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Daf Notes is currently being dedicated to the neshamot of

Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h

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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Halfway Nezirus

The *Gemora* above had stated: Rav Yehudah said in the name of Shmuel: If a woman makes a *neder* prohibiting herself from two loaves of bread; one by which she is afflicted (*by abstaining from it, since it is made from fine flour*), and one by which she is not afflicted (*since it is made from coarse flour*), since the husband may revoke the portion of the *neder* by which she is afflicted, he may revoke the other portion as well. Rav Assi says in the name of Rabbi Yochanan: He may revoke the portion of the *neder* by which she is afflicted, but he may not revoke the portion of the *neder* by which she is not afflicted.

The *Gemora* asks on Rabbi Yochanan from the following *Mishna*: If a woman made a *neder* to become a *nazir*, and she drank wine or became *tamei* from the dead, she incurs the forty lashes. If her husband had revoked the *neder* for her, but she was not aware of this, she would not incur the forty lashes. Now if you will say that (*in a case where the woman made one neder prohibiting herself from two things, one in which she is afflicted, and one that she is not*) the husband may revoke the one by which she is afflicted, but not the one by which she is not afflicted, perhaps the husband only revoked the *neder* in regards to wine by which she is distressed (*if she abstains from drinking it*), but he did not revoke the *neder* in regards to grape seed and grape skin, where she is not distressed (*when*

abstaining from them), and therefore, she should incur the forty lashes (*for eating grape seed or grape skin*)?

Rav Yosef answers: There cannot be a halfway *nezirus* (*all the prohibitions stem from one neder, and individual prohibitions cannot be revoked; this is in contrast to the neder on the two loaves, where a neder on each loaf can be regarded as a separate neder*).

Abaye asks Rav Yosef: But it would be possible for there to be an obligation to offer the sacrifices for a halfway *nezirus*?

The Ra”n Elucidated

[*Since Rav Yosef said, “there cannot be a halfway nezirus,” and he didn’t say, “There are no halves in nezirus,” the implication is that it is only with regard to nezirus itself that there are no halves, but there does exist a korban for partial nezirus. For instance, if she became a nazir and counted fifteen days, and then her husband revoked it. It emerges that he has nullified the next fifteen days, but the fifteen days that she counted already have not been uprooted (for it does not work retroactively). So Abaye wonders: how she can bring a korban for a partial count?*]

Rather, Abaye said: There cannot be a halfway *nezirus* and there are no *korbanos* for a partial *nezirus* (*since*

the Torah only required *korbanos* upon completing a *nezirus*).

The *Gemora* asks on Abaye from the following *braisa*: If a woman made a *neder* to become a *nazir*, and she became *tamei* from the dead, and she designated animals for her *korbanos* (a *nazir* who becomes *tamei* brings three *korbanos* upon completion of the purification process; two birds, one for a *chatas* and one for an *olah*, and a lamb for an *asham*), and then the husband revoked her *neder*, she offers the *chatas* bird, but not the *olah* bird. Now, if you are saying that there are no *korbanos* for a partial *nezirus*, why should she bring the *chatas* bird (since we have established that half a *nezirus* is not regarded as a *nezirus*)?

The *Gemora* responds: If you will say that that there are *korbanos* for a partial *nezirus*, she should be required to bring all three *korbanos* (two birds, one for a *chatas* and one for an *olah*, and a lamb for an *asham*)?

The *Gemora* answers: Really there are no *korbanos* for a partial *nezirus*, and the reason that she is required to bring the *chatas* bird is because a *chatas* bird is brought in cases of uncertainty. (Since it is so lenient that it is brought even for cases of uncertainty and it is not eaten, it is also brought for a partial *nezirus*.) (82b – 83a)

The Living Take it to Heart

The *Gemora* asks on Rabbi Yochanan from the following *braisa*: If a woman made a *neder* to become a *nazir*, and she became *tamei* from the dead, and then the husband revoked her *neder*, she offers the *chatas* bird, but not the *olah* bird. Now if you will say that (in a case where the woman made one *neder* prohibiting herself from two things, one in which she is afflicted,

and one that she is not) the husband may revoke the one by which she is afflicted, but not the one by which she is not afflicted, perhaps the husband only revoked the *neder* in regards to wine by which she is distressed (if she abstains from drinking it), but he did not revoke the *neder* in regards to becoming *tamei* from the dead, where she is not distressed (when refraining from it), and therefore, she should still be prohibited from becoming *tamei*?

The Ra"n Elucidated

[The *Gemora* did not answer that there is no partial *nezirus*, as it did above, because *tumah* is not dependent upon *nezirus*. for we find *nezirus* without *tumah*. A *nazir* of *Shimshon* is forbidden from wine, but is permitted to contract *tumah* from the dead. And since *tumah* is not dependent upon *nezirus*, it is also possible that there could be a prohibition of *tumah* without the prohibitions of the other *halachos* of *nezirus*.]

The *Gemora* answers: They said: There is also distress by refraining from becoming *tamei*. For it is written [Koheles 7:2]: *And the living shall take it to heart*. And it was taught in a *braisa*: Rabbi Meir used to say: What is the meaning of that which it says: *It is better to go to the house of mourning than to go to a house of feasting, for that is the end of all man, and the living should take it to heart*. What does the last part of the verse mean? One who eulogizes over the dead, others will eulogize over him. One who buries the dead, others will bury him. (It is, therefore, regarded as a matter that involves personal affliction, for people will not become *tamei* for her, if she chooses not to become *tamei* to them.) (83a – 83b)

Mishna

If she says, “Konam that I will not derive pleasure from people,” he is not able to revoke the *neder*. And she is permitted to benefit from *leket* (one or two ears of grain that fall from his hand while harvesting must be left for the poor), *shich’chah* (produce that is left behind during the harvesting are left for the poor) and *pe’ah* (leaving over a corner of the field for the poor). (She is obtaining the produce from a state of ownerlessness, and it is, therefore, not regarded as if they are benefiting her.)

If one said, “Konam that Kohanim and Levi’im will not derive pleasure from me,” they are permitted to take *terumah* and *ma’aser* from him against his will. If, however, one said, “Konam that these Kohanim and Levi’im will not derive pleasure from me,” other Kohanim and Levi’im should take the *terumah* and *ma’aser* from him. (83b)

Is the Husband Included in her Neder “From People”?

The *Gemora* asks a contradiction between the *Mishna’s* two rulings: The *Gemora* infers from the *Mishna’s* first ruling (from the fact that her *neder* is not regarded as a matter that involves personal affliction) that it is possible (i.e., permissible) for her to sustain herself from her husband’s property. This proves that the husband is not included in her *neder* “from people.” However, we can infer from the *Mishna’s* second ruling, which states that she is permitted to benefit from *leket*, *shich’chah* and *pe’ah*, that she is prohibited from benefiting from her husband’s property. This proves that the husband is included in her *neder* “from people.”

Ulla answers: In truth, the husband is not included in her *neder* “from people” (and that is why it is not regarded as a *neder* that involves personal affliction). And furthermore (the *Mishna* offers another reason), the husband may not revoke the *neder* because she is permitted to benefit from *leket*, *shich’chah* and *pe’ah*.

Rava answers: In truth, the husband is included in her *neder* “from people,” and the reason why he cannot revoke the *neder* is because she is permitted to benefit from *leket*, *shich’chah* and *pe’ah*.

Rav Nachman answers: In truth, the husband is not included in her *neder* “from people” (and that is why it is not regarded as a *neder* that involves personal affliction). And the *Mishna*, in its second ruling is stating the following: If she later gets divorced (and then, the husband becomes included in her *neder*), she is permitted to benefit from *leket*, *shich’chah* and *pe’ah* (and that becomes her only option for sustenance).

Rava asked Rav Nachman: Can it be that the husband is not included in her *neder* “from people”? But we learned in the following *Mishna*: If she made a *neder*, saying, “I am removed from all Jews” (she prohibited herself from engaging in relations with any Jew), the husband may revoke the portion of the *neder* relevant to him, and she is then permitted to him, but she remains forbidden to all other Jews. And if you say that the husband is not included in her *neder* “from people,” it should be regarded as a *neder* that involves personal affliction, and he should be able to revoke the *neder* forever!

The Ra”n Elucidated

[If you will say that the husband is included in her *neder* “from people,” then, when she said, “I am removed

from all Jews," her husband was included. Accordingly, she was prohibiting herself from cohabitation with her husband (which was permitted) and from relations with any Jew. He, therefore, may revoke his portion of the neder alone, and if she becomes divorced, she will be prohibited from all Jews. This is so because this is a neder that is "a matter that is between him and her," which he may revoke for himself, but not for others.

But if you will say that the husband is not included in her neder "from people," and when she said, "I am removed from all Jews," her husband was included, it cannot be said that she was referring to cohabitation, for even without her neder, she is forbidden to cohabit with them. Rather, she must have meant that she is removing herself from benefiting from their produce. If so, it should be regarded as a neder that involves personal affliction, and he should be able to revoke it permanently! For we have previously learned regarding such nedarim that he may revoke for himself and for others.]

The Gemora answers: Here it is different, for it is obvious that she is forbidding herself something that is permitted to her (and therefore, the husband is included in her neder "from people"). (83b – 84a)

[We use the sefer "The Commentary of Rabbenu Nissim on Nedarim" from Rabbi Nathan Bushwick extensively to assist us in preparing the "Elucidation of the Ra"n." The sefer, written in English is available for sale by writing to: Rabbi Nathan Bushwick 901 Madison Ave. Scranton, Pa 18510-1019. The cost is \$25.00.]

INSIGHTS TO THE DAF

Her Findings

The Gemora asks a contradiction between the Mishna's two rulings: The Gemora infers from the Mishna's first ruling (from the fact that her neder is not regarded as a matter that involves personal affliction) that it is possible (i.e., permissible) for her to sustain herself from her husband's property. This proves that the husband is not included in her neder "from people." However, we can infer from the Mishna's second ruling, which states that she is permitted to benefit from *leket*, *shich'chah* and *pe'ah*, that she is prohibited from benefiting from her husband's property. This proves that the husband is included in her neder "from people."

Rava answers: In truth, the husband is included in her neder "from people," and the reason why he cannot revoke the neder is because she is permitted to benefit from *leket*, *shich'chah* and *pe'ah*.

The Keren Orah asks: How is she permitted to derive pleasure from the *leket*, *shich'chah* and *pe'ah*? The halacha is that all the findings of the woman belong to her husband! It will emerge that as soon as she collects the *leket*, *shich'chah* and *pe'ah*, it will belong to the husband. If so, she is benefiting from the husband, and that is forbidden!

He answers that since in this case, there is no other option for the woman to be sustained, the Rabbis did not establish that her findings will belong to the husband.