

Prohibitions of a nazirite...combine with each other – **איסורי נזיר...מצטרפין**: All the forbidden substances of naziriteship combine with each other. Consequently, if a nazirite combined grapes with raisins, or unripe grapes with pressed grapes, and ate an olive-bulk of the mixture, he is flogged (Rambam *Sefer Hafl'a*, *Hilkhot Nezirut* 5:3).

Even one after the other – **אפילו בזה אחר זה**: With regard to a nazirite who combined several products of a vine and ate them one after the other, he is flogged if all together he ate the amount of an olive-bulk. This applies only if he ate them within the time required to eat three, or according to one opinion, four, egg-bulks of bread (Rambam *Sefer Kedusha*, *Hilkhot Ma'akhalot Assurot* 14:8; *Sefer Hafl'a*, *Hilkhot Nezirut* 5:3).

ורבי עקיבא: תרויהו להיתר מצטרף לאיסור, והווי להו שני בתובין הבאין באחד, וכל שני בתובין הבאים באחד אין מלמדין.

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

אמר ליה רב אשי לרב כהנא: אלא הא דתניא "מכל אשר יעשה מגפן היין" לימד על איסורי נזיר שהן מצטרפין זה עם זה. לרבי עקיבא, השתא יש לומר היתר מצטרף לאיסור, איסור לאיסור מבעיא?

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

אמר ליה: היתר לאיסור – בבית אחת, איסור לאיסור – אפילו בזה אחר זה.

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

ורבי שמעון,

The Gemara asks: And Rabbi Shimon,

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NOTES

Who is not of the opinion that the principle of combination is operative – **דלית ליה ציוף**: Rabbi Shimon maintains that measurements with respect to prohibitions by Torah law apply only to the obligation of an offering, i.e., one must bring an offering if he mistakenly eats that amount. However, with regard to the prohibition itself and the punishment of lashes, one is liable for any amount. Consequently, the phrase: Who is not of the opinion that the principle of combination is operative, means that he has no need for this *halakha*, as one is liable even for the smallest amount. This leads to the question of what Rabbi Shimon derives from the term "soaked." One answer is that he learns the principle that the legal status of the flavor of forbidden food is like that of its substance, as he claims that this principle cannot be derived from the vessels of gentiles that require purging, since the latter is a novel case (see 37b). Alternatively, although Rabbi Shimon said that forbidden foods are prohibited in any amount, this applies only when these foods are by themselves, not when they are mixed with other substances (*Tosafot*; see *Sefat Emet*).

Until he vows naziriteship from all of them – **עד שיויר**: This is the opinion of Rabbi Shimon, as discussed earlier in the Gemara (3b), whereas the Rabbis maintain there that he is a full-fledged nazirite even if his vow included only one prohibition of naziriteship.

דלית ליה ציוף: "מכל אשר יעשה" מאי דריש ביה? אמר לך: ההוא מיבעי ליה – לעולם אינו נזיר עד שיויר מבולן.

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

אמר רבי אבהו אמר רבי אלעזר: כל רביעיות שבתורה אין היתר מצטרף לאיסור, חוץ מרביעית שבנזיר, שהרי אמרה תורה "משרת". מאי איכא בין רבי יוחנן לרבי אלעזר?

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

BACKGROUND

Quarter-log [*revi'it*] – **רביעית**: A unit of liquid measurement, *revi'it* literally means a quarter. Unless indicated otherwise, this term refers to a quarter-log. The *log* is a talmudic measurement of volume equal to six egg-bulks, which is equivalent to approximately 346 ml, according to the standard method of converting talmudic measurements of Rabbi Hayyim Na'e. Consequently, a quarter-log measures approximately 86.5 ml, or about one-third of a cup.

The quarter-log is a standard unit of measurement with regard to various halakhic matters. For example, a quarter-log is the minimum amount of wine over which *kiddush* may be recited, the minimum amount of wine that a nazirite is punished for drinking, and the minimum quantity of certain edible liquids for which one is liable for violating the prohibition against transferring objects from one domain to another on Shabbat.

Liquids, yes, etc. – **משקין אין יובר** – This differentiation is based on the fact that the Torah mentions soaking, which refers specifically to liquids (Commentary on *Nazir*). Some commentaries suggest that the *halakha* is more stringent with regard to liquids because they become a homogeneous mixture, which is not the case with regard to foods (*Hiddushei Batra*). The commentaries disagree with regard to Rabbi Elazar's opinion. Some explain that he agrees with Rabbi Akiva (37a) that bread soaked in wine is forbidden. The difference between them is that Rabbi Elazar accepts the initial version of the mishna, that the prohibited measurement of wine is a quarter-log (Rabbeinu Azriel, cited in *Shita Mekubbetzet*). Conversely, others maintain that Rabbi Elazar agrees with the initial version of the mishna in all respects. Just as the initial version of the mishna differentiates between the amounts of food and drink, it likewise maintains that liquids combine only with each other, not with bread, as claimed by Rabbi Akiva (Rabbi Avraham min HaHar, citing Commentary on *Nazir*). It is possible that this dispute depends on whether the term "soaked" refers only to liquids mixed together or whether it includes a mixture of liquids and solids.

רביעית יין לנזיר – A quarter-log of wine for a nazirite – The measure for liability for drinking wine is subject to a dispute, as Rabbi Akiva says it is an olive-bulk. This is problematic, as the Gemara states later that no disputed matters are included in this list. Some commentaries suggest that only the five white quarter-log *halakhot* are unanimous, whereas the five red ones include cases under dispute (*Tosafot*). Others cite in proof the example of a quarter-log of blood from two corpses, which is also subject to a dispute (Rabbeinu Azriel, cited in *Shita Mekubbetzet*; see Commentary on *Nazir*).

איכא ביניהו, דרבי יוחנן מרבי אפילו אוכלין ורבי אלעזר משקין – אין מידי אחרניא – לא.

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

אמר רבי אלעזר: עשר רביעיות הן ונקיט רב כהנא בידיה: חמש סומקתא וחמש חיזורתא. חמש סומקתא: נזיר ועושה פסח שהורו במקדש ומתו.

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

"נזיר" – רביעית יין לנזיר. "עושה פסח" – דאמר רב יהודה אמר שמואל: ארבע בוסות הללו צריך שיהא בהן כדי רביעית. "שהורו" – שתה רביעית יין אל יורה. "במקדש" – שתה רביעית יין, ונכנס למקדש – חייב מיתה.

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

"ומתו" – דתניא: מנין לרביעית דם שיוצאה משני מתים שהיא מטמאה באהל, שנאמר "ועל כל נפשות מת לא יבא".

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

HALAKHA

A quarter-log of wine for a nazirite – רביעית יין לנזיר: A nazirite who drinks a quarter-log of wine or vinegar is flogged (Rambam *Sefer Hafla'a*, *Hilkhot Nezirut* 5:2).

Four cups – ארבע בוסות: Each of the four cups of wine on Passover must measure a quarter-log after dilution, which is optional (Rema). One must drink all, or at least most, of the cup (Rambam *Sefer Zemanim*, *Hilkhot Hametz UMatza* 7:9; *Shulḥan Arukh*, *Orah Hayyim* 472:9).

One who drank a quarter-log of wine may not issue rulings – שתה רביעית יין אל יורה: It is prohibited to issue halakhic rulings while drunk, whether from wine or any other intoxicating substance. Some claim that one is permitted to rule on monetary matters; however, most later authorities prohibit this, especially if one is judging the case alone. This *halakha* applies if one drank a quarter-log of undiluted wine and did not nap afterward. Some authorities are lenient if he drank no more than a quarter-log of modern wine (*Sma*). If one drank a large amount of wine he must wait until the effects have worn off (*Beit Yosef*), and according to some authorities (see *Shakh*), he may not issue halakhic rulings until the following day (Rambam

Sefer Avoda, *Hilkhot Biat HaMikdash* 1:3; *Shulḥan Arukh*, *Yoreh De'a* 242:13 and *Hoshen Mishpat* 7:5).

One drank a quarter-log of wine and entered the Temple – שתה רביעית יין, ונכנס למקדש: If a priest who was fit to serve in the Temple drank in one sitting a quarter-log of undiluted wine that is at least forty days old, he is prohibited from entering the area of the altar and beyond. If he did so, his service is invalid and he is liable to receive death at the hand of Heaven. However, if he drank less than a quarter-log or if he did not drink it all at once, or if the wine was diluted to the extent that it contained less than a quarter-log of undiluted wine, or if it had been squeezed less than forty days prior, he is exempt and his service is valid (Rambam *Sefer Avoda*, *Hilkhot Biat HaMikdash* 1:1).

A quarter-log of blood that emerges from two corpses – רביעית דם שיוצאה משני מתים: A quarter-log of blood from two corpses is ritually pure, as the quarter-log must come from a single corpse to impart impurity. The *halakha* is not in accordance with the Gemara here, as it rules in accordance with Rabbi Akiva, whose ruling is disputed by his colleagues (Rambam *Sefer Tahara*, *Hilkhot Tumat Met* 4:1).

NOTES

The quarter-log of oil added to the loaves – רביעית שמן לחלה: The commentaries discuss this issue at length, and conclude that it refers to the quarter-log of oil the High Priest uses for his special meal-offering that resembles a wafer [*havitin*], a measure with regard to which there is unanimity among the Sages (Commentary on *Nazir*). However, most commentaries explain that this refers to the amount of oil added to the loaves of the thanks-offering, and there is even a version of the text in which this is explicitly stated (see Commentary on *Nazir*). The half-log of oil for the loaves of the thanks-offering is divided into two quarter-log, one for the loaves and wafers and the other for the meal-offering prepared in a deep container (see *Menahot* 89a).

He does not deal with *halakhot* subject to a dispute – בפלוגתא לא קא מיירי: This excludes *halakhot* such as washing of the hands, concerning which there are several opinions. Nevertheless, the example of washing hands is problematic, as a quarter-log is the basic amount for washing one's hands before bread, and therefore this case should have been included. One answer is that as a quarter-log can be used for two people, this case does not involve a full quarter-log for each individual (Meiri). Alternatively, Rabbi Elazar includes only those cases in which a quarter-log is enough, whereas it is praiseworthy to add more than the minimum amount of water for washing one's hands (*Haggahot Rav Yosef Hanina Meizlish*). Yet others suggest that in this context the term dispute does not mean a difference of opinion. Instead, it means: Divided, i.e., various measures apply to the amount that suffices for washing one's hands (*Hazon Ish*).

LANGUAGE

Vessel [*pailei*] – פּיילי: From the Greek φιάλη, *fiálē*, and the Latin phiala, meaning a vessel used for cooking and drinking. The *pailei* was made from clay, metal, or other materials, and was apparently shaped like a shallow pan. This is the Aramaic translation of the Hebrew *ke'arot* (Exodus 25:29), which are among the vessels of the Temple. It is possible that there were larger vessels of the same name.



Greek *fiálē*

וּחֲמֵשׁ חִיּוּרֵי־תָרַח: "חלת נזיר ומצורע שֶׁנִּפְסְלוּ בְּשַׁבַּת". "חלת" – רביעית שמן לחלה; "נזיר" – רביעית שמן לנזיר; "מצורע" – רביעית מים למצורע; "שֶׁנִּפְסְלוּ" – דתנן: ושאר כל המשקין טמאין פוסלין את הגויה ברביעית.

"בשבת" – דתנן: ושאר כל המשקין ברביעית, ושאר כל השופכים ברביעית.

ותו ליכא? והאיכא: מרביעית נטלין לידים, לאחד ואפילו לשנים! בפלוגתא לא קא מיירי.

והא איכא: היה מביא פיילי של חרס ונותן לתוכה חצי לוג מים מן הכיור, ורבי יהודה אומר: רביעית! בפלוגתא לא קא מיירי.

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

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

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

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

HALAKHA

A quarter-log of oil added to the loaves – רביעית שמן לחלה: Each of the High Priest's loaves of his special meal-offering resembling a wafer must contain a quarter-log of oil, which is measured in the measuring vessel of a quarter-log in the Temple. The loaves are first baked with a small amount of oil, before they are fried in a pan with the remainder of the oil (Rambam *Sefer Avoda, Hilkhot Ma'aseh HaKorbanot* 13:3).

The loaves brought with a thanks-offering are half of leavened bread and half of *matza*, with the *matzot* divided into three categories: Loaves, wafers, and flour mixed with water and oil. It is a *halakha* transmitted to Moses from Sinai that a half-log of oil is used for the various types of *matza*, half of which, i.e., a quarter-log, is for the flour mixed with water and oil, while the other half is for the loaves and wafers (Rambam *Sefer Avoda, Hilkhot Ma'aseh HaKorbanot* 9:17–21).

A quarter-log of oil for a nazirite – רביעית שמן לנזיר: This refers to the loaves of a nazirite: Ten loaves are *matza*, and ten are *matza* wafers. The quarter-log of oil added to them is derived from a *halakha* transmitted to Moses from Sinai (Rambam *Sefer Avoda, Hilkhot Ma'aseh HaKorbanot* 9:23 and *Sefer Hafla'a, Hilkhot Nezirut* 8:1).

A quarter-log of water for a leper – רביעית מים למצורע: The purification ritual of a leper includes a new earthenware vessel into which the priest places a quarter-log of spring water that is fit to be used for the red heifer. The requirement to use this

amount is by rabbinic law (Rambam *Sefer Tahara, Hilkhot Tumat Tzara'at* 11:1).

Disqualify the body, of a quarter-log – פוסלין את הגויה ברביעית: One who drinks ritually impure liquids is rendered impure only if he consumed a quarter-log. All liquids combine to constitute this amount (Rambam *Sefer Tahara, Hilkhot She'ar Avot HaTumot* 8:11 and *Hilkhot Tumat Okhalin* 4:3).

All other liquids, is a quarter-log – שאר כל המשקין ברביעית: A quarter-log is the measure that creates liability for carrying on Shabbat any liquids for which no other amount is specified. This is also the measure for all waste water that is poured away (Rambam *Sefer Zemanim, Hilkhot Shabbat* 18:2).

With a quarter-log one can wash the hands, etc. – מרביעית נטלין לידים: One must wash his hands in at least a quarter-log of water. However, if two people washed together or successively, one quarter-log suffices for both of them, provided that there is no pause in the flow of the water (Rambam *Sefer Tahara, Hilkhot Mikvaot* 11:8; *Shulhan Arukh, Oraḥ Hayyim* 160:13).

He would bring a...vessel, etc. – היה מביא פיילי וכו': A completely new earthenware vessel must be used for the ritual of the *sota*, and it must even have the appearance of a new vessel. This vessel is filled with half a log of water from the basin in the Temple, contrary to the opinion of Rabbi Yehuda (Rambam *Sefer Nashim, Hilkhot Sota* 3:9).

בְּמֵה מִיּוֹם נוֹתֵן לְתוֹכָהּ – How much water must one place in it – Although it is prohibited to recite *Shema* in the presence of urine, if one places a quarter-log of water in a vessel that contains one discharge of urine he may recite *Shema*, provided that the vessel does not emit a foul odor. The *halakha* is in accordance with the opinion of Rabbi Zakkai (Rambam *Sefer Ahava, Hilkhot Keriat Shema* 3:10; *Shulhan Arukh, Orah Hayyim* 87:1).

בִּרְמֵה מִקְוֵה – If three *log* of drawn water fall into a ritual bath that lacks the requisite forty *se'a*, all its water is invalidated. However, it is not invalidated by a quarter-log of drawn water, in accordance with the conclusion of the Gemara (*Shulhan Arukh, Yoreh De'a* 201:15).

בְּרֵמֵה מִקְוֵה, דְּבִטְלוּהָ – Excludes that, as the Sages annulled it – Although it is permitted by Torah law to immerse vessels in a ritual bath that contains a quarter-log of water, the Sages annulled this practice, and insisted that one must use a ritual bath of forty *se'a* for all purification. However, if in the side of the ritual bath there is a hole with a capacity of a quarter-log, one may immerse any vessels there that are entirely covered by the water it contains (*Shulhan Arukh, Yoreh De'a* 120:1, 201:57 and *Shakh* there).

NOTES

תֵּנָא קַמְיָא לֹא מְדַמֵּי – The first *tanna* does not liken – There are two basic opinions with regard to the initial version of the mishna. According to one opinion, the dispute is between Rabbi Akiva and the first ruling, i.e., the first *tanna* mentioned here, and concerns only the amount of wine for which a nazirite is liable. The first *tanna* maintains that he is liable for a quarter-log, whereas Rabbi Akiva rules that it is an olive-bulk. According to the other opinion, their dispute refers to all the prohibitions of a nazirite: The first *tanna* maintains that the measurement for both drinking and eating is a quarter-log, whereas Rabbi Akiva contends that the relevant amount in all cases is an olive-bulk. The standard text of the Gemara follows the first interpretation, that the first *tanna* does not compare all the prohibitions of a nazirite to drinking. Rather, the amount for drinking is a quarter-log while that for eating is an olive-bulk (*Tosafot*). Others have a different version of the Gemara, which follows the second opinion: The first *tanna* compares all the prohibitions of a nazirite to drinking in general. In other words, the nazirite's prohibitions with regard to eating are also measured by a quarter-log, which is the measure for prohibitions involving drinking in other areas of *halakha* (*Rosh*).

נֹר עֹא... גְּרָפִים – Just as one is liable for eating grapes by the amount of an olive-bulk, he is likewise liable for consuming the same amount when the grapes are in a different state, namely a liquid (Commentary on *Nazir*). Others explain that this derivation is based on the term “nor,” which connects the adjacent prohibitions: Just as grapes are forbidden by an olive-bulk, so too, the previously stated prohibition, i.e., anything soaked in grapes, also applies by the same amount (*Tosafot*). Some versions of the text cite a different verse: “Anything that is made from the grapevine, from the skins to the seeds, he may not eat” (Numbers 6:4). Since this verse refers to “anything that is made from the grapevine,” including wine, an employs the phrase “he may not eat,” this indicates that the amount for liability with regard to wine is the same as with regard to grapes (Meiri; see *Sifrei*).

לְחַיֵּיב עַל זֶה בְּפָנָי – To render him liable for this by itself, etc. – The verse could simply have stated: Nor eat grapes. Since it states: “Nor eat fresh grapes or dried,” this teaches that one who eats two types is liable to two sets of lashes, as they are considered separate prohibitions.

וְהֵאִיבָא: כִּמְה מִיּוֹם נוֹתֵן לְתוֹכָהּ – כל שְׁהוּא, רַבִּי זְכַאִי אָמַר: רַבִּיעִית! בְּפִלּוּגְתָּא לָא קַא מִיִּירִי. וְהֵאִיבָא מְקוּהָ! בְּרֵמֵה מִקְוֵה, דְּבִטְלוּהָ רַבְנֵי.

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

Perek VI
Daf 38 Amud b

וְאִינוּ חַיִּיב אֶלְאֵ עַד שְׂיֵאכַל מִן הָעֵנְבִים כְּזֵית וְכוּ'. תֵּנָא קַמְיָא לֹא מְדַמֵּי לְהוֹן לְכָל אִיסוּרֵי נְזִיר לְשִׁתְּיָה. וְרַבִּי עֲקִיבָא: כִּיּוֹן דְּכִתִּיב 'וְעֵנְבִים לְחִים וְיִבְשִׁים לֹא יֵאכַל', מֵה אֶכִּילָה כְּזֵית – אף כל איסורין כְּזֵית.

S The mishna taught: **And he is liable to receive lashes only if he eats an olive-bulk of the grapes.** The mishna continues by noting that with regard to drinking, the first *tanna* holds that a nazirite is liable for a quarter-log, whereas Rabbi Akiva maintains that the amount of an olive-bulk applies to liquids as well. The Gemara explains this dispute: **The first tanna does not liken**^N **all the other prohibitions of a nazirite to the prohibition of drinking wine, and therefore the measurements for eating and drinking are the same as for prohibitions in other contexts: An olive-bulk of food and a quarter-log of drink. And Rabbi Akiva maintains that since it is written: “Nor eat fresh grapes^N or dried” (Numbers 6:3), this verse teaches that just as eating is measured by the amount of an olive-bulk, so too, all the prohibitions of a nazirite are measured by an olive-bulk.**

['וְחַיִּיב עַל הַיַּיִן בְּפָנָי עֲצָמוֹ' כו'.] תֵּנָא רַבְנֵי: 'וְעֵנְבִים לְחִים וְיִבְשִׁים לֹא יֵאכַל' – לְחַיִּיב עַל זֶה בְּפָנָי עֲצָמוֹ, וְעַל זֶה בְּפָנָי עֲצָמוֹ. מִכָּאֵן אֲתָה דִּן לְכָל אִיסוּרֵי שְׂבִיתוֹרָה: מֵה כָּאן, שְׁהוּא מִין אֶחָד וְהוּן שְׁנֵי שְׂמוֹת, וְחַיִּיב עַל זֶה בְּפָנָי עֲצָמוֹ וְעַל זֶה בְּפָנָי עֲצָמוֹ, אֶף כֹּל שְׁהוּא מִין אֶחָד וְהוּן שְׁנֵי שְׂמוֹת, חַיִּיב עַל זֶה בְּפָנָי עֲצָמוֹ וְעַל זֶה בְּפָנָי עֲצָמוֹ.

S The mishna further taught: **And he is liable for consuming wine by itself, and for grapes by themselves, and for grape seeds by themselves, and for grape skins by themselves. The Sages taught:** The verse: **“Nor eat fresh grapes or dried”** (Numbers 6:3), serves to render him liable for this by itself^N and for that by itself, i.e., that he need not consume all of the grape products listed in the verses. **From here you derive the halakha with regard to all prohibitions of the Torah: Just as here there is one type of food, grapes, which are called by two names, fresh or dried, and he is liable for this by itself and for that by itself, so too, in all cases where there is one type and they are called by two names,^h one is liable for this by itself and for that by itself.**

לְאִיתוּי חֲמֵרָא חֲדָתָא וְעֵינְבֵי.

The Gemara adds that in the case of a nazirite this principle serves to include new wine, i.e., grape juice, and grapes.^h Although these are apparently a single type, as the juice, before fermenting, is merely grapes in liquid form, nevertheless one is liable for grape juice and grapes separately, as they have different names.

HALAKHA

All cases where there is one type and they are called by two names – כָּל שְׁהוּא מִין אֶחָד וְהוּן שְׁנֵי שְׂמוֹת – A nazirite who drinks a quarter-log of wine and a quarter-log of vinegar is flogged only once. Some authorities (Ra'avad; see *Migdal Oz*) dispute this ruling (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 5:9 and *Kesef Mishne* there).

New wine and grapes – חֲמֵרָא חֲדָתָא וְעֵינְבֵי: If a nazirite ate an olive-bulk of grapes and drank a quarter-log of wine or grape juice, he is liable for a separate set of lashes for each. This includes a case where one squeezed a cluster of grapes and drank a quarter-log of the juice (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 5:8).

He is flogged only once – אינו לוקה אלא אחת – Two explanations of Rava's opinion are suggested (Commentary on *Nazir*). According to one opinion, even a nazirite who ate seeds and skins together is flogged only once, as Rava maintains that all the details specified by the Torah with regard to a nazirite merely teach what is included in his prohibition. They are not considered distinct prohibitions. It is difficult to explain the mishna according to this opinion, which is rejected by many commentaries. The other interpretation, accepted by most authorities, is that he is flogged only once if he ate a grape seed or skin, because he is not flogged for the prohibition against “anything that is made of the grapevine.”

He omitted the case of in between – שׂייר דבין הביניים – There are various opinions with regard to the meaning of: In between, in this context (see 35a). Some explain that it means the substance of the grape itself, whereas others claim that it refers to small grapes that sprout between the larger ones (Rabbeinu Tam).

אמר אביי: אכל חרצן – לוקה שתים, אכל
וג – לוקה שתים, אכל חרצן ווג – לוקה
שלש. רבא אמר: אינו לוקה אלא אחת,
שאינו לוקה אלא שבבבלות.

מתביב רב פפא: רבי אליעזר אומר: נזיר
שהיה שותה יין כל היום – אינו חייב אלא
אחת. אמרו לו “אל תשתה” “אל תשתה”
והוא שותה – חייב על כל אחת ואחת.
אכל ענבים לחים ויבשים, חרצנים ווגים,
וכחט אשכול של ענבים ושתה – לוקה
חמש. אי הכי – לילקי שש, אחת על “מבל
אשר יעשה”!

תנא ושׂייר. מאי שׂייר דהאי שׂייר? שׂייר
“לא יחל דברו”.

אי משום האי – לאו שׂיירא הוא, כי קתני
מידי דלא איתיה בדוכתא אחריתי: “לא
יחל דברו” איתיה בגדרים.

אמר ליה רבינא מפרוקיא לרב אשי: והא
שׂייר דבין הביניים! אלא אמר רב פפא:
לא תנא מידי חמש. – והא

Abaye says: A nazirite who ate a grape seed is flogged twice, i.e., two sets of thirty-nine lashes, one set for the specific prohibition stated with regard to grape seeds, and the other for the general prohibition “anything that is made of the grapevine” (Numbers 6:4). Likewise, if he ate a grape skin he is flogged twice. If he ate a grape seed and a grape skin he is flogged three times, for the seed, for the skin, and for the prohibition “anything that is made of the grapevine.” Rava says: He is flogged only once^{NH} if he ate a seed or a skin. He is not flogged for “anything that is made of the grapevine,” because one is not flogged for violating a general prohibition.^H One is not liable to receive lashes for violation of a single prohibition that includes many items or cases.

Rav Pappa raised an objection to Abaye's statement. Rabbi Eliezer says: A nazirite who was drinking wine^H all day is liable to receive only one set of lashes. If two witnesses said to him in warning: Do not drink, do not drink, and he continued drinking, he is liable for each and every one of the warnings that was followed by an act of drinking. If he ate grapes and raisins, grape seeds and grape skins, and squeezed a cluster of grapes and drank the juice, he is flogged five times. The difficulty for Abaye is as follows: If so, that Abaye's opinion is accepted, let him be flogged six times, to include one more for transgressing the verse “anything that is made of the grapevine” (Numbers 6:4).

Abaye responded: Rabbi Eliezer taught certain prohibitions and omitted others. He did not include all the prohibitions for which one is liable to be flogged. The Gemara asks: What else did he omit that he omitted this? He would not have listed all relevant prohibitions less one. The Gemara answers: He also omitted the additional prohibition of “He shall not profane his word” (Numbers 30:3),^H as the nazirite profaned his word by violating his vow of naziriteship.

The Gemara retorts: If it is due to that verse, this is not an omission, as when Rabbi Eliezer teaches and lists the lashes which a nazirite is liable to receive, he includes only matters that are not found elsewhere, i.e., he mentions only prohibitions that apply exclusively to a nazirite. The prohibition “He shall not profane his word” is relevant to vows in general, and therefore he omitted it. Consequently, Rabbi Eliezer should have mentioned the prohibition “anything that is made of the grapevine,” and the fact that he did not do so presents a difficulty for the opinion of Abaye.

Ravina from Parzakya said to Rav Ashi: But he omitted the case of in between.^N Rabbi Eliezer could have added that a nazirite is liable not only for the seed and skin of a grape but also for the substances in between them, as the verse: “From pits to grape skin” (Numbers 6:4), comes to include all that is in between the two (see 34b). Rather, Rav Pappa said: Actually, Rabbi Eliezer did not teach anything about five sets of lashes, but merely stated that he is flogged for all those actions, without enumerating the precise number. Therefore, this source does not present a difficulty for Abaye. The Gemara asks: But

HALAKHA

He is flogged only once – אינו לוקה אלא אחת – A nazirite who ate an olive-bulk of grape seeds or skins is flogged twice, once for the seed or skin and once for violating “he shall not profane his word” (Numbers 30:3). However, he is not flogged for violating “anything that is made of the grapevine,” as that is a prohibition stated in general terms. The *halakha* is in accordance with the opinion of Rava, as is usual in his disputes with Abaye, especially as here Rav Pappa and others agree with this ruling (Rambam *Sefer Hafla'a*, *Hilkhot Nezirut* 5:8 and *Ra'avad and Kesef Mishne* there).

One is not flogged for a general prohibition – אינו לוקה אלא אחת – שבבבלות: One who violates a prohibition stated in general

terms is not flogged. A prohibition stated in general terms refers to a single prohibition which applies to various areas of *halakha*, e.g., as it is stated in the verse: “You shall not eat with the blood” (Leviticus 19:26; see *Sanhedrin* 63a). Likewise, if the Torah states prohibitions by the formula: You shall not do this action and that action, without stating a separate prohibition for each of them, these are also prohibitions stated in general terms (Rambam *Sefer Shofetim*, *Hilkhot Sanhedrin* 18:2).

A nazirite who was drinking wine, etc. – נזיר שהיה שותה יין וכו' – If a nazirite drank wine for an entire day and was warned only once, he is flogged once, although he is liable to be punished by Heaven for each quarter-log he consumes. However, if he

was warned for each quarter-log and he drank regardless, he is flogged for every quarter-log (Rambam *Sefer Hafla'a*, *Hilkhot Nezirut* 5:10).

שׂייר, לא יחל – He omitted, he shall not profane his word – דברו: With regard to a nazirite who transgressed more than one prohibition of naziriteship at one time, e.g., by eating an olive-bulk of grapes and drinking a quarter-log of wine or contracting ritual impurity from a corpse, he is flogged for each separate transgression. In addition, he is flogged for violating the prohibition “he shall not profane his word” (Rambam *Sefer Hafla'a*, *Hilkhot Nezirut* 5:8).