

בְּעֵי רְבָא: נְמִלָּה שְׁחִסְרָה מַהוּ? שִׁיעוּרָא  
גְּמִירִין לָהּ – וְהָא חָסֵר, אוּ בְרִיָּה גְּמִירִי  
לָהּ, וְהָאִיכָא?

**S** In relation to the above discussion concerning a body without a limb, Rava raised a dilemma: If someone eats an entire ant, even if it is less than an olive-bulk in volume, he is liable for eating a creeping animal because it is a whole creature. Rava's dilemma was as follows: If one eats an ant that lacks a part, e.g., a leg, what is the halakha? Is this individual liable to receive lashes? The two possibilities are as follows: Is it learned as tradition that the amount for which one is liable is a whole ant, and this one is lacking? Or did we learn that he is punished for a viable entity, and there is a viable entity here, despite the missing limb?

Perek VII  
Daf 52 Amud a

HALAKHA

And the Sages calculated that this is the volume of a lentil-bulk – וְשִׁיעוּרֵי חֲכָמִים בְּכַעֲדָא. The carcass of a creeping animal imparts ritual impurity if it has the volume of a lentil-bulk. All creeping animals combine to form this amount (Rambam *Sefer Tahara, Hilkhot She'ar Avot HaTumot* 4:2).

Does have a soul, etc. – נְמִלָּה בְּהָ נִשְׁמָה וכו'. If someone eats a forbidden creature in its entirety, e.g., if he eats an ant, he is liable to receive lashes regardless of its size. However, if it is missing even a leg, he is liable only if he ate the amount of an olive-bulk. This is because the Gemara's dilemma is left unresolved, and the court does not administer lashes in a case of uncertainty (Rambam *Sefer Kedusha, Hilkhot Ma'akhalot Assurot* 2:22, and *Mishne LaMelekh* there).

BACKGROUND

Skink [*homet*] – חוֹמֵט: The *homet* is one of the eight creeping or swarming animals mentioned in the Torah (Leviticus 11:30). Precise identification of each of these creatures is by no means a simple matter. Throughout the generations, there were two traditions with regard to identification of the *homet*. Some say it is one of the subspecies of snails that lack a shell. This interpretation is supported by the claim that it is as large as a lentil-bulk, which is the size of a small snail. Others identify the *homet* as a species of reptile similar to the chameleon (Rav Se'adya Gaon). Nowadays the *homet* is widely regarded as a species of skink. Dwelling primarily in the sand, narrow and thin skinned, some varieties of the skink have only two working limbs along with two atrophied limbs, while others have no limbs at all.



Legless skink

אָמַר רַב יְהוּדָה מְדִיסקְרְתָא, תָּא  
שְׁמַע: "בְּהֵם". יָכוֹל בְּכוֹלָן – תְּלִמוּד  
לוֹמַר "מֵהֵם". אִי "מֵהֵם" יָכוֹל מְקַצְתָּן –  
תְּלִמוּד לוֹמַר "בְּהֵם".

הָא כִּיצַד? עַד שִׁיגַע בְּמִקְצָתָן שְׁהוּא  
בְּכוֹלָן, וְשִׁיעוּרֵי חֲכָמִים בְּכַעֲדָא שְׁהוּא, שְׁבִין  
הַחוֹמֵט תְּחִלַּת בְּרִייתוֹ בְּכַעֲדָא שְׁהוּא. שְׁמַע  
מִינָּה: שִׁיעוּרָא גְּמִירִי לָהּ.

אָמַר רַב שְׁמַעְיָה: כִּי בְּעֵינֵי שִׁיעוּרָא,  
דְּבִדְלָא הוּא בְּכַעֲדָא לֹא מְטֵמָא –  
דְּלֹא נְמִלָּה בְּהָ נִשְׁמָה, אֲבָל נְמִלָּה בְּהָ  
נִשְׁמָה – לֹא. תִּיבְעֵי לָךְ.

Rav Yehuda from Diskarta said: Come and hear the following halakhic midrash concerning the ritual impurity of creeping animals. The verse states: "Whoever touches them when they are dead shall be impure" (Leviticus 11:31). One might have thought this halakha applies only to all of them, i.e., to complete creatures. Therefore, the verse states: "And upon whatever any of them, when they are dead, fall, it shall be impure" (Leviticus 11:32), which indicates that part of these creatures also imparts impurity. If the halakha were derived solely from the phrase "of them," one might have thought that it applies even to a small part of them. The verse therefore states: "Them," which means all of them.

How so? How can one reconcile the two verses? He does not become ritually impure unless he touches at least part of them that is equal in measure to all of them, i.e., a large part. And the Sages calculated that this is the volume of a lentil-bulk.<sup>4</sup> Why is this? As the start of the formation of a skink,<sup>5</sup> one of the eight impure creeping animals, is the size of a lentil-bulk. This concludes the halakhic midrash. With regard to the issue at hand, one can learn from here that it is learned as a tradition that the amount<sup>6</sup> for a creature to be considered whole is a lentil-bulk. If so, an ant missing a limb should likewise not have the status of a creature.

Rav Shemaya said, in refutation of this argument: When we require the above amount, that if it is not the volume of a lentil-bulk it does not impart impurity, the requirement applies only in a case where the creature does not have a living soul before it grows to the size of a lentil. However, if it does have a soul,<sup>4</sup> this volume is not required. If the creature can survive, perhaps it does impart impurity even if it is lacking a limb. Consequently, with regard to an ant that is missing a limb, the dilemma remains unresolved for you.

NOTES

Learn from here that it is learned as a tradition that the amount, etc. – שְׁמַע מִינָּה שִׁיעוּרָא גְּמִירִי וכו'. Some commentaries explain that once it is derived from the verse that the size of a whole creature is required, it is evident that an animal that is missing a limb no longer imparts ritual impurity, and therefore it is not prohibited to consume it either (Commentary on *Nazi*). Others state that a skink in its entirety is the volume of a lentil-bulk, including its legs and other limbs. If part of it is

removed, the creature no longer imparts impurity even if the skink can survive without this part, because the remainder is less than the minimum size. This shows that the amount of a whole creature is required (*Tosafot*). Others formulate the argument as follows: If an ant from which a limb has been removed is nevertheless considered a creature, a skink should impart impurity even if it is less than the volume of a lentil (Rosh; Rabbeinu Azriel).

A spine, the majority of whose ribs were removed – שְׁדֵרָה שְׁגִירָה רֹב עֵלְעִין שָׁבָה: If the majority of the ribs of a spine were removed, it does not impart impurity in a tent, even if the spine itself remains intact. If it was in a grave, it imparts impurity in a tent even if it was broken into small pieces, as the grave joins them together (Rambam *Sefer Tahara, Hilkhot Tumat Met* 4:7).

A limb from a corpse, etc. – אֶבֶר מִן הַמֵּת וְכוּ': A limb from a corpse that is combined from two corpses, a limb combined from two living people, a quarter-kav of bones from two corpses, a quarter-log of blood from two bodies, spine bones joined from two corpses, and skull bones from two corpses impart ritual impurity through contact or carrying but not in a tent, in accordance with the opinion of the Rabbis (Rambam *Sefer Tahara, Hilkhot Tumat Met* 4:1–2).

## PERSONALITIES

Todos the doctor – תּוֹדוֹס הַרֹפֵא: Todos is a shortened version of the Greek name Θεόδωρος, Theodoros, or, in Hebrew, Mattityahu. It appears that Todos was a prominent doctor in the generation following the destruction of the Second Temple. There are a number of cases recorded in the Talmud in which the Sages relied on his professional advice.

## NOTES

There is not a full spine from one corpse here – אֵין – כָּאֵן שְׁדֵרָה מִמֵּת אֶחָד: The commentaries ask: Since this was evidently not a whole spine but was broken into its constituent vertebrae, what is the point of the question? After all, a spine of this kind certainly does not impart ritual impurity (*Tosafot*). They answer that these bones were previously in a whole state in a grave, which a nazirite was overlaying. It was therefore necessary to clarify whether or not the grave joined them together to render the nazirite impure (see Rosh and Rabbeinu Peretz).

## BACKGROUND

There is not a full spine from one corpse here – אֵין – כָּאֵן שְׁדֵרָה מִמֵּת אֶחָד: This determination required medical expertise, as only a doctor could examine the form of each bone and decide whether the collection was from one or several bodies. This became easier when duplicate bones were found in the collection, as two of the same bones could not have come from the same body. Once it was determined that the bones were from more than one body, the investigation would have been painstaking, as separated vertebrae from the spinal column, which in this case were broken, are very similar to each other, and each body contains many of these bones. For this reason, great expertise was required to determine the origin of the bones.

“הַשְּׁדֵרָה וְהַגּוֹלְגוֹלֶת” אֵיבְעִיא לְהוּ: שְׁדֵרָה וְגוֹלְגוֹלֶת תֵּנָן, אוּ דְלָמָּא אוּ שְׁדֵרָה אוּ גוֹלְגוֹלֶת? אָמַר רַבָּא, תָּא שְׁמַע: שְׁדֵרָה שְׁגִירָה רֹב עֵלְעִין שָׁבָה – טְהוֹרָה, וּבְקִבְרָא אֶפִּילוּ מִשְׁבֻּרָת אוּ מְפֹרֶקֶת – טְמֵאָה, מִפְּנֵי הַקֶּבֶר.

The Gemara infers from this *baraita*: **The reason it is ritually pure in the first case is due to the fact that the ribs were removed, from which it may be inferred that if they were not removed, it is impure on its own, even without the skull. Learn from this that the mishna teaches: Either a spine or a skull. The Gemara rejects this claim: The *baraita* does not teach this explicitly. It does not state that if the ribs were not removed the spine imparts ritual impurity by itself. Rather, the *baraita* teaches us this, that if the ribs were removed the spine is pure. And as to the other issue, the impurity of a spine on its own, the dilemma remains unresolved for you.**

The Gemara further suggests: **Come and hear a resolution from the *Tosefta* (*Oholat* 4:2). Rabbi Yehuda says that Rabbi Akiva deems six items impure that the Rabbis deem pure, and Rabbi Akiva later retracted his opinion. And an incident occurred in which they brought a box that was full of bones to the synagogue of blacksmiths [*tarsiyyim*],<sup>1</sup> and they placed it in an open airspace, not under the roof, so that it would not impart ritual impurity. And Todos the doctor<sup>p</sup> entered and all the other doctors entered with him, and they said, after examining the pile: There is not a full spine from one corpse here.<sup>NB</sup>**

The Gemara infers from this incident: **The reason it is ritually pure is due to the fact that there was no spine from one corpse, from which one can infer that if there is either a spine or a skull from one corpse, a nazirite must shave due to it. Learn from this that we learned in the mishna that a nazirite shaves either for a spine or a skull. The Gemara rejects this argument: The *tanna* of the *baraita* is speaking utilizing the style of: It is not necessary, as follows: It is not necessary to state that there is no spine and skull from one corpse in the box, but even the remains of either a spine from one corpse or a skull from one corpse, which together impart impurity, are not present. Instead, there are parts of spines and skulls from several bodies.**

The Gemara further suggests: **Come and hear from the tally in the above *baraita*: And what are those six items that Rabbi Akiva deems ritually impure and the Rabbis deem ritually pure? They consist of a limb from a corpse<sup>h</sup> that comes from, i.e., is combined with, two corpses; and a severed limb from a living person that comes from two living people; and half-kav of bones that come from two corpses; and a quarter-log of blood that comes from two corpses; and of a bone that is a barley-grain-bulk, even from one body, that was divided into two; and the spine and the skull from two corpses.**

## LANGUAGE

Blacksmiths [*tarsiyyim*] – טְרַסְיִימִים: From the name of the Greek city Ταρσός, Tarsus. This ancient city, located in Asia Minor, once served as a center of Greek culture and manufacturing. The residents of Tarsus excelled in various crafts, principally the weaving of special textiles and fine metalwork, e.g., inlaying or casting different kinds of metals. Several trades are named after the city. The Sages used the word *tarsiyyim* for a particular kind of weaver, perhaps those who produced the tapestries and linens of Tarsus, as well as a certain type of silversmith.

Already in the Second Temple period, there were synagogues associated with distinct groups of craftsmen, a tradition that has continued until recent generations. Accordingly, it is not surprising that there was a special synagogue for blacksmiths. It is also possible that this was the synagogue of Jews from Tarsus, which had a Jewish community. This would follow the ancient tradition of Jews from a particular town banding together in a new region or country to form their own synagogue.

NOTES

A mnemonic, an individual, etc. – סימן יחיד וכו' – This mnemonic, which does not appear in all manuscripts, is difficult to decipher. Some commentaries explain it as referring to the four options offered in the following discussion for the *halakha* omitted from the tally, with each term representing one option (*Shoshanim LeDavid*).

Rabbi Akiva held onto his opinion – לְמוֹדוֹ שֶׁל רַבִּי עֲקִיבָא בְיָדוֹ – Some say that Rabbi Akiva was known to have repeated this ruling to his disciples on many occasions, and it is therefore evident that he did not change his mind.

Quarter-kav of bones from bones – רֹבַע עֲצָמוֹת מִן הָעֲצָמִים – Some commentaries suggest that Beit Shammai received a ruling referring to a quarter-kav of bones from bones, which they interpreted as referring to two or three bones. Conversely, Beit Hillel's ruling stated: A quarter-kav from the body, which they explained as a reference to the majority of the structure or the majority of the number of bones, which has the status of a whole corpse.

Or from two or from three – אוּ מִשְׁנַיִם אוּ מִשְׁלֹשָׁה – According to most commentaries, this means: From two or three bones. They apparently maintain that a quarter-kav from a single bone does not impart ritual impurity (see Meiri). Others explain that Beit Shammai are referring to bones from two or three different people (Rambam's Commentary on the Mishna, *Eduyyot* 1:7). If so, Beit Shammai maintain that bones from several people can combine to the amount of a quarter-kav. This means that Rabbi Akiva rules in accordance with the opinion of Beit Shammai. It is stated in one source that Rabbi Akiva was a *Shamuti*, a follower of Beit Shammai.

HALAKHA

To the exclusion of a bone that is a barley-grain-bulk – לְאַפּוֹקֵי עֲצָם בְּשִׁעוּרָה – A bone from a corpse that has the volume of a barley-grain-bulk imparts impurity by contact and carrying, which means that a nazirite who touches or carries it is obligated to shave. However, it does not render people or items impure in a tent (Rambam *Sefer Tahara, Hilkhot Tumat Met* 2:10 and *Sefer Hafla'a, Hilkhot Nezirut* 7:6).

A bone that is a barley-grain-bulk was divided – שְׁנַחֲלַק עֲצָם בְּשִׁעוּרָה – A bone the volume of a barley-grain-bulk that was split in two imparts ritual impurity by carrying, as the *halakha* is in accordance with the opinion of Rabbi Akiva (Rambam *Sefer Tahara, Hilkhot Tumat Met* 4:4, and *Kesef Mishne* there).

Quarter-kav of bones – רֹבַע עֲצָמוֹת – A quarter-kav of bones imparts impurity even if the bones do not contain the majority of the structure or the majority of the number of the bones of a corpse, nor a spine or whole skull. This quarter-kav imparts ritual impurity by touch, carrying, and in a tent (Rambam *Sefer Tahara, Hilkhot Tumat Met* 2:9, and *Kesef Mishne* there).

LANGUAGE

Bones [*atzamim*] – עֲצָמִים – Although this plural term usually appears as the feminine *atzamot*, the masculine form *atzamim* is occasionally used (see Ezekiel 24:4).

וְאִי סִלְקָא דְעֵתְךָ אוּ שְׂדֵרָה אוּ גוּלְגוּלָּתַי – הֲנִי שְׂבַעָה הָוְיִין! כִּי קִתְנִי (סימן יחיד שהו"א גיל"ח ואח"ד).

כָּל הַיְכָא דְפְלִיגֵי עֲלֵיהּ רַבִּים, לְאַפּוֹקֵי עֲצָם בְּשִׁעוּרָה דִּיחִיד הוּא דְפְלִיגֵי עֲלֵיהּ. דִּתְנִינָא: עֲצָם בְּשִׁעוּרָה שְׁנַחֲלַק לְשְׁנַיִם, רַבִּי עֲקִיבָא מְטַמָּא וְרַבִּי יוֹחָנָן בֶּן נוּרִי מְטַהֵר.

וְאִי בְעִית אֵימָא: כִּי קִתְנִי – אֶבֶר מִן הַמֵּת, אֶבֶר מִן הַחַי לֹא קִתְנִי.

וְאִיבְעִית אֵימָא: כִּי קִתְנִי – כָּל הַיְכָא דְנִזְיֵר מְגַלַּח עַל אֵהִילוֹ, לְאַפּוֹקֵי עֲצָם בְּשִׁעוּרָה דְלֹא.

וְאִיבְעִית אֵימָא: כִּי קִתְנִי – כָּל הַיְכָא דְהָדָר בֵּיהּ, לְאַפּוֹקֵי רַבִּיעִית דִּם דְלֹא הָדָר בֵּיהּ. דְאָמַר לֵיהּ רַבִּי לְבַר קַפְרָא: לֹא תִשְׁנֶה רַבִּיעִית דִּם בְּחֻזְרָה, שְׁהָרִי לְמוֹדוֹ שֶׁל רַבִּי עֲקִיבָא בְיָדוֹ.

וְעוֹד. הַמְקַרָּא מְסִיעוֹ: 'וְעַל כָּל נַפְשוֹת מֵת לֹא יבֹא'. רַבִּי שְׁמַעוֹן אוֹמֵר: עַד יָמָיו הָיָה מְטַמָּא, אִם מְשֻׁמֵּת חוּר בּוֹ – אֵינִי יוֹדֵעַ. תְּנָא: הוֹשְׁתְּרוּ שִׁינָיו מִפְּנֵי תַעֲנוּתוֹ.

תָּא שְׁמַע: דִּתְנִינָא, בֵּית שְׁמַאי אוֹמְרִים: רֹבַע עֲצָמוֹת מִן הָעֲצָמִים, אוּ מִשְׁנַיִם אוּ מִשְׁלֹשָׁה. וּבֵית הֵלֵל אוֹמְרִים: רֹבַע מִן הַגּוּיָה, מְרֹבֵב הַבְּנִין אוּ מְרֹבֵב הַמְּנִין. אָמַר רַבִּי יְהוֹשֻׁעַ: יְכוּלְנִי לַעֲשׂוֹת דְּבָרֵי בֵּית שְׁמַאי וְדְבָרֵי בֵּית הֵלֵל בְּאֶחָד.

And if it enters your mind that the *halakha* applies to either a spine or a skull and they are two separate *halakhot*, these are seven cases, rather than six. The Gemara rejects this claim: No proof can be brought from here, as when the *tanna* teaches this tally he lists seven items. However, only six are fully relevant here, and therefore he said they were six. The Gemara inserts a mnemonic device for the ensuing suggestions as to which item in the list is not necessary in this context: An individual<sup>h</sup> disagrees with him; that he; a nazirite shaves for it; and one quarter-log.

The first explanation is: Rabbi Akiva listed the spine and skull as separate items, but the six include anywhere that many Sages disagree with him, to the exclusion of the case of a bone that is a barley-grain-bulk,<sup>h</sup> as here it is an individual who disagrees with Rabbi Akiva, as it is taught in a mishna (*Oholot* 2:7): If a bone that is a barley-grain-bulk was divided<sup>h</sup> into two, Rabbi Akiva deems it impure and Rabbi Yohanan ben Nuri deems it pure. In this case, only one Sage disagrees with Rabbi Akiva.

And if you wish, say a different item on the list that is omitted from the tally: When he teaches six, he includes a limb severed from a corpse, but he does not teach a limb severed from a living person, and that was the case that was not listed.

And if you wish, say a different item on the list that is omitted from the tally: When he teaches six, he mentions anywhere that a nazirite shaves for his overlaying, i.e., he formed a tent over the remains of a corpse, to the exclusion of the case of a bone that is a barley-grain-bulk, as it does not impart ritual impurity in a tent. As stated in the mishna, this bone imparts impurity only through contact and carrying.

And if you wish, say a different item on the list that is omitted from the tally: When he teaches six, he lists anywhere that Rabbi Akiva retracted his opinion, to the exclusion of a quarter-log of blood, as he did not retract his opinion in that case, as Rabbi Yehuda HaNasi said to bar Kappara: Do not teach a quarter-log of blood in the list of Rabbi Akiva's retractions, as Rabbi Akiva held onto his opinion<sup>n</sup> in this regard.

And furthermore, the verse supports his opinion, as it states: "Neither shall he go in to any dead bodies" (Leviticus 21:11). The plural form "bodies" indicates that two corpses can join together, as stated by Rabbi Akiva. Similarly, Rabbi Shimon says: All his days, Rabbi Akiva would deem a quarter-log of blood from two corpses ritually impure. Whether he retracted his opinion after he died, this I do not know. A Sage taught: Rabbi Shimon's teeth blackened due to his fasts, which he undertook for uttering this irreverent comment about Rabbi Akiva.

**S** The Gemara returns to the earlier discussion. Come and hear an answer to the question of whether a spine and skull must be together to impart ritual impurity, as it is taught in a mishna (*Eduyyot* 1:7) that Beit Shammai say: The quarter-kav of bones,<sup>h</sup> which imparts impurity in a tent, can be from several bones [*ha'atzamim*]<sup>nl</sup> or from two or from three<sup>n</sup> bones, but they cannot be from one bone. And Beit Hillel say: The quarter-kav of bones must come from the same body, either from the majority of the structure of the skeleton or from the majority of the number of 248 bones in the body. Rabbi Yehoshua said: I can establish the statement of Beit Shammai and the statement of Beit Hillel as one. In other words, I can explain their opinions so that there is no dispute between them.

They include the joints of the hands and feet – לְשֵׁנָה – במפרקי ידים ורגלים: In tractate *Oholot* (1:8) the Sages count a total of thirty bones in the arms and legs, including hands and feet. Accordingly, the number of bones in these four limbs amounts to 120, close to half the traditional number of 248 bones in the body. Nowadays there are considered to be twenty-seven bones in each arm and twenty-six in each foot. Apparently the Sages also counted the tiny sesamoid bones found in the joints, which is why they arrived at a larger sum. Since the number of sesamoids varies with age and from one individual to another, it follows that in some skeletons the number of bones of the arms and legs could comprise the majority of bones of the entire body in number and size.

## HALAKHA

Even from one of them – אפילו חדרא מינהון – A whole spine or a whole skull impart impurity by contact, carrying, and in a tent, like an intact corpse, and a nazirite must shave if he is rendered impure by them. Although this dilemma is left unsolved by the Gemara, Shammai clearly rules in this manner, and the wording of the mishna indicates likewise (*Kesef Mishne*). Furthermore, the Gemara goes to great lengths to substantiate this opinion (Rambam *Sefer Hafla'a*, *Hilkhot Nezirut* 7:2 and *Sefer Tahara*, *Hilkhot Tumat Met* 2:8).

שבית שמאי אומרים משנים או משלשה – או משני שוקיים וירך אחד, או משני ירכיים ושוק אחד, הואיל ורוב גובהו של אדם מגובה. ובית הלל אומרים: מן הגויה או מרוב בגנין או מרוב מנין – הואיל וישנן במפרקי ידים ורגלים. שמאי אומר: אפילו עצם מן השדרה או מן הגולגולת.

How so? As when Beit Shammai say: From two or three bones, they mean either from two shins and one thigh, or from two thighs<sup>N</sup> and one shin. Since the majority of a person's height is contained in the height of these limbs, they are considered the majority of the structure of the body. And Beit Hillel say: Parts from the body, or from the majority of the structure, or from the majority of the number of bones, since they include the joints of the hands and feet,<sup>B</sup> which comprise many small bones, impart impurity. Shammai says:<sup>N</sup> Even a bone from the spine or from the skull imparts impurity. In this source, Shammai explicitly refers to a spine or a skull.

שמאי שמאי דמחמיר! לישטוט מינה: טעמא דבית שמאי דמחמיר, הא רבנן – עד דאיכא שדרה וגולגולת! לא, עד כאן לא פליגי רבנן עליה דשמאי – אלא בעצם אחד דאיתי מן השדרה ומן הגולגולת, אבל היכא דאיתיה בעיניה – אפילו חדרא מינהון.

The Gemara rejects this proof: One cannot establish a general *halakha* from this source, for Shammai is different, as he is invariably stringent, whereas the Rabbis might disagree. The Gemara inquires: If so, let us resolve the opposite from this *baraita*: The reason that Shammai spoke of a spine or a skull is that Beit Shammai are stringent, from which it may be inferred that according to the Rabbis a spine and skull are not ritually impure unless both a spine and skull are present. The Gemara rejects this proof too: No, the Rabbis disagree with Shammai only with regard to one bone that comes from the spine or from the skull, but when it is intact, even if the bone is from one of them,<sup>H</sup> either the spine or the skull, they possibly agree that it imparts impurity.

בעי רמי בר חמא: רובע עצמות מן שדרה וגולגולת, מאי? בי קתני חצי קב עצמות – היכא דאיכא משאר אבריו, אבל מן שדרה וגולגולת דחמירי – אפילו רובע עצמות, או דלמא לא שניא?

§ Rami bar Hama raised a dilemma: With regard to a quarter-kav of bones from a spine and a skull, what is the *halakha*? Does a nazirite shave for them? The Gemara explains the two sides of the dilemma: When the mishna teaches that one shaves for a half-kav of bones, does this apply only when they are from his other limbs, but in the case of bones from the spine and skull, which are stringent,<sup>N</sup> as they impart ritual impurity on their own, even a quarter-kav of bones imparts impurity? Or perhaps it is no different.

אמר רבא, תא שמע: השדרה והגולגולת, ואי סלקא דעתך רובע עצמות דאיתי מן שדרה וגולגולת חמיר – ליתני: על רובע עצמות הבא מן השדרה כו'!

Rava said: Come and hear a resolution from the mishna, which teaches: The spine and the skull. And if it enters your mind that a quarter-kav of bones that come from a spine and skull is more stringent than other limbs and imparts ritual impurity, let the *tanna* teach this *halakha* in a manner that presents a greater novelty, by stating: For a quarter-kav<sup>N</sup> of bones that come from the spine and the skull.

## NOTES

Or from two thighs – או משני שוקיים: The shin and thigh constitute the majority of the leg, which forms the majority of an individual's height. Some commentaries find Rabbi Yehoshua's statement somewhat problematic, as he lists three bones but not two, whereas Beit Shammai speak of two or three (*Tosafot*). One explanation is that the two thighs do not come from two legs. Rather, they are two bones, one thicker than the other, which together make up the thigh which are considered a single bone. If so, two thighs and a shin are essentially two bones, whereas two shins and a thigh constitute three (*Tosafot*; Rabbeinu Peretz). Others maintain that Beit Shammai's mention of two should not be taken literally, as it is the manner of the Sages to refer to several items by this term (see 10a).

Shammai says, etc. – שמאי אומר וכו': The proof that the spine and skull do not need to both be present to impart ritual impurity is apparently from Shammai's statement, as he explicitly counts the spine and skull separately. Many commentaries claim that the Gemara seeks to prove from Shammai's ruling that the Rabbis agree with him in this regard. Although he disputes the other opinions with regard to one bone, it is unlikely that the opinions are so varied that the Rabbis insist that the spine and skull must be together (*Tosafot*; Rosh). According to this explanation, the answer:

Shammai is different as he is stringent, should be understood as follows: Shammai's statement affords no proof, as he is often very stringent, and therefore it is possible that he maintains an extreme opinion in opposition to that of the Rabbis.

The spine and skull, which are stringent – שדרה וגולגולת דחמירי: Some commentaries explain that the stringency is that these bones impart ritual impurity even if they are extremely small, e.g., if they are from babies or miscarried fetuses, as no minimum volume is stated with regard to the spine and skull (Rid). One question is why Rami bar Hama doesn't inquire with regard to a quarter-kav from the majority of the structure or the majority of the number of bones, which is also a stringency (*Keren Ora*). The *Keren Ora* answers that, unlike the spine and skull, none of these bones is important or particularly stringent on its own, but only when combined together.

Let the *tanna* teach, for a quarter-kav – ליתני על רובע: In other words, the mishna itself should have taught: For a quarter-kav of bones from the spine and the skull. The commentaries point out that if this is Rava's inference, he maintains that the spine and skull invariably contain more than a quarter-kav, and therefore it is a greater novelty for the mishna to teach: A quarter-kav of bones from the spine and skull (*Tosafot*; Rosh).