power to say, “I don’t want a disgraceful wife.” Rabbi says, “Even in the case of a hair offering brought by a woman who has remained clean, he may release:

1. [II.1] *And the initial Tannaite authority [who does not agree with the grounds for objection that Rabbi accepts.*

XXVII. MISHNAH-TRACTATE NAZIR 4:6A-L

A. A man imposes a Nazirite vow upon his son, but a woman does not impose a Nazirite vow upon her son. How so? [If] he cut his hair, or his relatives cut his hair, he objected [and would not keep the vow] or his relatives objected — [If] he had a beast set apart [for his offering], the beast set aside as a sin offering is left to die. And the beast set aside as a burnt offering is offered as a burnt offering, and the one set aside as a peace offering is offered as a peace offering and eaten on one day and does not require a bread offering. [If] he had set aside coins [for the purchase of his offerings, and they] had not yet been designated, they fall to the purchase of a free-will offering. [If] the coins had been set aside and designated for particular purposes, the coins set aside for the purchase of a sin offering go off to the Salt Sea. They are not available for benefit, but they are not subject to the laws of sacrilege. The coins set aside for the purchase of a burnt offering are used for the bringing of a burnt offering, and they are subject to the laws of sacrilege. The coins set aside for the purchase of a peace offering are used for the bringing of a peace offering, which is eaten on one day and does not require a bread offering.

1. [I.1] **[A man imposes a Nazirite vow upon his son, but a woman does not impose a Nazirite vow upon her son:]** *A man yes, but a woman no? How come?* R. Yohanan said, “It is a traditional law in connection with the Nazirite.” And R. Yosé b. R. Hanina said R. Simeon b. Laqish [said], “It is so as to educate the son to carry out religious duties.”

XXVIII. MISHNAH-TRACTATE NAZIR 4:6M-V

A. A man brings a hair offering [with offerings set aside] for the Naziriteship of his father, but a woman does not bring a hair offering [with offerings set aside] for the Naziriteship of her father. How so? He who had a father who was a Nazirite, who had set aside coins for the purchase of his sacrifices, which had not been designated

for his particular Naziriteship offerings, and whose [father] died, and he said, “Lo, I am a Nazirite on condition that I may bring a hair offering with the coins [set aside by my] father” — said R. Yosé, “Lo, these coins fall to the purchase of a free-will offering. This one does not bring a hair offering [with money set aside] for the Naziriteship of his father. And what is the case in which one brings a hair offering [with money set aside] for the Naziriteship of his father? He who, along with his father, was a Nazirite, and his father set aside coins that were not designated for the purchase of particular animals for the fulfillment of his Nazirite vow and his father then] died — this is a case in which one brings a hair offering [with offerings set aside] for the Naziriteship of his father.”

1. [I.1] *How come but a woman does not bring a hair offering [with offerings set aside] for the Naziriteship of her father?* Said R. Yohanan, “It is a traditional law in connection with the Nazirite.”

2. [I.2] *The question was raised: Do rabbis differ from R. Yosé or do they not differ from him? And if you should find reason to maintain that they differ, do they differ as to the first clause alone [O-R] or also as to the later clause [O-R, S-V] as well?* [Klien: do they permit the son to do so in both cases, or do they permit only the one Yosé forbids and vice versa?]

3. [I.3] *Rabbah raised this question: “If the father had two sons, both of them Nazirites, what is the law? Do we have in hand a tradition to the effect that whoever was the first to take the Nazirite vow may use the funds for the hair offering, or did the tradition maintain that the son may use the money because it is by inheritance, so they divide it up?” Raba raised this question: “In the case of a first-born and an ordinary son, what is the law? Do we have in hand a tradition to the effect that the first-born is not entitled to receive a share of the funds for the hair offering in the same proportion as he receives in the rest of the estate, or is the money for the Nazirite sacrifices part of his inheritance, such that, just as he gets a double portion there, so he gets a double portion in the money for the hair offering?*

XXIX. MISHNAH-TRACTATE NAZIR 5:1

A. The House of Shammai say, “[An act of] consecration done in error is binding [consecrated].” And the House of Hillel say, “It is not binding [consecrated].” How so?

1. [I.1] **The House of Shammai say, “[An act of] consecration done in error is binding [consecrated]:”** *what is the reasoning of the House of Shammai? We draw an analogy between the initial act of sanctification and the secondary act of sanctification [represented by a statement of substitution]. Just as an act of substitution, even done in error, is valid [so that the beast presented in substitution of an already-consecrated beast is held to be consecrated, while the already-consecrated beast remains consecrated, so Lev. 27:10], so an act of sanctification, even in error [is effective].*

a. [I.2] *Does the House of Shammai [as represented by Pappa] actually maintain that an act of sanctification done in error is valid? But have we*

not learned in the Mishnah: He who vowed to be a Nazirite and sought absolution of a sage, who declared his vow to be binding, if he had a cow set aside, it goes forth and pastures with the herd [never having been consecrated]. The House of Hillel said to the House of Shammai, “Do you not concede in the case, which is [an example of] an act of consecration made in error, that the beast goes forth and pastures with the herd [so is not consecrated]? [M. 5:2].” That surely yields the inference that the House of Shammai maintain, “An act of consecration made in error is valid”!

B. [If] one said, “The black ox that goes out of my house first, lo, it is consecrated,” and a white one went out — the House of Shammai say, “It is consecrated.” And the House of Hillel say, “It is not consecrated.” “The gold denar that will come into my hand first, lo, it is consecrated,” and one of silver came up [into his hand] — the House of Shammai say, “It is consecrated.” And the House of Hillel say, “It is not consecrated.” “The jug of wine that will come up into my hand first, lo, it is consecrated,” but one of oil came up — the House of Shammai say, “It is consecrated.” And the House of Hillel say, “It is not consecrated.”

1. [II.1] [With reference to the clause, **[If] one said, “The black ox that goes out of my house first, lo, it is consecrated,” and a white one went out — the House of Shammai say, “It is consecrated:”**] *Abbaye said, “Do not suppose that the statement was made in the morning [and referred to a future event, not a past one (Klien)]. But here, with what situation do we deal? With case that took place at mid day, and the man said, ‘The black ox that left my house first is to be sanctified,’ and they said to him, ‘A white one went out,’ and he said to them, ‘If I had known that a white one had gone out, I would not have spoken of a black one.’”* [It is a substitution in error, and the governing consideration is that the House of Shammai hold, an act of sanctification done in error is classified as an act of substitution that is done in error].

2. [II.2] [Preparing for what is to follow:] *said R. Hisda, “Black ones among white ones spoil the herd; white patches on black oxen are a blemish.”* **[If] one said, “The black ox that goes out of my house first, lo, it is consecrated,” and a white one went out — the House of Shammai say, “It is consecrated” —** *Now, do we take as premise that when one sanctifies, it is in a niggardly spirit that he does so [meaning, he wishes to sanctify only what he has specified], and yet, the House of Shammai say, “It is consecrated”!* [Hisda has said: White bulls are worth less than black bulls, which spoil the herd.].

XXX. MISHNAH-TRACTATE NAZIR 5:2

A. He who vowed to be a Nazirite and sought absolution of a sage, who declared his vow to be binding, counts out the days from the moment at which he took the vow

1. [I.1] *Who is the authority of our Mishnah-paragraph [which rules, He who vowed to be a Nazirite and sought absolution of a sage, who declared his vow to be binding, counts out the days from the moment at which he took the vow]? It cannot be R. Yosé or rabbis, for it has been taught on Tannaite authority:*

B. . [If] he sought absolution from a sage, who declared him not bound, if he had a cow set aside, it goes forth and pastures with the herd [never having been consecrated]. The House of Hillel said to the House of Shammai, “Do you not concede in the case, which is [an example of] an act of consecration made in error, that the beast goes forth and pastures with the herd [so is not consecrated]?”

1. [II.1] *Said R. Jeremiah, “From the statement of the House of Shammai we may infer that of the House of Hillel. Do the House of Shammai not maintain that an act of sanctification performed in error is nonetheless valid? Now, once it becomes clear that the man has not carried out a valid Nazirite vow, it goes forth and pastures with the herd. Also in regard to the position of the House of Hillel, even though they maintain that an act of substitution carried out in error constitutes a valid act of substitution, that is the case only when the initial act of consecration endures [so that the original animal remains sanctified and is not deconsecrated for some reason]. But in a case in which the status of sanctification of the animal originally consecrated is removed for some reason, the act of consecration of the substituted beast likewise is nullified.”*

C. The House of Shammai said to them, “Do you not agree in the case of one who erred [in counting out the tithe of cattle] and called the ninth ‘tenth,’ and [called] the tenth ‘ninth,’ and [called] the eleventh ‘tenth,’ that it is [all three that are] consecrated?” The House of Hillel said to them, “It is not the staff [that he used for counting out the cattle to name to tenth in sequence] that has rendered it consecrated. Now if he had laid the staff on the eighth or on the twelfth, do you think he has done anything of consequence at all? But the Scripture that declared the tenth consecrated has declared the ninth and the eleventh consecrated as well.”

1. [III.1] *It has been stated:* In the case of tithing the herd — R. Nahman said, “That is the rule only if done in error, but not by intention” [if he deliberately strikes the ninth animal as if it were tenth, it is not sanctified]. R. Hisda and Rabbah bar R. Huna say, “It is the case [that the animal is sanctified even] if he does so in error, and all the more so if he does so by intention.”

XXXI. MISHNAH-TRACTATE NAZIR 5:3

A. He who vowed to be a Nazirite and went to bring his beast [for the sacrifice] and found that it had been stolen, if before his beast was stolen he took the vow as a Nazirite, lo, this one is a Nazirite. And if after his beast was stolen [but he had not known it] he took the vow as a Nazirite, he is not a Nazirite.

1. [I.1] *Said Rabbah, “Rabbis overrode the position of R. Eliezer and established the law in accord with their theory of matters, for we have learned in the Mishnah: And further did R. Eliezer say, “They unloose a vow by reference to what happens unexpectedly [a new fact]” And sages prohibit [M. Ned. 9:2A-B]. And said Rabbah, “Even though sages have said, ‘They do not unloose a vow by reference to what happens unexpectedly,’ they do release a vow on a stipulation involving what happens unexpectedly. What would such a case be? One might say to them, ‘If someone had come to you and had said to you that the house of the sanctuary had been destroyed, would you have vowed?’ [And if they say, ‘No,’ their vows are null.]”*

B. And this error did Nahum the Mede make: Nazirites came up from the Exile and found that the Temple had been destroyed, Nahum the Mede said to them, “Now if you had known that the Temple was going to be destroyed, would you have taken vows to be Nazirites?” They said to him, “No.” Nahum the Mede declared them not bound [by the Nazirite vow]. But when the matter came to sages, they said to him, “Whoever took a Nazirite vow before the Temple was destroyed is a Nazirite: And whoever did so after the Temple was destroyed is not a Nazirite.”

1. [I.1] *said R. Joseph, “If I had been there, I would have said to them, ‘Lo, it is written, “The Temple of the Lord, the temple of the Lord, the temple of the Lord, are these” (Jer. 7: 4), — this refers to the destruction of the first sanctuary and the second sanctuary.’ [Therefore the destruction was predicted and subject to anticipation.]”*

XXXII. MISHNAH-TRACTATE NAZIR 5:4A-L

A. [If people] were going along the way and someone was coming toward them — one of them said, “Lo, I am a Nazirite if this is so-and-so,” and one of them said, “Lo, I am a Nazirite if this is not so-and-so.” “Lo, I am a Nazirite if one of you is a Nazirite.” “Lo, I am a Nazirite if neither one of you is a Nazirite,” “if both of you are Nazirites,” “if all of you are Nazirites” — the House of Shammai say, “All of them are Nazirites.” And the House of Hillel say, “A Nazirite is only one whose statement was not confirmed.” And R. Tarfon says, “None of them is a Nazirite

1. [I.1] As to the one whose statement was not confirmed, why should he have been a Nazirite?!

B. [If] he turned away suddenly, he is not a Nazirite. R. Simeon says, “Let him say, ‘If it was in accord with my statement, lo, I am a Nazirite out of obligation, and if not, lo, I am a Nazirite out of free will.’”

1. [I.1] *The governing consideration, then, is because he turned away suddenly, he is not a Nazirite. Lo, if he had come before us, he would be a Nazirite. Then who is the authority behind this statement? If we say it is R. Tarfon, would he be a Nazirite at all? Since at the time at which he actually took the Nazirite vow, he did not know whether it was or was not Mr. So-and-so, and if it was not, would the Nazirite vow have taken effect? And lo, it has been taught on Tannaite authority: R. Judah says in the name of R. Tarfon, “Not a single one of them [is a Nazir] [M. Naz. 5:5], because a Nazirite-vow applies only when it is clearly and unambiguously expressed beyond a shadow of a doubt” [T. 3:19P].*

XXXIII. MISHNAH-TRACTATE NAZIR 5:4M-V

A. [If] one saw a koy [a hybrid of a goat and a gazelle] and said, “Lo, I am a Nazirite if this is a wild beast.” “Lo, I am a Nazirite if this is not a wild beast.” “Lo, I am a Nazirite if this is a domesticated beast.” “Lo, I am a Nazirite if this is not a domesticated beast.” Lo, I am a Nazirite if this is a wild beast and a domesticated beast.” “Lo, I am a Nazirite if this is not a wild beast and a domesticated beast.” “Lo, I am a Nazirite if one of you is a Nazirite.” “Lo, I am a Nazirite if none of you is a

Nazirite.” “Lo, I am a Nazirite if all of you are Nazirites” — lo, all of them are Nazirites.

1. [I.1] *One Tannaite formulation formulates the matter as, “nine become Nazirites,” and another as, “nine Nazirite vows.” Now there is no problem understanding the formulation, “nine become Nazirites,” for instance, in a case in which there was a larger number of men successively taking the oath in sequence. [That is how the Mishnah-paragraph presents the matter.] But in what case would we find a single individual subject to nine Nazirite vows? There could be six, as enumerated in the Mishnah-passage, but where would there be the other three?*

XXXIV. MISHNAH-TRACTATE NAZIR 6:1-2

A. Three things are prohibited to a Nazirite: [corpse] uncleanness, cutting the hair, and anything that goes forth from the grapevine. And anything that exudes from the grapevine joins together with anything else that exudes from the grapevine [to form the requisite volume prohibited for use

1. [I.1] **Three things are prohibited to a Nazirite: [corpse] uncleanness, cutting the hair, and anything that goes forth from the grapevine:** *Is the sense then, anything that goes forth from the grapevine is forbidden, but not the grapevine itself? Then the Mishnah-paragraph does not accord with R. Eleazar, for it has been taught on Tannaite authority: R. Eleazar says, “Even leaves and shoots of the vine are included [in what is forbidden to the Nazirite].”*

a. [I.2] *What is the point subject to dispute between R. Eleazar and rabbis R. Eleazar interprets [the passages of Scripture] as constituted by amplifications and limitations [clauses that amplify, clauses that restrict], while rabbis interpret these same passages as general statements and particularizations [as will now be explained]:*

B. R. Aqiba says, “Even if he dunked his bread into wine and there is in what is sopped up enough to join together to be in the volume of an olive’s bulk, he is liable

1. [II.1] Said R. Abbahu said R. Yohanan, “In the case of all other prohibitions of the Torah, what is permitted is not joined together with what is forbidden [to form the requisite volume to impose liability; so half an olive’s bulk of forbidden fat would not combine together with half an olive’s bulk of permitted fat to form the requisite volume of an olive’s bulk of forbidden fat to impose liability], but in the case of the prohibitions that pertain to the Nazirite [what is permitted is joined together with what is forbidden to form the requisite volume], for lo, the Torah has explicitly stated, ‘Neither shall he drink that which is soaked in grape juice’ (Num. 6:3).” [An olive’s bulk of bread soaked in wine is culpable for the Nazirite.]

a. [II.2]] *Said Abbaye to [Dimi], “How do we know that the phrase, ‘sopped up,’ means to indicate that what is permitted and what is forbidden combine [only in the case of the Nazirite]? Maybe it serves the purpose of indicating that that which imparts the flavor to the mixture is equivalent to the principal component of the mixture.” [Klien: anything flavored with a forbidden substance is equally forbidden as the forbidden substance itself.]*

2. [II.3] Said R. Abbahu said R. Eleazar, “In none of the cases in the Torah in which the minimum volume is a quarter-log does what is permitted join together with what is forbidden to form the requisite volume to incur liability except for the case of the quarter-log of the Nazirite, for lo, the Torah has used the language of ‘soaked in’ (Num. 6: 3).”

3. [II.4] *Said R. Eleazar, “There are ten cases involving a quarter-log, and R. Kahana held in his hand a solid tradition that five involved red, and five white liquids.*

C. And one is liable only if he will eat about an olive’s bulk of grapes. The first Mishnah: Until he drinks a quarter log of wine.

1. [III.1] *The original Tannaite authority [behind the first Mishnah] does not treat everything forbidden to the Nazirite as equivalent to drinking, but R. Aqiba, in line with the verse, “Nor eat fresh grapes nor dried” (Num. 6:3), forms the analogy: just as the prohibition against eating takes effect with an olive’s bulk in volume, so all things that are prohibited take effect with an olive’s bulk in volume.*

D. .” And he is liable for wine by itself, for grapes by themselves, for grape pits by themselves, and for grape skins by themselves.

1. [IV.1] *Our rabbis have taught on Tannaite authority: “Nor eat fresh grapes nor dried” (Num. 6: 3) — that disjunctive formulation serves to impose liability for eating this on its own and that on its own. On the basis of that case you construct a generative analogy for all prohibitions that are listed by the Torah: just as in the present case, where we have a single genus and two species, one is liable for this on its own account and for that on its own account, so in all cases where there is a single genus but two species, one is liable for this on its own account and for that on its own account.*

E. R. Eleazar b. Azariah says, “He is liable only if he will eat two pits and their skin [that covers them].” What are grape pits and what are grape skins? “*Harsanim* are what is outside, and *zaggim* are what is inside,” the words of R. Judah. R. Yosé says, “That you not err: It is like the bell of cattle: What is outside is the hood, and what is inside is the clapper.”

1. [V.1] *Said R. Joseph, “In accord with which authority do we translate in the Targum of Num. 6:4: ‘from the kernels even to the skins’ [instead of ‘from pressed grapes even to the grape pit’]? It is in accord with the position of R. Yosé” [M. 6:2E-G: R. Yosé says, “That you not err: It is like the bell of cattle: What is outside is the hood, and what is inside is the clapper”].*

XXXV. MISHNAH-TRACTATE NAZIR 6:3A-C

A. A Nazirite vow for an unspecified period of time is [to apply] for thirty days. [If] he cut his hair, or thugs forcibly cut his hair, he loses thirty days

1. [I.1] *The question was raised: as to this growth of the hair, is it from the roots that it grows, or from the tips that it grows? What difference does it make? It matters to a Nazirite whom thugs forcibly shaved, but who left on him enough hair for the end of each hair to curl in towards the root [Klien: a seven days’ growth].*

Now, if you say that it grows from the root, then the consecrated part has been cut off [and the Nazirite observes another thirty days], but if you say that it grows from the tips, then what he has consecrated is still available.

B. A Nazirite who cut his hair, whether with scissors or with a razor, or who pulled out any hair whatsoever, is liable.

1. [II.1] *Our rabbis have taught on Tannaite authority:* “‘razor.’ I know only that he is liable if he removed hair with a razor. How do I know that if he tore it out, plucked it up with tweezers, or trimmed it in any measure whatsoever [he is liable]? Scripture states, ‘He shall be holy, he shall let the locks of the hair of his head grow long’ (Num. 6: 5),” the words of R. Josiah.

a. [II.2] Said R. Hisda, “For a flogging, one is liable if he removes one hair; for holding up the completion of his Nazirite ship, he is liable if two hairs [remain], and as to nullifying the days of the Naziriteship already observed, one loses the days already observed only if he shaves the greater part of his hair with a razor.”

C. Free-standing Exercise: A Systematic Comparison of the Species of the Genus: Those Who Must Cut their Hair as a Religious Duty

1. II.3] *We have learned in the Mishnah elsewhere:* There are three who must cut their hair, and their hair-cutting is a religious duty: the Nazirite, the person afflicted with the skin ailment, and Levites. And in the case of all of them, if one cut the hair without.

a. [II.4] *Said Raba bar Mesharshaya to Raba, “This Tannaite authority to begin with has said, ‘To derive the rule on the basis of the analogy of the person afflicted by the skin ailment is not possible, for we do not construct an argument for the less strict from the one covering the more strict and thereby impose on the less strict a greater strictness. So then he goes and says, ‘Let us derive the rule for the person afflicted with the skin ailment by means of a logical argument of analogy, but even by appeal to an argument by analogy [based on polythetic classification at that!] he proved unable to accomplish the task!’”*

2. [II.5] The Master has said: **And in the case of all of them, if one cut the hair without a razor, or left two hairs, he has accomplished nothing [M. Neg. 14:4]:** Said R. Aha b. R. Iqa, “That is to say, ‘The principle that the greater part is tantamount to the entirety [the majority counts as the whole] derives from the authority of the Torah.’”

XXXVI. MISHNAH-TRACTATE NAZIR 6:3D

A. A Nazirite shampoos and parts his hair [with his fingers] but he does not comb his hair.

1. [I.1] As to the rule on shampooing the hair and parting it with his fingers, *who is the authority?*

XXXVII. MISHNAH-TRACTATE NAZIR 6:3E-F

A. R. Ishmael says, “He should not shampoo his head in the dirt, because it makes the hair fall out.”

1. [I.1] *The question was raised: is the Tannaite wording of the rule, because it makes the hair fall out, or perhaps, “because of kinds of earth that make the hair fall out”?*

XXXVIII. MISHNAH-TRACTATE NAZIR 6:4

A. A Nazirite who was drinking wine all day long is liable only on one count. [If] they said to him, “Don’t drink it! Don’t drink it!” and he continues drinking, he is liable on each and every count [of drinking]. [If] he was cutting his hair all day long, he is liable only on a single count. [If] they said to him, “Don’t cut it! Don’t cut it!” and he continued to cut his hair, he is liable for each and every count [of cutting]. [If] he was contracting corpse uncleanness all day long, he is liable on only one count. If they said to him, “Don’t contract corpse uncleanness! Don’t contract corpse uncleanness!” and he continued to contract corpse uncleanness, he is liable for each and every count.

1. [I.1] Said Rabbah said R. Huna, “Scripture makes a complete statement of the matter, ‘He shall not contract corpse uncleanness’ (Num. 6:7), when it says, ‘he shall not come by a corpse’ (Num. 5: 6). The one statement admonishes him against contracting corpse uncleanness by contact with a corpse, and the other admonishes him against entering a tent where a corpse is located [Num. 19] but not against contact with two sources of uncleanness at the same time [Klien: e.g., for touching two corpses at the same time, he is flogged only one count, even though he is admonishes separately for each].”

B. TOPICAL APPENDIX: WHEN PRIESTS CONTRACT CORPSE UNCLEANNESS

2. [I.2] *Our rabbis have taught on Tannaite authority:* “To profane himself” (Lev. 21: 4) [“Speak to the priests and say to the that none of them shall defile himself for the dead among his people except for his nearest of kin...he shall not defile himself as a husband among his people and so profane himself” (Lev. 21: 1-4)] — up to the hour that the other dies [he may continue to remain] [Klien: only the actual profanation is forbidden Rabbi says, “‘when they die’ (Num. 6: 7), with reference to the Nazirite] means, he may continue to be in physical contact with them until they die.”

3. [I.3] Said R. Hisda said Rab, “[A priest] whose father was decapitated does not contract corpse uncleanness on his account. How come? ‘For his father’ (Lev. 21: 2) is what Scripture has said, meaning, when he is whole and not when he is lacking.”

XXXIX. MISHNAH-TRACTATE NAZIR 6:5

A. Three things are prohibited to a Nazirite: [corpse] uncleanness, cutting the hair, and anything that goes forth from the grapevine. A more strict rule applies to corpse uncleanness and haircutting than applies to that which comes forth from the

grapevine. For corpse uncleanness and haircutting cause the loss of the days already observed, but [violating the prohibition against] that which goes forth from the vine does not cause the loss of the days already observed. A more strict rule applies to that which goes forth from the vine than applies to corpse uncleanness and haircutting. For that which goes forth from the vine allows for no exception, but corpse uncleanness and haircutting allow for exceptions, in the case of [cutting the hair for] a religious duty and in the case of finding a neglected corpse [with no one else to provide for burial, in which case, the Nazirite is absolutely required to bury the corpse]. A more strict rule applies to corpse uncleanness than to haircutting. For corpse uncleanness causes the loss of all the days previously observed and imposes the liability for an offering. But haircutting causes the loss of only thirty days and does not impose liability for an offering.

1. [I.1] [For that which goes forth from the vine allows for no exception, but corpse uncleanness and haircutting allow for exceptions]: But the matter of contracting corpse uncleanness also should permit no exception, on the basis of an argument a fortiori from wine: if wine, which does not cause the loss of days already observed [if he should drink it] permits no exception, contracting corpse uncleanness, which does cause the loss of days already observed, surely should permit no exception! To obviate that claim, Scripture states, “Nor contract corpse uncleanness for his father or his mother” (Lev. 21:11) [pertaining to the high priest and the Nazirite as well] — for his father and his mother he does not contract corpse uncleanness, but he should contract corpse uncleanness for a neglected But then wine should permit an exception from the general prohibition, on the basis of an argument a fortiori from the matter of contracting corpse uncleanness, specifically: if contracting corpse uncleanness, on account of which days already observed are lost, is permits an exception from the prevailing prohibition, wine, which does not cause a loss of days already observed, surely should bear an exception from the general rule thereto pertaining! To obviate that claim, Scripture states, “He shall abstain from wine and strong drink” (Num. 6: 3) — prohibiting the drinking of wine that is required as a religious duty as much as wine that is drink at one’s own option [Sifrē to Numbers XXIII.1].

XL. MISHNAH-TRACTATE NAZIR 6:6

A. Cutting off the hair on account of contracting corpse uncleanness: how [is it done]? “One would sprinkle [with purification water] on the third and seventh day and cut off his hair on the seventh day and bring his offerings on the eighth day. But if he cut off his hair on the eighth day, he brings his offerings on that same day,” the words of R. Aqiba. Said R. Tarfon, “What is the difference between this one and a mesora’, [who, if he cuts his hair on the eighth day, brings the offerings on the ninth]?” He said to him, “In the case of this one, cleaning him is contingent on the passing of his [seven] days, but in the case of the mesora’, declaring him clean is [also] contingent upon his haircutting. And he brings on offering only when the sun has set [after conclusion of his purification rite].”

1. [I.1] *Did [Tarfon] accept this answer from him or not*

2. [I.2] *Said Abbaye, “I came across the colleagues of R. Nathan Bar Hoshaia, who were in session and saying, “And come before the Lord to the door of the tent of meeting and give them to the priest’ (Lev. 15:14) [in the setting of one who has become clean after having a flux] — when does he come? When he has immersed and waited until the sun to set; then he may do so; but if he has not immersed and waited for the sun to set, he may not do so.’ Therefore these authorities maintain that a person afflicted by flux who has immersed on the selfsame day is equivalent to a person afflicted by flux [and still unclean].*

XLI. MISHNAH-TRACTATE NAZIR 6:7, 6:8A-B

A. The cutting of hair in the case of [completing the vow in a state of] cleanness: How is it done? One would bring three beasts, a sin offering, a burnt offering, and a peace offering (Num. 6:14). and he would slaughter the peace offering and cut off his hair after they are [slaughtered],” the words of R. Judah. R. Eleazar says, “He would cut his hair only after the sin offering. For the sin offering takes precedence under all circumstances.” But if he cut his hair after any one of the three of them, he has carried out his obligation. Rabban Simeon b. Gamaliel says, “[If] one brought three beasts and did not specify [their purposes, respectively], that which is suitable to serve as a sin offering [a ewe-lamb in its first year] is offered as a sin offering; [that which is suitable to serve as] a burnt offering [a he-lamb in its first year] is offered as a burnt offering, and [that which is suitable to serve as] a peace offering [a ram two years old] is offered as a peace offering.”

1. [I.1] *Our rabbis have taught on Tannaite authority: “And the Nazirite will shave at the door of the tent of meeting” (Num. 6:18) — It is concerning peace offerings that Scripture speaks, as it is said, “And he will slaughter it at the door of the tent of meeting” (Lev. 3:2). You say that it is concerning peace offerings that Scripture speaks. But may it actually mean, literally, “at the door of the tent of meeting”? Say: if so, it would be a demeaning way of speaking of the sanctuary. R. Josiah says, “That is not the required proof. Lo, the Torah has said, ‘Neither shall you go up by steps upon my altar’ (Exo. 20:23) — all the more so, it is forbidden to show contempt” “ [Sifré to Numbers XXXIV:I.1].*

XLII. MISHNAH-TRACTATE NAZIR 6:8C-H

A. He would take “the hair of the head of his separation” (Num. 6:18) and cast it under the cauldron [in which the peace offering is cooked]. And if he cut it off in the provinces, he would [in any event] cast it under the cauldron. Under what circumstances? In the case of [completing the vow and] cutting the hair in a state of cleanness. But in the case of cutting the hair in a state of uncleanness, he would not cast it under the cauldron

1. [I.1] **He would take “the hair of the head of his separation” (Num. 6:18):** *Our rabbis have taught on Tannaite authority: Then he took the broth [of the peace offering], put it, along with the hair of his consecrated head, and threw it under the pot containing the peace offering. But if he threw it under the pot*

containing the sin offering or guilt offering, he has carried out his obligation nonetheless.

a. [I.2]] *What is the source of this rule [that the broth has to be cast under the pot]?*

B. R. Meir says, “All cast hair under the cauldron except only for one who was unclean [and who cut off his hair outside the Temple,] in the provinces.”

1. [I.1] *Our rabbis have taught on Tannaite authority: “All Nazirites would toss their hair underneath the pot, except for an unclean Nazirite who cut his hair in the province, because his hair was simply buried,” the words of R. Meir. R. Judah says, “Those who were cutting their hair in a condition of cleanness located both here and there would toss their hair under the pot. Those who cut their hair in a state of uncleanness both here and there would not toss their hair under the pot.”*

XLIII. MISHNAH-TRACTATE NAZIR 6:9

A. He would cook the peace offerings or seethe [the offering]. The priest takes “the cooked shoulder of the ram and one unleavened cake out of the basket and one unleavened wafer and puts them into the hand of the Nazirite” (Num. 6:19)

1. [I.1] *Our rabbis have taught on Tannaite authority: And afterwards the Nazirite is permitted to drink wine’ (Num. 6:19) — after all of the actions that are required,” the words of R. Eliezer. And sages say, “After any single required action.”*

B. And he waves them. And afterwards the Nazirite is permitted to drink wine” (Num. 6:19) and to contract corpse uncleanness. R. Simeon says, “Once the blood of any one of the sacrifices has been tossed in his behalf, the Nazirite is permitted to drink wine and to contract corpse uncleanness.”

1. [II.1] Said Rab, “The act of waving in the case of the Nazirite is essential to the correct performance of the rite.”

XLIV. MISHNAH-TRACTATE NAZIR 6:10

A. [If] he cut off his hair after a sacrifice and the sacrifice turned out to be invalid, his cutting of the hair is invalid, and his sacrifices have not gone to his credit. [If] he cut his hair after a sin offering made not for its own name [under an incorrect designation], and afterward he brought his [other] offerings under their proper designation, his cutting of the hair is invalid, and his sacrifices have not gone to his credit. [If] he cut his hair after the burnt offering or the peace offering improperly designated and afterward he brought his [other] offerings under their proper designation, his cutting of the hair is invalid, and his sacrifices have not gone to his credit. R. Simeon says, “That particular sacrifice has not gone to his credit, [when beast designated as a burnt offering or peace offering is offered under an incorrect designation, they register as voluntary peace offerings, but the Nazirite still has to replace them and make the proper offering], **but the other sacrifices have gone to his credit.”**

And if he cut his hair after all three of them and one of them turned out to be valid, his cutting of the hair is valid, and he brings the other sacrifices.

1. [I.1] *Said R. Ada bar Ahbah, “That is to say, R. Simeon takes the view that a Nazirite who cut his hair after offering a votive peace offering has carried out his obligation [since he refers to a Nazirite who cut his hair after a votive offering].”*

XLV. MISHNAH-TRACTATE NAZIR 6:11

A. He in whose behalf one of the drops of blood has been properly tossed and who [then] is made unclean R. Eliezer says, “He loses the whole [set of offerings already offered up].” And sages say, “Let him bring the rest of his offerings when he becomes clean.” They said to him, M’S H B: “In behalf of Miriam of Tadmor [Palmyra], one of the drops of blood was properly tossed, and they came and told her that her daughter was dying, and she went and found her dead. And sages said, ‘Let her bring the rest of her offerings when she will be clean.’”

1. [I.1] *The Tannaite formulate states, R. Eliezer says, “He loses the whole [set of offerings already offered up].” But has R. Eliezer not said, “Any [uncleanness that is contracted] after the fulfillment causes the loss of only seven days”?*

XLVI. MISHNAH-TRACTATE NAZIR 7:1

A. A high priest and a Nazirite do not contract corpse uncleanness on account of [burying even] their close relatives. [But they do contract corpse uncleanness on account of a neglected corpse].

1. [I.1] **[A high priest and a Nazirite do not contract corpse uncleanness on account of burying even their close relatives. But they do contract corpse uncleanness on account of a neglected corpse:].** *Now there is no problem understanding the positions of the respective parties as to a high priest and a Nazirite. The one party [sages] take the view that the high priest is at a higher level of sanctification, and the other party takes the view that the Nazirite is at a higher level of sanctification. As between a high priest anointed with anointing oil, one that is qualified by investment with the garments of the high priest, the one who is anointed with anointing oil is at a higher level of sanctification, for while the high priest anointed with anointing oil must present a bullock for the violation of any of the religious duties, the one who is qualified by investiture does not do so. As between a high priest anointed with anointing oil who has been superseded [having substituted in carrying out the rites of the Day of Atonement for a high priest who was temporarily disqualified and having now stood down by reason of the return of the disqualified high priest to office] and one who was consecrated by investiture in additional priestly garments [and who is an established high priest], the one qualified by investiture in many garments is at a higher level of sanctification, for he performs the Temple rite while the superseded high priest who has been consecrated with anointing oil does not perform the Temple rite.*

a. [I.2] *The question was raised: In matters of uncleanness, with respect to the prefect of the priests and the priest anointed for battle, which of them takes precedence? The priest anointed for battle takes precedence, for he*

is suitable for making war, or perhaps the prefect of the priests takes precedence, because he is suitable for he is suitable for conducting the sacrificial rite?

B. [If] they together were going along the way and found a neglected corpse — R. Eliezer says, “Let a high priest contract corpse uncleanness, but let a Nazirite not contract corpse uncleanness.” And sages say, “Let a Nazirite contract corpse uncleanness, but let a high priest not contract corpse uncleanness.” Said to them R. Eliezer, “Let a priest contract corpse uncleanness, for he does not have to bring an offering on account of his uncleanness. But let a Nazirite not contract corpse uncleanness, for he does have to bring an offering on account of his uncleanness.” They said to him, “Let a Nazirite contract corpse uncleanness, for his sanctification is not a permanent sanctification, but let a priest not contract corpse uncleanness, for his sanctification is a permanent sanctification.”

1. [II.1] [If they together were going along the way and found a neglected corpse — R. Eliezer says, “Let a high priest contract corpse uncleanness, but let a Nazirite not contract corpse uncleanness.” And sages say, “Let a Nazirite contract corpse uncleanness, but let a high priest not contract corpse uncleanness:”] *[Eliezer and sages] differ only concerning the high priest with a Nazirite walking together, but if they were going along one by one, each on his own, then both of them are subject to contracting corpse uncleanness to bury a neglected corpse*

2. [II.2] R. Aqiba says, “‘All the days that he separates himself to the Lord he shall not come near the soul of a dead body’ (Num. 6:6) — ‘soul’ refers to strangers; ‘dead’ refers to relatives; ‘his father and his mother’ for his father and his mother he does not contract corpse uncleanness, but he does contract corpse uncleanness for his brothers. For if he is both high priest and a Nazirite, for his brother he does not contract corpse uncleanness, but he contracts corpse uncleanness for a neglected corpse.”

XLVII. MISHNAH-TRACTATE NAZIR 7:2

A. On account of what sorts of uncleanness does the Nazirite cut his hair [and bring an offering for having become unclean]? On account of a corpse:

1. [I.1] *Our rabbis have taught on Tannaite authority:* After R. Meir’s death, R. Judah said to his disciples, “Don’t let the disciples of R. Meir in here, because they are contentious and don’t come to study the Torah but to throw up against me a barrage of [trivial] laws.” Nonetheless Sumkhos forced his way in. He said to them, “This is what R. Meir repeated to me [as a Mishnah teacher]: **On account of what sorts of uncleanness does the Nazirite cut his hair [and bring an offering for having become unclean]? On account of a corpse, and on account of an olive’s bulk of flesh from a corpse.**” R. Judah became angry with them and said to them, “Didn’t I tell you, ‘Don’t let the disciples of R. Meir in here, because they are contentious and don’t come to study the Torah but to throw up against me a barrage of [trivial] laws’? If a Nazirite has to get a haircut if he contracts corpse uncleanness from an olive’s bulk of the flesh of a corpse, should he not all

the more so have to cut his hair for contracting corpse uncleanness from the corpse itself! [Why say self-evident things?]"

B. and on account of an olive's bulk of flesh from a corpse, and on account of an olive's bulk of corpse-matter:

1. [II.1] What is the definition of corpse-matter? It is the flesh of a corpse that has coagulated, or a liquid secretion from a corpse that was heated and has congealed.

a. [II.2] *Abbaye asked Rabbah*, "Does the category of corpse-dregs pertain also to the uncleanness brought about by the corpses of animals, or is that not the case? *Do we rule that we have learned a tradition concerning corpse-dregs that derive from man, but none concerning corpse-dregs that derive from a beast? Or perhaps there is no difference?*"

C. [and on account of a ladleful of corpse mould; on account of the backbone, and on account of the skull, and on account of a limb of a corpse, and on account of a limb cut from a living human being on which is still proper flesh; and on account of a half-qab of bones, and on account of a half-log of blood — on account of touching them, and on account of carrying them, and on account of overshadowing them; and on account of a bone the bulk of a barley seed — on account of touching it and on account of carrying it. on account of the backbone, and on account of the skull. On account of these the Nazirite must cut his hair and be sprinkled on the third and seventh days. And he loses the days that he has already observed. And he begins to count [clean days] only after he is made clean and brings his offerings:] and on account of a ladleful of corpse mould:

1. [III.1]] What is the requisite volume? Hezekiah said, "The palm of the hand [full]." R. Yohanan said, "The hollow of the hand [full]."

D. TOPICAL COMPOSITE ON CORPSE-MOULD

2. [III.2]] *Our rabbis have taught on Tannaite authority: And what is the [sort of] corpse that produces corpse-mould? That which is buried naked, in a stone sarcophagus, on a marble floor or table — that is a corpse that produces corpse-mould. But that which is buried in its shroud, in a wooden coffin, on dirt — that is a corpse that does not produce corpse-mould [T. Ahilot 2:3A-C].*

3. [III.3] Said Ulla, "Corpse-mould is only that which derives from flesh, sinews, or bones."

4. [III.4] Said R. Shemen bar Abba said R. Yohanan, "Two corpses that one buried with one another — the one acts as a covering for the other [so that the corpse-mould that is produced will not impart corpse-uncleanness, as though the corpse were buried with a shroud (Klien)]."

5. [III.5] Said Rabbah bar bar Hanna said R. Yohanan, "If one cut off the corpse's hair and buried the hair with the corpse, it serves as a shroud [and the mould that results does not impart uncleanness]."

6. [III.6] *There we have learned: All things that belong to the corpse are unclean except for the teeth, hair, and nails. While these are attached to the*

corpse, all of them are unclean as well [M. Oh. 3:3]. *Hezekiah raised this question: “As to the hair that is long enough to be cut, the nails long enough to be pared [and would have been cut or pared had the man not died], what is the rule? Do we invoke the principle, Whatever is of sufficient length to be cut is regarded as though it had been cut? Or perhaps, in the present moment, at any rate, they are attached to the corpse and reckoned with it?”*

7. [III.7] *R. Jeremiah raised this question: “As to corpse-matter that derives from the lower part of the body [text: the heel], what is the law? Where we have learned a tradition concerning corpse mould, it is that which comes from the whole of the corpse, but that which comes only from the lower part of the body does not quality, or perhaps there is no difference?”*

8. [III.8] *R. Jeremiah raised this question: “Does the foetus in the woman’s womb function as a shroud or is that not the case? [That is, would the decayed matter of the fetus be treated as if it were wood or cloth and not constitute corpse mould?] Since the master has said, ‘The fetus is tantamount to the mother’s thigh,’ therefore it is part of her body and could not constitute the equivalent of a shroud when it comes to corpse-matter, or perhaps, since it is destined to come forth, it is treated as distinct from her body*

9. [III.9] *R. Pappa raised the question, “What is the law as to shit? Since it cannot last without food, it is part of the living body [and not tantamount to a shroud so far as corpse-matter is concerned], or perhaps this too has come from an outside source?”*

10. [III.10] *Said Abbaye, “We hold as a tradition: a corpse that has been ground up to powder does not produce corpse mould.” The question was raised: If it was ground up to powder, and then it decayed, what is the law? If the governing consideration that corpse-mould imparts corpse uncleanness only because of the flesh, bones, and sinews that are present, and here they are present, or do we want the corpse-mould in its original form, and this we do not have?*

11. [III.11] *Ulla bar Hanina set forth as a Tannaite rule: “A corpse that is lacking a limb does not produce corpse mould, nor does it acquire the ground on which it rests, nor does it turn the area into a grave area.”*

12. [III.12] *Raba raised this question: “If a man’s limb decayed while he was yet alive, and then he went and died, what is the law? Where we have a tradition concerning corpse mould, it pertains to a case when the man has died, or perhaps, now, in any case, he is dead!”*

13. [III.13] *Raba raised this question, “An ant that is lacking parts — what is the law [as to whether one is flogged for eating such a creature]? It is a tradition that we have learned concerning the requisite volume of the ant that pertains for culpability to be incurred, and this we do not have in the present case, or perhaps the tradition is explicit that one is culpable for eating a distinct and separate creature, and that condition is met?”*

E. On account of the backbone, and on account of the skull:

1. [IV.1] *The question was raised: Do we learn in the Mishnah-paragraph the formulation, the backbone and the skull, or perhaps it is, either the backbone*

or the skull? *Said Raba, "Come and take note: A backbone which has been stripped of the greater part of its vertebrae, even though its outline stands, is clean. When it is in the grave, even if it is broken, and even if it is crushed, it is unclean, because the grave joins it together [T. Ahilot 2:5A]. The skull which had in it a single long perforation, or in which were many perforations — they join together [to make up] the measure of the drill-hole [T. Ahilot 2:6A]. The operative consideration is that it has been stripped. Lo, had it not been stripped, it would be unclean [on its own, without the skull]. That proves that the correct reading is either the backbone or the skull."* The question was raised: *Do we learn in the Mishnah-paragraph the formulation, the backbone and the skull, or perhaps it is, either the backbone or the skull?*

2. [IV.2] *R. Ammi bar Hama raised this question: "What is the rule in the case of a quarter-qab deriving from the backbone and the skull? When the Tannaite formulation spoke of a half-qab of bones, that would pertain to a case in which there were bones from other limbs too, but since the bones from the backbone and skull are subject to a more severe ruling, then even a quarter-qab would suffice? Or perhaps there is no difference?"*

3. [IV.3] *Said R. Eliezer, "The prior elders — some would say, 'A half-qab of bones and a half log of blood is required for all purposes [thus imparting corpse uncleanness through overshadowing under all circumstances], a quarter-qab of bones and a quarter-log of blood does not suffice for all purposes. Some would say, 'Even a quarter-qab of bones and a quarter-log of blood suffice for all purposes.' The court that followed them [by way of compromise between these positions] said, 'A half-qab of bones and a half-qab of blood suffice for all purposes, a quarter-qab of bones and quarter-log of blood suffice [for imparting uncleanness] to food in the status of heave offering and Holy Things, but not for [imparting corpse uncleanness to] a Nazirite or to the person who is going to prepare his Passover offering.'*

F. On account of these the Nazirite must cut his hair and be sprinkled on the third and seventh days

1. [V.1] **On account of these** — *in the first clause [at M. 7:2] excludes a bone the size of a barley seed, on account of touching or carrying which one is unclean, but on account of overshadowing which, he is not.*

G. and on account of a half-qab of bones, and on account of a half-log of blood

1. [VI.1] *Only on account of a half-qab of bones does the Nazirite cut his hair, but not on account of a quarter-qab — under what circumstances? Should I say that among the bones are some a barley seed in size? Then we can give as the reason that the Nazirite must cut his hair the fact that there is a barley seed's bulk of bone*

H. and on account of a limb of a corpse, and on account of a limb cut from a living human being on which is still proper flesh

1. [VII.1] *If on the limbs there is not a proper amount of flesh, what is the rule? R. Yohanan said, "The Nazirite does not have to cut his hair on account of it." R. Simeon b. Laqish said, "The Nazirite does have to cut his hair on account of it."*

I. [On account of these the Nazirite must cut his hair and] be sprinkled on the third and seventh days. [And he loses the days that he has already observed. And he begins to count [clean days] only after he is made clean and brings his offerings]:

1. [VIII.1] *The question was raised: When the Mishnah-rule states, only after he is made clean, does this refer to the seventh day? Meaning, until after the sun has set, and who is the authority? It would be R. Eliezer. Or perhaps it refers to the eighth day, and what is the meaning of, only after he is made clean? It is, after he will have presented his offerings, and who is the authority? It would be rabbis. [Reference is made to the following: “If the Nazirite contracted corpse uncleanness on the seventh day of purification, and then once more contracted corpse uncleanness on the seventh day following, he is liable to offer a single offering. If he contracts uncleanness on the eighth day and then again on the eighth day following, he is liable to offer an offering for each event. He begins to count the days toward the new Naziriteship immediately [even prior to offering the sacrifices],” the words of R. Eliezer. And sages say, “He is obligated to a single offering for all occasions of uncleanness, so long as he has not yet offering his sin-offering [Num. 6:10-12] [such as is required for a Nazirite who has contracted uncleanness]. If he has presented his sin-offering and then contracts uncleanness, and again presents his sin-offering and again contracts uncleanness, he is liable to present an offering for each episode of uncleanness. If he has presented his sin-offering but not his guilt offering, he starts to count the days of his new Nazirite vow.”]*

XLVIII. MISHNAH-TRACTATE NAZIR 7:3

A. But as to [uncleanness contracted by overshadowing] interlaced foliage, projecting stones, a grave area:

1. [I.1] What is the definition of “interlaced foliage”?

B. foreign land, the sealing stone and the buttressing stone [of a grave], a quarter log of blood, and a tent, and a quarter qab of bones, and utensils that touch a corpse, and because of the days of counting [after producing a symptom of sara’at (Lev. 14: 8)] and the days during which he is certified [unclean with sara’at] — on account of these, the Nazirite does not cut his hair or sprinkle himself on the third and seventh days and he does not lose the prior days [observed in cleanness:

1. [II.1] *The question was asked: as to the air did sages make their decree of uncleanness [so that entering the airspace of gentile land imparts uncleanness], or perhaps the enactment was only with reference to the soil [so touching it imparts uncleanness, but merely breathing it while not touching does not]?*

C. And he begins to count forthwith [after immersion and sunset]. And he is not subject to bringing an offering. Truly did they rule: The days [of uncleanness] by reason of being a zab or zabah (Lev. 15: 2, 25, 28), and the days of being shut up as mesora (Lev. 13: 4-10, these [nonetheless] go to his credit [in counting out his Nazirite days]:

1. [III.1] *Said R. Hisda, “They have taught this rule [on in connection with the days of certified uncleanness by reason of the skin ailment are not counted] only*

in the case of a minimal Nazirite vow, but in the case of a protracted Nazirite vow, they also discharge the days of his Naziriteship.” [A long Nazirite vow, extending beyond thirty days, even if the period of the certified uncleanness is counted, will encompass thirty days.]

XLIX. MISHNAH-TRACTATE NAZIR 7:4A-C

A. Said R. Eleazar [b. Shammua] in the name of R. Joshua, “For every form of corpse uncleanness on account of which a Nazirite cuts his hair are people liable on account of entering the sanctuary. And for every form of corpse uncleanness on account of which a Nazirite does not cut his hair, people are not liable on account of coming into the sanctuary.” Said R. Meir, “Let this matter not be less stringent [than when uncleanness is contracted] from a dead creeping thing.”

1. [I.1]] *Did R. Eleazar derive this statement from R. Joshua? And lo, he derived it from R. Joshua bar Mammal, for it has been taught on Tannaite authority: Said R. Eleazar, “When I went to ‘Ardasqim, I came upon R. Meir and R. Judah b. Petera, the Chief, who were in session and reasoning about matters of law before R. Meir. R. Judah b. Paterah said, ‘On account of [Bavli: every form of uncleanness deriving from a corpse] a quarter-log of blood on account of which a Nazir does cut his hair, people are liable who come into the sanctuary or touch its Holy Things, and on account of any form of uncleanness deriving from a corpse on account of which the Nazirite does not have to cut his hair, people are not liable who come to the sanctuary or touch its Holy Things. Said to him R. Meir, ‘Now why should this be less stringent than a dead creeping thing [M. Naz. 7:4C]. Now if on account of a dead creeping thing, which is of lesser weight, a Nazir cuts his hair, and they are liable for entering the sanctuary and touching its Holy Things, on account of a quarter-log of blood, which is more stringent, is it not logical that a Nazir should cut his hair and that people should be liable for entering the sanctuary and touching its Holy Things?’ [T.’s version:] Judah b. Paterah remained silent before him. I said to him, ‘Meir, don’t disgrace him. He was an expert in your behalf in the matter of Joshua b. Mamal.’ He said to me, ‘Indeed so, and he was a true master of laws.’ I stated to him [a rule] in the following language: ‘He said to me in the name of R. Joshua: ‘On account of any form of corpse-uncleanness on account of which the Nazir cuts his hair are they liable for entering the sanctuary, and on account of any form of corpse-uncleanness because of which a Nazir does not cut his hair, they are not liable or entering the sanctuary’ [M. Naz. 7:4A]. And I recognize the correctness of his opinion” [T. 5:1K-M]. So it follows that he derived it from R. Joshua bar Mammal,*

L. MISHNAH-TRACTATE NAZIR 7:4D-I

A. Said R. Aqiba, “I reasoned before R. Eliezer as follows: Now if on account of a bone the bulk of a barley kernel, which does not impart uncleanness to a man in a tent, a Nazirite nonetheless cuts his hair for touching or carrying it [M. 7:2F], a quarter-log of blood, which does impart uncleanness to man in a tent — is it not

logical that a Nazirite should cut off his hair for having touched or carried it' [vs. M. 7:3B]? He said to me, 'Now what's going on, Aqiba! In this area of law, people don't adduce arguments *a fortiori* at all!' But when I came and laid matters out before R. Joshua, he said to me, 'You stated matters very well. But thus have they ruled that the law should be.'"

1. [I.1] *The question was raised:* is the matter of the measurement of a bone the size of a barley grain a matter of received law, and the matter of the quarter-log of blood derived from the argument *a fortiori*, and in the case of a received law people don't adduce argument *a fortiori* at all? *Or perhaps* it is the matter of the quarter log of blood that is the matter of received law, the rule governing the bone the size of a barley grain being derived from an argument *a fortiori*, and the case of a received law people don't adduce arguments *a fortiori* at all?

LI. MISHNAH-TRACTATE NAZIR 8:1A-E

A. Two Nazirites, to whom someone said, "I saw one of you made unclean, but I don't know which one of you it was" —

1. [I.1] *The Mishnah-formulation states:* Two Nazirites, to whom someone said, "I saw one of you made unclean, but I don't know which one of you it was" — *but why should this be the case [that each of them has to take account of the possibility that he has contracted uncleanness]? The rule covering every matter of doubt concerning uncleanness in the private domain [where cases of uncleanness subject to doubt are resolved in favor of uncleanness] — from whence do we derive it? It is derived from the case of the wife accused of unfaithfulness. Hence we may argue:* Just as in the case of the accused wife, only the one who commits the sexual act and the one upon whom it is committed are together [there being no eye-witness as to what has taken place], *in a situation in which there are two persons present*, [so we should require those same conditions to be met]. *But here, there are the two Nazirites and this third party who is located near them, so lo, there are three persons present.* In that case we deal with a matter of doubt concerning uncleanness that takes place in public domain, and, we know, every matter of doubt involving uncleanness in public domain is resolved in favor of cleanness.

B. they cut their hair and bring an offering [owed by a Nazirite] because of uncleanness and an offering because of cleanness. And each one of them says, "If it was I who was unclean, the offering because of uncleanness is mine, and the offering because of cleanness is yours. And if it was I who was the clean one, then the offering of cleanness is mine, and the offering of uncleanness is yours." Then they count out thirty days and bring an offering because of cleanness. And each one of them says, "If it was I who was unclean, the offering because of uncleanness was mine and the offering of cleanness was yours, and this offering is now because of my being clean. But if it was I who was the clean one, the offering because of uncleanness was mine, and the offering because of cleanness was yours, and this offering now is because of your being clean."

1. [II.1] *But why should they cut their hair at all? Maybe they're not unclean at all, in which case they will have rounded the corners of the head [forbidden*

except to the Nazirite or to the person afflicted with the skin ailment, cf. Lev. 19:27]!

C. Topical Composite on the Theme of Cutting the Hair, Head and Body Alike

2. [II.2] Said R. Huna, “He who rounds the head of a minor — lo, he is liable [of violating the negative commandment.]”

a. [II.3] *May we say that the rule governing the rounding of the entire head is subject to a Tannaite dispute, for our rabbis have taught on Tannaite authority:*

b. [II.4] Said Rab, “A man may thin the hair of his whole body with a razor.”

c. [II.5] Said R. Hiyya bar Abba said R. Yohanan, “He who removes the hair of the armpits or the genitals is flogged.”

d. [II.6] Said R. Nahman, “In the case of a Nazirite it is permitted [to shave the hair of the armpits].”

e. [II.7] *Rabbis said to R. Simeon bar Abba, “We see that R. Yohanan has no [hair in his armpit*

LII. MISHNAH-TRACTATE NAZIR 8:1F-P

A. If one of them died — said R. Joshua, “Let [the survivor] seek out someone from the market to take a vow as a Nazirite as his counterpart, and let him say, ‘If I was unclean, lo, you are a Nazirite forthwith. And if I was clean, lo, you will be a Nazirite after thirty days.’ Then they count thirty days and bring an offering because of uncleanness and an offering because of cleanness. And he says, ‘If I was the one who was unclean, the offering because of uncleanness is mine, and the offering because of cleanness is yours, and if I was the clean one, then the offering because of cleanness is mine, and the offering because of uncleanness is subject to doubt.’ And they count out another thirty days and bring an offering because of cleanness. And he says, ‘If I was the one who was unclean, then the offering because of uncleanness was mine, and the offering because of cleanness was yours, and this is the offering because of my being clean. And if I was the one who was clean, then the offering because of cleanness was mine, and the offering because of uncleanness is subject to doubt. And this is the offering because of your being clean.’” Said to him Ben Zoma, “But who in the world would agree to take a vow as a Nazirite to serve as his counterpart? But he [alone, the surviving Nazirite,] offers a sin offering of fowl and a burnt offering of cattle and says, ‘Now if I was the unclean one, the sin offering is offered in fulfillment of my obligation, and the burnt offering is a free-will offering. But if I was the clean one, then the burnt offering is in fulfillment of my obligation, and the sin offering is subject to doubt.’ He counts out thirty days [more as a Nazir] and brings an offering because of cleanness and he says, ‘If I was the unclean one, the first burnt offering was a free-will offering, and this one is in fulfillment of an obligation. But if I was the clean one, the first burnt offering was in fulfillment of an obligation, and this one is a free-will offering, and these are the rest of the offering [that I owe].’” Said R. Joshua, “This one turns out to bring his

offerings in bits and pieces.” But sages concurred with the opinion of Ben Zoma [M. 6:11].

1. [I.1] *[After counting two periods of thirty-day Naziriteships,] why not let him present the offerings?*
2. [I.2] *[Said R. Nahman, “What would R. Joshua do in order to prevent the intestines from decomposing?”]*

LIII. MISHNAH-TRACTATE NAZIR 8:2

A. A Nazirite who was subject to doubt as to being made unclean [on the day he took the vow] and subject to doubt as to being a confirmed [victim of sara’at] eats Holy Things after sixty days [= two Nazirite periods]. And he drinks wine and contracts corpse uncleanness after a hundred-and-twenty days [four Nazirite periods].

1. [I.1] *A Tannaite statement:* Under what circumstances? When he took the vow of a Nazir for thirty days [B.: a routine Naziriteship]. But if he took the vow as a Nazir for twelve months, he eats Holy Things only after two years have passed. And he drinks wine and contracts corpse-uncleanness after four years have passed [T. 6.1VV-YY]
2. [I.2] **A Nazirite who was in doubt as to whether or not he was unclean but certainly certified as suffering from the skin ailment eats Holy Things after eight days [Klien: since the shaving for the skin ailment may take place immediately when he is seen to be clean and has still to wait eight days], and he may drink wine and contract corpse uncleanness after sixty-seven days. [Klien: For he must wait thirty days after the second haircut for the skin ailment before he may shave on account of doubt whether he was defiled, and then he counts thirty days for his Naziriteship in purity.] If he was subject to doubt as to whether he was certified with the skin ailment but had certainly contracted corpse uncleanness, he eats Holy Things after thirty-seven days [Klien: as a defiled Nazirite, he cuts the hair on becoming clean at the end of seven days and then again for his clean Naziriteship after thirty days. Since he may have been afflicted with the skin ailment, the two hair cuttings count for the skin ailment, and as he was certainly unclean, he can cut his hair after seven days for the uncleanness and again after thirty days for his clean Naziriteship], and may drink wine and contract corpse uncleanness after seventy-four days. If he was certainly unclean and certainly certified as afflicted with the skin ailment, he may eat Holy Things after eighty days and he drinks wine and contracts corpse-uncleanness after forty four days [T. 6:1ZZ-GGG]**
3. [I.3] *[Following Tosefta’s version:] His disciples asked R. Simeon bar Yohai, “As to a Nazirite who had not contracted corpse uncleanness but was afflicted with the skin ailment, what is the law as to his cutting hair one time only and counting that to meet his obligations for the one and for the other?”]*

B. For cutting of the hair in the case of a nega' [sara'at] overrides [the prohibition against] cutting the hair of the Nazirite [only] when [the [sara'at] is certain. But in a case when it is subject to doubt, it does not override [the other].

1. [II.1] *R. Ammi bar Hama raised this question: "As to these four cuttings of the hair [Klien: for a Nazirite who was in doubt as to whether he was afflicted with the skin ailment and also as to whether he had contracted corpse uncleanness], are these required as a matter of religious duty or are they in order to remove the hair that has contracted uncleanness?"*

LIV. MISHNAH-TRACTATE NAZIR 9:1A-D

A. Idolaters are not subject to the Nazirite vow. Women and slaves are subject to the Nazirite vow. A more strict rule applies to women than to slaves. For a master forces his slave [to be subject to a Nazirite vow], but a husband does not force his wife [to be subject to a Nazirite vow].

1. [I.1] *The Mishnah states the law, Idolaters are not subject to the Nazirite vow, so what is the basis in Scripture for that statement? It is in line with that which our rabbis have taught on Tannaite authority: "Speak to the children of Israel" (Num. 6: 2) — and not to idolaters. "...and say to them" (Num. 6: 2) — to encompass slaves.*

a. [I.2] *The master has said: "Speak to the children of Israel" (Num. 6: 2) — and not to idolaters" — Then is it the fact that in any passage in which it is written, "Israel," idolaters are excluded? And lo, with reference to vows of valuation [Lev. 27: 1ff.], concerning which it is written, "Speak to the children of Israel" (Lev. 27: 1), it has been taught on Tannaite authority*

i. [I.3] *How do we know that they are not subject to corpse-uncleanness?*

b. [I.4] *R. Aha bar Jacob said, "Naziriteship is exceptional [so far as idolaters are concerned, differentiating the vow of valuation from the vow of Naziriteship], for here is written, 'And you may make them an inheritance for your children after you' (Lev. 25:46) [speaking of slaves who are idolaters, but by the law of the Torah an idolater cannot bequeath his slaves]. To whomever the laws of inheritance by the Torah's rule pertain is subject to corpse contamination, and to whomever the laws of inheritance do not apply does the matter of contracting corpse uncleanness does not apply."*

i. [I.5] *Might one say, children of Israel take the vow of perpetual Naziriteship, and idolaters do not take the vow of perpetual Naziriteship? Might one suppose that they may not become Nazirites at all? Scripture says, "a man"?*

c. [I.6] *Now what need do I have for the phrase, "when a man shall clearly utter," which the All-Merciful has sated in connection with Naziriteship? [The point of the question is: since Nazirite vows are treated as analogous*

to vows in general, what need to do I have for the phrase stated in the former connection, “when a man shall clearly utter”?”]

LV. MISHNAH-TRACTATE NAZIR 9:1E-J

A. A more strict rule applies to slaves than to women. For the husband has the right to annul the vows of his wife, but he does not [permanently] annul the vows of his slaves. [If] he annulled [the vow] of his wife, it is annulled for all time. [If] he annulled [the vow] of his slave, [if] the slave went forth to freedom, he has to complete his Nazirite vow.

1. [I.1] *Our rabbis have taught on Tannaite authority: In what regard does his master annul the vows of his slave? In respect to Naziriteship but not in respect to ordinary vows or vows of valuation [T. 6:1A]. What differentiates the Nazirite vow?* The All-Merciful has said, “When a man takes a vow to bind his soul with a bond” (Num. 30:3), [showing that vows are binding] upon him whose soul is bound to him [that is, who is master of his own will], thus excluding the slave, whose soul is not bound to himself [who is not master of his own will]

LVI. MISHNAH-TRACTATE NAZIR 9:1K-M

A. [If] he escaped from his master — R. Meir says, “He may not drink wine.” R. Yosé says, “He may drink wine.”

1. [I.1] *May one say that subject to their dispute is the principle [also] enunciated by Samuel, for said Samuel, “He who declares his slave to be ownerless property — the slave has gone forth to freedom and does not require a write of emancipation.” R. Meir affirms the principle espoused by Samuel [hence the vow takes effect, the slave having been freed], and R. Yosé rejects it*

LVII. MISHNAH-TRACTATE NAZIR 9:2

A. A Nazirite who cut his hair and then [before he brought his offerings] learned that he had been unclean — if it was a known uncleanness he loses [all the days he has counted in cleanness]. But if it was an uncleanness located in the nethermost deep, he does not lose the days he already has counted out.

1. [I.1] *What is the basis in Scripture for this ruling?*

B. If before he had cut his hair he learned that he had been made unclean, one way or the other, he loses the days he already has observed.

1. [II.1] *Who is the Tannaite authority behind this statement*

2. [II.2] *R. Ami bar Hama raised the question, “If he contracted corpse uncleanness during the fulfillment of his Naziriteship but only discovered it after the fulfillment, what is the law? Do we adopt as the criterion the moment of discovery [and he is unclean from that point onward], or is that not the case [and he is unclean retrospectively]?”*

3. [II.3] *Our rabbis have taught on Tannaite authority: He who finds a corpse lying across the breadth of the path — a Nazirite and one who is going to eat*

his Passover is clean. And as to eating food in the status of heave-offering, he is unclean [T. Zabim 2:98A-C]. Under what circumstances? If he had no place to pass by [without contact], but if he had space to pass by, then even for purposes of eating heave offering, he remains uncontaminated. Under what circumstances? If he found the corpse whole. But if he found it broken or in parts, even if there is no space in which to pass, we take account of the possibility that he passed between the parts on an irregular path. But in the case of a grave, then even if the parts were broken or scattered, he is unclean, since the grave itself joins the parts together. Under what circumstances? If he was going along by foot. But if he was carrying a load or was riding, he is unclean. For if one is going along by foot, it is possible for him not to touch or to shift and vibrate the corpse or overshadow it, but if he was carrying a load or riding, it is not possible for him not to touch or vibrate or overshadow the corpse. Under what circumstances? In the case of corpse uncleanness in the nethermost depths. But in the case of an uncleanness that is known and evident, all three become unclean. **What is the uncleanness of the nethermost depths? That [is a case in which] no one else anywhere in the world knew about the presence of the corpse-matter. But [if] anyone else in the world knew about the presence of corpse-matter, this is not deemed uncleanness of the nethermost depth [T. Zabim 2:9A-C] [If] one found it buried in straw or in dirt or in pebbles, lo, this constitutes uncleanness in the nethermost depths. But a corpse which is buried in water and in darkness and in the crevices of rocks — this is not deemed a grave in the nethermost depths. A grave in the nethermost depths applies only to the corpse alone [T. Zabim 2:9D-F].**

C. How so? [If] he went down to immerse in a cave and a bit of corpse-matter turned out to be floating at the mouth of the cave, he is unclean. [If] it was located imbedded in the floor of the cave — [if] he had gone down only to cool himself in the water, he is deemed still clean. [If he had gone down] to clean himself from corpse uncleanness, he is yet unclean. For the unclean person is confirmed in the prior presumption of being unclean, and the clean one is confirmed in the prior presumption of being clean. For there are grounds for such a decision [in either case].

1. [III.1] A dead creeping thing when floating does not impart uncleanness, *for it has been taught on Tannaite authority: If there is a matter of doubt about uncleanness that is floating, whether it is in utensils or on the ground, the doubt is resolved in favor of a ruling of cleanness. R. Simeon says, “If it is in a utensil the doubtful object is ruled unclean, while on the earth it is ruled as clean [T. Tohorot 5:6].*

2. [III.2] *Our rabbis have taught on Tannaite authority:* As to anything that is taken or dragged, doubts pertaining to such things are resolved in favor of uncleanness, for they are in the category of things that are lying at rest. And whatever is tossed — doubts pertaining to such things are resolved in favor of cleanness, except for an olive’s bulk of corpse-matter and that which overshadows a source of uncleanness, and any thing that imparts uncleanness upwards as well as downwards —to encompass a person who has had a flux, male or female.

a. [III.3] *R. Ami bar Hama raised the question: “If a bit of corpse-matter is in a utensil, and the utensil is floating on the surface of water, what is the rule? Do we adopt as the governing criterion the utensil or the corpse-matter [in resolving matters of doubt]?”*

3. [III.4] Said R. Hamnuna, “A Nazirite or someone en route to prepare his Passover offering who on the seventh day of their purification rites walked over a grave in the nethermost depths are deemed uncontaminated thereby. *Why is this so? Because the strength of uncleanness emanating from the nethermost depths is not sufficient to invalidate the days already observed in cleanness of a Nazirite or one celebrating the Passover.*”

LVIII. MISHNAH-TRACTATE NAZIR 9:3

A. He who finds a corpse in the first instance lying in usual fashion removes it and the earth affected by it

1. [I.1] Said R. Judah, “**He who finds** — excluding one that is known to be located there; **a corpse** — excluding one that had been killed [deliberately, and presumably buried there willy-nilly, not indicating the presence of an established graveyard]; **lying** — excluding one that is sitting up [Jews buried prostrate, so it would not be a Jewish graveyard; the bodies may then be removed in these instances]; **in usual fashion** — excluding a case in which the head is lying between the thighs.”

2. [I.2] If he found two, with the head of the one beside the feet of the next, and the head of the next beside the feet of the first, they lay no claim to acquire the ground on which it lies nor do they help establish the presence of a burial ground. If he found three, one of them already known, and the other two found for the first time, or two for the first time and two known, they lay no claim to acquire the ground on which it lies nor do they help establish the presence of a burial ground.

B. [If] he found two, he removes them and the earth surrounding them. [If] he found three, if there are between one and the other from four to eight amahs, lo, this is deemed a graveyard. He examines the dirt twenty amahs from it.

1. [II.1] *What is the definition of “earth surrounding them”?*

C. [If] he found a corpse at the end of the twenty amahs, he examines the dirt another twenty amahs from that corpse. For there are grounds for such a decision. But if he had found it at the outset, he would have removed it and the dirt affected by it.

1. [III.1] *Said Raba, “If he searched and found a corpse and removed it, searched and found another and removed that, searched and found a third, he must not remove the third for reburial with the other two, nor the other two for reburial with this one.” [The grave area need not be restored.]*

a. [III.2] If he searched from twenty cubits and further in one direction and found no more corpses, what is the law? [Does the search have to go in other directions as well?]

LIX. MISHNAH-TRACTATE NAZIR 9:4A-B

A. Any matter of doubt concerning *nega*'s [marks of the skin-ailment described at Leviticus 13] at the outset is ruled as clean before a decision has been made in favor of uncleanness. [But if] a decision has been made in favor of uncleanness, a matter of doubt in its regard is deemed unclean [M. Neg. 5:41].

1. [I.1] *What is the basis in Scripture for this rule?*

LX. MISHNAH-TRACTATE NAZIR 9:4C-F, 9:5

A. In seven ways do they examine the zab [a man who has produced a flux, such as is described at Lev. 15] before he has been confirmed to be subject to flux-uncleanness [described at Lev. 15]: In regard to food, drink, carrying things, jumping up and down, sickness, something he had seen, and something in his fantasy. Once he has been confirmed as to flux-uncleanness, they do not examine him.

1. [I.1] *What is the source in Scripture for this ruling?*

B. Any flux he produces through constraint, or which is subject to doubt, or his semen is unclean. For there are grounds for such a decision. He who hits his fellow, whether with a stone or with his fist, and they diagnosed him as likely to die, [but] he got better than he was, and afterward he got worse and died — he is liable. R. Nehemiah says, “He is exempt, for there is a basis to the matter [of thinking that he did not die from the original injury].”

1. [II.1] *Said Raba, “Do not suppose that by ‘flux that is subject to doubt’ is meant, doubt whether it has appeared or not appeared. It must most certainly have appeared, but what is subject to doubt is whether or not it comes about by reason of being an issue of semen or whether it is brought about by a separate appearance of flux*

2. [II.2] *In what regard is his semen is unclean? Should I say that it is as to contact with it, how is it worse than the semen of a clean person [which imparts uncleanness by contact, so Lev. 15:16-17]? Rather, the semen of a person afflicted with flux imparts uncleanness when it is carried [even not through contact].*

LXI. MISHNAH-TRACTATE NAZIR 9:6

A. “Samuel was a Nazirite,” according to the words of R. Nehorai, since it is said, ‘And no razor [morah] shall come upon his head’ (1Sa. 1:11). Since in regard to Samson, it is said, ‘[And no] razor [shall come upon his head]’ (Jud. 13: 5), and concerning Samuel it is said, ‘And no razor...:’ just as the reference to ‘razor’ in the case of Samson means that he was a Nazirite, so the reference to a ‘razor’ in the case of Samuel means that he was a Nazirite.” Said R. Yosé, “But is not the word ‘morah’ said only with regard to fear (morah) of a human being?” Said to him R. Nehorai, “But has it not already been said, ‘And Samuel said, “How can I go? If Saul hears it, he will kill me”’ (1Sa. 16: 2). For he was subject to the apprehension [‘morah’] of flesh and blood.”

B. TOPICAL APPENDIX ON RECITING A BLESSING

1. [I.1] Said Rab to Hiyya, his son, “Snatch [the wine cup] and say a blessing.” And so R. Huna said to his son, Rabbah, ““Snatch [the wine cup] and say a blessing.” *Is that to imply that the one who recites the blessing is better [than the one who says, “Amen”]? And has it not been taught on Tannaite authority: R. Yosé says, “Greater is the one who answers, ‘Amen,’ than the one who recites the blessing”?* Said to him R. Nehorai, “By heaven! That is something you should know, for lo, the ordinary troops first contend in the battle, but the experienced ones win it” [so the one who completes the blessing with “Amen” is the greater.]

C. SUBSCRIPT TO THE TRACTATE

1. [I.2] Said R. Eleazar said R. Hanina, “Disciples of sages bring peace to the world, as it is said, ‘All your children shall be taught of the Lord, and great shall be the peace of your children’ (Isa. 54:13).”

Points of Structure

1. DOES BABYLONIAN TALMUD-TRACTATE NAZIR FOLLOW A COHERENT OUTLINE GOVERNED BY A CONSISTENT RULES?

The Mishnah-tractate dictates the Talmud's treatment of its topic, and seen whole, the Bavli-tractate belongs in the classification of a commentary. The order of topics demonstrates that fact, since at only a very few points are we unable to relate a large-scale composite of the Bavli to the topical program of Mishnah-tractate Nazir. Indeed, this tractate derives much of its power from its elaborate presentations of topics that in the Mishnah receive only a little attention, or none at all.

2. WHAT ARE THE SALIENT TRAITS OF ITS STRUCTURE?

Overall, we find two distinct components of the structure of the Talmud-tractate: comments on the Mishnah, generally episodic if also systematic, and also a few large-scale composites. All of these but the concluding one prove entirely a *propos* and form an integral part of the topical exposition that the Bavli provides.

3. WHAT IS THE RATIONALITY OF THE STRUCTURE?

The rationality of the document finds its definition in the principles of Mishnah-exegesis, on the one side, and the program of Mishnah-re-presentation on the other. That is to say, if we were to remove all of the compositions and composites not linked to Mishnah-amplification in one form or the other, we should find little left of the tractate as we know it. The Bavli's program of Mishnah-exegesis contains three major components. First, the Bavli asks about the sources in Scripture for rules of the Mishnah and about meanings of words and phrases. Second, the Bavli compares and contrasts rules set forth by the Mishnah with intersecting ones presently located in the Tosefta or otherwise attributed to Tannaite authority. Third, the Bavli introduces topical expositions, some of them informative, some of them analytical, e.g., original problems of thought that the data of the Mishnah set forth, or to which those data contribute. These topical expositions of a theoretical character as well as those of a merely informative intent in places prove protracted. We may say that, where the Bavli gives the impression of being run-on and prolix, it is ordinarily within the framework of the tertiary level of discourse, exposition of subjects and of theoretical issues. That general rule certainly explains the handful of large-scale composites in Bavli Nazir. Within these three classes of writing we find space for everything in Bavli Nazir; other tractates contain a substantially more elaborate program of aggadic amplification of halakhic topics.

4. WHERE ARE THE POINTS OF IRRATIONALITY IN THE STRUCTURE?

I identify these asymptotic entries:

XIV.B free-standing exposition of a problem, inserted here because the Mishnah-rule at hand is invoked in the solution of the problem

XXIV.B composite on the theme of intentionality, expounded because of the Mishnah-rule that concerns the case of someone who intends to violate the law but actually does not do so; with a sub-set on a specific problem in that connection

XXV.D free-standing exposition of a problem, inserted here because the Mishnah-rule at hand is invoked in the solution of the problem

XXXVIII.C topical appendix: when priests contract corpse uncleanness, inserted here because the Mishnah-rule deals with Nazirites' contracting corpse uncleanness

XLVII.D topical composite on corpse-mould, inserted because the Mishnah-rule introduces that topic

LI.C topical composite on the theme of cutting the hair, head and body alike, inserted here because the Mishnah-rule deals with that topic

LXI.B composite on reciting a blessing, completely irrelevant to the context but part of the subscript for the entire tractate

The program of the Mishnah has dictated the character of the Talmud throughout. The composites that do not take up the task of Mishnah-exegesis, narrowly construed, turn out to deal with the Mishnah in one of two ways: either a Mishnah-rule is invoked in a discussion that is otherwise not relevant to the problem of the exegesis of Mishnah-tractate Nazir (XIV.B, XXV.D), or a composite on a theme is inserted because the Mishnah, for its part, has touched upon that theme. I cannot point to any anomalous composition or composite — one that is not devoted to Mishnah-exegesis — that does not fit into one or the other category, except for LXI.B. Now the issue is, have these entries changed the face of the Bavli-tractate's re-presentation of the Mishnah-tractate and its topic? The answer is, they have in no way revised the Mishnah-tractate's presentation of the subject, the Nazirite vow.

Points of System

1. Does the Babylonian Talmud-tractate Nazir serve only as a re-presentation of the Mishnah-tractate of the same name?

This question finds its answer in two facts. First, how many compositions of the Mishnah-tractate altogether lack Talmud-discussions? The answer is, few, and these prove episodic. We cannot predict which Mishnah-paragraphs will lack Talmud-compositions or propose a theory on the traits that would characterize the Mishnah-sentences that are treated or those that are not. The matter appears to me to be random. Second, and perhaps of greater interest, how many composites in the Talmud stand completely out of relationship with the Mishnah? That question is answered in the next rubric.

2. How do the topical composites fit into the Talmud-tractate Nazir and what do they contribute that the Mishnah-tractate of the same name would lack without them?

The tractate is formidable in size, but possesses only a handful of free-standing composites, all of which intersect with the Mishnah in topic. The topical composites wholly reenforce the basic messages of the Mishnah-tractate; the Talmud-exegesis clarifies much but adds no generative conceptions that I can identify except one: the episodic comparison of the Nazirite, the priest, and the person afflicted with the skin-ailment, the former because the Nazirite and the priest are subject to intersecting rules, the latter because the Nazirite and the person afflicted with the skin-ailment offer comparable sacrifices at the end of the spell of the vow, on the one side, or the uncleanness, on the other.

3. Can we state what the compilers of this document propose to accomplish in producing this complete, organized piece of writing?

The framers of the Bavli have given us their version of the topic expounded first of all by Numbers Six and then by the Mishnah (but by no other document of a Judaism besides Rabbinic Judaism!). On the one hand, we may then conclude that all they have done is spell out details of the Mishnah's presentation of the same matter. But, on the other hand, we must recognize that, in expounding the Mishnah's exposition, the framers of the Bavli have vastly deepened our understanding of the Nazirite vow. This they have done by their work of comparison and contrast, e.g., the Nazirite and the high priest, the Nazirite and the person afflicted with the skin-ailment. So the Bavli has raised the topic of the Nazirite vow out of its framework in the Mishnah and set that topic into the context of a much larger labor of comparison and contrast, a theoretical labor aimed at bringing into juxtaposition and harmony a variety of topics treated by the Mishnah in isolation one from the next. Where the tractate proves difficult to follow and pursues issues that lead us far from the Mishnah's own data and program, it is in this systematic labor of not extension and amplification but topical renewal, the labor of reshaping the program of the Mishnah by recasting its distinct categories into a larger, a much larger formation.

So on the surface Bavli-tractate Nazir accomplishes a single goal, which is, the systematic exposition of the Mishnah. In small measure the Bavli-framers carry forward the program of the Tosefta, a much more complicated exposition of the topic of the Nazirite vow than the Mishnah undertakes. But in far greater measure, the Bavli's framers' interests are their own (as the comparative hermeneutics of the Rabbinic literature will indicate, when properly studied). Anyone who wishes an introduction to the basic intellectual

characteristics of the Talmud overall will find it in this remarkable, disciplined and utterly pellucid exposition. Expounding the details of Mishnah-tractate Nazir, Bavli Nazir exemplifies all that is compelling in the exegetical and analytical repertoire of the Talmud viewed whole. But fully to define the intellectual characteristics of one document in the unfolding repertoire of Rabbinic Judaism in its response to the Torah's laws, a labor of comparison and contrast is required — in the model of that of the Bavli itself.

Here, at the end of Bavli Nazir, I conclude my Academic Commentary to the Bavli and within this day I commence the work of comparative hermeneutics to which this commentary, within its logic, has compelled me to turn.