

HALAKHA

With regard to a quarter-kav of bones – ברובע עצמות: It is uncertain whether a quarter-kav of bones from a spine or skull imparts ritual impurity in a tent. Consequently, a nazirite does not shave after coming into contact with bones of this type. This is because Rami bar Hama's dilemma is left unsolved (*Kesef Mishne*). In any case, a nazirite certainly must shave for touching or carrying these bones, as the *halakha* in this case is no more lenient than with regard to a regular bone, which imparts impurity in this manner in the volume of a lentil-bulk (Rambam *Sefer Hafl'a*, *Hilkhot Nezirut* 7:4, and see *Sefer Tahara*, *Hilkhot Tumat Met* 2:9).

וְהָא רַבָּא הוּא דְאָמַר: לֹא נִצְרְכָה אֶלָּא לְשִׁדְרָה וְגוּלְגוּלֹת שְׂאִין בְּהֵן וְרֹבַע עֲצָמוֹת! בְּתֵר דְשִׁמְעָה מֵרַבִּי עֲקִיבָא.

The Gemara expresses surprise at this argument: **But wasn't it Rava himself who said:**ⁿ This statement is **necessary only for a whole spine and skull that do not contain a quarter-kav of bones?** This indicates that in his opinion a quarter-kav of bones from a spine does impart ritual impurity. The Gemara answers: **After he heard** the statement of the *tanna*, he understood **from Rabbi Akiva**ⁿ that his dispute in the *baraita* (52a) concerns a spine and skull from two corpses, not a quarter-kav from a spine and skull. This interpretation led Rava to change his mind.

תָּא שְׁמַע, שְׁמַאי אָמַר: עֵצֶם אֶחָד מִן שִׁדְרָה אוֹ מִן גּוּלְגוּלָּה! שְׂאִי שְׁמַאי דְמַחְמִיר טְפִי.

The Gemara further suggests: **Come and hear** a resolution from the following: **Shammai says that one bone from the spine or from the skull** imparts ritual impurity. Although the Rabbis dispute his ruling, it can be assumed that they do not have a vastly different opinion. Rather, they accept that a quarter-kav from a spine imparts impurity and renders a nazirite obligated to shave. The Gemara rejects this proof: **Shammai is different, as he is very stringent**, and therefore nothing at all can be inferred from his opinion with regard to that of the Rabbis.

לִפְשׁוּט מִינָה: טַעְמָא דְשְׁמַאי – דְמַחְמִיר, הָא לְרַבָּנַן – עַד דְאִיכָּא חֲצִי קַב עֲצָמוֹת!

The Gemara counters: If in fact the Rabbis maintain an extremely different opinion from that of Shammai, **let us resolve** the problem in the opposite manner: **The reasoning** here is that of **Shammai, who is particularly stringent**. From this it may be inferred that, **according to the opinion of the Rabbis**, one is not rendered impure and a nazirite is not required to shave **unless there is a half-kav of bones** from the spine and skull.

דִּילְמָא עַד כְּאֵן לֹא פְּלִיגי רַבָּנַן עֲלֵיהּ דְשְׁמַאי אֶלָּא בְּעֵצֶם אֶחָד, אֲבָל בְּרֹבַע עֲצָמוֹת – אֲפִילוּ רַבָּנַן מוּדוּ.

The Gemara rejects this claim as well: **Perhaps** the argument is not that extreme after all, and **the Rabbis disagree with Shammai only with regard to whether one bone** from the spine or from the skull imparts impurity. **However, with regard to a quarter-kav of bones,**^h **even the Rabbis might concede** that it renders people and items ritually impure, and a nazirite must shave for it.

NOTES

וְהָא רַבָּא הוּא דְאָמַר וכו' – The early commentaries dispute the meaning of this question. Some explain that the difficulty is Rava's assumption that a spine and a skull contain more than a quarter-kav of bones (*Tosafot*). Others maintain that the difficulty is more fundamental, as Rava's statement indicates that a nazirite must shave for a quarter-kav from a spine and skull (Commentary on *Nazir*).

בְּתֵר דְשִׁמְעָה – מֵרַבִּי עֲקִיבָא After he heard the statement from Rabbi Akiva – This phrase is difficult for several reasons. It usually refers to a statement of *amora'im*, but here it is referring to the opinion of Rabbi Akiva, a *tanna*. Also, in the context here it is unclear which statement of Rabbi Akiva is being referred to. Furthermore, the relevance of this statement to the issue at hand is not immediately evident.

These difficulties led many commentaries to prefer a different reading, which makes the Gemara easier to understand, although it necessitates an addition to the text. According to this explanation, before the phrase: But wasn't it Rava who said, one should insert the statement: Mar Ukva said here we are dealing with a spine and a skull that do not contain a quarter-kav. Accordingly, the novelty in the mishna is that it is referring to this particular spine and skull. In other words, Rava's initial question was based on the assumption that a spine and skull certainly contain a quarter-kav of bones, to which Mar Ukva responds that sometimes a spine or a skull can be less than a quarter-kav in volume. At this point, the Gemara asks: Doesn't Rava himself agree with that opinion? After all, Rava himself stated the same ruling. The Gemara proceeds to answer that

after hearing this reasoning from Mar Ukva, not from Rabbi Akiva, as in the standard text, Rava retracted in accordance with Mar Ukva's explanation (*Tosafot*).

Other commentaries uphold the standard text of the Gemara. They claim that the Gemara's statement is referring to the comment of Rabbi Akiva in *Oholot* 2:4, according to which a spine and skull from two corpses are ritually impure. Rava maintains that it is reasonable to interpret this statement as referring to a spine and skull that contain less than a quarter-kav, as a quarter-kav of bones is mentioned separately in that same mishna. Even the Rabbis dispute Rabbi Akiva's ruling only with regard to bones from two bodies. However, they accept his opinion in the case of a spine and skull that are not a quarter-kav in volume, if they come from a single corpse (*Tosafot*; *Rosh*). According to this interpretation, the phrase: After he heard it from Rabbi Akiva, must be understood in a rather unconventional manner, as: After he analyzed and understood Rabbi Akiva's opinion. Others agree that the term heard means: Understood from Rabbi Akiva, although they offer a different explanation: The key factor is that Rabbi Akiva and the Rabbis in the *baraita* disagree only with regard to bones from two corpses, but they do not dispute the relevant amount. This indicates that everyone agrees that broken bones do not impart impurity when their volume is less than a half-kav, even if they come from the spine and skull (Commentary on *Nazir*). The early commentaries analyze these interpretations at length and attempt to justify the varying explanations (see Rabbeinu Peretz). Later authorities also struggle to explain this passage and suggest various emendations to the text (see *Keren Ora*, *Gra*, and *Birkat Rosh*).

אמר רבי אליעזר: זקנים הראשונים מקצתן היו אומרים: חצי קב עצמות וחצי לוג דם – לכל, רובע עצמות ורביעית דם – לא לכל. ומקצתן היו אומרים: אף רובע עצמות ורביעית דם – לכל.

בית דין שלא תהיה אמו: חצי קב עצמות וחצי לוג דם – לכל, רובע עצמות ורביעית דם – לתרומה וקדשים, אבל לא לנייר ועושה פסח.

מבדי, אין הכרעת שליטת מברעת! אמר רבי יעקב בר אידי: מפי שמועה אמו, מפי חגי זכריה ומלאכי.

“על אלו הנזיר מגלח.” על אלו דרישא – למעוטי עצם בשעורה, דעל מגעו ועל משאו – אין, ועל אהילו – לא. ועל אלו דסיפא – למעוטי אבן הסכוכית.

“וחצי קב עצמות”

S Rabbi Eliezer said that some of the early Elders would say: A half-kav of bones^H and a half-log of blood impart ritual impurity in all forms. Their impurity applies by Torah law, and therefore they impart impurity in a tent. But a quarter-kav of bones and a quarter-log of blood,^H they do not impart impurity in all forms, i.e., they do not impart impurity in a tent. And some of these Elders would say that even a quarter-kav of bones and a quarter-log of blood impart impurity in all forms. This was the dispute of earlier generations.

The court that followed them said: A half-kav of bones and a half-log of blood impart ritual impurity in all forms. A quarter-kav of bones and a quarter-log of blood impart impurity only with regard to *teruma* and offerings, i.e., the Sages decreed that they impart impurity in a tent to invalidate *teruma* and offerings but not with regard to a nazirite. A nazirite is not required to shave or bring offerings for impurity after contact with a quarter-kav of bones or a quarter-log of blood. And similarly, one who performs the ritual of the Paschal offering may proceed despite the fact that he came into contact with this amount of blood or bones, as the Sages did not apply this decree in cases where one's impurity precludes the performance of a mitzva whose neglect is punishable by *karet*.

The Gemara asks about the ruling of *halakha* in this case. Now consider, there is a principle that the decision of the third^N opinion is not considered a decision. A compromise ruling that seeks to resolve a dispute by including factors and cases that were not mentioned in the other two opinions is not considered decisive, so how could the later court make a distinction between a Paschal offering and other cases? Rabbi Ya'akov bar Idi said: This ruling was not stated as a compromise. Rather, they said it from tradition, from Haggai, Zechariah, and Malachi, the last of the prophets. This was not a new attempt to mediate between two earlier opinions but an ancient ruling in its own right.

S The mishna taught that for all these aforementioned sources of ritual impurity a nazirite shaves. The Gemara explains that the phrase: For these, in the mishna's first clause, serves to exclude a bone that is a barley-grain-bulk.^H As for touching it and carrying it, yes, a nazirite shaves, but for his overlying it, no, he does not shave. And the phrase: For these, in the mishna's latter clause, serves to exclude an overhanging [*hasekhukhit*]¹ stone.^{HN} Although a stone that forms a cover over a corpse imparts impurity in a tent, a nazirite is nevertheless not obligated to shave due to this source of impurity.

S In its list of sources of impurity for which a nazirite must shave, the mishna taught: And a half-kav of bones.

A half-kav of bones, etc. – חצי קב עצמות וכו' – A half-kav of bones from a corpse imparts impurity even if the bones contain less than the majority of the corpse's structure or less than the majority of its bones in number. The same applies to a half-log of blood from a single body. Likewise, a nazirite must shave if he comes into contact with either of these and start his term of naziriteship afresh. Furthermore, one is liable to receive the punishment of *karet* for entering the Temple after coming into contact with these bones, and it is also prohibited for him to sacrifice the Paschal offering (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 7:2; *Sefer Avoda, Hilkhot Biat HaMikdash* 3:13; and *Sefer Korbanot, Hilkhot Korban Pesah* 6:2).

A quarter-kav of bones and a quarter-log of blood, etc. – רובע עצמות ורביעית דם וכו' – If a nazirite contracted impurity in a tent from a quarter-kav of bones that do not contain the majority of the number of bones in a body or the majority of its structure, or if he contracted impurity from a quarter-log of blood from a single corpse by contact, carrying, or in a tent, although he requires sprinkling and immersion for his purification, he does not void his term of naziriteship and he need not shave. Likewise, one who enters the Temple after contracting impurity from these is not liable to receive the punishment of *karet*. As for the Paschal offering, if the Festival occurred on the seventh day of the nazirite's purification, they slaughter it for him, and he need not wait for the second *Pesah*. The Rambam maintains that these sources of impurity apply by rabbinic law (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 7:6; *Sefer Korbanot, Hilkhot Korban Pesah* 6:2; and see *Ra'avad and Kesef Mishne* there; and *Sefer Tahara, Hilkhot Tumat Met* 3:3).

A bone that is a barley-grain-bulk – עצם בשעורה – A bone the volume of a barley-grain-bulk imparts ritual impurity by contact and carrying, and a nazirite must shave if he is rendered impure in this manner. However, a bone that is a barley-grain-bulk does not impart impurity in a tent (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 7:6 and *Sefer Tahara, Hilkhot Tumat Met* 2:10; 3:2).

To exclude an overhanging stone – למעוטי אבן – הסכוכית: If branches protruding from a tree or stones jutting out from a wall serve as a tent over a nazirite and a corpse, the nazirite need not shave or negate his naziriteship for this impurity (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 7:6).

LANGUAGE

Overhanging [*sekhukhit*] – סכוכית – Although the term *sekhukhit* is usually synonymous with *zekhukhit*, meaning glass, here it is referring to an item that covers or shades. In this context, it means a stone that is not a part of the structure of a grave but is situated over the grave and covers it.

NOTES

The decision of the third, etc. – הכרעת שליטת וכו' – There are two explanations of this principle. According to one opinion, the term decision in this context means the acceptance of a particular opinion by a later generation, and the third decision is referring to the acceptance of a compromise position, which is not based on the logical reasoning of either of the disputing opinions (Commentary on *Nazir*; Meiri). Others maintain that the third opinion is referring to a decision of students, whose ruling is not important enough to be accepted as a novel *halakha*. It is called the third because this expression initially referred to the third generation (see *Pesahim* 20b, and Rabbeinu Hananel there). Alternatively, third means external, i.e., an insignificant opinion that is not to be taken seriously (see Meiri on *Hullin* 137a).

An overhanging stone – אבן הסכוכית – Most early commentaries maintain that this is similar to the hanging branches and projecting stones listed in the next mishna among the items for which a nazirite is not obligated to shave. In other words, this refers to stones that project from a fence over the body. Some commentaries cite a version of the text that says so unambiguously (Meiri). The Commentary on *Nazir* suggests two interpretations. Perhaps this refers to a very heavy stone, i.e., a boulder placed on the corpse, which does not obligate a nazirite to shave although it does render him ritually impure if he sits on it. Alternatively, it means a stone carried by the nazirite on his shoulders, which overlies a grave (see *Nushat Rivon*). Some say that an overhanging [*sekhukhit*] stone means one made of glass [*zekhukhit*], i.e., a transparent stone, which does not impart impurity (*Shita Mekubbetzet*).

חֲצִי קַב עֲצָמוֹת – אֵין, רוֹבַע עֲצָמוֹת –
לֹא. הֵיכִי דְמִי? אֵילִימָא דְאֵית בְּהוֹן
עֲצָמוֹת בְּשַׁעוֹרָה – תִּיפּוּק לֵיה מְשׁוּם
עַצֵּם בְּשַׁעוֹרָה! אֵלָא, דְאֶקְמַח אֶקְמוּחִי.

”עַל אֶבֶר מִן הַמֵּת וְעַל אֶבֶר מִן הַחַי
שְׂיֵשׁ עֲלֵיהֶן בֶּשֶׂר פְּרָאוּי.” אֵין עֲלֵיהֶן
בֶּשֶׂר פְּרָאוּי מֵאֵי? רַבִּי יוֹחָנָן אָמַר: אֵין
הַנְּזִיר מְגַלַּח עֲלֵיהֶן, רִישׁ לְקִישׁ אָמַר:
הַנְּזִיר מְגַלַּח עֲלֵיהֶן.

רַבִּי יוֹחָנָן אָמַר: אֵין הַנְּזִיר מְגַלַּח עֲלֵיהֶן,
דְּהָא קְתַנִּי בְּרִישָׁא: עַל אֶבֶר מִן הַמֵּת,
וְעַל אֶבֶר מִן הַחַי וְכוּ, שְׂיֵשׁ עֲלֵיהֶן פְּרָאוּי
בֶּשֶׂר – אֵין, אֲבָל אֵין עֲלֵיהֶם – לֹא.

וְרַבִּי שִׁמּוֹן בֶּן לָקִישׁ אָמַר: מְגַלַּח,
מִדְּלֵא קְתַנִּי בְּסִיפָא.

וְרַבִּי יוֹחָנָן אָמַר לָךְ: כֵּל הֵיכָא דְמִשְׁמַע
מִכְּלָלָא – לֹא קְתַנִּי בְּסִיפָא.

The Gemara analyzes this ruling of the mishna: **A half-kav of bones, yes, a nazirite must shave if he contracts impurity from them; a quarter-kav of bones, no, he does not. What are the circumstances? If we say that they contain^N bones that are a barley-grain-bulk, let the *tanna* of the mishna derive the *halakha* that it imparts ritual impurity due to the fact that it is a bone that is a barley-grain-bulk. Rather, the mishna is referring to a situation where it has been made like flour.^H In that case, a half-kav of bones render people and items impure in a tent, although they do not include a bone the volume of a barley-grain-bulk.**

§ The mishna taught that a nazirite shaves for a limb severed from a corpse and for a limb severed from a living person, upon either of which there is a fitting quantity of flesh. The Gemara asks: If there is not a fitting quantity of flesh upon them,^H what is the *halakha*? Rabbi Yoḥanan said: The nazirite does not shave for them. Reish Lakish said: The nazirite does shave for them.

The Gemara explains their respective opinions. Rabbi Yoḥanan said: The nazirite does not shave for them, as the *tanna* teaches in the first clause of the mishna in the list of sources of ritual impurity for which a nazirite must shave: For a limb severed from a corpse and for a limb severed from a living person that contains a fitting quantity of flesh. One can infer from this: Those upon which there is an olive-bulk of flesh, yes, he must shave for them, but if there is not that amount of flesh upon them, no, a nazirite need not shave due to them.

And Rabbi Shimon ben Lakish says that he shaves, employing the following reasoning: From the fact that the mishna does not teach the following in the latter clause, i.e., the subsequent mishna (54a), in the list of sources of impurity for which a nazirite need not shave: A limb that does not contain a fitting quantity of flesh, one can infer that a nazirite is obligated to shave for a limb of that type.

And Rabbi Yoḥanan could have said to you, in response to Rabbi Shimon ben Lakish’s argument: The fact that the mishna omits this case from the list is not proof, as the *tanna* does not teach in the latter clause anything that can be understood by inference from the earlier mishna.

NOTES

If we say that they contain, etc. – אֵילִימָא דְאֵית בְּהוֹן וְכוּ: The commentaries ask: Since the mishna is dealing with the ritual impurity imparted in a tent, why does the Gemara inquire about the case of a bone the volume of a barley-grain-bulk, which does not impart impurity in a tent (*Tosafoṭ*)? They answer that the basis for the question is the statement of the subsequent mishna (54a),

that although a nazirite does not shave for overlying a quarter-kav of bones, he is obligated to shave for touching or carrying it. If so, this mishna’s statement concerning a half-kav of bones, which excludes a quarter-kav of bones, likewise is referring to impurity imparted by contact.

HALAKHA

Where it has been made like flour – דְאֶקְמַח אֶקְמוּחִי: A quarter-kav of bones from one corpse that does not contain a single bone the volume of a barley-grain-bulk imparts ritual impurity in a tent as though it included a bone of this size. The *halakha* is in accordance with the opinion of the Rabbis (*Kesef Mishneh*). The Rambam does not specify whether a nazirite shaves for touching or carrying this quarter-kav, but *Tosafoṭ* and the Meiri rule that he is obligated to shave (Rambam *Sefer Tahara, Hilkhhot Tumat Met* 4:4).

אֵין עֲלֵיהֶן – בֶּשֶׂר פְּרָאוּי: If a nazirite was rendered ritually impure by a limb severed from a living person or by a limb severed from a corpse that was not covered by a fitting quantity of flesh, he requires sprinkling on the third and seventh days. However, he does not shave for his impurity, nor does he bring offerings. He does not negate his earlier period of naziriteship, although his days of impurity do not count toward his term of naziriteship. The *halakha* is in accordance with the opinion of Rabbi Yoḥanan (Rambam *Sefer Hafla’a, Hilkhhot Nezirut* 7:6–7).

To exclude the opinion of Rabbi Akiva – לְאִפְקֵי מִדְּרָבִי – עֵקִיבָא: According to this standard version of the text, the Gemara is saying that emphasis of the mishna is on the phrase a quarter-log, which indicates that this volume of blood comes from a single corpse, in contrast to Rabbi Akiva's ruling that blood imparts ritual impurity in this amount even if it comes from two corpses (Commentary on Nazir). Most commentaries omit the sentence: As Rabbi Akiva said...from two corpses. They maintain that the reference here is to Rabbi Akiva's argument in the mishna at the end of the chapter (56b) that a nazirite should shave for a quarter-log of blood.

וְהָא חֲצִי קָב עֲצָמוֹת, דְּמִשְׁמַע: חֲצִי קָב עֲצָמוֹת – אִין, רוֹבַע עֲצָמוֹת – לֹא, וְקִתְנִי בְּסִיפָא רוֹבַע עֲצָמוֹת!

The Gemara raises a difficulty against this claim of Rabbi Yoḥanan: **But** the first clause of the mishna lists the case of a **half-kav of bones**, which indicates: **A half-kav of bones, yes, a nazirite must shave for that; a quarter-kav of bones, no, he is not obligated to shave for that.** And yet the *tanna* teaches in the latter clause that a nazirite does not shave for a **quarter-kav of bones**. This shows that the next mishna does not rely on the rulings of this mishna. Rather, it lists all the items for which a nazirite need not shave.

הֵתָם, אִי לֹא רוֹבַע עֲצָמוֹת הָיָה אָמִינָא: אֲפִילוּ עַל מַגְעוֹ וְעַל מִשְׁאוֹ לֹא, לְהִבִּי אִי צִטְרִיךְ לְמִיתְנֵי רוֹבַע עֲצָמוֹת – דְּעַל אֲהִילָן הוּא דְּאִין הַנְּזִיר מְגַלְח.

The Gemara rejects this argument: **There, had the tanna not taught a quarter-kav of bones, I would say that he need not shave even for touching it or carrying it. For this reason it was necessary for the mishna to teach the case of a quarter-kav of bones, to indicate that it is only for their ritual impurity contracted in a tent that a nazirite does not shave.**

וְהָא חֲצִי לֹג דָּם, דְּשִׁמְעַת מִיָּה: חֲצִי לֹג דָּם – אִין, רְבִיעִית דָּם – לֹא, וְקִתְנִי בְּסִיפָא רְבִיעִית דָּם. הֵתָם לְאִפְקֵי מִדְּרָבִי עֵקִיבָא, דְּאָמַר רַבִּי עֵקִיבָא: רְבִיעִית דָּם הֵבָא מִשְׁנֵי מִתִּים – מִטְּמָא בְּאֲהָל.

The Gemara raises a further difficulty: **But** the mishna lists a **half-log of blood** among those sources of impurity for which a nazirite must shave, **from which you can learn that for a half-log of blood, yes, he shaves; for a quarter-log of blood, no, he does not shave.** And yet the latter clause of the mishna teaches that he need not shave for a **quarter-log of blood**. The Gemara answers: It is also necessary to state this *halakha* unambiguously **there, to exclude the opinion of Rabbi Akiva,**ⁿ as Rabbi Akiva said: **A quarter-log of blood that comes from two corpses renders people and items impure in a tent**, whereas the mishna simply states: **A quarter-log, which indicates that all of the blood comes from a single corpse.**

הָאִי אָבַר מִן הַמֵּת, הִיכִי דְּמִי? אִי דְּאִית בֵּיהַ עֶצֶם בְּשִׁעוֹרָה – מֵאִי טַעֲמָא דְּרַבִּי יוֹחָנָן? וְאִי דְּלִית בֵּיהַ עֶצֶם בְּשִׁעוֹרָה – מֵאִי טַעֲמָא דְּרִישׁ לְקִישׁ? אָמַר לָךְ רִישׁ לְקִישׁ: לְעוֹלָם דְּלִית בֵּיהַ עֶצֶם בְּשִׁעוֹרָה, וְאֲפִילוּ הִכִּי רַחֲמֵנָא רַבִּינָה.

The Gemara analyzes the dispute between Rabbi Yoḥanan and Reish Lakish: **What are the circumstances of this limb severed from a corpse that is not covered by sufficient flesh? If it contains a bone that is a barley-grain-bulk, what is Rabbi Yoḥanan's reason for maintaining that a nazirite does not have to shave for this ritual impurity? A bone of this size imparts impurity even if there is no flesh upon it. And if it does not contain a bone that is a barley-grain-bulk, what is Reish Lakish's reason for saying that a nazirite must shave due to this bone?** The Gemara explains that Reish Lakish could have said to you: **Actually we are dealing with a limb that does not contain a bone that is a barley-grain-bulk, and even so the Merciful One includes it as a source of ritual impurity.**

דְּתַנָּא: "וְכֹל אֲשֶׁר יַגַּע עַל פְּנֵי הַשָּׂדֶה בַּחֲלָל חֶרֶב אוֹ בַּמֵּת." "עַל פְּנֵי הַשָּׂדֶה" – זֶה הַמְּאָהִיל עַל פְּנֵי הַמֵּת, "בַּחֲלָל" – זֶה אָבַר מִן הַחַי וְיֵשׁ לוֹ לְהַעֲלוֹת אֲרוּכָה,

This is as it is taught in a *baraita*: **"And whoever in the open field touches one who is slain by the sword, or one who dies on his own, or a bone of a man, or a grave, shall be unclean seven days"** (Numbers 19:16). This verse is expounded by the Sages as follows: **"In the open field"; this is referring to the halakha of one who overlies a corpse,**^{BH} **even without touching it. "One who is slain"; this is referring to a limb slain, i.e., severed, from a living person, that contains^H enough flesh for the limb to heal.**

BACKGROUND

One who overlies a corpse – המְאָהִיל עַל פְּנֵי הַמֵּת: The *halakhot* of the ritual impurity imparted by a corpse, including a tent covering a corpse, are discussed in great detail in tractate *Oholot*. The essential *halakhot* of a tent over a corpse are detailed in the Torah (Numbers, chapter 19). The Sages derive that the place in which a corpse is located becomes entirely impure and renders everything in that place impure as well. By Torah law,

this *halakha* applies when a corpse is located in a complete tent. However, the Sages concluded that even the smallest area that can be deemed a tent, an item with the size of one square handbreadth that covers one handbreadth of airspace, also falls under the same rubric: The covering itself and what is under it are rendered ritually impure with the impurity imparted by a corpse.

HALAKHA

One who overlies a corpse – המְאָהִיל עַל פְּנֵי הַמֵּת: A corpse renders one ritually impure for seven days by imparting impurity in a tent, as stated in the Torah. This includes situations where a person or a vessel overlies a corpse (Rambam *Sefer Tahara, Hilkhhot Tumat Met* 1:1, 10).

וְיֵשׁ לוֹ וּכְרִי: If a limb severed from a living person is covered with enough flesh for it to heal were it still attached, it imparts ritual impurity via contact, carrying, and in a tent. If any part of the bone itself is missing, it does not render people and items impure. If it lacks sufficient flesh, it imparts impurity by contact and carrying but not in a tent (Rambam *Sefer Tahara, Hilkhhot Tumat Met* 2:3).

A limb from a living person that contains, etc. – אָבַר מִן הַחַי –

NOTES

A sword is like one who is slain – חרב הרי זה כחלל: All the commentaries and authorities agree that a special *halakha* applies to a metal vessel rendered ritually impure by a corpse, as it imparts impurity like the corpse itself, so that one who touches it is impure for seven days. This is in contrast to any other vessel that was rendered impure by a corpse. Nevertheless, there are differences of opinion as to whether a sword is like a corpse in all regards, including the impurity imparted in a tent, or whether it imparts impurity only by contact, and some say by carrying as well. Likewise, some authorities maintain that just as it is accepted that the word sword includes all metal implements, the same *halakha* applies to all vessels that can be purified in a ritual bath, including wooden ones and the like.

A sealed grave – קבר סתום: Various *halakhot* apply to a sealed grave, although the details of these *halakhot* are subject to differences of opinion among the early commentaries. The basic *halakha* accepted by everyone is that a sealed grave that lacks the space of a handbreadth between the corpse and its cover imparts ritual impurity in a tent in the manner of a pressed ritual impurity. In other words, it renders impure anything positioned above the grave, even if a stone partition separates the corpse from that which overlies it.

“חרב” – הרי זה כחלל, “או במת” – זה אבר הנחלל מן המת, “או בעצם אדם” – זה רובע עצמות “או בקבר” – זה קבר סתום.

The Sages further derive from the phrase “one who is slain by the sword” that the legal status of a metal sword in terms of its degree of ritual impurity is like that of one who is slain,^{NH} i.e., a metal implement, e.g., a sword, that was rendered impure through contact with a corpse is impure to the same degree of severity as a corpse itself. “Or one who dies on his own”; this is a limb that was slain, i.e., severed, from a corpse^H and is covered with enough flesh that it would heal if he were alive. “Or a bone of a man”; this is a quarter-kav of bones.^H “Or a grave”; this is a sealed grave,^{NH} which imparts impurity when there is less than a handbreadth between the corpse and its cover.

HALAKHA

A sword is like one who is slain – חרב הרי זה כחלל: Some authorities maintain that any vessel rendered ritually impure by a corpse, whether by contact, carrying, or in a tent, imparts impurity via contact like a corpse itself, except for those items that cannot be purified in a ritual bath, e.g., earthenware vessels (Rambam). Others rule that even these implements impart impurity by carrying (Ramban). Yet others contend that this principle applies only to metal vessels, although they rule that these articles render people and items impure even in a tent (Ra'avad; *Tosafot*). Some authorities maintain that a priest is prohibited from contracting impurity from a sword that was rendered impure by a corpse, whereas others are lenient. The custom is not to be stringent in this regard (Rambam *Sefer Tahara, Hilkhhot Tumat Met* 5:3; *Shulhan Arukh, Yoreh De'a* 369:1, and in the comment of Rema).

imparts impurity like a whole body. Some maintain that this bone imparts impurity only via contact and carrying (Ra'avad). If some of the flesh is lacking but enough remains that were this limb attached to a living person it would heal, it imparts impurity like an intact corpse. If it is not covered by sufficient flesh, it is like a regular bone from a corpse (Rambam *Sefer Tahara, Hilkhhot Tumat Met* 2:4).

A quarter-kav of bones – רובע עצמות: A quarter-kav of bones from a corpse imparts ritual impurity by contact, carrying, and in a tent, even if the bones comprise neither the majority of the number of bones in a body nor the majority of its structure, nor a whole spine nor a whole skull. If the bones amount to less than a quarter-kav, they do not impart impurity in a tent (Rambam *Sefer Tahara, Hilkhhot Tumat Met* 2:9).

A limb that was slain from a corpse – אבר הנחלל מן המת: A limb severed from a corpse imparts ritual impurity like a whole corpse, provided it contains flesh, sinews, and bones. If part of the bone is missing, but an olive-bulk of flesh remains, it

This is a sealed grave – זה קבר סתום: If a grave containing a corpse is sealed up, it imparts impurity by contact and in a tent. Consequently, a priest who touches the grave is liable to receive lashes (Rambam *Sefer Tahara, Hilkhhot Tumat Met* 2:15 and *Sefer Shofetim, Hilkhhot Evel* 3:2).

Perek VII
Daf 54 Amud a

HALAKHA

Breaks through and ascends, etc. – בוקעת ועולה וכו': If a source of ritual impurity in a tent of a corpse was pressed ritual impurity, i.e., impurity separated from its cover by less than a handbreadth, the impurity breaks through to the sky and down to the depths, even if it is blocked by multiple barriers. However, it does not impart impurity to its surroundings (Rambam *Sefer Tahara, Hilkhhot Tumat Met* 7:4–5; see Ra'avad).

A limb slain from the living – אבר הנחלל מן החי: If a limb severed from a living person is not covered by enough flesh for it to heal were it attached, it imparts impurity by contact and carrying but not in a tent (Rambam *Sefer Tahara, Hilkhhot Tumat Met* 2:3).

A grave before the command – קבר שלפני הדיבור: Gentiles and their graves do not render people and items impure in a tent (Rambam *Sefer Tahara, Hilkhhot Tumat Met* 1:13).

דאמר מר: טומאה בוקעת ועולה בוקעת ויורדת. ואילו גבי נגיעה, אמר רב יהודה, תניא: “(וכל) הנוגע בעצם או בחלל” – “בעצם” – זה עצם בשעורה, “או בחלל” – זה אבר הנחלל מן החי ואין בו להעלות ארוכה.

As the Master said: Ritual impurity in a sealed grave breaks through and ascends^H and breaks through and descends, so that the grave imparts impurity like the corpse itself. While with regard to contact with these sources of impurity, Rav Yehuda said that it is taught in a *baraita* that the verse “and upon him that touched a bone, or the slain, or the dead, or the grave” (Numbers 19:18) is expounded as follows: “A bone”; this is a bone that is a barley-grain-bulk. “Or the slain”; this is a limb slain, i.e., severed, from the living,^H which does not contain enough flesh for it to heal.

“או במת” – זה אבר הנחלל מן המת, “או בקבר” – אמר ריש לקיש: זה קבר שלפני הדיבור.

The *baraita* continues its interpretation of the verse. “Or the dead”; this is a limb slain from a corpse, which is not covered by enough flesh for it to heal were he alive. “Or the grave”; Reish Lakish said: This is a grave that contained a corpse from before the time the command^H of these *halakhot* was given to the Jewish people. These graves render people and items ritually impure by contact, but do not carry the *halakhot* of impurity imparted in a tent.

האי אבר מן המת היכי דמי? אי דאית ביה עצם בשעורה – היינו הנוגע בעצם. אלא – דלית ביה עצם בשעורה, ואפילו הכי רחמנא רבייה!

The Gemara asks: With regard to this limb from a corpse, which is listed above as imparting ritual impurity by contact, what are the circumstances of the case? If the limb contains a bone that is a barley-grain-bulk, this is included in the *halakha* of one who touches a bone, and it was already taught that a bone imparts impurity by contact. Rather, it must be that it does not contain a bone that is a barley-grain-bulk, and even so the Merciful One includes it in the *halakhot* of impurity, despite the fact that it does not contain enough flesh. This indicates that a nazirite shaves for a limb of this kind, in accordance with the opinion of Reish Lakish.