

אמר ריש לקיש: כדי לחנכו במצות. אי הכי אפילו אשה נמי! סבר: איש חייב לחנך בנו במצות, ואין האשה חייבת לחנך את בנה.

בשלמא לרבי יוחנן, דאמר הלכה היא בבניו – אמטו להכי, בנו – אין, בתו – לא. אלא לריש לקיש, אפילו בתו! קסבר: בנו – חייב לחנכו, בתו – אינו חייב לחנכה.

בשלמא לרבי יוחנן, דאמר הלכה היא בבניו – אהכי בבניו אין, בגדרים לא. אלא לריש לקיש, אפילו גדרים נמי!

לא מיבעיא קאמר; לא מיבעיא בגדרים דלית ליה ניוול, אלא אפילו בגדרים דאית ליה ניוול – אפילו הכי חייב לחנכו.

בשלמא לרבי יוחנן, דאמר הלכה היא בבניו – היינו דקתני מיתה או שמיחיהו קרוביו.

אלא לרבי יוסי ברבי חנינא אמר ריש לקיש, כל כמיניהון קרובים דאמרין ליה: לא תיגמריה מצות! קסבר: כל חינוך דלא חשיב – לא נחא ליה.

בשלמא לרבי יוחנן, דאמר הלכה היא בבניו – משום הכי מגלח ועביד הקפה.

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

The Gemara asks: Granted, according to the opinion of Rabbi Yoḥanan, who said it is a *halakha* transmitted to Moses from Sinai with regard to a nazirite, for that reason one can understand the ruling of the mishna, which indicates that for his son, yes, a father can vow that he should be a nazirite, but with regard to his daughter, no,^N he cannot do so, as a *halakha* learned by tradition cannot be questioned. However, according to the opinion of Reish Lakish, a father should even be able to impose naziriteship upon his daughter for the sake of her education. Why does the mishna specify a son? The Gemara answers that Reish Lakish holds: A father is obligated to educate his son, whereas he is not obligated to educate his daughter,^H and for this reason he cannot vow that she should be a nazirite.

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

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

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

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

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

HALAKHA

A man is obligated to educate, etc. – איש חייב לחנך וכו' – A man is obligated to educate his son in mitzvot (Rambam *Sefer HaMadda*, *Hilkhot Talmud Torah* 1:1; *Sefer Ahava*, *Hilkhot Tefillin* 4:13; and *Sefer Hafla'a*, *Hilkhot Shevuot* 12:8; *Shulḥan Arukh*, *Oraḥ Ḥayyim* 17:3, 37:3, 343:1, 657:1, and *Yoreh De'a* 245:1).

But a woman is not obligated to educate, etc. – ואין – האי: The authorities dispute whether a woman is obligated to educate her son in mitzvot. The question is whether the statement of the Gemara here that she is exempt is in accordance with the opinion of Reish Lakish, whereas Rabbi Yoḥanan disagrees, or whether this opinion is unanimous (Rambam *Sefer HaMadda*, *Hilkhot Talmud Torah* 1:1; *Haggahot Maimoniyot* on Rambam *Sefer Zemanim*, *Hilkhot Shevitat Asor* 2:10; *Magen Avraham* and *Maḥatzit HaShekel* on *Shulḥan Arukh*, *Oraḥ Ḥayyim* 343:1).

He is not obligated to educate his daughter – בתו אינו – האי: A man must educate his minor daughter in the mitzvot she will be obligated to perform upon her maturity, as the *halakha* is in accordance with the opinion of Rabbi Yoḥanan. Even Reish Lakish maintains that he is exempt only with regard to naziriteship and similar mitzvot (Rambam *Sefer Zemanim*, *Hilkhot Shevitat Asor* 2:10; *Shulḥan Arukh*, *Oraḥ Ḥayyim* 6:16:2; *Magen Avraham* on *Shulḥan Arukh*, *Oraḥ Ḥayyim* 343:1).

With regard to naziriteship, yes; with regard to vows, no – בגדרים לא: A man can vow that his minor son should be a nazirite, but he cannot impose any other kind of vow on him (Rambam *Sefer Hafla'a*, *Hilkhot Nezirut* 2:13).

NOTES

A woman is not obligated to educate – אין האשה חייבת לחנך: Some commentaries note that according to the opinion of Rabbi Yoḥanan, whose ruling is accepted as *halakha*, a mother is obligated to educate her children in mitzvot (Meiri; *Oraḥ Mishor*; see *Keren Ora*).

His son yes, his daughter no – בנו אין בתו לא: The early commentaries question this ruling, based on the statement in tractate *Yoma* (82a) that one educates minors, both boys and girls, to fast on Yom Kippur. One answer is that educating for a fast is easy, as it lasts only one day, unlike the lengthier period of naziriteship. Additionally, there is a difference between mitzvot that a girl will be obligated to perform and naziriteship, which is not an obligation at all (*Tosefot HaRosh*; *Rabbeinu Peretz*).



Sketch of priest pinching the neck of a bird

אֵלָא לְרַבִּי יוֹסֵי בְרַבִּי חֲנִינָא אָמַר
רִישׁ לָקִישׁ, כְּדֵי לְחַנְכוֹ בְּמִצְוֹת – הָא
קָעִיבֵי דְהַקְפָּה!

קָסְבֵר: הַקְפַת כָּל הָרֹאשׁ מְדַרְבְּנָן,
וְחִינוּךְ מְדַרְבְּנָן, וְאֵתִי חִינוּךְ דְּרַבְּנָן
וְדַחֵי הַקְפָּה דְרַבְּנָן.

בְּשִׁלְמָא לְרַבִּי יוֹחָנָן, דְּאָמַר הֲלָכָה
הִיא בְּנִזְיֹר – אֲהֲכִי מְגִלַח מִיֵּיתִי
קָרְבָן.

אֵלָא לְרַבִּי יוֹסֵי בְרַבִּי חֲנִינָא אָמַר
רִישׁ לָקִישׁ, כְּדֵי לְחַנְכוֹ בְּמִצְוֹת, הָא
קָא מִיֵּיתִי חוּלִין לְעֹזְרָה! קָסְבֵר: חוּלִין
בְּעֹזְרָה לָא דְאֹרִייתָא.

בְּשִׁלְמָא לְרַבִּי יוֹחָנָן, דְּאָמַר הֲלָכָה
הִיא בְּנִזְיֹר – אֲהֲכִי כִי מִיֵּטְמָא מִיֵּיתִי
קָרְבָן צִיפְרִין, וְאָכִיל כְּהֵן מְלִיקָה.

אֵלָא לְרַבִּי יוֹסֵי בְרַבִּי חֲנִינָא אָמַר רִישׁ
לָקִישׁ – הָא קָאכִיל נְבִילָה!

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

The Gemara answers: Reish Lakish holds that the rounding of the entire head^h is prohibited only by rabbinic law, as the Torah itself prohibited shaving only the corners of the head, and the mitzva of education also applies by rabbinic law. And therefore the mitzva of education, which is by rabbinic law, comes and overrides the prohibition against rounding the head, which likewise applies by rabbinic law.

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

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

The Gemara asks yet another question: **Granted, according to the opinion of Rabbi Yoḥanan, who said it is a halakha with regard to a nazirite, this is why when the son becomes ritually impure he brings an offering**^h of birds, and the priest may eat the bird sin-offering that was killed by means of pinching,⁸ nipping the neck of the bird, rather than by regular slaughter. This permits a bird to be eaten only in the case of a proper bird offering.

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

HALAKHA

The rounding of the entire head – הקפת כל הראש – The Gemara later concludes (57b) that one who shaves only the corners of his head, and likewise one who shaves his entire head, are both liable to receive lashes for rounding the head (Rambam *Sefer HaMadda, Hilkhot Avoda Zara* 12:1 and *Kesef Mishne* there; *Shulhan Arukh, Yoreh De'a* 181:2).

When he shaves he brings an offering – מגלח מיייתי קרבן – If a father vowed that his son should become a nazirite, the son must bring the offerings of a regular nazirite upon the completion of his term (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 2:14).

Non-sacred animals in the Temple courtyard – חולין בעזרה – It is prohibited to bring non-sacred animals into the Temple courtyard. One who slaughters non-sacred animals in the courtyard incurs lashes of rebelliousness from the Sages, and

he may not derive benefit from the animal, although this is not a Torah prohibition. The *Kesef Mishne* maintains that according to the Rambam, the prohibition against slaughtering these animals in the courtyard does apply by Torah law. However, no punishment is inflicted on one who does so, and the Torah does not prohibit the consumption of its meat (Rambam *Sefer Kedusha, Hilkhot Shehita* 2:2–3; see *Sefer Kedusha, Hilkhot Ma'akhalot Assurot* 16:6 and *Sefer Nezikin, Hilkhot Geneiva* 2:8).

When he becomes ritually impure he brings an offering – כי מיטמא מיייתי קרבן – A father who vowed that his son should be a nazirite must ensure that the son observes all the halakhot of naziriteship. If he becomes ritually impure, the father must bring the offerings of impurity on his behalf (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 2:14).

הטאת – The bird sin-offering that comes due to uncertainty – העוף שהיא באה על הספק: These uncertainties typically involve a *zav* or *zava*, who must bring a bird sin-offering, as there is sometimes a doubt as to whether they saw an emission of a *zav* or some other emission. Similarly, a doubt might arise with regard to the time of the emission. Likewise, a childbearing woman, who brings a bird sin-offering if she is poor, might be unsure whether her stillborn child renders her obligated to bring an offering. The early commentaries state that the obligation to bring the bird sin-offering in a case of uncertainty is derived from this very verse: “And they who have an issue, whether a male or a female” (Leviticus 15:33). Consequently, this should be read as a double question: From where is it derived that a sin-offering is brought in a case of uncertainty, and from where is it derived that it is not eaten (Rosh; *Shita Mekubbetzet*; Rabbeinu Peretz)?

Juxtaposes a female to a male – מְקִישׁ נִקְבָּה לְזָכָר: The commentaries note that this juxtaposition is unnecessary with regard to obligatory offerings, as the Torah equates women to men with respect to all punishments. *Tosafot* note that additionally, the Torah generally uses neutral language in connection to offerings, for example: “When a person brings” (Leviticus 1:2). Other early commentaries add that the terms male and female are imprecise in this context. These terms are used because some offerings, e.g., a bird sin-offering, are typically sacrificed by females. The most common of these are the nest of a childbearing woman and the offering of a *zava*. Meanwhile, the provisional guilt-offering is stated only in the masculine form. Others contend that the term: Female, refers only to the offering of a woman who has given birth, as the *halakhot* of males and females are not entirely the same in the cases of a *zav* and a *zava* (Rabbeinu Peretz).

הספק ברבי יוסי ברבי יהודה דאין שחיטה לעוף מן התורה, וחולין בעורה לאו דאורייתא.

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

וסבר רבי יוסי הכי? והתניא, רבי יוסי ברבי יהודה אומר: ממין לחטאת העוף שהיא באה על הספק שאינה נאכלת – תלמוד לומר “והזב את זובו לזכר ולנקבה”. מקיש נקבה לזכר: מה זכר מביא קרבן על הודאי – אף נקבה מביאה קרבן על הודאי, ומה זכר מביא על הספק – אף נקבה מביאה על הספק.

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

ומה זכר ממין שהוא מביא על הודאי מביא על הספק – אף נקבה ממין שהיא מביאה על הודאי מביאה על הספק. אי מה זכר מביא קרבן ונאכל, אף נקבה מביאה קרבן ונאכל. אמרת:

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

HALAKHA

Slaughter of bird – שחיטה לעוף: It is a positive mitzva that one who wishes to eat meat, including that of a bird, must slaughter it in the manner specified by the Oral Law (Rambam *Sefer Kedusha*, *Hilkhot Shehita* 1:1; 4; *Shulhan Arukh*, *Yoreh De'a* 13:1).

The bird sin-offering that comes due to uncertainty – הטאת: A bird sin-offering brought due to uncertainty, e.g., by a woman who might have been a *zava*, is not eaten after it has been slaughtered in the proper manner. Rather, it is burned like an invalid offering (Rambam *Sefer Avoda*, *Hilkhot Pesulei HaMukdashin* 7:10, 19:10 and *Sefer Korbanot*, *Hilkhot Mehusrei Kappara* 1:6, 7).

A male brings an offering for a definite sin – זכר מביא קרבן על הודאי: If one unwittingly transgresses a prohibition that entails *karet* when transgressed intentionally, he is obligated to bring a sin-offering (Rambam *Sefer Korbanot*, *Hilkhot Shegagot* 1:1).

A female brings an offering for a definite sin – נקיבה מביאה קרבן על הודאי: A *zava* and a woman after childbirth bring offerings upon their ritual purification. These consist of a pigeon or

a turtledove for a sin-offering (Rambam *Sefer Korbanot*, *Hilkhot Mehusrei Kappara* 1:3).

A male brings an offering for an uncertain transgression – זכר מביא על הספק: If one is uncertain as to whether he has committed a sin whose accidental performance renders him obligated to bring a fixed sin-offering, he must bring a provisional guilt-offering (Rambam *Sefer Korbanot*, *Hilkhot Shegagot* 8:1).

So too, a female brings an offering for her case of uncertainty – אף נקיבה מביאה על הספק: If a woman was an uncertain *zava* or if she miscarried and is unsure whether it is a case that is considered a birth, she is obligated to bring an offering due to uncertainty (Rambam *Sefer Korbanot*, *Hilkhot Mehusrei Kappara* 1:6–7).

A male brings an offering and it is eaten – זכר מביא קרבן ונאכל: With regard to one who is unsure whether he has accidentally committed a transgression that warrants *karet* if committed intentionally, he must bring a provisional guilt-offering, which is eaten by priests in the Temple courtyard (Rambam *Sefer Avoda*, *Hilkhot Ma'aseh HaKorbanot* 9:1).

HALAKHA

Until when can he vow that his son should be a nazirite – עד מתי מדיר את בנו בנזיר – A man can vow that his son should be a nazirite until the son becomes a man, at the point when he grows two pubic hairs. The *halakha* is in accordance with the opinion of Rabbi Yehuda HaNasi (Rambam *Sefer Hafla'a, Hilkhhot Nezirut* 2:15).

A minor one year before he or she reaches majority – מופלא הסמוך לאיש: If a boy or girl who are within a year of maturity, i.e., twelve years old for a boy and eleven years old for a girl, uttered a vow and demonstrated that they understood in Whose name they had vowed, their vows are valid by Torah law. Similarly, if they vowed when they reached the age of majority, i.e., thirteen for a boy and twelve for a girl, then even if they did not demonstrate this understanding, their vows are valid by Torah law. Likewise, their *teruma* is valid *teruma*, for the same reason. In tractate *Nidda* (46b) *amora'im* dispute this issue, with both Rabbi Yoḥanan and Reish Lakish maintaining that the status of a minor one year before he or she reaches majority applies by Torah law. However, if they transgressed their vows they are liable to receive lashes only if they have developed two pubic hairs, which is the minimum criterion for punishment (Rambam *Sefer Hafla'a, Hilkhhot Nezirut* 11:4 and *Sefer Zera'im, Hilkhhot Terumot* 4:5; *Shulḥan Arukh, Yoreh De'a* 233:1).

NOTES

A minor one year before he or she reaches majority [mufla hasamukh le'ish] – מופלא הסמוך לאיש: Most commentaries concur that the expression: *Mufla hasamukh le'ish*, which can be translated as: One who is almost a man who explicitly utters a statement, refers to the year before a boy's maturity, i.e., the age of twelve, when he is almost but not quite a man. As for the meaning of the term, *mufla*, it indicates a vow, as in the verse: "If a man clearly [yafli] utters a vow" (Leviticus 27:2); the use of the term is probably based on this verse. Before he reaches this age, the vows of a minor are of no account, but from the age of twelve onward the court examines his statements, and if it is clear that he understands the nature of a vow and in Whose name he took the vow, his vows are valid and binding like those of an adult in almost every respect.

לא, אם אמרת בוכר – שכן איסור אחד, תאמר בנקבה – ששני איסורין.

מאי שני איסורין – לאו איסור נבילה וחולין בעורה? מתקיף לה רב אחא בריה דרב איקא: ודילמא מיחייב עליה משום דמיתחזי בתרין איסורין מדרבנן!

לימא בתנאי: עד מתי מדיר את בנו בנזיר – עד שיביא שתי שערות, דברי רבי יוסי ברי יודה אומר: עד שיגיע לעונת נדרים.

מאי לאו תנאי היא, דרבי סבר: הלכה היא בנזיר, ואף על גב דהגיע לעונת נדרים – מדיר ליה ואזיל עד דמייטי שתי שערות. ורבי יוסי ברי יודה דאמר עד שיגיע לעונת נדרים, סבר: כדי לחנכו במצות, וכיון דנפיק מרשותיה – תו לא מיחייב?

אמרי: לא, דכולי עלמא הלכה היא בנזיר, והכא במופלא הסמוך לאיש קמיפלגי;

רבי סבר: מופלא הסמוך לאיש דרבנן, ואתיא דאורייתא דחיא דרבנן, ורבי יוסי ברי יודה סבר: מופלא הסמוך לאיש דאורייתא.

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

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

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

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

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

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

ואיבעית אימא: דכולי עלמא בדי לחנכו במצוות, ומופלא הסמוך לאיש דרבנן היא: רבי סבר: אתי חינוך דרבנן ודחי מופלא הסמוך לאיש דרבנן.

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

ורבי יוסי ברבי יהודה דאמר עד שגייע לעונת נדרים, קסבר: לא אתי חינוך דרבנן ודחי מופלא הסמוך לאיש.

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

לימא הני תנאי כי הני תנאי, דתנאי מעשה ברבי חננא שהדירו אביו בגוי והביאו לפני רבן גמליאל, והיה רבן גמליאל בודקו לידע אם הביא שתי שערות אם לא הביא.

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

רבי יוסי אומר: לידע אם הגיע לעונת נדרים אם לאו. אמר לו: רבי, אל תצטער לבודקני, אם קטן אני – אהיה בשביל אבא. אם גדול אני – אהיה בשביל עצמי. עמד רבן גמליאל ונשקו על ראשו, אמר: מובטח אני בזה שמורה הלכה בישראל. אמרו: לא היו ימים מועטים עד שהורה הוראה בישראל.

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

בשולמא לרבי יוסי ברבי יהודה, דאמר עד שגייע לעונת נדרים – היינו דקאמר "אם קטן אני – אהיה בשביל אבא." אלא לרבי, דאמר עד שיביא שתי שערות: "ואם גדול אני אהיה בשביל עצמי."

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

PERSONALITIES

Rabbi Ḥanina – רבי חננא: This generally refers to Rabbi Ḥanina bar Ḥama, who lived in the intermediate generation between the *tanna'im* and the *amora'im*. Born in Babylonia, Rabbi Ḥanina bar Ḥama came to Eretz Yisrael at an early age and was fortunate enough to learn Torah from Rabbi Yehuda HaNasi. Rabbi Yehuda HaNasi was very fond of Rabbi Ḥanina, of whom he said: This is not a man but an angel. Rabbi Ḥanina also studied from the greatest of Rabbi Yehuda HaNasi's students, principally Rabbi Ḥiyya. Rabbi Ḥanina lived in the town of Tzippori and made his living selling honey. His business thrived, and he used his success to support many scholars. He was considered one of the most formidable intellects of his generation and

was also known for his righteousness and piety. His contributions to *halakha* and *aggada* are found throughout both the Babylonian Talmud and Jerusalem Talmud. Rabbi Ḥanina led a long life in good health and had the privilege of raising disciples over several generations. He and Rabbi Yehoshua ben Levi were colleagues, and he was particularly pleased to see Rabbi Yoḥanan, who had been his student for many years, rise to greatness. The *amora* Rabbi Ḥama bar Ḥanina was possibly his son. Based on the context it is hard to accept that the story cited in the Gemara involves this Rabbi Ḥanina; rather, it is likely referring to another *tanna* of the same name.