

HALAKHA

**נזיר שכלו לו ימיו** – A nazirite whose days are completed – If a nazirite has completed his term of naziriteship but has yet to bring his offerings, he remains bound by all the prohibitions of naziriteship and is liable to receive lashes if he transgresses any of them (Rambam *Sefer Hafla'a*, *Hilkhot Nezirut* 4:12).

**הריני** – I am hereby a nazirite when I will have a son, etc. – If one vowed to be a nazirite when he has a son, and then stated: I am hereby a nazirite from now for one hundred days, if he has thirty or more days remaining of his naziriteship when his son is born, e.g., if the son is born on the sixtieth day of his naziriteship, he counts the term of naziriteship for his son and shaves, then completes the remaining forty days of his own term of naziriteship and shaves again. If fewer than thirty days of his term of naziriteship remain, e.g., if the son was born on the eightieth day of his naziriteship, he observes the term of naziriteship for his son, shaves, and proceeds to observe a further thirty-day term. He is a nazirite for an extra ten days so that he will be able to shave a second time (Rambam *Sefer Hafla'a*, *Hilkhot Nezirut* 4:4–5).

שאני הכא, דאמר רחמנא "וטמא ראש נזרו" – מי שגזרו תלוי לו בראשו. מיתבי: נזיר שכלו לו ימיו – אסור לגלח ולשתות יין ולטמא למתים, ואם גלח ושתה יין ונטמא למתים – הרי זה סופג את הארבעים. תיובתא.

**מתני'** "הריני נזיר לכשיהא לי בן, ונזיר מאה יום". נולד לו בן, עד שבעים – לא הפסיד בלום, לאחר שבעים – סותר שבעים, שאין תגלחת פחות משלשים יום.

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

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

NOTES

**He has not lost anything** – **לא הפסיד בלום**: There are two basic explanations for this clause. One approach is that if a son is born before he has observed seventy days of his own term of naziriteship, he pauses from his observance of that term of naziriteship, observes the term for his son, shaves, and then completes the remaining days of his long naziriteship (Commentary on *Nazir*; Rid; Rabbi Avraham min HaHar). An alternative opinion states that if a son is born before seventy days have passed, he need not observe a separate term for his son, since the days of naziriteship for his son are incorporated within his own term of naziriteship, as the same days may count toward both terms of naziriteship. Upon the completion of one hundred days he shaves and brings the offerings for both vows of naziriteship (*Tosafot* 13b; Rosh; Rabbeinu Peretz). The Meiri cites both approaches.

**After seventy, it negates seventy, etc.** – **לאחר שבעים סותר** – **שבעים וכו'**: The different explanations given by the commentaries for the previous stage of the Gemara continue here as well. According to the Commentary on *Nazir*, this should be understood as follows: Since the son was born with fewer than thirty days remaining to the father's vow, the father first observes the thirty-day naziriteship for his son because that vow was stated first; he then shaves and counts another full term of one hundred days for his second vow. This explanation fits well with the text of the mishna and Gemara.

*Tosafot* explain differently: If the son was born after seventy days, the father pauses from the observance of his own term of

naziriteship and observes the naziriteship for his son, after which he completes the remaining days of his naziriteship. However, the meaning of the phrase: It negates seventy, is unclear according to this approach, since nothing is negated, and certainly not seventy days. In fact, those commentaries have a variant text that reads only: Negates, and explain that it negates the upcoming days from his term of naziriteship (Rabbeinu Peretz; Rosh, cited in *Shita Mekubbetzet*). Yet the phrase: Since shaving cannot be performed, appears out of place here because according to this approach one shaves only at the very end, so there is not a period of less than thirty days for hair growth.

There is another interpretation that claims that if one has a son after seventy days he observes the naziriteship for his son, shaves, and brings his offerings, and afterward he observes a further thirty-day period to be able to shave his hair for his own term of naziriteship (Rambam; see *Birkat Rosh* and *Orah Mishor*, who explains the Jerusalem Talmud similarly; see the note interpolated in *Tosafot* on 13b). According to this interpretation, the statement: Negates seventy, does not mean the loss of all seventy days; rather, one forfeits all the days he counted beyond the first seventy. This is in accordance with the Rambam's Commentary on the Mishna, Kapaḥ edition, which reads: Negates up to seventy. This is because he must eventually repeat all the days apart from the first seventy so that a full thirty days follow his shaving for the naziriteship for his son. The statement: Since shaving cannot be performed, is understood according to this explanation.

**The seventieth day – יום שבעים** – If a son is born to him on the seventieth day of his term of naziriteship, he observes the term of naziriteship for his son, followed by another thirty days for the completion of his standard term of naziriteship. According to the Radbaz, the Rambam holds that the seventieth day does not count for both terms, unlike the ruling of Rav (Rambam *Sefer Hafla'a*, *Hilkhot Nezirut* 4:3).

**Three days before a pilgrimage Festival – שלשה ימים קודם לרגל** – If one buries his dead within seven days of one of the three pilgrimage Festivals, his seven days of mourning are canceled at the start of the Festival, even if he has mourned for only a single hour before the Festival. Furthermore, he is considered to have already observed seven days of mourning. The Festival itself counts as seven days toward the thirty days of mourning, even though he does not mourn on the Festival itself, and therefore he is required to complete only the remainder of the thirty days after the Festival. However, if he did not observe any mourning at all before the Festival, his mourning is not canceled, and he is considered like one who buried his relative on the Festival itself. In that case the individual must observe the entire period of mourning after the conclusion of the Festival (Rambam *Sefer Shofetim*, *Hilkhot Evel* 10:3; *Shulhan Arukh*, *Orah Hayyim* 548:7 and *Yoreh De'a* 399:1).

BACKGROUND

**Seven days, thirty days – שלשה שבועות** – The first seven days after the death of a close relative are days of intense mourning during which the mourner is prohibited from leaving his home, performing work, sitting on a chair of normal height, washing himself for pleasure, wearing leather shoes, or engaging in sexual relations, among other prohibitions. The thirty-day period is one in which eulogies are recited for important people (see Deuteronomy 34:8). During this period, the mourner is not allowed to wear new clothes, cut his hair, partake in festivities, or marry, nor may he repair the garment he tore as a sign of mourning. After thirty days, all mourning rites are concluded except those observed for the passing of a father or a mother. These mourning rites are not observed publicly on Shabbat, but Shabbat is counted as a day of mourning. If a Festival occurs during the seven days of mourning, the days come to an end when the Festival begins. Similarly, if a Festival occurs during the period between the end of the seven days of mourning and the end of the thirty days, the thirty-day period ends when the Festival begins.

**GEMARA** Rav said: The seventieth day<sup>H</sup> itself counts for here and for there, as the last of the seventy days of his term of naziriteship as well as the first day of the naziriteship for his son. The Gemara questions Rav's statement. We learned in the mishna: If a son is born to him up to seventy, he has not lost anything. This seems to include the seventieth day as well. And if it enters your mind that it counts for here and for there, not only has he not lost anything, but he even gains a day, so why would the mishna state: He has not lost anything? The Gemara answers: Rather, by right the mishna should not have taught: Up to seventy he has not lost anything, since if the son is born on the seventieth day he actually gains, as stated above, but due to the fact that it is taught in the last clause of the mishna: After seventy it negates seventy, in which case he does lose, the *tanna* therefore teaches the first clause with the contrasting expression: Up to seventy he has not lost anything.

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

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

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

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

גמ' אמר רב: יום שבעים עולה לכאן ולכאן. תנן: נולד לו עד שבעים לא הפסיד כלום. ואי סלקא דעתך עולה לכאן ולכאן – איתגורי מיתגרי! אלא, בדין הוא דלא ליתני "עד שבעים". ומשום דקתני סיפא "אחר שבעים סותר שבעים". קתני רישא שבעים.

תא שמע מסיפא: נולד אחר שבעים – סותר שבעים. מאי "אחר" – אחר אחר.

אבל אחר ממש מאי – הכי נמי דלא סתרי? אי הכי, מאי איריא דתני "נולד עד שבעים לא הפסיד כלום"? אפילו אחר שבעים נמי, הא אמרת לא סתרי! אלא, שמע מינה: אחר ממש. וכן מתניתין לרב, שמע מינה.

ורב, כמאן אמרה לשמעתייה? אילימא כבבא שאול, דתנן: הקובר את מתו שלשה ימים קודם לרגל – בטלה ממנו גזירת שבעה.

שמנה ימים קודם לרגל – בטלה ממנו גזירת שלשים, ומותר לספור ערב הרגל. ואם לא סיפור ערב הרגל – אסור לספור אחר הרגל.

NOTES

It is prohibited for him to cut his hair after the pilgrimage Festival – אסור לספור אחר הרגל – This prohibition remains in effect until thirty days of mourning have passed. The reason is that since he has shown a lack of concern for the honor of the Festival by failing to cut his hair to prepare for the Festival, his thirty days of mourning are not canceled entirely (*Tosafot*).

NOTES

That just as the mitzva of three, etc. – שְׁבַעִים שְׁמֵעוֹת שְׁלֹשָׁה – זכור: Just as the Rabbis agree that one who has mourned for three days before the Festival is exempt from the seven days of mourning and may bathe on the Festival, or before the Festival according to one opinion, so too, the Festival voids his partially observed thirty days of mourning (Rosh). *Tosafot* note that Abba Shaul disagrees with the Rabbis on two counts: First, he claims that the Festival voids the thirty days of mourning entirely, whether or not one cut his hair before the Festival; second, he holds that the seventh day counts for both periods.

HALAKHA

The mitzva of seven voids, etc. – מִצְוַת שֶׁבַעִה מִבְּטֵלָה וְכוּ' – If one buries his dead seven days before one of the three pilgrimage Festivals, Rosh HaShana or Yom Kippur, and observes mourning before the Festival, the Festival voids his thirty-day period of mourning. Even if his seventh day is the eve of the Festival, part of the day is considered like all of it, and it is therefore permitted for him to cut his hair and shower before the Festival begins. He is certainly allowed to cut his hair and shower after the Festival, in accordance with the opinion of Abba Shaul, since the *halakha* is to follow the lenient opinion with regard to mourning (Rambam *Sefer Shofetim*, *Hilkhot Evel* 10:5; *Shulhan Arukh*, *Orah Hayyim* 548:8 and *Yoreh De'a* 399:3).

The mourning of seven days is by rabbinic law – אֲבִילוֹת – שְׁבַעִה דְּרַבְנָן: It is a positive mitzva by Torah law to mourn a relative on the day of death and burial. The rest of the mourning period is mandated by rabbinic law, though this is an ancient practice, dating back to Moses. This applies to the seven relatives listed by the Torah, which are a father, mother, son, daughter, brother, virgin sister, and spouse; with regard to other relatives, the entire mourning ritual is by rabbinic law (*ge'onim*; Rambam). Other early commentaries (*Tosafot*; Rosh) maintain that even the first day of mourning is by rabbinic law. The custom is not to mourn for any relative on the second Festival day of the Diaspora, and the Rema explains that this is in accordance with the opinion that even the first day of mourning is by rabbinic law (Rambam *Sefer Shofetim*, *Hilkhot Evel* 1:1; *Shulhan Arukh*, *Yoreh De'a* 398:1, 399:13).

אָבָא שְׂאוּל אָמַר: אִפְּלוּ לֹא סִיפֵר קוּדְם הֲרָגְל – מוֹתֵר לְסַפֵּר אַחַר הֲרָגְל, שְׁבַעִים שְׁמֵעוֹת שְׁלֹשָׁה מִבְּטֵלָה גְּזִירַת שֶׁבַעִה – כִּךְ מִצְוַת שֶׁבַעִה מִבְּטֵלָה גְּזִירַת שְׁלֹשִׁים.

מֵאִי טַעְמָא דְּאָבָא שְׂאוּל – לֹא מִשּׁוּם דְּקָסְבֵר שְׁבִיעֵי עוֹלָה לְכָאן וּלְכָאן? דְּלִמָּא עַד כָּאן לֹא קָאֵמַר אָבָא שְׂאוּל אֶלָּא בְּאֲבִילוֹת שֶׁבַעִה דְּרַבְנָן, אֶבְל בְּגִזְרֵי דְּאֹרְיִיתָא – לֹא.

אֶלָּא, רַב דְּאָמַר בְּרַבִּי יוֹסֵי, דְּתַנִּיא, רַבִּי יוֹסֵי אָמַר: שׁוֹמֵרַת יוֹם כְּנֶגֶד יוֹם שְׁשַׁחֲטוּ וְזָרְקוּ עָלֶיהָ בְּשֵׁנֵי שְׁלֹשָׁה.

וְאַחַר כֵּךְ רָאִתָּה – הֲרִי זֹו אֵינָהּ אוֹכֵלָת, וּפְטוּרָה מִלְעֲשׂוֹת פֶּסַח שְׁנִי.

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

The Gemara asks: What is the rationale of Abba Shaul for his opinion that if he observed seven days of mourning before the Festival commenced the thirty-day mourning period is voided? Isn't it because he holds that the seventh day counts for here and there, i.e., the seventh day is considered both the end of the seven days and the start of the thirty days of mourning, so he had already begun observing his thirty days of mourning before the start of the Festival? This ruling may be the basis for the ruling of Rav. The Gemara rejects this: This does not support Rav, since perhaps Abba Shaul was saying his ruling that the same day counts for both here and there only with regard to the mourning of seven days, which is by rabbinic law,<sup>H</sup> but with regard to a nazirite, whose obligation is by Torah law, he would not say so.

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

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

BACKGROUND

שׁוֹמֵרַת יוֹם – א woman who observes a clean day for each day – כְּנֶגֶד יוֹם: A woman is considered to be a full-fledged *zava* only if she experiences a discharge of uterine blood on three consecutive days at a time when she does not expect her menstrual period. The biblical source is the phrase: "And if a woman have an issue of her blood many days not in the time of her impurity" (Leviticus 15:25). Nevertheless, as soon as she has even one discharge, she becomes ritually impure as a lesser *zava* and may not engage in sexual intercourse. By Torah law, she needs to wait until only one day has passed without any discharge of blood, observing a clean day for each day, in order to become pure. Even if she immerses in a ritual bath before the clean day is complete, if she does not experience a discharge for the rest of the day, she is considered retroactively pure from the time of her immersion. Today it is customary for women to follow all the

*halakhot* pertaining to a full-fledged *zava* whenever they have even a slight discharge of uterine blood, and they count seven full clean days without discharge before immersing.

פֶּסַח שְׁנִי – One who was ritually impure, on a distant journey, or failed to bring the Paschal offering at its proper time on the fourteenth of Nisan may compensate by bringing the offering on the fourteenth of Iyyar. There is a tannaic dispute as to whether one who was not obligated to bring a Paschal offering on the fourteenth of Nisan need sacrifice a Paschal offering on the fourteenth of Iyyar. All the *halakhot* that apply to the sacrifice of the Paschal offering apply to the second *Pesah*, with one exception: There is no prohibition against eating or possessing leaven on that day. However, leaven may not be eaten together with the offering itself.

From where... perhaps it is because he holds, etc. – 'ממאי, וְדִלְמָא מְשוּם דְקָסְבֵר וְכוּ': *Tosafot* read the continuation of the discussion as follows: Isn't it because he holds that part of the day is like the entire day, and she is impure only from now onward? They claim that the rule of: From now onward, cannot come into effect unless the principle of: Part of the day is like the entire day, is accepted as well, since only if she has become pure in the first part of the day can one say that the next discharge starts a new phase of ritual impurity. Therefore, in the following stage of the Gemara, when the Gemara attempts to posit that Rabbi Yosei holds that the impurity takes effect retroactively, this is a direct attack on the supposition that he holds that part of a day is like the entire day.

Actually, I could say to you, etc. – לְעוֹלָם אֵימָא לָךְ – 'וכי': The conclusion of the discussion according to the version of the text brought here is that since Rabbi Yosei maintains that one renders objects impure retroactively, part of the day is therefore considered like all of it. According to *Tosafot* the opposite holds true: There is no evidence as to Rabbi Yosei's opinion with regard to the issue of part of the day being like the entire day.

## HALAKHA

They render objects designed for lying and sitting impure retroactively, etc. – שְׁמִטְמָאִין מִשְׁכָּב וּמוֹשָׁב – 'וכי': A *zav* or *zava* who has immersed on their seventh day should not come into contact with pure objects until the evening, because if they experience a discharge it will void their seven clean days and they will retroactively render impure any objects they lie or sit upon, but not earthenware vessels that they move, in accordance with the opinion of Rabbi Yosei (Rambam *Sefer Tahara, Hilkhhot Metamei Mishkav UMoshav* 5:9).

They are exempt from observing the second *Pesah* – 'וכי': פְּטוּרִין מִלְעֲשׂוֹת פֶּסַח שְׁנִי – If a *zav* who saw two sightings of discharge immersed on his seventh day, the Paschal offering is slaughtered on his behalf and he may partake of it in the evening. If he had another discharge after the sprinkling of the blood, he is exempt from observing the second *Pesah*. Similarly, a woman observing a clean day for a day may immerse on that day, and the Paschal offering is slaughtered on her behalf for her to eat in the evening. If she saw a discharge after its blood was sprinkled, she is exempt from observing the second *Pesah*, in accordance with the opinion of Rabbi Yosei (Rambam *Sefer Korbanot, Hilkhhot Korban Pesah* 6:3).

One who sees gonorrhea-like discharge on his seventh clean day – הָרוּאָה זָב בְּשַׁבְּעֵי שְׁלוֹ – If a *zav* counted seven clean days and then experienced a discharge on the seventh day, it negates the entire period, and he must count another seven days. This applies even if the discharge occurred at the end of the seventh day, after his immersion. The mishna in tractate *Zavim* (1:2) rules likewise (Rambam *Sefer Korbanot, Hilkhhot Mehusrei Kappara* 3:1).

מאי טעמא דרבי יוסי – לאו משום דקסבר מקצת היום ככולו? ממאי? ודלמא משום דקסבר מכאן ולהבא הוא מטמא?

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

ומי סבר רבי יוסי הכי?

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

והתניא, רבי יוסי אומר: זב בעל שתי ראיות ששחטו וזרקו עליו בשביעי, וכן שומרת יום כנגד יום ששחטו וזרקו עליה, ואחר כך ראו, אף על פי שטמאין משכב ומושב למפרע – פטורין מלעשות פסח שני.

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

מאי למפרע – מדרבנן. הכי נמי מיתברא דאי סלקא דעתך מדאורייתא – אמאי פטורין מלעשות פסח שני?

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

לעולם אימא לך טומאה דאורייתא, תהום דזיבה התירו.

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

ואף רבי אושעיא סבר למפרע מדרבנן. דתניא, רבי אושעיא אומר: (אבל) הרואה זב בשביעי שלו סותר את שלפניו, ואמר ליה רבי יוחנן: לא נסתור אלא יומו.

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

מה נפשוך; אי סתר – כולו סתר, אי לא סתר – לא נסתור ולא יומו! אלא אימא: לא נסתור ולא יומו.

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

Perek II  
Daf 16 Amud a

NOTES

And as to Rabbi Yosei, now, he holds that the status of part of the day is like that of an entire day, etc. – **ורבי יוסי** – Although the Gemara had concluded earlier that the reason for Rabbi Yosei's ruling was not because he holds that the legal status of part of the day is like that of an entire day but because she becomes impure only from now onward, that answer is a forced one (Commentary on *Nazir*; Rabbi Avraham min HaHar, citing Rashi). However, according to the opinion of *Tosafot* that the principle that part of a day is like all of a day is consistent with the principle that she becomes impure from here onward, the Gemara's question here is readily understood (see *Tosafot* and Rabbeinu Peretz).

**A full-fledged *zava* – יבֵּה גְמוּרָה** – A full-fledged *zava* is a woman who has seen blood on three consecutive days, in which case she is required to observe seven clean days and bring an offering upon her purification.

**The other half of the day – אֵינֶךָ פְּלִגְיָה דְיוֹמָא** – There are two explanations for this statement. One interpretation is that even Rabbi Yosei agrees that she is at least considered ritually impure for the rest of the day on which she saw blood. However, since the legal status of part of the day is like that of an entire day, if she were to discharge blood, for example, at noon for two consecutive days, the morning hours of the second day would be considered a clean day in between the days of impurity (*Rosh*). Other commentaries claim that since the legal status of part of the day is like that of an entire day, there is no difference between the beginning and the end of a day, and the hours until nightfall following her impurity would be viewed as a break between discharges (see Commentary on *Nazir*; *Tosafot*). *Tosafot* state that the different approaches result partly from alternative interpretations of the phrase: The other half of the day.

**Close to sunset – סְמוּךְ לְשִׁקְיעַת הַחֶמֶה** – In other words, she was experiencing a discharge during the entire twilight, beginning just before sunset and continuing into the start of the night. If this occurs at the end of both the first and second days, the night of the third day is also included, and she is therefore impure for three days (*Tosafot*). The commentaries point out that in that case, the hours between the discharges cannot be viewed as a clean day, even if one holds that part of the day is like all of a day, since this principle applies only to the start of the day, or, according to some opinions, the end of a day as well. The middle of a day certainly cannot be considered like all of a day (see Meiri).

וְאָמַר לֵיהּ: רַבִּי יוֹסֵי קָאֵי בְּתֵינְךָ, דְּאָמַר: מִבְּאֵן וְלַהֲבָא מִשְׁמַמָּא. וְהָאֵרְבִּי יוֹסֵי לְמַפְרַע הוּא דְאָמַר! מֵאֵי לְמַפְרַע – מִדְּרַבְנָן.

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

וְרַבִּי יוֹסֵי, מִכְּדֵי סִבְרַת מִקְצַת הַיּוֹם כְּכוֹלוֹ, זְבֵה גְמוּרָה דְּמִיִּתָּא קְרִבָּן הֵיכִי מִשְׁבַּחַת לָהּ? בֵּינָן דְּחִזְוִיא בְּפִלְגִיָּה דְיוֹמָא – אֵינֶךָ פְּלִגְיָה דְיוֹמָא: סְלִיק לָהּ לְשִׁימוּר. אֵיבְעִית אִימָא: דְּקָא שְׁפַעָה תְּלַתָּא תְּלַתָּא יוֹמֵי בְּהַדִּי הַדְרִי, וְאֵיבְעִית אִימָא: דְּחִזְוִיא תְּלַתָּא יוֹמֵי סְמוּךְ לְשִׁקְיעַת הַחֶמֶה, דְּלֹא הוּאֵי שְׁהוּת דְּסְלִיק לֵיהּ לְמַנְיָנָא.

The Gemara poses a question with regard to Rabbi Yosei's statement: **And as to Rabbi Yosei, now, he holds that the status of part of the day is like that of an entire day.<sup>N</sup> How can you find a full-fledged *zava*<sup>N</sup> who brings an offering? Since she sees a discharge at the midpoint of the day, the other half of the day<sup>N</sup> counts for her as a full day of observing, as part of the day is considered to be like all of a day.** The Gemara answers: **If you wish, say that she continuously discharges blood for three days consecutively. And if you wish, say that she saw a discharge on three consecutive days close to sunset.<sup>N</sup> In that case she is impure on each occasion at the end of one day and the beginning of the next, so that there was not any time to become pure on the following day so as to be included for her counting of a clean day corresponding to an impure one.**

הדרן עלך הריני נויר