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Tosephta

A TRANSLATION, ANNOTATION, AND INTRODUCTION TO TRACTATE NEZIRUT

by

Andrew David Packman

Thesis submitted in partial fulfillment
of the requirements for the degree of
Master of Arts in Hebrew Letters and
Ordination.

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DIGEST

This thesis falls naturally into two parts: a carefully annotated translation of Tractate Nezirut in the Tosephta, and an Introduction to Tractate Nezirut in the Tosephta.

The translation is based upon a careful comparison of the Erfurt Manuscript, the Vienna Manuscript, the traditional printed version, and parallel passages in the Babylonian Talmud and the Jerusalem Talmud. In cases where none of the texts were in satisfactory condition, emendations proposed in the commentaries by the Vilna Gaon and Ezekiel Avramasky have been accepted. Significant variants from the translated text have been preserved in the footnotes.

Since very little of the Tosephta has been translated into English, and Tractate Nezirut not at all, the writer has found it necessary to formulate a translation without precedent. For technical terms without a commonly accepted English equivalent, the writer has frequently utilized the terminology of the Soncino translation of the Babylonian Talmud. For the sake of clarity, the writer has often departed from a literal rendition of the Hebrew text. Due to the laconic style of the Tosephta, copious use has been made of parentheses to fill in the meaning of the Hebrew text.

The method adopted for the Introduction to Tractate Nezirut has been to make a careful comparison with the only work that is similar and contemporaneous to it - Tractate Nazir in the Mishna. Out of this comparison we can derive an evaluation of Tractate Nezirut.

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PREFACE

In choosing to translate Tractate Nezirut in the Tosephta, I have been motivated by several purposes. Firstly, the Tosephta has been much neglected in Jewish scholarship. Evidence for this is the fact that only dribs and drabs of the Tosephta have been translated into English. Nor has there been prepared a satisfactory critical text of the Tosephta in Hebrew. The Zuckerman edition of the Tosephta, generally used for scholarly research, places a primary emphasis upon the Erfurt and Vienna manuscripts, relegating the Difus (or traditional printed version) to the footnotes. This is most unfortunate, in that the Difus is the best preserved version of the Tosephta now extant. Indeed, our translation of Tractate Nezirut adheres more closely to the Difus than to any other version. Zuckerman also omits from his edition the very significant remarks and emendations of Rabbi Elijah (the Vilna Gaon) and Ezekiel Avramasky. Considering the importance of the Tosephta as a literary source for the Tannaitic Period, its neglect by Jewish and Christian scholars is to be lamented.

Tractate Nezirut in the Tosephta is interesting in that we can set a final date to its contents. The institution of naziriteship for all practical purposes ceased with the destruction of the Second Temple, so that we can propose a terminal date for the halachah connected with this institution. For the Tosephta as a whole we cannot with confidence establish a terminal date, since unlike the Mishna, the Tosephta was not a normative and therefore complete code within the Tannaitic Period. No extensive research has been conducted for the purpose of dating the various

strata in the Tosephta as a whole, and it is quite possible that additions were made to it well after the text of the Mishna was fixed. With regard to Tractate Nezirut we at least can say that legislation ceased on or about 70 A.D.

In our Introduction to Tractate Nezirut, we have adopted the methodology which we believe most clearly reveals the nature of this tractate, namely, to compare it to its only counterpart in Tannaitic literature, Tractate Nazir in the Mishna. This approach is fruitful because both Tractate Nezirut and Tractate Nazir discuss the major legal considerations involved in the institution of naziriteship. Through this comparison we can evaluate Tractate Nezirut in terms of content, point of view, arrangement, aggadic content, and rabbinic authorities. There are a few areas of concern which are mentioned in only one of the two tractates. But in all cases they are peripheral to the institution of naziriteship. Thus, only Tractate Nazir discusses errors in dedication (5:15), the finding of buried corpses (9:3), and leprosy unconnected with naziriteship (9:4). On the other hand, only Tractate Nezirut discusses an oath made by a woman (3:11), or the types of uncleanness for which the golden front plate of the High Priest procures acceptance (6:2).

It is our hope that this translation of and introduction to Tractate Nezirut will be one of many efforts to make the Tosephta available and comprehensible to the English reader.

TRANSLATION OF
TRACTATE NEZIRUT IN THE TOSEPHTA

CHAPTER ONE

I. Bet Shammai says that if one makes a nazirite vow with a substitute word for a substitute word,¹ it is forbidden to annul it, but Bet Hillel says that if one makes a nazirite vow with a substitute word for a substitute word, it is permitted to annul it. Bet Shammai says they do not accept the testimony of one who conveys the message of a divine voice.² But Bet Hillel says that they do accept the testimony of one who conveys the message of a divine voice.

II. Rabban Simon ben Gamliel says that he who imposes upon himself "naziriteships" has vowed two periods³ of naziriteship. If he said, "Behold, I am a nazirite and one (more)," he has vowed two periods of naziriteship. If he said, "Behold, I am a nazirite and one (more) and yet (one)," he has vowed three periods of naziriteship. If he said, "Behold, I am a nazirite and one (more) and yet (one) and (one) further," he has vowed four periods of naziriteship. Symmachus says that if he said, "Behold, I am a nazirite tetragon,"⁴ he has vowed four periods of naziriteship. If he said "dregon" he has vowed three periods of naziriteship. If he said "tigon" he has vowed two periods of naziriteship.

III. If one said, "Behold, I am a nazirite if I do not expose to suspicion the legitimacy of such-and-such a family," then he is a nazirite, for he should not expose to suspicion the legitimacy of a family.⁵ If one said, "Behold, I am a nazirite for the (number of) hours in a day" or "for the (number of) months in a year," he has vowed twelve periods of naziriteship. If he said, "Behold, I am a nazirite for the (number of)

days in a week" or "for the (number of) years for a Sabbatical Year" or "for the (number of) Sabbatical Years for a Jubilee Year," he has vowed seven periods of naziriteship. If he said, "Behold, I am a nazirite according to the days in the solar year" or "according to the number of days in the solar year," he has vowed 365 periods of naziriteship, according to the days in the "lunar year" or "according to the number of days in the lunar year," he has vowed 354 periods of naziriteship, according to the number of days in the lunar year. Rabbi says⁶ that the above decisions do not apply unless he says, "Behold, I am a nazirite for naziriteships according to the days in the solar year" or "naziriteships according to the number of days in the solar year" or "naziriteships according to the days in the lunar year" or "naziriteships according to the number of days in the lunar year."⁷ Rabbi Judah says that if he said, "Behold, I am a nazirite according to the (number of) the piles of fruit in summer" or "according to the (number of) ears of grain in the Sabbatical Year," he is a nazirite forever and polls once every thirty days. If he said, "Behold, I am a nazirite as much as fills a barrel" or "as much as fills a basket," he is a nazirite forever and polls once every thirty days.⁸ (In the above four cases, naziriteship lasts) until he says, "I did not mean this."

IV. If he said, "Behold, I am a nazirite according to the hairs on my head" or "according to the particles of dust on the earth" or "according to the grains of sand by the sea," he is a nazirite forever, and he polls once every thirty days.⁹ Rabbi says that he does not poll once every thirty days, for he is not a nazirite forever. If he said, "Behold, I

am a nazirite from here to the depths of the earth" or "from here to the heavenly vault," or even "from here to the end of the world,"¹⁰ he is a nazirite forever.¹¹ If he said, "Behold, I am a nazirite all my days" or "Behold, I am a nazirite forever," he is a nazirite forever. If he said, "for one hundred years" or "for two hundred years," he is not a nazirite forever.

V. Just as the substitute words expressing naziriteship (can impose a nazirite vow) as the direct expressions of naziriteship, so the substitute words for "Samson" (can impose a nazirite vow) like the word "Samson." Rabbi Judah said that a Samson-type nazirite can incur corpse uncleanness, for Samson himself incurred corpse uncleanness. Rabbi Simon says that he who says, "Behold, I am like Samson" did not say anything (which imposes a vow), for he (Samson) did not impose naziriteship upon himself. Naziriteship may be vowed in the land (of Israel) and outside the land; whether the person has hands or does not have hands, although it is said,¹² "and he shall put them on the hands of the nazirite"; and whether the person has hair or does not have hair, although it is said,¹³ and he shall take the hair from his consecrated head."

VI. Bet Shammai says that the bald (nazirite) must pass a razor over all his body. Bet Hillel says that it is not necessary, and likewise it is not necessary for the (bald) leper and the (bald) Levites.¹⁴ There is a stringency which applies to the nazirite which does not apply to the leper, and one which applies to the leper which does not apply to the nazirite. If a nazirite polls (before the ritual of the sprinkling of

the blood) in the day he completed his vow, he is scourged with forty stripes, which is not so with the leper. On the other hand, a leper must poll his head and his beard and his eyebrows,¹⁵ which is not so with the nazirite.

VII. There is a stringency which applies to naziriteship which does not apply to the other oaths, and one which applies to the other oaths which does not apply to naziriteship. For, there can be a nazirite vow within a nazirite vow,¹⁶ but there can not be an oath within an oath.¹⁷ The stringency with regard to oaths is that if one errs in making an oath, one is forbidden to annul it, but if one errs in making a nazirite vow, it is permitted to annul it.

CHAPTER TWO

I. Bet Shammai says that if one makes a nazirite vow with a substitute word of a substitute word, it is forbidden to annul it. How so? If one said, "Behold, I am a nazirite (through abstention) from dried figs and cakes of pressed figs,"¹ Bet Shammai says that he is a nazirite and Bet Hillel says that he is not a nazirite.²

II. If one says, "Behold, I am a nazirite on condition that I may drink wine and suffer corpse uncleanness," he is a nazirite, and his stipulation is voided because he made a stipulation contrary to what is written in the Torah. The stipulation of anyone who makes a stipulation contrary to what is written in the Torah is void.

III. With regard to one who says (after making a nazirite vow without any stipulation), "I knew of the existence of nazirites, but I did not know that nazirites are forbidden to drink wine or to suffer corpse uncleanness," Rabbi Simon says that this is the most open and shut case for annulment of the nazirite vow.

IV. With regard to one who says, "Behold, I oblige myself to bring half (of the sacrifices which accompany) the nazirite (hair offering made by somebody else), Rabbi Judah³ says that he must make the complete hair offerings of a nazirite.⁴ Rabbi Simon exempts him, for he did not make a free-will offering in the usual manner of free-will offerings.

V. If one said, "Behold, I am a nazirite, and I oblige myself to offer the hair offerings of a nazirite," and he merely offered the hair offerings

for his own naziriteship, he has not fulfilled his vow.

VI. If one said, "Behold, I oblige myself to offer one half of the hair offerings of a nazirite,"^{5 6} and then he said, "Behold, I am a nazirite," if he offered only the hair offerings for himself, he has not fulfilled his vow. If one said, "These are the offerings on which I will make⁷ a nazirite vow," he has said nothing,⁸ as it is said,⁹ "his offering to the Lord after his naziriteship," and not "his naziriteship after his offering to the Lord."

VII. If one said, "Behold, I oblige myself to bring so-and-so's sin offering and guilt offering," if it was with his consent (from the very beginning), it is permitted, and if it was not with his consent (from the very beginning), it is not permitted. If indeed (the animals given by someone else are legitimately) the sin offering and guilt offering of so-and-so, and then so-and-so went and offered his own (animals, the animals originally donated are treated) like the sin offering and guilt offering of masters who have (already) made atonement.¹⁰

VIII. If one said, "Behold, I am a nazirite if I shall have a son," and there was born to him a son of whom there was doubt that he would survive, Rabbi Judah frees him of his vow (for he believes) that it is permitted to annul a nazirite vow made erroneously.¹¹ Rabbi Simon makes him responsible for his vow (for he believes) that it is forbidden to annul a nazirite vow made erroneously. So (he would insist that) he say,¹² "Behold, I am a nazirite by obligation if my son survives, and if he does not survive, behold, I am a nazirite of my own free will."

IX. If one said, "Behold, I am a nazirite on condition that there will be in this heap of grain 100 kors, and he went and found it to be stolen or lost, so that there is doubt whether it had 100 kors in it or not, Rabbi Judah frees him of his vow (for he believes) that it is permitted to annul a nazirite vow made erroneously.¹³ Rabbi Simon makes him responsible for his vow (for he believes) that it is forbidden to annul a nazirite vow made erroneously. So (he would insist that) he say,¹² "If there was (100 kors) in it, behold, I am a nazirite of my own free will."

X. If one said, "Behold, I am a nazirite after twenty¹⁴ days," (and in addition he said, "Behold, I am) a nazirite from this moment for 100 days," he counts off twenty days¹⁵ and then counts off thirty days¹⁶ and interrupts (the counting by polling and bringing the appropriate sacrifices) and then he counts off eighty days,¹⁷ thereby completing the vow of naziriteship already begun.¹⁸ Rabbi Simon ben Elazar said that Bet Shammai and Bet Hillel did not disagree over the decision that a person who made a nazirite vow for thirty days and then polled on the thirtieth day did not fulfill his vow. Rather they disagreed over the decision for a person who took a nazirite vow of unspecified length.¹⁹ Bet Shammai says that if he polled on the thirtieth day he fulfilled his vow, while Bet Hillel says that if he polled on the thirtieth day he did not fulfill his vow.

XI. If one vowed two naziriteships, the first of unspecified length and the second of thirty days, he must poll for the first naziriteship on the thirty-first day and for the second naziriteship on the sixty-first day, but if he polled for the first on the thirtieth day and for

the second on the sixtieth day, he has fulfilled his vow.²⁰ If the first naziriteship was for thirty days and the second naziriteship was of unspecified length, he should poll for the first on the thirty-first day and for the second on the sixty-first day. If he polled for the first on the thirtieth day and for the second on the sixtieth day, he has not²¹ fulfilled his vow.

XII. If one said, "Behold, I am a nazirite," and then becomes unclean on the thirtieth day (of his vow), he makes all thirty days void. Rabbi Judah says in the name of Rabbi Eliezer that he only makes seven days void.²² If one said, "Behold, I am a nazirite for thirty days," and he becomes unclean on the thirtieth day, he makes all thirty days void.²³

XIII. If one said, "Behold, I am a nazirite for one hundred days," and he became unclean on the hundredth day, he makes the whole period void. Rabbi Judah says in the name of Rabbi Eliezer that he only makes thirty days void.²⁴ If he became unclean on the 101st day, he makes thirty days void. But Rabbi Judah says in the name of Rabbi Eliezer that he only makes seven days void. This is the rule which Rabbi Judah enunciated in the name of Rabbi Eliezer: Whosoever becomes unclean in the day designated for the bringing of the offering, and has finished counting off the days, makes seven days void, the days of his uncleanness only. And whosoever becomes unclean in a day which is not designated for the bringing of the offering, and who still must count off the days, makes thirty days void.²⁵

XIV. If one was unclean,²⁶ and (while unclean) became a nazirite, he is forbidden to poll or drink wine or incur corpse uncleanness, and if

he polled or drank wine or incurred corpse uncleanness,²⁷ he is scourged with forty lashes. If he sprinkled (on the third day) and repeated it (on the seventh day), the days he was unclean (after he made the vow) are not credited to him, but the seventh day is credited²⁸ to him from the number of days of uncleanness. All who say that the days of naziriteship are not begun to be counted until he is clean²⁹ credit the seventh day to him. All who say that he begins to count the days of naziriteship immediately (after he makes the vow, although he is unclean) do not³⁰ credit to him the seventh day (of a period of corpse uncleanness, when this uncleanness was incurred while the nazirite was working off the uncleanness which existed at the time he made his nazirite vow). If he counted off the days of his naziriteship and had not brought his sacrifices, he is forbidden to poll, drink wine, or incur corpse uncleanness. If he brought the sacrifices and had not as yet polled the hair of his naziriteship, he is forbidden to drink wine or incur corpse uncleanness. If (in these two situations) he polled³¹ or drank wine or incurred corpse uncleanness, he is scourged with forty lashes. Rabbi Simon says that when blood from one of the sacrificial animals is sprinkled on him, it is permitted for a nazirite³² to poll and drink wine and incur corpse uncleanness.

XV. If one vowed two periods of naziriteship, and counted off the days of the first vow and brought³³ the sacrifices and afterwards consulted with a sage, and the sage questioned him and released him (from his first vow), his second period of naziriteship was fulfilled by having completed the first. If he counted off both of them and brought the sacrifices of both of them together,³⁴ he only fulfilled one of them.

If he set apart (the sacrificial animals) for one nazirite vow by themselves, and set apart (the sacrificial animals) for the other nazirite vow by themselves, and he went and offered the sacrifices of the second nazirite vow for the first, and those of the first for the second nazirite vow, he has not fulfilled either of his nazirite vows.

CHAPTER THREE

I. Rabbi Ishmael, son of Rabbi Jochanan ben Beroka, said that Bet Shammai and Bet Hillel did not disagree that in the case in which two groups of witnesses testify (one saying that he made a nazirite vow of two years and the other saying he made a nazirite vow of five years), that he is a nazirite for the smaller period of the two. Concerning what did they disagree? Concerning the point that there were two witnesses testifying about him. Bet Shammai says that if their testimony disagrees, he is not obliged to be a nazirite,¹ and Bet Hillel says that there is in the larger sum of five the number 'two,' so that he should be a nazirite for two years.

II. If one said, "Behold, I am a nazirite," and he paused long enough ~~(for someone else)~~ ^{for a friend or acquaintance} to speak, and he heard his companion say "and I," the former is forbidden to make his vow void, but his companion is permitted to make his vow void.² How much time is "enough" ~~(for someone else)~~ to speak? Sufficient time to give a greeting.

III. If one said, "Behold, I am a nazirite" and his companion heard him and said "my mouth is as his mouth"³ or "my hair is as his hair," the latter is also a nazirite. If his companion said "my hand is as his hand"⁴ or "my foot is as his foot,"⁵ he is a nazirite. If he said "my hand is a nazirite" or "my foot is a nazirite," he is not a nazirite. If he said "my head is a nazirite" or "my bulk is a nazirite," he is a nazirite. This is the principle: The inclusion in the vow of anything on which life depends makes one a nazirite. The inclusion in the vow

of anything on which life does not depend does not make one a nazirite.

IV. If a man said to his wife, "Behold, I am a nazirite - how about you?" and she said, "yes," both of them are forbidden to make their own vow void. If he desired to annul her vow, he may annul it, because his vow preceded her assent to the vow (and therefore he did not confirm her vow and need not worry that it still is in force). If she did not say "yes," he is forbidden to make his own vow void, but she is permitted to make her vow void (if he tries to impose it on her against her will).

V. If a man said to his wife, "Behold, I am a nazirite if you are also," and she said "yes," both of them are forbidden to make the vow void. If she did not say "yes," both of them are permitted to make it void, because his vow depends upon her vow.

VI. If his wife said to him, "Behold, I am a nazirite - how about you?" and he said "yes," both of them are forbidden to make the vow void. If he wishes to annul her vow, he is unable, because his assent (to her vow) preceded his own vow.⁶ If he did not say "yes," she is forbidden to make it void, but he is permitted to make her vow void.

VII. If his wife said to him, "Behold, I am a nazirite if you are also," and he said "yes," both of them are forbidden to make their vow void. If he did not say "yes," both of them are permitted to make it void, for her vow depends on his vow.

VIII. If one says to his companion, "Behold, I am a nazirite - how about you?", and he said "yes," both are forbidden to make their vow void. If

he did not say "yes," the former is forbidden to make his vow void, but his companion is permitted to make his vow void.

IX. If one says to his companion, "Behold, I am a nazirite if you are also," and he said "yes," both are forbidden to make the vow void. If he did not say "yes," both of them are permitted to make the vow void, for his vow depends upon his companion's vow.

X. If a woman made a nazirite vow and her friend heard her and said "and I," and afterwards the husband of the first woman came and annulled the vow, she is permitted to void it, but her friend is forbidden to make it void.⁷ Rabbi Simon said that if she said "and I" and only meant that she will be like the first woman, both of them are permitted to make the vow void.

XI. If a woman said, "I swear I shall not enter into this house," and she erred and entered into it, her past error is permitted,⁸ but she is forbidden to enter it in the future.

XII. If a woman made a nazirite vow and her husband heard her and did not annul it, Rabbi Meir and Rabbi Judah said that he put his finger between her teeth,⁹ that if he wished to annul it, he could have annulled it. If he should say, "I dislike a wife who is a nazirite," he may divorce her and return her ketubah.

XIII. Rabbi Jose¹⁰ and Rabbi Simon said that she put her finger between his teeth, that if he desired to annul it and was unable,¹¹ he may say, "I do not like a woman who is a nazirite,"¹¹ and she is divorced without her ketubah.

XIV. If a woman made a nazirite vow and her husband annulled it, but she did not know that her husband had annulled it, and she drank wine or incurred corpse-uncleanliness, she is scourged with forty lashes. When Rabbi Akiba was dealing with this matter, he said that if one intended to get pork, but in fact got lamb, and ate it, he must seek atonement and forgiveness.¹² But if one intended to get pork and did in fact get pork, how much the more must he seek atonement and forgiveness.

This applies¹³ only to polling in a state of ritual purity,¹⁴ but with regard to polling in a state of ritual uncleanliness,¹⁵ he may annul the nazirite vow, for he is annulling for the future, for he is able to say, "I do not like a repulsive woman."¹⁶ Rabbi says that even in the case of polling in a state of ritual purity, her husband may annul her nazirite vow before she has polled, for he may say, "I do not like a polled woman."

XV. If one has made a nazirite vow and then drank wine and incurred corpse uncleanliness, and afterwards consulted a sage and was permitted to make the vow void, he is not scourged with forty stripes. Rabbi Judah says that if he is not scourged with forty stripes,¹⁷ he should be scourged in punishment for disobedience.

XVI. ¹⁸If one sets aside money for his naziriteship, no one may benefit or gain from it because it is designated en toto for bringing peace offerings.¹⁹ If he who set it aside died, and the money was not set aside for specific sacrifices,²⁰ it becomes a free will offering. (If he designated the money by saying,) "This amount is for my burnt offering and the rest of the money is for the rest of my nazirite offerings," and

he died, with the money for the burnt offering they offer a burnt offering and the rest of the money is spent for a free will offering. If he said, "This amount is for my²¹ peace offerings and the rest of the money is for the rest of my²¹ nazirite offerings," and he died, with the money for the peace offerings they offer peace offerings, and the rest of the money is spent for a free will offering. If he said, "This amount is for my²¹ sin offering and the rest of the money is for the rest of my²¹ offerings," (and he died,) the money for the sin offering is cast into the Salt Sea so that no one shall benefit or profit from it. If he said, "This amount is for my burnt offering and this amount is for my sin offering and the rest of the money is for the rest of my nazirite offerings," and he died, the money for the sin offering is cast into the Salt Sea so that no one shall benefit or profit from it. If the money was set aside specifically for each offering, they will cast the money for the sin offering into the Salt Sea so that no one may benefit or profit from it. With the money for the burnt offering they shall offer a burnt offering and profit from it. With the money for the peace offerings they shall offer peace offerings, and they shall be eaten in one day, and they need not be accompanied by a bread offering. If he said, "This amount is for my sin offering and this amount is for my burnt offering and this amount is for my peace offerings," and the money got mixed up, one acquires with it three animals, whether from one place or three places, and redeems the money for the sin offering from the sin offering, and the money for the burnt offering from the burnt offering, and the money for the peace offerings from the peace offerings, and gives the money to the (new) owners (of the animals), but they shall

not give the money to the three owners before they have redeemed all of the animals.

XVII. Bet Shammai says that a man cannot impose a nazirite vow on his son, while Bet Hillel says that a man can impose a nazirite vow on his son. If he imposed a nazirite vow on his son, while he is a minor, and then the son polled or brought two hairs, the naziriteship imposed by his father becomes void.

XVIII. On what occasion do they say that a man can present the hair offering with the funds set aside for the naziriteship of his father? If he made the nazirite vow while his father was alive (he may do so), but if he made the nazirite vow after the death of his father he may not present the hair offering with the funds set aside for the naziriteship of his father. These are the words of Rabbi Jose.²² Rabbi Elazar and Rabbi Meir and Rabbi Judah²³ say that in either case he may not present the hair offering with the funds set aside for the naziriteship of his father. On what occasion, then, do they say that a man can present the hair offering with the funds set aside for the naziriteship of his father? If his father set aside the funds for his naziriteship without designating a certain amount for each of the offerings, and then he died. But if he left funds designated for each of the offerings, or if he left the sacrificial animals themselves, in either case he may not present the hair offering with the funds set aside for the naziriteship of his father.

XIX. If one made a nazirite vow and consulted a sage about an annulment of the vow, and he forbade it, Bet Shammai says that he counts off the days of his naziriteship from the time he consulted the sage. Bet Hillel says that he counts off the days from the time he made the vow. If he consulted a sage and the sage permitted him to annul the vow, both Bet Shammai and Bet Hillel agree that if he had set aside an animal (for the hair offering), it is returned to graze with the herd. (Such a question arose when) Nahum of Media erroneously annulled the vow of those outside Palestine who became nazirites and subsequently discovered that the Temple had been destroyed.

Some men were walking in the road when someone came in sight. One man said, "Behold, I am a nazirite if this is so-and-so," and another man said, "Behold, I am a nazirite if this isn't so-and-so," and a third said, "Behold, I am a nazirite if one of you becomes a nazirite," and a fourth said, "Behold, I am a nazirite if one of you²⁴ is not a nazirite," and a fifth said, "Behold, I am a nazirite if both of them are nazirites," and a sixth said, "Behold, I am a nazirite if all (five) of them are nazirites." Bet Shammai says that all of them are nazirites, and Bet Hillel says that only those whose words were fulfilled²⁵ are nazirites, but they will bring the nazirite hair offerings as a company (if the man disappeared without being clearly seen). Rabbi Judah said in the name of Rabbi Tarphon that none is a nazirite, for naziriteship is only bestowed when he who makes the nazirite vow is certain that he will be bound by the vow.²⁶ Rabbi Jose quotes Bet Shammai in stating that if one said, "Behold, I am a nazirite if this is Joseph" and it is Joseph, or "Behold, I am a nazirite if this is Simon." and it is Simon, he is a

nazirite. If some men saw an hermaphrodite, and one said, "Behold, I am a nazirite if this is a man," and another said, "Behold, I am a nazirite if this is not a man," and a third said, "Behold, I am a nazirite if this is a woman," and a fourth said, "Behold, I am a nazirite if this is not a woman," and a fifth said, "Behold, I am a nazirite if this is both man and woman," and a sixth said, "Behold, I am a nazirite if this is neither man nor woman," and a seventh said, "Behold, I am a nazirite if one of you²⁷ is a nazirite," and an eighth said, "Behold, I am a nazirite if neither of you²⁷ is a nazirite," and a ninth said, "Behold, I am a nazirite if both of you are nazirites," and a tenth said, "Behold, I am a nazirite if all of you are nazirites." Behold, all of them are nazirites,²⁸ and taken as a whole they will count off nine²⁹ naziriteships.

CHAPTER FOUR

I. If a nazirite ate of any of the forbidden foods or drank of any of the forbidden beverages,¹ and had only been warned once, he is only culpable for one transgression. If he had been warned each time he was about to eat yet he ate, or if he had been warned each time he was about to drink yet he drank, he is culpable for each and every transgression. And what measure of food makes a nazirite culpable? An olive's bulk. If all the different foods add up to an olive's bulk, he is culpable. Likewise, the same measure applies for wine and vinegar. How does he determine the bulk of the liquid? He takes a cup brim-full of wine and takes some solid with the bulk of an olive and puts it in the midst of the wine so that it spills over. If he drank as much as spilled over, he is culpable, and if not, he is exempt. These are the words of Rabbi Akiba. Rabbi Elazar ben Azariah exempted the nazirite until he would drink $\frac{1}{4}$ log of wine, whether he poured it and drank it at one sitting, or whether he drank a half at a time.

II. Rabbi Eliezer (ben Hyrcanus)² said that if a nazirite sets his mouth upon the lip of a flask of wine and he is warned once, and he drank all of it, he is only culpable for one transgression. If they warn him and he drinks it and again they warn him and again he drinks it, he is culpable for each and every warning. Similarly, Rabbi Eliezer said that if he took a bunch of grapes and ate of them after receiving one warning, he is only culpable for one transgression. But if they warn him and he eats it, and again they warn him and again he eats it, he is culpable for each and every warning. If he ate grapes either fresh or

dried, or if he ate a quantity consisting of two grape-stones and one skin,³ or if he pressed out of the bunch of grapes an olive's bulk of wine and he drank it, he is culpable for each of these.⁴

III. If a nazirite plucks out by the root or scratches out or cuts with a scissors even one hair, he is culpable (for stripes), but this does not make void the days he was a nazirite unless he does it with a razor and applies it to most of the hair of his head. Rabbi Simon ben Judah said in the name of Rabbi Simon that just as two hairs left uncut prevent one from fulfilling the commandment of polling (at the conclusion of the naziriteship), so also the removal of two hairs makes void the days he was a nazirite.⁵

IV. The law for polling is more stringent (than that for drinking wine or incurring corpse uncleanness)⁶ in that there is no minimum measure (which is exempt from punishment) and the one who polls is punished as the one who is polled,⁷ which does not apply to the other two cases.

Wherein is permission denied to observe possible exceptions to the nazirite rules about the fruit of the vine? If a nazirite (priest) drank Terumah-wine⁸ or if a nazirite drank wine of the second tithe⁹ or if he drank wine to fulfill the oath (made before his nazirite vow) "I shall drink wine,"¹⁰ he is culpable for each and every transgression. Wherein is it permitted to observe the exceptions to the nazirite rules about polling? If a person is definitely diagnosed as a leper (and is healed within the period of the naziriteship), he must poll (and be purified) from his leprous condition. He even polls (when unhealed) to delineate the area of secretion, in order to learn if it has spread or not.

Whether he became unclean or whether others made him unclean, whether he became unclean by error or by insolence, whether by accident or willfully, (after purification), whether he polled or others polled him, whether he polled by error or by insolence, whether by accident or willfully, he annuls thirty (days of his naziriteship).

V. With regard to what time have they said that polling annuls thirty days? When the nazirite does not have as many as thirty days to count off between the polling and the end of the period of naziriteship. If he has thirty or more days to count off, polling does not annul any days.¹¹ If he polled his hair after the sacrifice, and the sacrifice was found to be unfit, his polling is rendered unfit,¹² and it annuls thirty days.

VI. Every nazirite shall send his hair under the kettle (of peace offerings) except the one who is unclean and polls in the province, for his hair is buried.¹³ The unclean one who polled in the Temple sends his hair under the kettle of the sin offering or the kettle of the guilt offering. These are the words of Rabbi Meir. Rabbi Judah says that the unclean ones in both cases do not send their hair under the kettle, while the clean ones in both cases send their hair under the kettle. The Sages say that the unclean ones in both cases and the clean one in the territories (outside of Jerusalem) do not send their hair under the kettle. No one sends his hair under the kettle except the nazirite who polled while clean and at the entrance of the Tent of Meeting (i.e., the Temple), as it is said,¹⁴ "and the nazirite will poll at the entrance of the Tent of Meeting, etc." Rabbi Simon the Shezorite says that a man sends his

hair under the kettle, but a woman does not send her hair under the kettle because of the young priests. In what manner does he send his hair? He puts upon it the gravy (from the cooked peace offerings) and sends it under the kettle containing the peace offerings. If he sends it under the kettle containing the sin offering or the kettle containing the guilt offering, he has fulfilled his vow.

VII. Simon the Just said: "Only once in my life have I eaten the guilt offering of an (unclean) nazirite. It happened that a nazirite came from the South, and I saw that he had beautiful eyes and was handsome of appearance with locks of hair symmetrically arranged. I said to him, "My son, what reason did you perceive to destroy this beautiful hair of yours?" He said to me, "I was a shepherd in my town. Once I went to draw water from the well and gazed upon my reflection (in the water), whereupon my evil inclination rushed upon me and sought to drive me from the world (through sin). But I said to my evil inclination: O wicked one! Why do you vaunt yourself in a world¹⁵ that is not yours, in a thing destined to become dust and maggots and worms. Behold, I am obliged to poll you¹⁶ for the sake of heaven." I bowed my head and kissed him and I said, "May there be many as you in Israel who do the will of God. Concerning you is the Scripture verse fulfilled which says: When a man or woman shall make a special vow to be a nazirite so as to separate oneself unto the Lord, etc."

VII. If a nazirite becomes unclean, and becomes unclean again (on the seventh day of his ritual purification from his former uncleanness),

he brings only one offering for all his periods of uncleanness. If he becomes unclean on the eighth day,^{17 18} and again he becomes unclean on the eighth day,¹⁹ he brings an offering for each and every period of uncleanness. These are the words of Rabbi Eliezer. The Sages²⁰ say that he brings one offering for all his periods of uncleanness up to the time he brings his guilt offering. If he brought his guilt offering and became unclean and brought another guilt offering and again became unclean, he is obliged to bring an offering for each and every period of uncleanness. Rabbi Simon²¹ says that he brings one offering for all the periods of uncleanness up to the time he brings his sin offering.²² If he brought his sin offering²³ and then became unclean, he is obliged to bring an offering for each and every period of uncleanness, for one does not begin to count off the days of naziriteship until he brings his sin offering. If he brought his sin offering but did not bring his guilt offering, they still begin to count them off. If he brought his guilt offering but did not bring his sin offering, they do not begin to count. Rabbi Ishmael son of Rabbi Jochanan ben Beroka says that just as the absence of his sin²⁴ offering prevents him from counting them off, so the absence of his guilt²⁵ offering prevents him from counting them off. Rabbi Simon agrees that if a nazirite polled after a sin offering that was not sacrificed as such, and afterwards brought offerings under their correct designation, his polling is invalid and none of his sacrifices count.²⁶ If he polled after a burnt offering or peace offerings which had not been offered as such, and afterwards he brought the other sacrifices under their correct designation, his polling is invalid and none of his offerings count.

IX. If he brought a two year old animal when only a one year old animal was suitable, or if he brought a one year old animal when only a two year old animal was suitable, or if one of them had mated or had been copulated with, or had been set apart and then worked, or was a harlot's hire, or a gigolo's²⁷ hire, or had a limb too long or too short, his polling is invalid and none of his sacrifices count. And the rest of the nazirite's peace offering which he offered which do not conform to the commandment²⁸ are eaten in one day and night, and do not require a bread offering, nor need they give to the priest the (boiled) shoulder (of the peace offerings). If blood from one of the sacrifices is sprinkled on the nazirite and then he incurs (corpse) uncleanness, Rabbi Eliezer says that he annuls his whole naziriteship. The Sages say that he should bring the rest of his offerings after he becomes clean, because he sanctified his hair through the blood (of the sacrifice).

X. It once happened that Miriam of Palmyra was sprinkled with the blood of one of the sacrifices, and they came and told her that her daughter was dangerously ill, and she went and found that she had died, and she became unclean. The sages said that they should let her bring the rest of her offering after she becomes clean, because she sanctified her hair through the blood (of the sacrifice).

XI. If one made two nazirite vows, and counted off the first vow but did not bring the offerings, he is forbidden to poll or drink wine or to incur (corpse) uncleanness. If he incurred (corpse) uncleanness (after he brought the offerings but) before he polled, Rabbi Eliezer says

that he must bring an offering for uncleanness. Rabbi Joshua²⁹ says
that he need not bring an offering, for he fulfilled the first vow,³⁰ and
has not begun the second vow.

CHAPTER FIVE

I. In all cases which (the Sages) say that one does not begin the counting off (of the days of his naziriteship) until he is cleansed, (they also say that) if he again became unclean (during the seven days of purification) he does not bring a second offering for uncleanness. In all cases which (the Sages) say that he begins the counting off (of the days of his naziriteship) immediately, (even if he is unclean from leprosy or flux, they also say that) if he became unclean (through corpse-uncleanness) he brings an offering for uncleanness. If an object contaminated by corpse-uncleanness happens to be within¹ a wall (of a house where a nazirite is found), even at the midpoint within the wall, or if there is an animal contaminated by corpse-uncleanness in a herd of domestic or wild animals or a flock of birds, that moved in such close contact that they touched head to rear (and a nazirite was under one of the animals), despite this the nazirite does not poll, nor is he culpable for extirpation if he entered the Temple or ate sanctified food² while unclean. Rabbi Elazar says that if there was a corpse under the belly of a camel and a nazirite made contact with the camel, despite this the nazirite does not poll nor is he culpable for extirpation if he entered the Temple³ or ate sanctified food.⁴ Rabbi Elazar says that in former times the Elders were in disagreement. Some of them said that contact with a $\frac{1}{4}$ log of blood or a $\frac{1}{4}$ kab of bones from a corpse causes a nazirite to poll and makes him culpable for extirpation if he enters the Temple or eats sanctified food. Others said a $\frac{1}{2}$ kab of bones and a $\frac{1}{2}$ log of blood. A court which came after them said that contact with a $\frac{1}{4}$ log of blood or a

$\frac{1}{4}$ kab of bones prevents a nazirite from eating heave offering or sanctified food,⁵ but contact with a $\frac{1}{2}$ kab of bones or a $\frac{1}{2}$ log of blood annuls his days of naziriteship (and therefore he polls) and if he entered the Temple he is culpable for extirpation. Rabbi Elazar said, "When I went to Ardaskia,⁶ I found Rabbi Meir and Rabbi Judah ben Betayra sitting in court and rendering the law. Rabbi Judah ben Betayra said that if a nazirite comes in contact with a $\frac{1}{4}$ log of blood, nevertheless he does not poll nor is he culpable for extirpation if he enters the Temple or eats sanctified food."⁷ Rabbi Meir said to him, 'Should this be a more lenient matter than contact with creeping things? Although the penalty for contact with creeping things is light,⁸ yet after contact with it one is culpable for extirpation if he enters the Temple. Now the penalty for contact with a $\frac{1}{4}$ log of blood is more stringent.⁹ Is it not therefore logical that he should be culpable¹⁰ for extirpation if he enters the Temple after contact with a $\frac{1}{4}$ log of blood?' Rabbi Judah ben Betayra was silent before him. I said to him: Meir, do not despise him. Didn't you study under an expert in these matters in the person of Joshua ben Mamil? He said to me, 'Yes, and he was a master of the law.' I spoke to Rabbi Meir thusly. He said to me¹¹ in the name of Rabbi Joshua, 'All contact with the dead for which a nazirite must poll makes him culpable for extirpation if he enters the Temple, and all contact with uncleanness for which a nazirite does not poll does not make him a culpable for extirpation if he enters the Temple.' And I agree with his words."

II. They asked Rabbi Simon, "If a person who was both a nazirite and a leper polled once, does it fulfill the polling requirements for both naziriteship and leprosy?" He said to them, "He does not poll (once)."

They said to him "Why?" He said to them, "If the polling for nazirite-ship and the polling for leprosy are both for the purpose of removing hair, then your suggestion would be sound, but a nazirite polls to remove his hair (without obligation to grow it back for the sake of the mitzvah) while a leper polls in order to grow it back (for a second polling as part of the mitzvah)." They said to him, "We likewise believe that the polling of the leper at the conclusion of his period of uncleanness cannot also count (for the nazirite polling), but could not the second polling of the leper after he counts off seven days count (also for the nazirite polling)?"¹² ¹³He said to them, "If both the (cured) leper and the nazirite polled after the sprinkling of the blood of the sacrifice, your suggestion would be sound. But a nazirite polls after the sprinkling of the blood and a (cured) leper polls before the sprinkling of the blood." They said to him, "We likewise believe that the second polling of the leper does not count for the polling of a clean nazirite, but could not the second polling of a leper count for the polling of an unclean nazirite?"¹⁴ He said to them, "If the leper who is about to make his second polling and the unclean nazirite both poll after the immersion in water, your suggestion would be sound, but an (unclean) nazirite polls after the immersion in water and the leper makes his second polling before the immersion in water." They said to him,¹⁵ "The delineation of the issue is that if the second polling of the leper which follows the counting off of seven days does not count for him, the first polling of the leper at the conclusion of his uncleanness does; if the polling of a clean nazirite does not count for him, the nazirite polling for uncleanness does. A nazirite who incurs corpse uncleanness and a leper who

takes a nazirite vow polls once for both of them."

III. If a person said to two nazirites, "I saw one of you become unclean, but I don't know which of you it was," they count off thirty days and¹⁶ bring the nazirite offering for uncleanness and the offering for a clean nazirite. Each then says, "If I am unclean, the nazirite offering for uncleanness is mine and the offering for a clean nazirite is yours, but if I am clean, the offering for a clean nazirite is mine and the nazirite offering for uncleanness is yours." (Again) they count off thirty days and bring the nazirite offering and the offering for a clean nazirite. Each then says, "If I was unclean, the first nazirite offering for uncleanness was mine and the first offering for a clean nazirite was yours and this (present offering) is my offering as a clean nazirite,¹⁷ but if I was clean all along the first offering for a clean nazirite was mine and the first offering for uncleanness was yours and this is your offering for a clean nazirite."

IV. If one of the two nazirites died, Rabbi Joshua says that the surviving nazirite should seek someone from the street to take a nazirite vow so as to correspond to the status of the deceased nazirite.¹⁸ He says to him, "If I was the one who became unclean, you are a nazirite immediately, but if I was the one who was clean, you will be a nazirite after thirty days." They count off thirty days and bring the nazirite offering for uncleanness and the offering for a clean nazirite. Then he says, "If I am unclean, the nazirite offering for uncleanness is mine and the offering for a clean nazirite is yours, but if I am clean, the offering for a clean nazirite is mine and the nazirite offering for

uncleanliness is given by you because of my doubtful status." (Again) they count off thirty days and bring the nazirite offering for uncleanness and the offering for a clean nazirite. Then he says, "If I was unclean the first nazirite offering for uncleanness was mine and the first offering for a clean nazirite was yours, but if I was clean the first offering for a clean nazirite was mine and the nazirite offering for uncleanness was yours (because of my doubtful status) and this is your offering for a clean nazirite." For the first period of thirty days and the last period of thirty days, each is forbidden to poll or drink wine or incur corpse-uncleanliness. If the surviving nazirite polled or drank wine or incurred corpse-uncleanliness during the first period of thirty days he is smitten with forty lashes, but if he did it during the second period of thirty days he is exempt from lashes.

CHAPTER SIX

I. In the case of a person who is with certainty a nazirite, but there is doubt whether he was or was not suffering from (corpse) uncleanness (when he made his nazirite vow), and in addition he is with certainty a (cured) leper, but there is doubt whether he was or was not (confirmed by a priest as) suffering from leprous uncleanness, he may eat sanctified food after sixty days¹ and may drink wine and incur (corpse) uncleanness after one hundred and twenty days. How does this work out in detail? They say to him, "Perhaps you are an unclean nazirite, and an unclean nazirite does not poll until the seventh day (of his uncleanness).² Go forth and count off this seven day period and receive two sprinklings, at which time you will poll and bring offerings." He counted off the seven days and wished to poll, but they said to him, "Perhaps you were a clean nazirite all along, and a clean nazirite does not poll before thirty days. Go forth and count off twenty-three more days to complete the thirty day period."³ He counted off the thirty days and wished to poll, but they said to him, "Perhaps you are a clean nazirite, and a clean nazirite does not poll until the blood (from one of the sacrifices is sprinkled upon him)." What does he do? He brings an animal for a burnt offering, and stipulates and says, "If I was a clean⁴ nazirite all along, I give this (burnt offering) by obligation, but if not, I give this as a free-will offering." In what manner are stringencies applied to him?⁵ He brings a new earthenware bowl and puts a quarter of a log of running water in it, and he brings two birds,⁶ and he slaughters one of them in the earthenware bowl upon running water, and he digs a hole and buries

the bird in someone's presence, for it is forbidden to derive benefit from it. He then brings a sin offering of a bird, and stipulates⁷ and says, "If I was an unclean (nazirite) all along, I give this sin offering by obligation and the burnt offering (I gave before) as a free-will gift, but if I was a clean nazirite all along, the burnt offering I gave before fulfills my obligation and I give my sin offering because of my doubtful status."⁸ Then he polls his head and beard and eye-brows according to the polling procedure for lepers. Then he counts off thirty days⁹ and brings another burnt offering of an animal, and he stipulates and says, "If I was a clean¹⁰ (nazirite) all along, the first burnt offering I gave fulfilled my obligation, and the one I am now giving is a free-will offering, and I gave the sin offering of a bird because it might be that I am responsible for it."¹¹ And if I have just become clean (after these sixty days), the first burnt offering I gave as a free-will offering, and I give this one by obligation, and I gave the sin offering of a bird because of my doubtful status."¹² Then he polls his head and beard and eye-brows according to the polling procedure for lepers. Rabbi Simon says that on the day after (the polling) he brings his guilt offering, and his log (of oil) is still with him,¹³ and they have him stand by the Gate of Nicanor, and he stipulates and says, "If I am a leper, this is my guilt offering, and if not, it is a peace offering and is given as a free-will offering. This guilt offering is slaughtered at the north side (of the Temple), and requires the ritual of the thumb, (ear), and big toe as well as the laying of the hands and drink offerings and the wave offering of the breast and the thigh, and it is eaten by the male members of the priesthood. But the Sages do not agree with Rabbi Simon because they

might bring sanctified food to a place where it would be rendered unfit. He cannot bring a sin offering of an animal, for one cannot offer a sin offering of an animal whenever there is a doubt. Nor can he bring a sin offering of a bird, because a rich (leper) does not fulfill his obligation by bringing the offering of a poor (leper).¹⁴ What shall he do? He should write off his assets to another person and bring the offerings of the poor (leper). Now that he is poor, he brings a sin offering of a bird, and stipulates and says, "If I am a leper,¹⁵ this is my sin offering,¹⁶ and if not, this is given because of my doubtful status." Then he eats sanctified food immediately. But he may not drink wine or incur corpse uncleanness, for any days he spent as a nazirite within the period that he was a leper do not count towards his nazirite vow.¹⁷ What shall be done with him? Shall it be according to the words of Ben Zoma, who says that he counts off thirty days and brings a burnt offering of an animal and polls, and then brings a sin offering of a bird, and stipulates and says, "If I was unclean, I gave my sin offering by obligation and the burnt offering as a free-will offering. But if I was clean, I gave the burnt offering by obligation and the sin offering because of my doubtful status."¹⁸ Then he counts off thirty more days and brings his peace offerings. Then he brings a burnt offering of an animal and stipulates and says, "If I was clean¹⁹ I gave the first burnt offering by obligation²⁰ and this one as a free-will offering²¹ and the sin offering of a bird because of my doubtful status.²² But if I was unclean,²³ I gave the first burnt offering²⁴ as a free-will offering and this one by obligation and the sin offering of a bird by obligation."²⁵ Then he polls²⁶ and may drink wine or incur (corpse) uncleanness

immediately. To which case does this apply? To the case of one who made a nazirite vow of thirty days. But if he made a nazirite vow for twelve months, he may eat sanctified food after two years, and drink wine and incur (corpse) uncleanness after four years. If (one was a nazirite but) there was doubt whether he had or had not incurred (corpse) uncleanness (at the time he became a nazirite), and he was also a confirmed leper (and now he is cured), he may eat sanctified food after eight days, and may drink wine and incur (corpse) uncleanness after sixty-eight days.²⁷ If one was a nazirite and had definitely incurred (corpse) uncleanness (at the time he became a nazirite) and (while he is now cured of leprosy) there is doubt whether he was a confirmed leper formerly, he may eat sanctified food after thirty-seven days, and may drink wine and incur (corpse) uncleanness after seventy-four days. If one was a nazirite and had definitely incurred (corpse) uncleanness (at the time he became a nazirite) and was a confirmed leper (but is now cured), he may eat sanctified food after eight days, and drink wine and incur (corpse) uncleanness after forty-four²⁸ days.

II. As to all of the communal and individual offerings, the frontlet of the high priest²⁹ effects acceptance of blood uncleanness and body uncleanness except from the uncleanness of the nazirite and he who makes the Passover sacrifice, where it effects acceptance of blood uncleanness but does not effect acceptance of body uncleanness. And if³⁰ one incurred uncleanness from a deep-buried corpse, it also effects acceptance for this. In what manner? If one was about to slaughter his Paschal lamb, and someone said to him, "You were near a corpse in the

house which you entered" or "(a corpse was) under the rock upon which you sat," and it was made known to him³¹ either after he slaughtered his Paschal lamb or before he slaughtered his Paschal lamb, he must slaughter a Paschal lamb on the Second Passover. On the other hand, if they said to him, "A deep-buried corpse was beneath you when you entered the house" or "(A deep-buried corpse was) under the rock upon which you sat," and it was made known to him before he slaughtered his Paschal lamb, he must slaughter a Paschal lamb on the Second Passover. (If it was made known to him) after he slaughtered his Paschal lamb, he need not slaughter a Paschal lamb on the Second Passover.

III. And likewise, if a nazirite went to bring his offerings, and they said to him, "A corpse was near you in the house which you entered" or "(a corpse was) under the rock upon which you sat," were it made known to him after he had brought his offerings or before he brought his offerings, he must bring a sin offering. On the other hand, if they said to him, "A deep-buried corpse was beneath you when you entered the house" or "(A deep-buried corpse was) under the rock upon which you sat," and it is made known to him before he brought his offerings, he must bring a sin offering. But if it is made known to him after he brought his offerings, he need not bring a sin offering.

IV. There is a stringency which applies to one's wife and daughter which does not apply to one's slave and bondmaid, and likewise there is a stringency which applies to one's slave and bondmaid which does not apply to one's wife and daughter. While one can make the vows of one's wife and daughter void, he cannot compel them to break (a nazirite vow) by

drinking wine or incurring corpse-uncleanliness. While he cannot make the vows of his slave and bondmaid void, he can compel them to drink wine and to incur corpse-uncleanliness. But they only drink wine and incur corpse-uncleanliness in his presence.

V. Rabbi Jose says that if a master says to his servant, "You shall drink wine and incur corpse-uncleanliness for two years," then he drinks wine and incurs corpse-uncleanliness in his presence and outside his presence.

VI. To what may the master compel his slave? To make a nazirite vow, but may not compel him to make (other) vows and oaths.³² If a slave made a nazirite vow and made his hair offering³³ and then became free, he has fulfilled his nazirite vow. If a slave made a nazirite vow and did not make his hair offering, and then became free, he has not fulfilled³⁴ (any part of his nazirite vow). If he had incurred (corpse) uncleanliness and (while still unclean) became free, he counts off (the seven days of uncleanliness) from the day he became unclean.

INTRODUCTION TO
TRACTATE NEZIRUT IN THE TOSEPHTA

CHAPTER SEVEN

QUESTIONABLE NAZIRITE VOWS

The class of vows we term "questionable nazirite vows" consists of three categories of vows: those that are conditional, those that are made in error, and those that are brought before a Sage for the purpose of annulment.

Both the Mishna and the Tosephta discuss nazirite vows that are brought before a Sage for annulment. Mishna 5:3 states that if a nazirite consults a Sage, and the Sage says that the vow is still binding, the nazirite counts the thirty days from the time he vowed. Tos 3:19 fills in the background for this decision. In a case in which the Sage declares that the nazirite vow is still binding, Bet Shammai says that the nazirite counts the thirty days from the day he consulted the Sage, while Bet Hillel says that he counts from the day he made the vow. Without citation, Mishna 5:3 adheres to the opinion of Bet Hillel. Both Mishna 5:3 and Tos 3:19 agree that if the Sage annuls the vow, the animals set aside for the nazirite sacrifices go back to the flock. Tos 2:15 and 3:15 give additional baraitas about the consultation with a Sage. Tos 2:15 states that if one made two nazirite vows, and after fulfilling the first, had the first vow annulled by a Sage, the fulfillment of the first (annulled) vow counts for the second vow. Tos 3:15 notes that if one transgresses a nazirite vow and then has it annulled by a Sage, he is not punished with stripes. But Rabbi Judah says that he gets stripes for disobedience.

The Mishna and the Tosephta deal at length with the nazirite vow made in error. The basic principle for this discussion is found in Mishna

Nedarim 3:1, where we learn that the Sages declared that vows made in error are not binding. On the other hand, in Mishna Nedarim 9:2, the Sages forbid annulling a vow made by reason of what befalls unexpectedly. Within these limits is the law established.

With regard to the nazirite vow made in error, Mishna 5:4 gives the example of a man who made a nazirite vow and then discovered that the animals he set aside for the nazirite sacrifices were lost or stolen. This was a vow made in error in the sense that had he known that these animals would not be available for sacrifice, he would not have made a nazirite vow. The decision in this case is that if he made the vow before the animals were missing, the vow is still binding, but if he made the vow after the animals were missing, he is released from the vow. A case similar to this is mentioned in Tos 3:19 and is elaborated upon in Mishna 5:4. When the Temple was destroyed, Nahum the Mede released non-Palestinian nazirites from their nazirite vows because they were made in error; had they known that the Temple would be destroyed, they never would have made the vows. But the Sages overruled him, and applied the same criteria as in the case of the missing animals. This is, if the nazirites made the vow before the Temple was destroyed, the vows are still binding, while if they vowed after the Temple was destroyed, they are released from their nazirite vows. We may link up these two decisions with the general principles outlined above in Mishna Nedarim 3:1 and 9:2. If the vow was made before the unexpected event, it cannot be annulled, because this is not really an erroneous vow, but merely a vow in which something unexpected happened. If the vow is made after the unexpected event, the vow was made in ignorance of existing facts, and therefore is truly erroneous. In

Tos 2:3, Rabbi Simon cites what he considers to be the most clear-cut case of an erroneous vow meriting annulment: the person who makes a nazirite vow without realizing that he is forbidden to drink wine or incur corpse uncleanness. But in Mishna 2:4 we learn that, despite R. Simon's opinion, the anonymous opinion holds that it is forbidden to annul this vow - perhaps because such ignorance is so improbable that it is likely that anyone who claims this excuse is lying.

The question of whether a nazirite vow involves an error or an unexpected event is further discussed in Tos 2:8,9 and Mishna 2:8. In these two cases, Rabbi Judah is lenient, considering the vows to be made in error. Rabbi Simon is stricter, considering them to be merely vows which precede unexpected events. In Tos 2:8 and Mishna 2:8 we read of a man who vows to become a nazirite if a son is born to him. But it turns out that there is doubt whether the child will survive. Mishna 2:8 makes it clear that this is because he was a premature baby. Rabbi Judah considers this to be a vow made in error, for had the man known that the baby would be premature, he would have never made the vow. Rabbi Simon, more in accord with previously cited principles, holds that this is merely a vow which precedes an unexpected event. If the baby survives, he is by obligation bound to his vow. If the baby dies, he is not truly bound to the vow, for a male fetus cannot be fully equated with a son, but because this is merely a vow which met with unexpected circumstances, he should of his own free will fulfill his vow of naziriteship.

The second case, found in Tos 2:9, tells of a man who makes a nazirite vow on condition that there are 100 kors in a heap of grain, but afterwards the grain is lost or stolen. Rabbi Judah holds that this is a

vow made in error, for had the man known that the grain would be missing, he never would have made the vow. Rabbi Simon views this as a vow which precedes an unexpected event, and requires that the man fulfill the vow, declaring that it is by obligation if the heap did contain 100 kors and by his own free will if it contained less than 100 kors.

Our third category of questionable nazirite vows concerns the conditional vow, of which the cases cited in Tos 2:8,9, and Mishna 2:8 (the premature baby and the missing heap of grain) are examples. Conditional vows are of two types: those which depend on the outcome of an event, and those which depend on someone else making a nazirite vow. Tos 2:8,9 obviously depend upon the outcome of an event. So too, Tos 1:3, which relates of the case of a person who vows to be a nazirite if he does not expose to suspicion of illegitimacy the lineage of a certain family. His obvious intention is to expose them, and he uses the vow to emphasize his determination. But he is in fact forbidden to expose the improper lineage of a family without a corroborating witness, for such a charge would require two witnesses. Therefore his accusation would amount to slander. Hence the Rabbis compel him to remain silent and to fulfill his nazirite vow. Tos 2:2 and Mishna 2:4 mention the somewhat similar case of a person who makes a nazirite vow on condition that he may drink wine and/or on condition that he may incur corpse uncleanness. These conditions are of course contrary to the Torah, and therefore have no validity. Hence he is a nazirite, and is still forbidden to drink wine or incur corpse uncleanness.

The conditional vow, used appropriately to emphasize one's

intention or to express one's intense desire that a future event take place, can also degenerate into a procedure for making wagers. In Mishna 5:5 and Tos 3:19 we read of a group of six men, one of whom vows to be a nazirite if a certain person whose identity is uncertain turns out to be X, and a second of whom vows to be a nazirite if the person does not turn out to be X. Then the rest of the members of the group back up the wagers of the original two betters with additional nazirite vows. Bet Shammai says that they are all nazirites, while Bet Hillel says that only in those cases where the conditions of the vows are met is naziriteship imposed. The final opinion in Mishna 5:5 is that of Rabbi Tarphon, who says that none of them are nazirites. The final opinion is the same in Tos 3:19, but it is attributed to Rabbi Judah in the name of Rabbi Tarphon. The Tosephta tells us that the reason Rabbi Tarphon negated all the nazirite vows is that naziriteship is only bestowed when he who makes the nazirite vow is certain that he will be bound by the vow. The clear intent of Rabbi Tarphon is to prevent naziriteship from degenerating into a procedure for making wagers.

If the person whose identity was in question disappears from view, according to Tos 3:19, Bet Hillel says that they all will bring nazirite offerings as a company. The first opinion in Mishna 5:6, which is anonymous, states that none of them is a nazirite. The second and final opinion in Mishna 5:6 agrees with Tos 3:19, i.e., that they will bring nazirite offerings as a group. This is Rabbi Simon's opinion, in accord with his principle that this is not an erroneous vow, but rather a vow which preceded an unexpected event. Rabbi Simon further elaborates on

the opinion of Tos 3:19 by stating that each member of the group says, "If it was according to my words, I will be a nazirite by obligation; but if not, I will be a nazirite by my own free will."

Tos 3:19 cites another case of a nazirite vow made in wager. This time, a group of men are betting about the sex of a hermaphrodite. Since one can not fix the sex of an hermaphrodite, and everyone's conjecture is partially true, according to the anonymous opinion, they are all nazirites. A similar case is reported in Mishna 5:7, where a group of men bet whether a koy is a wild or domestic animal. But just as one cannot fix the sex of an hermaphrodite, so one cannot accurately determine whether a koy fits into the category of a wild or domestic animal. Therefore everyone's statement is partially true, and according to the anonymous opinion, they are all nazirites.

Both the Tosephta and the Mishna discuss conditional nazirite vows which depend upon the making of a nazirite vow by another person. In Mishna 4:1 we learn that if A says "I am a nazirite" and B says "I too" and then C says "I too," if A is released from his vow, B and C are also released. But if C is released, A and B are still bound by their vows. In Tos 3:9 we read that if A vows on condition that B vows, if B does vow, neither of them can annul it. But if B demurrs, both are released. In contrast to this, in Tos 3:8 we learn that if A vows and merely invites B to vow (without making his own vow conditional), if B consents, neither of them can annul it, but if B demurrs, A is still bound by his vow.

A special type of conditional vow are those made by a husband and wife. This type differs from the preceding in that under certain

circumstances, the husband is permitted to annul his wife's vow without her consent.

Tos 3:4 and Mishna 4:1,2 deal with the case of a man who says, "I am a nazirite" and asks his wife to do likewise. Should his wife agree to make a nazirite vow, the husband may annul her vow, but each cannot annul his or her own vow. Tos 3:4 adds that if she demurrs, his vow still remains in force. Furthermore, he cannot compel his wife to make a nazirite vow along with him if she is unwilling.

Tos 3:6 and Mishna 4:1,2 deal with the opposite case of a woman who says "I am a nazirite" and asks her husband to vow likewise. Should her husband agree to make a nazirite vow, the husband may not annul her vow, nor can each annul his or her own vow.

In the above two cases, the most significant point concerns when the husband may or may not annul the vow of his wife. The Tosephta indicates that the wife's vow is irrevokable only if her husband assents to it after it is made. In the first case, he gives no assent after the vow is made, and therefore he can revoke his wife's vow. In the second case, the husband, by joining his wife in her vow, logically and tacitly approves of her vow, and therefore may not abrogate it.

Tos 3:5,7 deal with completely conditional cases. If the husband says to his wife, "I am a nazirite if you are also," and his wife agrees to the vow, both are forbidden to annul it. But if she demurrs, neither of them is bound by the vow.

Tos 3:10 deals with a triangle of two women and one husband. In this case, Mrs. X makes a nazirite vow and Mrs. Y says "I also." If Mr. X annuls his wife's vow, Mrs. Y is still under the vow, because Mrs. Y

did not make a conditional vow with Mrs. X. But Rabbi Simon states that if Mrs. Y meant it to be conditional (e.g., "I will if you will"), when Mr. X voided Mrs. X's vow, he also voided Mrs. Y's vow.

Tos 3:12,13 present contrasting views concerning what a husband can do if his wife makes a nazirite vow and he neglected to annul it during the day he heard it. Rabbi Meir and Rabbi Judah say the husband is stuck, for if he is angry enough about the vow to divorce his wife, he must give her back her ketubah. Rabbi Jose and Rabbi Simon say that she is stuck, for if he divorces her, he need not return her ketubah.

Mishna 4:3 and Tos 3:14 deal with the case of a woman who makes a nazirite vow, and unbeknownst to her, her husband annuls it. Thinking she is still a nazirite, she nevertheless drinks wine or incurs corpse uncleanness. For this, she receives forty stripes. Mishna 4:3 adds that these forty stripes are not for breaking the nazirite vow, but for disobedience.

The Mishna and the Tosephta deal with the question of what is the length of time after which a husband may still annul the nazirite vow of his wife. The basic decision is found in Mishna Nedarim 10:8 (based on Num 30:6-8) to the effect that the husband can only nullify his wife's vow on the day that he hears of it. But the Rabbis relent in this matter in order to preserve the marriage. In Mishna 4:5 the anonymous opinion holds that after the priest tosses the blood from one of the sacrificial animals, the husband may no longer revoke his wife's nazirite vow. Rabbi Akiba is a bit more strict in stating that even after one of the sacrificial animals is slaughtered, the husband may no longer revoke his wife's

nazirite vow. Mishna 4:5 and Tos 3:14 add that the above only applies to the sacrifices made at the conclusion of naziriteship. But if she became unclean, and was bringing the sacrifices of an unclean nazirite in order to start her period of naziriteship afresh, the husband may revoke her vow by threatening divorce, saying "I dislike a repulsive woman." Rabbi, in the final opinion, is most liberal of all, for he says that the husband may annul his wife's nazirite vow at any time (even if she is clean) by threatening divorce, saying "I dislike a polluted woman."

Mishna 9:1 and Tos 6:4 warn that one may revoke his wife's nazirite vow, but he cannot compel her to break it, through wine or corpse uncleanness.

In analyzing the discussions in the Tosephta and Mishna concerning the questionable nazirite vow, we derive a picture of Tractate Nezirut vis-a-vis Tractate Nazir.

In the matter of nazirite vows brought before a Sage for annulment, we find three cases in the Tosephta and one case in the Mishna. Mishna 5:13 and Tos 3:19 both discuss the same case, but Tos 3:19 gives us more detail. Whereas Mishna 5:3 merely gives us an anonymous opinion, Tos 3:19 tells us of both sides of the issue and on which of the sides Bet Hillel and Bet Shammai stand in the issue.

With regard to the vow made in error, four cases are presented. Three of them are discussed by both Tosephta and Mishna, while the fourth appears only in the Tosephta. In the first case, Mishna 5:4 gives a fuller narrative description than Tos 3:19. In the second case, Mishna 2:4 gives both the anonymous opinion and the opinion of Rabbi Simon,

while Tos 2:3 only tells of the opinion of Rabbi Simon. In the third case Mishna 2:8 augments Tos 2:8 with additional clauses, but the anonymous opinion of Mishna 2:8 is identified as Rabbi Judah in Tos 2:8. Also, the Tosephta gives the reason for each man's decision. The fourth case is found in Tos 2:9.

In the sub-category of conditional vows which depend upon the outcome of an event, there are eight cases. Two of them are mentioned above, that is, the case discussed in Mishna 2:8 and Tos 2:8 and the case discussed in Tos 2:9. The third case appears alike in Tos 2:2 and Mishna 2:4, and the fourth one occurs only in Tos 1:3. The fifth through eighth cases deal with wagers. In the fifth case, Tos 3:19 elaborates on Mishna 5:5, giving a fuller list of the authorities who cite the opinion and giving the reason for the opinion. The sixth case is mentioned in Tos 3:19 and Mishna 5:6. Tos 3:19 identifies the anonymous opinion in the Mishna as Bet Hillel, while Mishna 5:6 records the additional opinion of Rabbi Simon. The seventh case is found in Tos 3:19 alone and the eighth case is found only in Mishna 5:7.

In the sub-category of conditional vows which depend upon another person making the vow we have eleven cases. The first three cases are in Mishna 4:1, Tos 3:8 and Tos 3:9. They are closely related cases, and when taken together form a logical unit. The fourth case is presented in Mishna 4:1,2, and Tos 3:4 gives additional clauses as well as the reasoning behind the decision. The fifth case is presented in Mishna 4:1,2 and Tos 3:6 gives additional clauses as well as the reasoning behind the decision. The sixth case appears in Tos 3:5,7, the seventh in Tos 3:10,

and the eighth in Tos 3:12,13. The ninth case is discussed in Tos 3:14 and is clarified in Mishna 4:3. In addition, Mishna gives a contrary anonymous opinion. In the tenth case the first part of the discussion only appears in Mishna 4:5, while the last part appears in both Mishna 4:5 and Tos 3:14. The eleventh case appears in Mishna 9:1 and Tos 6:4.

We may draw the following conclusions from this analysis. Ten cases are presented jointly by Mishna and Tosephta, ten only by Tosephta, and two only by the Mishna. Thus the Tosephta has more to say about the questionable vows than does the Mishna. In terms of the details in each case, the Mishna gives a little more data than the Tosephta. Two very significant facts to note are that the Mishna never gives reasons for its decisions, while in four cases the parallel passage in the Tosephta does state reasons for the decisions. Secondly, the Tosephta identifies three anonymous opinions in the Mishna, one of Rabbi Judah and two of Bet Hillel.

CHAPTER EIGHT

^M
THE SANSON-TYPE NAZIRITE VOW

Only Mishna 1:2 and Tos 1:5 discuss Sansom^{wn}-type naziriteship. In the Tosephta, Rabbi Simon says that if one states "I am like Sansom²," he has not made a vow, for Sansom² did not vow naziriteship upon himself. The Tosephta adds, however, that if one makes a vow with a substitute word for 'Sansom,' he has made a Sansom-type nazirite vow. Mishna 1:2 ignores Rabbi Simon's statement, and contrary to it, asserts that a person becomes a Sansom-type nazirite if he says "I am like Sansom" or if he makes the vow with a substitute word for 'Sansom.'

The only additional decision which Tos 1:5 records is that of Rabbi Judah, who says that a Sansom-type nazirite is permitted to incur corpse-uncleanliness, because Samson himself incurred corpse uncleanliness. Mishna 1:2 incorporates Rabbi Judah's opinion (without citing him) in a well-organized (anonymous) comparison of the rules which apply to the life-long nazirite and to the Sansom-type nazirite. The former must bring offerings if he becomes unclean, but the latter does not. The former may lighten his hair from time to time if he brings hair offerings after each polling, while the latter is forbidden to poll.

To summarize, we see that Mishna 1:2 and Tos 1:5 have a difference of opinion, the Mishna finding Rabbi Simon's ruling unacceptable. We also note that the Mishna gives a more detailed and better organized treatment of the laws for the Sansom-type of naziriteship. We also note that the material in the Mishna is anonymous, while in the Tosephta the rabbinic authority is cited. Lastly, we note that in the Tosephta, reasons are given for the decisions which are tendered.

CHAPTER NINE

TESTIMONY CONCERNING NAZIRITESHIP

Two cases dealing with testimony given about nazirites are discussed by both the Mishna and the Tosephta.

The first case is discussed in Mishna 3:7 and Tos 3:1. Mishna 3:7 relates of a situation wherein there are two pairs of witnesses, the first pair testifying that so-and-so vowed five periods of naziriteship and the second pair testifying that he vowed two periods of naziriteship. Bet Shammai says that their testimony, being at variance, is invalidated, so that the nazirite vow is in no way binding; Bet Hillel says that he is still obligated for two periods of naziriteship, since the number 'two' is included within 'five.' Tos 3:1 presents a contrary picture, for it relates that Rabbi Ishmael, son of Rabbi Jochanan, said that Bet Shammai and Bet Hillel did not disagree about testimony presented by two pairs of witnesses, for they both decided that so-and-so would be bound to two periods of naziriteship. Rather did they disagree, if one witness testified that he vowed five periods and another (single) witness testified that he vowed two periods. In this case, Bet Shammai says that the vow is in no way binding, while Bet Hillel says that he must serve two periods of naziriteship because 'two' is included within 'five.'

The second case is taken up in Mishna 8:1 and Tos 5:3,4. Tos 5:3 and the first part of Mishna 8:1 tell of a man who testifies that he saw one of two nazirites incur corpse-uncleanliness, but he does not know which one. Then the first part of Mishna 8:1 and Tos 5:3, in identical fashion, outline an elaborate procedure to insure that neither of the two

vows are broken. The second part of Mishna 8:1 and Tos 5:4 continue the above discussion with the added complexity that one of the two nazirites suspected of uncleanness dies. Tos 5:4 outlines a procedure and Mishna 8:1 outlines a somewhat similar procedure. But both procedures hinge on the need that the surviving nazirite get someone from the street to make a nazirite vow in place of the deceased nazirite. At this point, the discussion ends in Tos 5:4. But in Mishna 8:1 Ben Zoma says that it is quite possible that no one will consent to take a nazirite vow in place of the deceased nazirite. Ben Zoma then outlines a completely different procedure for the surviving nazirite to follow, and the Sages concur with him.

To summarize, we see that in the first case, the Tosephta gives more data than the Mishna, while in the second case, the Mishna gives more data than the Tosephta. More significantly, we see that in both cases, the Mishna and Tosephta reach different conclusions.

CHAPTER TEN

LENGTH OF THE PERIOD OF NAZIRITESHIP

There is great diversity permitted in the wording of a nazirite vow, and oftentimes it becomes unclear as to what duration of naziriteship the vower intended. The Rabbis, in the Mishna and the Tosephta, try to fix the length of the period of naziriteship for any possible vow a person might make.

Mishna 1:3 and 6:3 both state that a nazirite vow of undefined length lasts for thirty days. Tos 2:10 gives the background to this decision. The Rabbis debated whether a vow of thirty days is the same as a nazirite vow of undefined length. Rabbi Simon ben Elazar said that both Bet Shammai and Bet Hillel agreed that one who makes a nazirite vow of thirty days must not poll before the thirty-first day. This implies that the vow is not completed until the very end of the thirtieth day. If he should poll on the thirtieth day, he has broken his vow, and must repeat the period of naziriteship. But, according to Rabbi Simon ben Elazar, Bet Shammai and Bet Hillel disagreed concerning the permitted polling day for a person who makes a nazirite vow of undefined length. Bet Hillel says that he must poll on the thirty-first day, and that if he polled on the thirtieth day, the vow is broken. But Bet Shammai holds that even if he polled on the thirtieth day, he has fulfilled his vow. The anonymous decision of Mishna 1:3 and 6:3 accepts the opinion of Bet Shammai.

The Rabbis also consider nazirite formulas which make one responsible for multiple vows. Mishna 1:3 states that if one vows "one long

period" or "one short period" or even "from now to the end of the world" this only implies a vow of thirty days. If he vows to be "a nazirite and for one day more" or "a nazirite and one hour more" or "for one period and one-half," he has vowed two periods of naziriteship. If he says "thirty days and one hour" he has vowed thirty-one days, for they do not measure periods of naziriteship in hours. Tos 1:2 brings further information. Rabban Simon ben Gamliel says that if one vows "naziriteships," he has vowed two periods. If he says "a nazirite and one more" he has vowed two periods. If he says "a nazirite and one more and yet one" he has vowed three periods. If he says "a nazirite and one more and yet one and one further" he has vowed four periods. Symmachus explains the use of Greek numerals in the vow. If he says "Behold, I am a nazirite tetragon," he has vowed four periods; if he says "dregon," he has vowed three periods; if "tigon," two periods.

Certain nazirite vows entail a much longer duration of naziriteship. Mishna 1:6 tells of a man who vows "from here to such-and-such a place." The Rabbis then count the number of days it would take to make such a journey. If it is under thirty days, he is nevertheless a nazirite for thirty days. If the trip takes longer than thirty days, he is a nazirite for however long the journey may be. Mishna 1:7 tells of one who vows naziriteships "according to the number of days of the solar year." He is held accountable for 365 periods of naziriteship. The decision of Mishna 1:7 is included in the statement of Tos 1:3. Tos 1:3 states that if one vows "for the number of hours in a day" or "for the number of months in a year," he is liable for twelve periods. If he vows

"for the number of days in a week" or "for the number of years for a Sabbatical Year" or "for the number of Sabbatical Years for a Jubilee Year," he has vowed seven periods. If he vows according to the number of days in a solar year," he is liable for 365 periods. If he vows "according to the number of days in a lunar year," he has vowed 354 periods. But Rabbi says that this is not so unless he specifically says "for naziriteships according to...."

Finally, the Rabbis consider vows which might be in force forever i.e., as long as the person lives. In Tos 1:3 Rabbi Judah says that if one vows to be a nazirite "according to the number of piles of fruit in the Summer" or "according to the number of ears of grain in the Sabbatical Year," he is a nazirite forever, and polls every thirty days. But the Rabbis figure that the maker of the vow did not really wish to be a nazirite forever, and they let him quit his naziriteship when he says "I did not mean this." An even more vague vow is found in Mishna 1:5, where one vows "a houseful" or "a basketful." Therefore the Rabbis inquire more closely. If he just meant a long period, he is a nazirite for thirty days. But if he really meant that his vow should have no set duration, they look upon the basket as filled with mustard seed and he is a nazirite forever. Similarly, in Tos 1:3 if he vows "as fills a barrel" or "as fills a basket," he is a nazirite forever. Although Tos 1:3 makes no mention of the Rabbis 'inquiring more closely,' they will permit him to terminate his vow if he says "I did not mean this."

Tos 1:4 and Mishna 1:4 state that if one vows to be a nazirite "according to the hairs of my head" or "according to the particles of dust on the earth" or "according to the grains of sand on the sea," he

is a nazirite forever and polls every thirty days. But Rabbi says he does not poll every thirty days, because he is not a nazirite forever. Mishna 1:4 gives the reason, the same one Rabbi cites above in connection with Tos 1:3 - the vower must specifically say "for naziriteships according to..."

Tos 1:4 adds that if he vows to be a nazirite "from here to the depths of the earth" or "from here to the heavenly vault" or "from here to the end of the world," he is a nazirite forever. If he vows to be a nazirite "all of my days" he is a nazirite forever. But if he vows "for one hundred years" or "for two hundred years," he is not a nazirite forever.

To summarize, we perceive that in the matter of the length of the period of naziriteship, both the Mishna and the Tosephta present about the same number of cases, with a slight edge to the Tosephta. The amount of detail given in each case is about the same, although only in Tos 2:10 is a whole debate explored. We also note that the anonymous opinion of Mishna 1:3 is attributed to Bet Shammai in Tos 2:10. While the Mishna and the Tosephta never disagree on the decision of a case, let us observe that the procedure to be followed with regard to one who vows "a basketful" differs in Mishna 1:5 and Tos 1:3.

CHAPTER ELEVEN

TABULATION OF THE NUMBER OF VIOLATIONS OF THE NAZIRITE VOW

Both the Mishna and Tosephta deal briefly with the question of precisely how many times a nazirite violates his vow when he commits an act contrary to the conditions of his vow. The Mishna deals with the question from the point of view of duration of time. The Tosephta approaches the question from the viewpoint of quantity.

Mishna 6:4 states that if a nazirite drank wine all day, or cut his hair all day, or incurred corpse uncleanness all day, only one violation occurred in each category. But for every time he was warned about drinking wine or cutting his hair or incurring corpse uncleanness, he has committed a violation. For example, were he warned three times about drinking wine, four times about cutting his hair, and five times about incurring corpse uncleanness, he would have amassed twelve violations.

In Tos 4:1 and 2 we deal with the question of forbidden foods and beverages in terms of quantity of consumption. Again, each time a person is warned, (yet eats or drinks), he is culpable. The Rabbis agree that an olive's bulk of food makes one culpable for violation. However, the Rabbis disagree about the quantity of drink which makes one culpable for violation. Rabbi Akiba says that an olive's bulk of wine or vinegar makes one culpable. Then he explains that one finds out of how much an olive's bulk of liquid consists by filling the liquid to the brim of the container and then dropping an olive's bulk of solid into the liquid. The overflow of liquid is an olive's bulk. Rabbi Elazar ben Azariah

disagrees with Rabbi Akiba, for he says that a $\frac{1}{4}$ log of liquid makes the nazirite culpable. And it does not matter whether the liquid was consumed at one sitting or a half at a time.

Rabbi Eliezer ben Hyrcanus deals with the case of a nazirite who is about to imbibe, let us say, a flask containing $2\frac{1}{2}$ logs of wine. If he drinks it all, he nevertheless is culpable only once. If he is warned several times he is culpable for each warning - with reservations. Obviously, he could not be culpable for more than ten violations, even if he received twenty warnings. The point is that the warning only can result in culpability if after each warning he consumes $\frac{1}{4}$ log of wine.

Lastly, the Tosephta notes that a person becomes culpable for each forbidden item within a bunch of grapes. Thus, if from one bunch of grapes he squeezed out a $\frac{1}{4}$ log of wine and drank it, and then ate grapes, and then ate dried grapes from it, and then ate two grapestones and one grapeskin, he is culpable for four violations.

In summary, we see that the Mishna and the Tosephta discuss different aspects of the problem of the number of violations, except that both deal with the issue of one's culpability after receiving repeated warnings. We perceive that the Tosephta presents more cases, gives more data about the individual case, and gives the names of the rabbinic authorities. The Mishna only gives anonymous opinions.

CHAPTER TWELVE

THE FORMULA OF THE NAZIRITE VOW

In earlier chapters we have touched upon the subject of the formula which places one under a nazirite vow. Thus, we have discussed the Samson-type nazirite vow, the conditional vow, and the length of the period of naziriteship various vows impose. But this chapter deals with a more basic and simpler question: whether a particular vow does or does not place the individual under naziriteship.

Mishna 1:1 states that substitute words for "nazirite" in the basic nazirite formula "Behold, I am a nazirite" still impose the nazirite vow. Examples of substitute words are then listed. Not only can a substitute word impose a nazirite vow, but even a completely substituted vow can do this, for example, "I pledge myself to let it grow unkempt" or "I will be an abstainer from grapstones and grapeskins, from polling, and from uncleanness." If one vows "I pledge to offer two birds," Rabbi Meir says he is a nazirite, but the Sages disagree.

Tos 1:1,2 carries the discussion further, for it asks whether a substitute word or expression for a substitute word or expression imposes naziriteship. Bet Shammai says that it constitutes a binding vow, while Bet Hillel says that it is not a binding vow. An example is given in Tos 2:1 and Mishna 2:1, where one says "I am a nazirite (or "abstainer") from dried figs and cakes of pressed figs." Bet Shammai says that he is a nazirite, but Bet Hillel says that he is not. In Mishna 2:1, Rabbi Judah explains that if the vower only meant to make an ordinary vow to abstain from figs, and made this clear at the time of the vow, he of

course is not considered a nazirite even by Bet Shammai.

Mishna 2:2 discusses even more indirect formulations. Thus if one says "This cow thinks it will be a nazirite if it stands up" or "This door thinks it will be a nazirite if it opens," Bet Shammai says he is a nazirite if either of these eventualities is realized, while Bet Hillel says that under no circumstances could these statements impose naziriteship. Again Rabbi Judah explains that Bet Shammai would not consider him a nazirite if at the time of avowal he made it clear that he only meant an ordinary vow of abstention from use and benefit.

Mishna 2:3 indicates that circumstances can determine how we interpret a statement. Thus, if they filled a man's cup and he said "I will be a nazirite (or "abstainer") from it," he is a nazirite. But if a woman is drunk, and when they fill her cup she says "I will be a nazirite (or "abstainer") from it," according to the Sages, she is only making an ordinary vow of abstention.

Tos 3:3 considers the person who imposes naziriteship on a part of his body rather than upon himself as a whole. If he says "My hand is a nazirite" or "My foot is a nazirite" he is not bound by the vow. If he says "My head is a nazirite" or "My bulk is a nazirite" he is bound by the vow. For this type of vow, the following principle is enunciated: the inclusion in the vow of anything on which life depends makes one a nazirite; the inclusion in the vow of anything on which life does not depend does not make one a nazirite.

Mishna 4:1,2 and Tos 3:2 states that if one responds "and I" to a nazirite vow, he is a nazirite. Mishna 4:1,2 adds that the same is

true if he says "Amen." Tos 3:2 notes however that the respondent is only bound if there was a pause long enough to give a greeting. Perhaps this provision is included lest the respondent claim that he meant to say something else, but he was interrupted. Mishna 4:1,2 and Tos 3:3 add that if one responds with the exclamation "my mouth is as your mouth" or "my hair is as your hair," he is likewise a nazirite. Tos 3:3 says that the same is true if one responds "my foot is like your foot."

In summary we perceive that in this very practical discussion of the formula for a nazirite vow, the Mishna presents considerably more cases than the Tosephta. Both Mishna and Tosephta give very detailed and explicit discussion. The issues which the Mishna introduces seem more primary than those introduced by the Tosephta. Thus we note that the Mishna discusses substitute words, whereas the Tosephta discusses substitute words of substitute words. In this material the Tosephta seems to assume the existence of the Mishnaic statements.

CHAPTER THIRTEEN

PRESENTING THE HAIR OFFERING OF OTHERS

An issue which the Mishna and the Tosephta discuss concerns the person who vows to present the hair offerings of a nazirite. In the Mishna and the Tosephta there are two basic issues: first, when one vows to present hair offerings, is this for oneself or for another nazirite; and secondly, what happens if one vows one-half the hair offerings of a nazirite. The passages which deal with this topic are Mishna 2:5,6 and Tos 2:4-7. While the Mishna gives us the decisions with regard to these two issues, it is only through the Tosephta that we can grasp the issues behind the decisions.

Mishna 2:5 and Tos 2:5, in widely diverging contexts, state that if a person says "Behold, I am a nazirite and I oblige myself to offer the hair offerings of a nazirite," this person must fulfill his own naziriteship and in addition offer the hair offerings of another nazirite. Tos 2:6 will show that the issue here is the word order of this two-fold vow. Were he to say "I oblige myself to offer the hair offerings of a nazirite; behold, I am a nazirite," it would be assumed that the first clause refers to his own offerings at the conclusion of his own naziriteship. But in the order of clauses found in Mishna 2:5, it is assumed that he makes a nazirite vow and in addition vows someone else's nazirite offerings. This is made clear by Tos 2:6. In Tos 2:6 we are informed that if the person said "Behold, I oblige myself to one-half the hair offering of a nazirite; behold, I am a nazirite," if he only offered the hair offerings for his own naziriteship, he has not fulfilled his vows.

This baraita makes the point that if he had merely vowed hair offerings and then vowed his own naziriteship, it would be assumed that the hair offering he vowed would be for his own naziriteship. But we note that he offered one-half a hair offering, which could not possibly be for his own naziriteship. Therefore the vow of one-half a hair offering, even though it preceded his own nazirite vow, must be intended for another nazirite.

The second issue concerns the vow to present one-half the hair offering for another nazirite. Tos 2:4 presents two views: the view of Rabbi Meir that merely saying 'behold, I oblige myself to bring the hair offering...' implies a complete offering despite the qualifying clause which follows; and the view of Rabbi Simon that he need offer nothing, for it is merely a free-will offering made under unacceptable conditions, since one may not offer only one-half of a hair offering. Mishna 2:6 repeats the opinion of Rabbi Meir. But the Mishna adds that the Sages decided that it was permissible for one to vow a free-will offering of one-half a nazirite hair offering. Hence the Sages in the Mishna render a decision contrary to the opinions found in the Tosephta. Nevertheless, the Tosephta fills in the details behind this legal decision. Tos 2:6,7 deals with two matters not discussed in the Mishna. Firstly, the Tosephta states that if one set aside the animals for his hair offering before making his nazirite vow, he has not made any sort of commitment whatsoever, for the vow must precede the setting aside of the animals. Secondly, the Tosephta notes that a nazirite can only accept the hair offerings of another person if he stipulated this at the time he made his nazirite vow.

To summarize, we see that the Tosephta considers more cases than the Mishna, and it deals with these cases in greater detail. We should also

note that the decision rendered in Mishna 2:6 differs from the opinions expressed in Tos 2:4.

CHAPTER FOURTEEN

SUMMARY OF THE INTRODUCTION

In the previous seven chapters we have compared Tractate Nezirut and Tractate Nazir with regard to a variety of legal considerations. Further comparisons would be interesting, but would in fact merely reinforce the pattern which has already emerged.

Despite a few exceptions, we may conclude that Tractate Nezirut presents more cases on a given subject than does Tractate Nazir. Furthermore, Tractate Nezirut will more frequently present the cases less laconically and with more detail than Tractate Nazir. While it is not common for either the Mishna or the Tosephta to give the reason for a certain decision, yet reasons are found more frequently in Tractate Nezirut than in Tractate Nazir. We have observed that Tractate Nazir more frequently resorts to an anonymous opinion than does Tractate Nezirut. Indeed a parallel passage in Tractate Nezirut will often identify the source of the anonymous opinion in the Mishna. We might also note the very important role that Rabbi Simon plays as a source of halachah in Tractate Nezirut.

It is often stated that the Tosephta is more aggadic than the Mishna. While this is true of other tractates, it is not true in terms of Tractates Nazir and Nezirut. If we use the term 'aggadic' in the broadest sense, and apply it to those materials in the Mishna and Tosephta which depart from the law a bit to reflect, or to relate a personal incident, or to catch the drama of a rabbinic duel of wits, we find that there are in each tractate seven passages with aggadic content. In

Tractate Nazir the passages are 3:6, 5:3, 6:5, 6:11, 7:4, 9:1, and 9:5. The aggadic passages in Tractate Nezirut are 1:7, 4:4, 4:7, 4:10, 5:1, 5:2, and 6:4.

Needless to say, the arrangement and ordering of the passages in these two tractates could not be identical, because their contents differ so considerably. Nevertheless, the two tractates share a striking resemblance in the arrangement of materials. On the other hand, one finds pericopes in one tractate located in a totally different context in the other tractate. While it is possible that the Mishna influenced the arrangement of the materials in the Tosephta, it is also likely that a similar structure was imparted to both tractates from the earlier 'mishnas.'

Our last consideration is to consider the relation between Tractate Nazir and Tractate Nezirut. We might take our cue from the Amoraim, who found that they could not operate with the Mishna alone, and took recourse to the vast number of baraitas, of which our work is the primary source. Nazir or Nezirut alone gives an inadequate picture of the nazirite legislation; together the picture is much more complete. Each serves to clarify and fill in the lacunae for the other. Yet we have also seen their differences of opinion, which set them off as independent works.

Considered as independent works, Tractate Nazir appears to be a more practical and useful guide. It contains the answers to the most commonly asked questions. Tractate Nezirut is often more esoteric, dealing with the complex possibility and the unusual incident. Nevertheless, Tractate Nezirut can 'stand on its own two feet' as an independent work. We can grasp it without recourse to the Mishna. Within itself it is an integrated whole.

NOTES TO CHAPTER ONE

1. For example, konam is a substitute word for neder and miknamna is a substitute word for konam.
2. "divine voice" is a translation for Bat Kol. The Bat Kol gives testimony concerning a nazirite vow.
3. Each period being thirty days because the maker of the vow did not specify its duration.
4. Tigon is from the Greek and literally means "born a second time." Here it means "for two periods." Likewise, dregon means "for three periods" and tetragon means "for four periods." We have accepted the reading of Naz 8b and Erfurt. Digus translates tigon as "for three periods" and dregon as "for two periods."
5. For one witness is not believed. Therefore he would be slandering the family without sufficient proof.
6. Rabbi says that the word "naziriteships," in the plural, must appear in the vow.
7. Erfurt omits "according to the number....lunar year."
8. Erfurt adds "If he said, 'Behold, I am a nazirite as much as fills... thirty days.'"
9. ^eDifus adds "He is a nazirite...thirty days."
10. Erfurt adds "or even from here to the end of the world."
11. Erfurt reads "he is a nazirite for thirty days" and Difus reads "he is a nazirite forever."
12. Numbers 6:19.
13. Numbers 6:18.
14. This only applied to the period of the desert wandering - see Numbers 8:6-7.
15. Leviticus 14:9.
16. A vow within a vow means a double vow relating to the same thing.
17. For further discussion, see Nedarim 17a.

NOTES TO CHAPTER TWO

1. Girogeres is a substitute word for tirosh which is a substitute word for eshkol.
2. Erfurt adds, in accord with Nazirut 1:1, "and Bet Hillel says he is not a nazirite."
3. Erfurt reads "Rabbi Judah" and Difus reads "Rabbi Meir."
4. According to Rabbi Judah, merely saying the words "Behold, I am obliged to bring hair offerings" is enough to constitute a vow to offer the complete hair offerings of a nazirite.
5. i.e. - another nazirite.
6. From here to the end of the baraita I have adopted the Erfurt reading. The Difus reads "and (then he said), 'I oblige myself to offer the hair offering of a nazirite,' if he offered the hair offering only for himself, he has not fulfilled his vow." The text is corrupt here.
7. ^eDifus reads "have made" and Erfurt reads "will make."
8. Since he made the offerings and only afterwards made the vow.
9. A midrashic interpretation of Numbers 6:21.
10. See Baba Kama 110b for the precise procedure.
11. The error being that had he known that the child might die, he would have only vowed for a living child.
12. ^eDifus reads "he said" and Erfurt reads "he(will) say."
13. If he would have known that the grain would be lost or stolen, he would have qualified his vow.
14. Erfurt has "thirty" and Difus and Vienna have "twenty."
15. The first twenty of the one hundred days.
16. For the unspecified vow which takes effect after twenty days.
17. I have adopted the Erfurt reading. Difus has a corrupt text.
18. i.e. - the vow of one hundred days.
19. An unspecified vow is always assumed to be for thirty days.

20. All manuscripts erroneously read "he has not fulfilled his vow." Vilna Gaon correctly amends it to "he has fulfilled his vow." In a vow of unspecified length, part of the day counts as the whole day.
21. All manuscripts erroneously read "he has fulfilled his vow." Vilna Gaon correctly amends it to "he has not fulfilled his vow."
22. That is, he has to wait seven days to be clean before he may make his offerings. This delay is not an act of voiding, since he was clean on the thirtieth day, and part of the day is reckoned as the whole day.
23. Difus adds "Rabbi Judah...void," while Erfurt adds "and if he became unclean on the thirty-first day, he makes all thirty days void. Rabbi Judah says in the name of Rabbi Eliezer that he only makes seven days void."
24. He only applies the biblical decree - that thirty days are repeated. It says in Numbers 6:13 "And this is the law of the nazirite in the day he completes..." If a nazirite becomes unclean in the day of completion, apply to him "the law of the nazirite," the law for a nazirite whose term is unspecified (in the biblical text), i.e. - thirty days.
25. This principle of Rabbi Eliezer is garbled in Erfurt and Difus. We have incorporated the emendation suggested by Ezekiel Avramaski.
26. Through corpse uncleanness, leprosy, or flux.
27. Difus omits "or incurred corpse uncleanness."
28. All manuscripts incorrectly read "is not credited." The correct wording is found in Nazir 17b.
29. All manuscripts incorrectly read "do not credit." The correct wording is found in Nazir 17b.
30. All manuscripts incorrectly read "credit the seventh day." The correct wording is found in Nazir 17b.
31. Difus adds "if he brought....uncleanliness."
32. Polling only applies to the first case, of course.
33. Erfurt adds "to poll."
34. Difus reads "did not bring" and Erfurt reads "brought."
35. At the end of the second period of naziriteship.

NOTES TO CHAPTER THREE

1. Bet Shammai requires two agreeing witnesses.
2. For there was sufficient time to say "I am as you."
3. With respect to consuming grape products.
4. With respect to putting grape products in the mouth.
5. With respect to walking to a cemetery.
6. In wishing to be a nazirite just like his wife, he logically implies, beforehand, that it is acceptable for his wife to be a nazirite.
7. Although the husband of the friend can make the friend's vow void.
8. That is, this past transgression of the vow does not terminate the vow.
9. That is, he will suffer for it.
10. Erfurt reads "Rabbi Jose," and Difus reads "Rabbi Judah."
11. Because a day has passed since the vow was made.
12. ^eDifus adds "and forgiveness."
13. This alludes to the baraita in Naz 28a, "If blood from one of the sacrificial beasts is sprinkled on her, he is not able to annul it."
14. That is, polling at the end of naziriteship.
15. That is, when she polls after incurring corpse uncleanness, and returns to start her naziriteship over again, her husband faces the hardship of her new period of naziriteship.
16. Erfurt reads "repulsive" and Difus reads "polled."
17. For breaking a vow.
18. Erfurt and Difus differ considerably in the choice of illustrative cases given in this selection, as well as in the arrangement of them. I have included all cases mentioned in both texts, and have arranged these cases in order of increasing complexity.

19. Many sorts of sacrifices may be made with this money, depending on how the deceased stipulated for its disposal, but at the very least it will be used for peace offerings. Therefore it is money that cannot be used for other than sacrificial purposes. In certain circumstances, the money will not be used for sacrifices at all, but will be thrown into the sea.
20. Of the nazirite hair offering.
21. Erfurt reads "his," but I have accepted the emendation of the Vilna Gaon.
22. Erfurt reads "Rabbi Jose" and Difus reads "Rabbi Meir."
23. Erfurt reads "Rabbi Elazar and Rabbi Meir and Rabbi Judah" and Difus reads "Rabbi Judah and Rabbi Jose and Rabbi Ishmael."
24. That is, one of the original two.
25. ^eDifus and Erfurt incorrectly read "not fulfilled," but I accept the reading of the baraita in Naz 32b.
26. In this case, there was real doubt who would and who would not be bound by the vow.
27. That is, the first two who made a nazirite vow.
28. Because they cannot check out the truth and therefore must bring nazirite offerings as a company.
29. The one who said, "Behold, I am a nazirite if neither of you are nazirites" is exempt.

NOTES TO CHAPTER FOUR

1. ^eDifus omits "or drank from any of the forbidden beverages."
2. Rabbi Eliezer's remarks might seem like a superfluous addition to those of Rabbi Akiba, but in a parallel baraita found in the Yerushalmi we see that Rabbi Eliezer is clarifying the remarks of Rabbi Akiba. Rabbi Eliezer refers to a case in which a nazirite is warned that a flask contains X number of olive-bulks of wine or that a cluster contains X number of olive-bulks of grapes. If he is warned once, he is only culpable once. He must be warned before each olive-bulk before he is culpable for X number of offenses.
3. Which of course is less than an olive-bulk.
4. The point being that there are different kinds of forbidden things in the bunch of grapes, and one is culpable for each of them, even if only one warning was given.
5. Both Difus and Erfurt interchange "prevent" and "makes void," but it is found correctly in Nazir Babli.
6. Even the removal of one hair is punishable by stripes.
7. In the commandment "a razor shall not pass on his head," neither party is named, and therefore both are culpable.
8. It is a mitzvah for a priest to drink wine obtained from the produce given as priestly dues.
9. The drinking of which is a mitzvah to the donor.
10. Erfurt incorrectly has "I shall not drink wine."
11. Because he has time to grow a new lock of hair.
12. Difus adds "his polling is rendered unfit."
13. Because he is not permitted to derive benefit from it, e.g. - by selling it for pillows.
14. Numbers 6:18.
15. All texts read "thing." Vilna Gaon correctly amends it to "world."
16. "You" refers to the evil inclination presently tempting him through his hair.
17. After his original uncleanness.

18. Erfurt and Difus read "seventh," but "eighth" is found in Naz 15b.
19. ^eDifus reads "eighth" and Erfurt reads "seventh."
20. Erfurt reads "the Sages" and Difus reads "Rabbi Simon."
21. Erfurt reads "Rabbi Simon" and Difus reads "the Sages."
22. Difus reads "sin offerings" and Erfurt reads "guilt offering."
23. Difus reads "sin offering" and Erfurt reads "guilt offering."
24. Difus reads "sin offering" and Erfurt reads "guilt offering."
25. Difus reads "guilt offering" and Erfurt reads "sin offering."
26. From here to end of the paragraph added by Difus.
27. Difus reads "a harlot's hire, a hire." Erfurt reads "a harlot's hire and a dog's hire." "Dog" probably refers to a gigolo.
28. They are valid offerings even if sacrificed under another category, but they do not fulfill the nazirite commandment.
29. Difus says "Rabbi Jose."
30. As in the previous baraita, the sanctification of the hair through blood is the last essential act of naziriteship, the rest of the ritual being of secondary importance.

NOTES TO CHAPTER FIVE

1. Erfurt reads "within" and Difus reads "upon."
2. ^eDifus adds "or ate sanctified food."
3. Erfurt adds "Rabbi Elazar...the Temple."
4. Vilna Gaon adds "or ate sanctified food" because parallel statements always have this phrase.
5. Although the nazirite is not culpable for extirpation if he ate sanctified food or heave offering.
6. Persian for "Demascus."
7. Difus adds "or ate sanctified food."
8. He is only unclean until sunset.
9. For he is unclean for seven days.
10. Erfurt erroneously reads "he should not be culpable."
11. Erfurt reads "to him."
12. Erfurt erroneously interchanges the first and second pollings in the statement, and asks whether the first polling counts for the nazirite polling. We have adopted the reading of the Difus.
13. This sentence comes later in the section in the various Tosephta manuscripts, but we have adopted the more logical sentence arrangements in Naz 60b.
14. For then both pollings would precede the sprinkling of the blood.
15. We have adopted the Erfurt reading for this sentence. In Difus, neither of the following four alternatives allows for a single polling.
16. Difus adds "they count off thirty days and ."
17. Difus adds "and this (present offering) is my offering as a clean nazirite."
18. Difus adds "He says...and this is your offering for a clean nazirite."

NOTES TO CHAPTER SIX

1. Erfurt and Naz 59b read "sixty" and Difus reads "thirty."
2. ^eDifus adds "and an unclean... of his uncleanness."
3. Difus erroneously adds "He polled and brought offerings."
4. Difus reads "clean" and Erfurt reads "unclean."
5. Because he is a cured leper in addition to being a nazirite.
6. Erfurt adds "one to be released and one for a sin offering and he stipulates."
7. Difus adds "and he slaughters one....and stipulates."
8. That is, he might be unclean.
9. Erfurt omits "Then he counts off thirty days."
10. Difus reads "clean" and Erfurt reads "unclean."
11. In case he was unclean all along.
12. He might have been unclean all along.
13. That is, he has not put it in the Temple vessels.
14. A rich leper offers a sin offering of a she-lamb, while a poor leper only offers a bird.
15. Difus reads "leper" and Erfurt reads "unclean."
16. Difus reads "sin offering," Erfurt reads "my obligation," and Vienna reads "guilt offering."
17. For he may have been a confirmed leper.
18. Difus reads "because of my doubtful status" and Erfurt reads "as a free-will offering."
19. Difus and Erfurt read "unclean," but Vilna Gaon corrects this to "clean."
20. Difus reads "by obligation" and Erfurt reads "as a free-will offering."
21. Difus reads "free-will offering" and Erfurt reads "by obligation."

22. Erfurt and Difus read "by obligation," but Vilna Gaon corrects this to "because of my doubtful status."
23. ^eDifus and Erfurt read "clean," but Vilna Gaon corrects this to "unclean."
24. Erfurt adds "and guilt offering."
25. Erfurt and Difus read "because of my doubtful status," but Vilna Gaon corrects this to "by obligation."
26. Difus adds "Then he polls." This happens after he is sprinkled with the blood of one of the sacrifices.
27. Erfurt reads "thirty-seven" and Difus reads "sixty-eight."
28. Erfurt reads "forty" and Difus reads "forty-four."
29. Literally, "the shining plate," i.e., the gold front plate which the high priest wears.
30. Erfurt reads "and if" and Difus reads "and one is not."
31. From here to the end of the baraita we adopt the reading of the Difus. Erfurt has an abbreviated and incorrect text in place of this.
32. This question is not answered in the Tosephta, because part of the baraita has dropped out of the text.
33. And therefore he completely fulfilled the rules of naziriteship.
34. ^eDifus reads "he has not fulfilled" and Erfurt reads "he must make his hair offering."

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