The "Nazir" Legislation.

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I.

In a paper which I read before the Society at its meeting last year, on Leviticus, Chapters 13-14, the so-called "Leprosy" Laws, I endeavored to show that in these two chapters we may detect the same process of steady amplification of an original stock of regulations by means of comments and glosses and illustrative instances which we may observe in the great compilation of Rabbinical Judaism known as the Talmud, where a condensed and a comparatively simple Mishna develops into an elaborate and intricate Gemara. The importance of the thesis—if correct—lies in the possibility thus afforded of separating between older and later layers in the regulations of the Pentateuchal Codes, but more particularly in furnishing the proof that these codes in which old and new have been combined—precisely as in the narrative sections of the Pentateuch and in the historical books proper, older and later documents (with all manner of additions) have been dovetailed into one another—reflect an extended and uninterrupted process of growth, covering a long period of time and keeping pace with the tendency to adapt older regulations to later conditions.

It is my intention to test the thesis by its application to other little groups of laws within the Codes, recognized by scholars as representing distinct units, and I choose as an example for presentation at this meeting Numbers 6:1-21, containing the laws of the so-called "Nazir".

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Leaving aside for the present the discussions of the meaning of the term Nazir, let us first see whether it is possible to detect the process referred to—the growth of a Biblical Gemara around a basic “Mishna”.

Verses 3-4 may serve as our first illustration. They read as follows:

"From wine and strong drink he shall separate himself, of vinegar of wine and vinegar of strong drink he shall not drink, and what is pressed of the grapes (i.e. grape juice) he shall not drink, and fresh and dried grapes he shall not eat, all the days of his Naziriteship; of anything made of the grape of the vine, from the kernels (?) to the skin (?) shall he not eat."

Now it is evident that we have here an elaboration of the very simple ordinance:

"From wine and strong drink he shall separate himself;"—intended to specify what is to be included under "wine". The various specifications are, in the style of the Talmud, answers to

1 The two words מִין חֲזָרָה and מָלַע are קַדְמֶהַ. The Greek renders the former as οὐμφέλλα "pressed grapes"; the latter as γραπτό "grapes-stone". The Targum has for the former הָרְבָּה which seems to have quite certainly the meaning of "kernels", while for מָלַע the Targum has מִין which appears to be a pomace made of grapes. There is thus a variant tradition which also appears in the Talmudic usage of the two terms, the one view taking מִין to refer to the exterior of the grape, and the מָלַע to the interior, the other being the reverse. See Treatise Nazir 6a and cf. Jastrow, Talmudic Dictionary, s. v. מִין. The Arabic حרصة being the flesh around the kernel, favors the view which refers מִין to the interior of the grape, and the מָלַע accordingly, to the exterior. I venture to think, therefore, that מִין are the grape-seeds and מָלַע is the skin. It may be, of course, that a pomace made of the crushed seeds is meant by the former, though it is more plausible to assume that the additional stipulation merely wished to indicate that no part of the grape was permitted—neither the kernels nor the skin. This would account for the plural form מִין מָלַע, since the grape has several seed-stones.

2 It is possible that the addition of מָלַע already represents the beginning of the process of amplification, dating from the time when "strong unmixed wine" had become a special kind of beverage.
questions raised, either for practical motives or by way of "academic" discussions — with this difference, that while in the Gemara the discussions and arguments are given in addition to the answers, in the Biblical "Gemara" merely the decisions are added to the original law. We thus obtain four decisions in explanation of the Gemara ordinance that the Nazir is to abstain from wine:

1) the ordinance includes vinegar of wine or vinegar of strong drink;

2) it includes even the grapes out of which wine is made, whether fresh or dry;

3) it covers anything made of wine — from wine cakes to — let us say — wine jelly;

4) it includes kernels (?) and the grape skin (?)

We might even go so far as to put the amplification of the original law in the style of questions as in the Gemara to a Mishna. What does "wine" mean — wine merely when in a good condition or also when it has become sour, turned to vinegar? Answer: "Vinegar" is included. How about the grapes, before they have been made into wine? The answer is that it includes the fruit before it is made into wine, just as it includes the liquid that results when the wine has turned sour. But — some one asks — is not the case different in the case of dried grapes or raisins which are not used to make wine? The tendency is clearly to make the law as inclusive as possible by the decision that even dried grapes are included under "wine". Not satisfied with this rigid interpretation, the further question is put whether even foods in which wine is used are to be included, and the answer is once more explicit that anything in which wine is used as an ingredient is forbidden to the Nazir, and lastly even the seeds and the skin are included in the prohibition.

The upshot of the various decisions is that the Nazir is to be a total abstainer from all intoxicating drinks, or anything made of an intoxicating drink in any stage whatsoever — including therefore the fruit of the vine before it is made into a drink. The temperance clause in the Nazir law, therefore, goes much farther than the advocates of total abstinence of today, who appear to draw the line at grape juice.

The process is further illustrated by v. 6-7. The law read simply
“All the days of his Naziriteship, he shall not come into contact with a corpse.”

Questions are then asked to determine who are to be included under the phrase בָּשָׂם בֵּית הַמִּדְתִּים “dead body”. Does it apply to his father, to his mother, to his brother and sister whose burial would ordinarily rest upon him? The answer is in each case—“Yes”. Verse 7, therefore, represents the decisions grouped together

לֹא יָכְלוּ בְּשָׂם בֵּית הַמִּדְתִּים לַאֲבָאָיו לַאֲמַתָיו לַאָבָאָיו לַאֲמַתָיו

“He shall not defile himself through his father, or his mother, or his brother or his sister when they die”

and the reason for this is given in the phrase

כִּי בֹּרֵא אָבָאָיו עָלָיו

“for the Naziriteship of his God is on his head.”

The characteristic of the Priestly Code being the emphasis on bringing sacrifices on all possible occasions and to heap up these sacrifices as much as possible, I have no hesitation in regarding the elaborate sacrificial ritual for the Nazir embodied in v. 10-21 as a superimposed layer, and by a careful analysis one can still, similarly, detect the process of gradual growth in the case of this ritual and trace the manner in which it has been superimposed on ordinances in which sacrifices played no part whatsoever. In v. 9 the case is introduced of a Nazir who inadvertently and unexpectedly comes into contact with a corpse. The verse as it stands reads

כִּי לְאָבָאָיו בָּשָׂם בֵּית מִדְתִּים בִּבְרֵא קְרִיסְתָה מַעַלְיוֹ באָמָא וַעֲמָא בָּמָא

“If suddenly (i.e., quite unexpectedly and inadvertently) some one should die in his presence and he defiles his Nazirite-ship, then he shall shave his head on the day of his purification —on the seventh day he shall shave it.”

4 Text לֹא יָכְלוּ; but since the general phrase is לֹא יָכְלוּ בֵּית מִדְתִּים v. 4, 5 (where יָכְלָיו is superfluous) and 15, I venture to read thus in v. 6.

5 The Greek adds “every” before corpse.

6 See the article on Leviticus. Chap. 13-14, p. 877 f.

7 יָכְלָיו is superfluous—either introduced by a pedantic commentator or as an explanatory gloss to יָכְלָיו.
It is, I think, self-evident that the words "on the seventh day he shall shave it" represent an addition. It is assumed as in the case of one who has come into contact with something unclean (Num. 19:14) that the state of uncleanness lasts for 7 days. Somewhat as in the case of one declared pure of the sarā'āt (Lev. 14:9) he is to shave off his hair (though only the hair of the head), and a sacrifice for the eighth day is added just as is the case in Lev. 14:10. The words "on the seventh day he shall shave it" (like Lev. 14:9) are, therefore, superinduced by v. 10-11 in which the sacrifice is specified for the following day—two turtle doves or two young pigeons, one as ḥatzatim and one as ḥalūn, while in v. 12 an additional one-year old lamb is inserted as an ḥazak. Peeling off later layers, we obtain the following simple procedure.

v. 9a. If some one should suddenly die in his presence and he defile his Naziriteship, he shall shave his head on the day that he is declared clean.

12a. And he shall consecrate to Yahweh the days of his consecration and (12°) the former days shall drop out (i.e., shall not be counted), for he has defiled his Naziriteship.

Similarly, in the case of the ceremony to be enacted when one has completed the period of consecration, the sacrificial regulations 14-17, 19-20 have been superimposed. The original ordinance read:

13 This is the Torah of the Nazir when the days of his Naziriteship are completed.

18a The Nazir shall shave his consecrated head and take the hair and throw it into the fire.

8 Text: כ י ב נב ר טו א; but the better reading is ש by in v. 9 where ש is a meaningless or at all events a superfluous addition, as pointed out above.

9 Explanatory gloss "one shall bring him to the entrance of the tent of meeting", superinduced by the sacrificial insertion, viz. verses 14-17.

10 So the Greek; the Hebrew has, as a result of the introduction of an amplifying gloss, ש ו ר נ ד מ ר מ א ש ע א כ י ב נ ו ד ר טו א.

11 Addition "which is under the word sacrifice"—to connect the rite with the sacrificial layer v. 14-17.
Then followed the subscript (v. 21).

"This is the law of the Nazir who makes a vow to Yahweh."

The subscript (v. 21) has been amplified to include the superimposed sacrificial ritual, and in this case the amplification has been done so awkwardly as to reveal the seams in a very distinct manner. It looks as though a separate subscript for the sacrificial regulations reading: "This is the law of the Nazir who makes a vow to Yahweh" had been combined with the other one. Then a redactor interpreting the רְדָי as referring to something that he has vowed, inserted the answer to the question, "What about the vow that he has made?".

"Besides whatever he can afford, according to his vow that he vows."

To which a gloss is added:

"So shall he do"

to indicate that anything that he vows, in addition to the sacrificial ritual (which is obligatory), must be paid by him according to his means.

We shall see that this "Gemara" rests upon an interpretation of the Nazir-law which confuses or blends it with the Torah regarding vows as set forth in Lev. 27.

II.

These considerations justify us, I venture to think, in the attempt to remove the later layers, decisions, explanatory comments and superimposed sacrificial regulations, and thus to reveal the laws regarding the Nazir in their original form or, if

12 See below p. 280. The Greek version has another וּצָר לֹא after רְדָי.
13 Note the phrase, Lev. 27 a, which is the source of the phrase in Num. 6 b. See below p. 282 f.
14 The Greek text omits these two words.
this appears to be claiming too much, in a form close to the original. The restoration of the original Nazir legislation proposed by me covers six paragraphs plus a subscript, as follows.

2b 3a 4a 5b 6 7 8 9 12b 12a

Addition: "perhaps later addition. See above, p. 267, note 3.

Four decisions: wine includes (1) vinegar of wine and strong drink; (2) grape juice; (3) fresh and dried grapes; (4) articles of food in which wine is an ingredient, whether made of the seeds or of the skins.

Explanatory comment "till the completion of the days that he is consecrated to Yahweh he shall be holy"—perhaps misplaced and belonging to v. 11 (ordinance III).

Text ינו ולעב, which, if correct, would point to a different origin for ordinance III.

V. 7 furnishes (1) a decision, to wit, ordinance includes father, mother, brother, and sister; (2) reason assigned—"consecration attaches to his head."

Perhaps merely a comment to the third ordinance, due to the endeavor to bring about a connection between the Nazir and the consecrated priest who is always spoken of as "holy to Yahweh".

Omit יג as at the close of v. 11.

Two additions (1) "on the seventh day he shall shave it" to connect with sacrificial regulations (v. 10-11) and (2) misplaced gloss (11a יכג, יקז הקומע "he shall sanctify his head on that day", i.e., begin the recount.

Misplaced gloss or insertion "and he shall bring a one-year old lamb as asham"—belonging to v. 10. On asham see Jewish Quart. Rev., IV, p. 376, note 51 and 379, note 61.

Read יבנ as in v. 9.
"When a man takes it upon himself to make the vow of the Nazir, he shall abstain from wine (and strong drink) during the period of his Naziriteship.

During the period of his Naziriteship, a razor shall not touch his head, he shall let the locks of his hair grow long.

During the period of his Naziriteship, he shall not come in contact with any dead body.

During the period of his Naziriteship, he shall be holy to Yahweh.

And if some one die suddenly in his presence and defile his Naziriteship, then he shall shave his head on the day of his becoming clean again and he shall revow to Yahweh the days of his Naziriteship, and the former days shall be void because he has defiled his Naziriteship.

This is the law of the Nazir on the expiration of his Naziriteship. He shall shave his head and take the hair and throw it into the fire.

Addition: “one shall bring him to the entrance of the tent of meeting” to connect with superimposed sacrificial regulations (v. 14-17).

Text with an addition “at door of tent of meeting” to conform to the addition at end of v. 12.

Or ṭטפ. The addition ḫפ with is omitted in the Greek version.

Explanatory comment “which is under the peace offering”—harking back to v. 17. Verses furnish supplemental sacrificial instructions.

Insertion “his offering by virtue of his Naziriteship”—the remains of a second subscript, as pointed out above p. 271.

Supplemental comment “besides what he can afford according to his vow which he has vowed”, (i.e. in addition to the sacrifices prescribed), to conform to Lev. 27, where one who makes a vow redeems it by a graduated scale of valuations. See below p. 282.
VII This is the law of the Nazir who makes a vow to Yahweh.

The first four paragraphs furnish the obligations resting upon the Nazir, to wit (1) to abstain from wine; (2) and to allow his hair to grow, or, expressed negatively, that no razor should touch his head; (3) not to contaminate himself by contact with a corpse; (4) to regard himself as sanctified.

The fifth paragraph provides for the case that the Nazir is suddenly and accidentally brought into contact with a corpse. The accident makes him unclean, annuls the previous period of consecration and obliges him to begin the count over again. At the expiration of the period of uncleanness, therefore, he shaves his head and begins the second count. This paragraph may very well be a decision of supplemental date, made on the basis of the third ordinance, but there is no need to carry the process too far. The sixth paragraph gives the ceremonies at the time of the expiration of the period of consecration, namely, the offering of the hair by means of fire as the sacred element, after which as the commentator adds "the Nazir may drink wine" (v. 20e).

We thus have a two-fold division of the law, (a) regulations for the Naziriteship and (b) for the termination, just as in the case of the sar'at legislation, where the determination of the disease is followed by ceremonies incident to the purification (Lev. 14.2. "This is the law of the one affected with sar'at on the day of his purification") and which, as I believe, formed originally the rite of exorcising the demon of the disease by transferring it to a bird sent free, "across the field" as the phrase (Lev. 14.7) runs.

15 "strong drink" may already represent an addition. See p. 267, note 3.
16 The third and fourth ordinances are closely allied—the "sanctification" involving as in the case of priests the avoidance of any defilement.
17 See my article in the Jewish Quart. Revue, IV, p. 266 seq.
18 Lev. 13 seq, יָפָה חֵן יַחֲדָה נְתָנָה—is the subscript to the regulations for determining that it is a genuine case of sar'at. See my article ib., p. 394.
III.

Taking up the sacrificial regulations superimposed on the original law, we find two series: (1) on the occasion of the termination of the period of uncleanness through accidental contact with a corpse (v. 10-11, together with the insertion of the one-year old lamb as *asham* in v. 12); (2) the sacrifices to be brought on the conclusion of the period of consecration.

The sacrifices in the first case consist of two turtle doves or two pigeons to be brought to the entrance of the tent of meeting, there to be offered through the mediation of the priest as a sin-offering and burnt-offering respectively.

Elsewhere the two turtle doves or two doves appear as a substitute (a) for a one-year old ewe (*ןֵבָד* or b) for a female kid (Lev. 5 6-7) or (c) for a lamb (Lev. 14 21-22) as in our case one a sin-offering and the other as a burnt-offering. In my article on the Lev. 13-14 several times referred to, I have suggested that the simpler substitute sacrifices were the ones originally prescribed, and that they were relegated to the second place by the tendency to increase the value of the offerings to the sanctuary. This view is strengthened by our passage, but evidently a later redactor not satisfied with what had become the “substitute” offering, added “he shall bring a one-year old lamb as an *asham*” — which addition has crept into the text at the wrong place.

The first sacrificial regulation in the Nazir law thus rests on the principle that he who has become unclean must bring a sacrifice — his uncleanness, according to the primitive view, being transferred to the animal, but it assumes an earlier stage than in the final form of the Priestly Code in prescribing merely two

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18 On this phrase see *Jewish Quart. Review*, IV, p. 380, Note 67.
20 There is a further specification (Lev. 5 11) that if one cannot even afford two turtle pigeons or two doves, one may bring \( \frac{1}{10} \) of an ephah of fine flour.
21 p. 379, 382.
22 The addition represents again an answer to the question raised whether the Nazir should offer merely two turtle pigeons or two doves — to which the answer is that he is also to bring a lamb as in the case of one who has become unclean, as prescribed Lev. 14 12 seq.
turtle doves or two pigeons, though a later redactor by the addition of a lamb as *asham* endeavored to make it conform to a certain extent to the later practice.

The assumption is that the Nazir who has come into contact with a corpse is unclean for seven days—as in Num. 19:14-19.

As for the second sacrifice (14-17) to be brought by the Nazir upon the completion of the period of consecration, there is a most remarkable heaping up of sacrificial obligations.

"And he shall bring his offering to Yahweh, a one-year old perfect lamb as burnt-offering, and a one-year old perfect ewe as sin-offering, and a perfect ram as peace-offering, and a basket of *massot* of fine flour [cakes mixed with oil and wafers of *massot* smeared with oil and their meal-offering and their libations]."

We here find (1) a one-year-old perfect lamb, as sin-offering: (2) a one-year old perfect ewe as a burnt-offering; (3) a perfect ram as a peace-offering; (4) a basket of unleavened cakes of fine flour; (5) cakes mixed with oil; (6) wafers mixed with oil; (7) their *minha* and libations.

To analyze these regulations in detail would carry us too far. Suffice it to say that they embody two points of view: (1) the purification motif—marked by the lamb and ewe, (2) the consecration motif—marked by the basket of unleavened cakes.

While deviating somewhat from the practice prescribed in Lev. 5, the introduction of the ewe as the sin-offering is in keeping with Lev. 5:5, and we may conclude that the lamb as burnt-offering represents a later addition—due to the conventional association of sin-offering (*na'um*) and burnt-offering (*hol*) for purification offerings.  

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23 This seems to be a supplemental ordinance.
24 Added to conform to Lev. 7:12 and Num. chap. 28—29. See below p. 277.
25 The two other instances in the Codes of a ewe (*'almah*) as a sacrifice are (1) Lev. 14:10 where two lambs are added to the ewe in a later layer and (2) Lev. 5:5—where a female kid of goats is entered as an alternative to a ewe as a sin-offering.
26 See below p. 279.
The basket of unleavened bread plays an important part in the consecration of priests (Ex. 29 and Lev. 8). In both Ex. 29 and Lev. 8 we have in addition a bullock and two perfect rams (Ex. 29 1 — Lev. 8 2), but there is an important deviation in the circumstance that the ram is called in Ex. 29 31 and Lev. 8 29 the ram of dedication (עַלָּה המלָאָה) whereas in the Nazir Law, it is offered as a "peace-offering" (שלום). Num. 6 15 reading "לֹא מָצַח מִתְּחֵית בְּלָהָהּ בּוֹשֶׂם וְרָקִיקִים מֵתְּחֵית בּוֹשֶׂם" follows quite closely Ex. 29 2 לֹא מָצַח מִתְּחֵית בְּלָהָהּ בּוֹשֶׂם וְרָקִיקִים, and this follows with the comment מַתְחֵית בּוֹשֶׂם.

The expression לֹא מָצַח is found Lev. 8 2 and 28; and from Ex. 29 23 where likewise לֹא מָצַח occurs it follows that לֹא מָצַח is a synonym (cf. המִזְחָה כְּרֵי הָלוֹא v. 23)—further shown by the introduction of לֹא in Ex. 29 3. The addition of מִזְחָה מְבָכִיחַ is conventional—based on the later practice as set forth in Num. 28-29. Num. 6 18-17 form a comment to v. 14 in order to make it clear that the priest is to perform the usual rites with the lamb, ewe and ram.

The ceremony connected with the ram and the cakes—as set forth in v. 17 and in the supplemental regulations v. 19-20—is likewise of the same order as at the consecration of priests, in one case the boiled shoulder (ןָּרָד) of the ram and an unleavened cake and a wafer being placed in the hands of the Nazir 23, whereas in Ex. 29 22-23a and Lev. 8 25-27, a loaf (כָּרֹם) of bread (לָהֵל instead of מְזַח) and a cake of bread (לָהֵל again instead of מְזַח) and a wafer together with the right leg (ןָּרָד) and the fat of various parts of the ram of dedication being placed in the hands of Aaron and his sons. 24 The "waving" ceremony is also common to Ex. 29, Lev. 8 and Num. 6, and it is evident that the words "over the breast of waving" in Num

23 Gloss "After he has shaved the head of his consecration" (read now לָהֵל).
24 Slight variations in usage, Lev. 8 26 and Ex. 29 23 e. g. מְזַח instead of מְזַח as against מְזַח (Num. 6 19); רְקִיקִים instead of מְזַח (Lev. 8 26 and Num. 6 19) against מְזַח מְזַח (Ex. 29 3) [ם in the latter passage is misplaced, superinducing the variant in Lev. 8 26 תָּתָא לָהֵל מְזַח]; רְקִיקִים instead of מְזַח (Lev. 8 26, Ex. 29 23) against רְקִיקִים מְזַח (Num. 6 19), where מְזַח is clearly to be taken as an explanatory gloss to an original מְזַח מְזַח.
are taken over from Ex. 29:27 and refer to the statement there set forth.

All this points to the dependence of Num. 6:19-20, upon the stipulation in Ex. 29 and Lev. 8, and since the "waving" of large pieces of flesh is a very late stipulation, transferred from the waving of sheaves (Lev. 23:11), which is a primitive method of dedicating the produce of the fields to the deity—originally to the field spirits—the later origin of the sacrificial regulations superimposed on the Nazirite legislation follows as a necessary inference.

The sacrificial regulations cannot, therefore, be used in any investigation regarding the status of the Nazir; they have been added by later redactors in conformity to the tendency to provide for sacrifices, as an income for the priests, wherever possible, and these redactors took as one of their points of view the position that the Nazir was to be placed in the same category with the priest—with this curious difference, indeed, that the ceremony of initiation becomes in the case of the Nazir a rite of dismissal. We may, therefore, recognize three successive stages in the growth of this sacrificial ritual: (1) the ewe as sin-offering to which there was added, (2) a lamb as burnt-offering, which leads by virtue of the association of the Nazir as a person temporarily consecrated to Yahweh with the priests as the one permanently consecrated, to (3) the addition of a ram as a peace-offering, together with the usual accessories in the case of the ram offered at the dedication of a priest to the service of Yahweh. Even after the three sacrifices had been prescribed, explanatory and harmonizing additions were made to the text so that we can further differentiate between the older and later layers. Thus besides v. 16-17 as the comment to v. 14-15 we have in v. 15 (a) added as amplificatory glosses to make the rite conform to established usage and (b) the phrase in v. 20, "afterwards the Nazir may drink wine" is, similarly, to be regarded as an explanatory comment. The text of the sacrificial regulations divided into two groups may
therefore be restored as follows. (1) For the case of the Nazir who has inadvertently touched a corpse

10a 10b בֵּית הַדְּשֵׁרִי בֹּא שָׁטִּי הָוָיִם אֵא שָׁטִּי בֹּלֵין הַדְּשֵׁרִי
11a 11b נַשֵּׁת בֹּא שָׁטִּי לְהַמֵּשָׁת שָׁטִּי לְהַמֵּשָׁת לַעֲלֹה כּוֹרֶנֶת עֶלְיָה מַעֲשָׂר
12b  לַעֲלֹה מַעֲשָׂר (הָבְדִי בָּנָי שָׁפֵט לָגָפֶס)

"On the eighth day he shall bring two turtle doves or two pigeons to the priest, and the priest shall offer one as a sin-offering and the other as a burnt-offering and shall atone for him in that he defiled himself through the corpse [and he shall bring a one-year old lamb as asham]."

(2) For the Nazir at the expiration of the period of his Naziriteship

14a 14b הַכְּרָךְ אֵא תְּקָרֵב לוֹ חַד בְּכֶשֶׁ בְּכֶשֶׁ תְּכֶשֶׁת חָמוּת לַעֲלֹה
52 אֶבֶכֶשׁ אֵא תְּכֶנֶת תְּכֶנֶת לְגַמֵּשָׂת
55 וְזַל מַצַּח מֹלֶל

"And he shall bring his offering to Yahweh, a one-year old perfect lamb as a burnt-offering, and a one-year old perfect ewe as sin-offering, and a basket of massot of fine flour."

19b (אֲלָקה הָבוֹחַ) חַלוֹת מַצַּח אֲוָח מְדִינָלֵו רָקֲָכָא

30 Explanatory comment: תַֽלְאָשָׁת אֲוָח מְדִינָלֵו.
31 Misplaced gloss or variant usage showing in either case that תַֽלְאָשָׁת and תַֽלְאָשָׁת are identical. See my article in Jewish Quarterly Review, IV, p. 379, note 61.
32 Supplemental sacrifice תַֽלְאָשָׁת הָבְדִי לְגַמֵּשָׂת, introduced to put the Nazir on the plane of the priest and corresponding to the sacrifice at the initiation of priests, as prescribed in Ex. 29 and Lev. 8.
33 Supplemental details תַֽלְאָשָׁת הָבְדִי מַצֻּת מְדִינָלֵו בְּכֶשֶׁ בְּכֶשֶׁ תְּכֶנֶת וּלְגַמֵּשָׂת. Verses 14-17 are purely explanatory, but the former belongs to the more original form of the legislation, while v. 17 represents the practice for the supplemental sacrifice prescribed in 14a, and reads as follows: לַעֲלֹה מַעֲשָׂר (הָבְדִי בָּנָי שָׁפֵט לָגָפֶס), to which as a further comment is added לַעֲלֹה מַעֲשָׂר harking back to v. 14a and 14b.
34 Addition: תַֽלְאָשָׁת הָבְדִי מְדִינָלֵו וּלְגַמֵּשָׂת, to combine the supplemental sacrifice of the ram with the later legislation. It is manifestly impossible to put an entire shoulder of ram into a man's palms.
35 חַלוֹת מַצַּח an explanatory gloss. See above p. 277, note 29.
And the priest shall take a cake of _massa_ from the basket and one wafer and put it into the palm of the Nazir and the priest shall wave a wave-offering before Yahweh."

To which we can reconstruct an original subscript on the basis of v. 21, as follows.

"This is the law of the offering to Yahweh for his Nazirite-ship."

IV.

We are now prepared to take up, on the basis of the original Nazir legislation, the question as to what is meant by a Nazir in Numbers 6. It has, of course, been recognized that the Nazir of Numbers has little if anything in common with such a figure as Samson who is depicted as a Nazir for life, nor is there any apparent connection with the Nazirites whom Amos describes (2:11-12) and who are placed alongside of prophets (נזרא), though curiously enough in the case of Samson the only sign of the Nazir especially singled out is that no razor is to pass over his head (Jud. 16:17) while in the case of the Nazirites of Amos only the prohibition of wine-drinking is implied. The two passages together thus furnish two of the main traits of the Nazir in Numbers.

The case of Samuel who, though never called a נצל but a נזרי (I Chr. 9:22 26 28) is yet consecrated to Yahweh for life

36 Explanatory gloss אָשָׁר קָרָב לוֹ לַיהֹוהִי, an awkward and elliptical phrase for רָזָּה יִהְיֶה לְאָשָׁר כְּאָשֶׁר קִרְבּוֹ לַיהֹוהִי, "after he has shaved the head of his Nazirite-ship".
37 Text has נָזִיר because of the combination of the older and later regulations.
38 Additions (1) אַשָּׁר, a לְכָּל אֵֽתָה, to indicate that the portion "waved" belongs to the priest, with a direct reference to Numbers Ex. 29:7; (2) נָזִיר לְכָּל אֵֽתָה superinduced by Ex. 29:7. See above, p. 278; (3) gloss אַשָּׁר קָרָב לוֹ הָלֶּקֶת for which see above p. 274 and 278.
39 To which the Greek version adds, no doubt influenced by Num. 6:5, "and wine and strong drink he shall not drink". Note that in the case of Samson and Samuel (I Sam. 1:11) the word for razor is נָזִיר as against נָשָׁה in Numbers.
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(I Sam. 1:11), is significant as showing that the prohibition of shaving the hair of the head was a trait of the consecrated person in early days.

Wine drinking is a sign of luxury belonging to later periods, and the prohibition in the case of the Nazir of Numbers is therefore to be viewed as an instance of the conservatism attaching to religious customs and which prescribed that the priests also were to abstain from wine. The consecrated person adopts the practice of earlier days, just as the mourner puts on the loincloth, the garment of a more primitive period.

Wellhausen has pointed out (Reste Arabischen Heidentums, p. 117 seq. and 167) the identity of Hebrew נזיר with Arabic نذر "to vow" and following Wellhausen's hint, Gray, in his commentary on Numbers (p. 66) has instituted a comparison between our chapter in Numbers and the Arabic ihram, the term for the temporary consecration of the Moslem to Allah during the period of pilgrimage to Mecca. The Nazir of Numbers is therefore simply a person who vows to consecrate himself to Yahweh for a certain period. It is therefore not accidental that the Nazir is described as the one נזיר who takes it upon himself to make a vow to become one devoted to Yahweh. The reason for the vow is not indicated. It might be apparently for any reason—in gratitude for recovery from illness or escape from danger or a promise in case of the success of some undertaking. For the time being, therefore, the Nazir is in the same category with the priest—"sacred to Yahweh" and, therefore, like the priest he is not to come into contact with anything unclean. The restriction in his case is as strict as in the case of the high priest who is not to "profane" himself even in the case of the death of his father or mother (Lev. 21:11), whereas the ordinary priest may

41 Lev. 10:9. See the article referred to in preceding note.
42 See the writer's article "The Tearing of Garments as a Symbol of Mourning" Journal of the Amer. Or. Soc., 21, pp. 28—39.
43 Note the expression נזיר נזיר (Lev. 21:12) "for the vow of the oil of anointment of his God is on him".
concern himself with the burial of father, mother, son, daughter, brother or virgin sister (Lev. 21:2-3). The chapter in Numbers therefore belongs to the general subject of "vows" and stands in close relation to Lev. 27. This latter chapter is clearly supplemental to the so-called Holiness Code which, as the subscript to chap. 26 (v. 46) shows, "These are the laws, decrees and decisions" which Yahweh fixed between him and the Bene Israel on mount Sinai through Moses", ended with Chap. 26.44

The later redaction of Lev. 27 is indicated also by the reference to the Jubilee year in verses 17-24, harking back to Lev. 25. It apparently reflects a later practice than that of Numbers 6, for according to Lev. 27 a person vowing himself to Yahweh must redeem himself by a sum of money—varying according to the age of the one so redeemed. It represents therefore the practical abrogation of Numbers 6—due to the more rigid limitation of everything pertaining to the priesthood to the descendants of Aaron according to the theory of the Priestly Code. It was felt to be inconsistent with this view of the priesthood as those consecrated by virtue of descent to the service of Yahweh, that the ordinary layman should even for a limited period be placed in the category of a priest. Lev. 27 is the protest against the custom implied in Numbers 6 and abandons it by providing that he who makes a vow of consecration is to redeem himself according to a fixed standard of valuation varying with age and sex. This method of abrogating an older law by making a provision that annuls it without, however, expunging the older statute is characteristic of the growth of law among the Hebrews as among the other peoples of antiquity in general. The familiar maxim that "the laws of Medes and Persians do not change"—applies to ancient law in general. Laws as repre-

44 The question is worth considering whether the use of the three terms פָּנָים, פָּנָיו, and פָּנָיו does not rest on the tradition of the growth of supplementary decisions (פָּנָים) and answers to questions (פָּנָיו) around a basic stock of laws (פָּנָים).

45 Lev. 27:44. "These are the commands which Yahweh commanded Moses for the Bene Israel on mount Sinai" is therefore a supplemental subscript based on Lev. 26:44 as has been recognized by Driver in his edition of Leviticus (Polychrome Bible, ed. Haupt), p. 108, and others.
senting oracles or decisions of the gods are not set aside, but instead stipulations are introduced which virtually abolish them. Thus, theoretically, slavery is recognized in the Book of the Covenant, but by providing that one can only keep a Hebrew slave for seven years (Ex. 21 2) the institution is changed to an indenture to a limited term. In the same way a father according to this code still has the right to sell his daughter, but when it is added (v. 7) "she is not to go forth as the going out of servants", the force of the old law is broken. It is a virtual abrogation of the law. If the new master does not marry her, he cannot sell her to some one else; if the new master give the girl to his son, she is to be treated "after the decision applying to daughters" (v. 9).

I take it, therefore,—following Baentsch's Commentary on Leviticus, p. 438,—that Lev. 27 represents the substitute for the older custom of consecrating oneself to Yahweh—which as incompatible with the theoretical establishment of a hereditary priesthood in the family of Aaron was to be abolished, but could only be done by a procedure such as Lev. 27 prescribes—the redemption of the vow through a money tax, according to the valuation of the priests.

The Chapter in Leviticus, therefore, sets aside such cases of a temporary consecration as set forth in Num. 6, as well as the permanent consecration of laymen—as in the case of Samuel and Samson. For the origin of the Nazirite legislation in Numbers we are thus led back to the early age when it was customary to make a vow in case of sickness or some other misfortune or before some undertaking—a war or a journey—or what not, which until the vow had been absolved placed one in a special category of "consecrated persons"—on whom certain taboos rested. The chief of these taboos was not to cut one's hair during this period, a second and very natural one was to avoid ritualistic infection through contact with a corpse—always regarded as unclean in primitive cults. For the time being the one who made a vow was holy to Yahweh as a priest was holy, and as the Arab who goes on a pilgrimage is holy—ahram, i. e., he makes himself "haram" and must not cut his
hair\textsuperscript{46}, abstain from sexual intercourse and avoid uncleanness by killing even the smallest animals, or as the one who is engaged in taking revenge in a blood feud was regarded as holy or consecrated by the ancient Arabs and was likewise obliged to abstain from women, wine and unguents.\textsuperscript{47} Let me emphasize once more that the prohibition against wine drinking during the vow period is secondary, due to the application of the general principle that the one who is under “religious” restraint conforms to the customs and practices of earlier days; he becomes, as it were, an illustration of the archaism connected in general with religious rites.

Lastly, the “vow” \textit{motif} comes to the surface in the addition to the subscript to the original law, Num. 6:21.

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“In addition to what he can afford according to his vow”. The addition which is superinduced, as already suggested, by the provision in the chapter on the valuation of the vows involving one’s own person (Lev. 27:8), becomes intelligible on the assumption that the Nazir legislation is the survival of the period when it was customary to vow one’s person to a deity for a certain period. The addition itself rests on the attempt to harmonize Num. 6 with Lev. 27 which aims to abolish the old practice by substituting a redemption for the consecration of one’s person. In so far the addition rests on a misinterpretation of the original force of Numbers 6, which does not recognize such a substitution. It was evidently inserted by some redactor who felt the inconsistency between Num. 6 and Lev. 27 and who intended in this way to harmonize the two contradictory pieces of legislation, just as the one who added the gloss to Lev. 22:21 wanted to include the head and hair of consecrated persons under taboo, see Robertson Smith, \textit{Religion of the Semites}, p. 464 seq.

\textsuperscript{46} On the widespread usage regarding the head and hair of consecrated persons under taboo, see Robertson Smith, \textit{Religion of the Semites}, p. 464 seq.

\textsuperscript{47} Robertson Smith, \textit{ib.}, p. 462.
institution of a central Yahweh sanctuary and one that may well be older even than the local Yahweh sanctuaries, prevalent among the Hebrews as among other Semitic nomads from time immemorial, and (2) an attempt to bring the older legislation into accord with the still later provisions in Lev. 27, which in reality aimed to abrogate the custom of laymen consecrating themselves to Yahweh. The reference to temporary Nazirites as late as the days of the Maccabees (I. Mac. 3.49; Josephus, Antiquities 19.6 and B. J. 2.15) leads one to suspect that the legislation in Lev. 27 remained a dead letter, as did the institution of the Jubilee Year. The people clung with tenacity to the old practice despite its incompatibility with the theoretical hereditary priesthood within a certain family, and which as is known was not recognized until the post-exilic days. We may, therefore, assume that Numbers 6 as it stands is a concession to actual practice which continued in force despite the addition of Lev. 27 to the priestly code. It represents the elaboration of an old piece of pre-exilic legislation in connection with a practice that prevailed to a comparatively late period, whereas Lev. 27, is to be viewed as an "academic" attempt in post-exilic days to abrogate the practice.