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Nazir Daf 34

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Daf Notes is currently being dedicated to the neshamot of

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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

**Mishna**

A person saw a koy (an animal that is questionable if it belongs in the *beheimah* (domesticated) class or the *chayah* (wild animals) class) and said, “I am hereby a nazir that this animal is a *chayah*,” and a second one said, “I am hereby a nazir that this animal is a *chayah*.” A third person said, “I am hereby a nazir that this animal is a *beheimah*,” and a fourth one said, “I am hereby a nazir that this animal is not a *beheimah*.” A fifth one said, “I am hereby a nazir that this animal is a *chayah* and a *beheimah*.” A sixth person said, “I am hereby a nazir that this animal is neither a *chayah* nor a *beheimah*.” A seventh person said, “I am hereby a nazir that one of you (the first six people) is a nazir.” An eighth person said, “I am hereby a nazir that one of you (the first six people) is not a nazir.” A ninth person said, “I am hereby a nazir that all of you (the first six people) are nezirim.” The Mishna rules that they are all nezirim. (The Mefarsh learns that this is in accordance to Beis Shamai who holds that their stipulations are not actual conditions; they truly meant to become a nazir regardless of the classification of the animal. Other Rishonim understand the Mishna to reflect the opinion of Rabbi Shimon who holds that they are all possible nezirim.) (34a)

The Gemora cites two *braisos* which discuss the identical case of our Mishna. One states that there are nine nezirim and the other states that one person is a nazir for nine terms.

The Gemora asks: The first *braisa*, which teaches that there are nine nezirim is understandable, for it is referring to a case where there are nine different people declaring nezirus based upon the classification of the koy (precisely like our Mishna). However, what is the case of the nine terms? It is possible for there to be six terms, such as is taught in our Mishna (one person made six different declarations in reference to the koy), but how can we find the last three (which according to our Mishna, they were addressing other people)?

Rav Sheishes answers: The case is as follows: (Nine people declared nezirus with reference to the koy just as our Mishna taught) A tenth person said, “I am hereby a nazir, and the nezirus of all of you (the other nine people) is upon me.” (34a)

WE SHALL RETURN TO YOU, BEIS SHAMAI

**Nine Nezirim; Nine Nezirus**

**Mishna**

There are three different types of prohibitions relevant to a *nazir*. He is forbidden to become *tamei* through corpse *tumah*; he may not shave his head; he is prohibited from eating grapes or drinking wine and anything that comes from a vine. Anything that comes from a vine will combine with each other (*if he eats the equivalent of a k'zayis, he will be liable and he will incur lashes*). And he will not be liable for lashes until he eats a *k'zayis* (*size of an olive*) from the grapes.

According to the earlier *Mishna*, a *nazir* will not be liable until he drinks a *revi'is* (*one-fourth of a log*) of wine. Rabbi Akiva said: Even if he soaked his bread in wine and there is enough in it to equal a *k'zayis*, he will be liable. (*Rabbi Akiva disagrees with the earlier Mishna, and holds that even regarding drinking wine, the amount for which a nazir incurs lashes is a k'zayis, which is the amount displaced from a full cup of wine when an olive is placed within it; therefore, edibles combine with liquid to equal a k'zayis. He also teaches us that a permissible item can combine to equal the amount needed to be liable.*)

He is liable for wine by itself, grapes by itself, *chartzanim* by themselves and *zagim* by themselves. Rabbi Elozar ben Azaryah says: He is not liable until he eats two *chartzanim* and their *zag*.

Which are the *chartzanim* and which are the *zagim*? The *chartzanim* are the external ones (*the grape-peels*), the *zagim* are the internal ones (*the seeds*); these are the words of Rabbi Yehudah. Rabbi Yosi says: In order that you should not err, like the *zug* (*cow bell*) of cattle: the external one is a *zug*, and the internal one is an *inbal* (*the clapper inside of the bell*). (34a – 34b)

### ***The Vines, Leaves and Shoots***

The *Gemora* infers from our *Mishna* that the vine itself is not forbidden to a *nazir*. Evidently, our *Mishna* differs from Rabbi Eliezer, for it has been taught: Rabbi Eliezer said: Even the leaves and shoots of the vine are included in the things that are forbidden to a *nazir*.

The *Gemora* explains how each of the *Tannaim* expounds the Scriptural verses in their distinct method, and that is why they come to different conclusions regarding the vine itself. (34b)

### **INSIGHTS TO THE DAF**

#### ***Benefits of a Nazir***

The *Mishna* had stated: There are three different types of prohibitions relevant to a *nazir*. He is forbidden to become *tamei* through corpse *tumah*; he may not shave his head; he is prohibited from eating grapes or drinking wine and anything that comes from a vine.

Reb Tzadok in *Pri Tzadik* (Naso) explains that abstaining from these three things can be a remedy for the three things that can cause a person to be driven out of this world. Growing one's hair can be a cure for the character traits of jealousy and anger. Refraining from eating or drinking any product that comes from a vine can be a remedy for desire. Withholding from becoming *tamei* can be an antidote for someone who chases after his own honor. This is because of the fact that one who pursues

honor can be punished with death. This can be proven from the Torah, where after the snake convinced Adam and Chava to eat from the tree of knowledge, where they were told that would be like Hashem, the concept of death was brought into this world.

### ***K'zayis and Revi'is***

The *Mishna* had stated: And he will not be liable for lashes until he eats a *k'zayis* (size of an olive) from the grapes. According to the earlier *Mishna*, a *nazir* will not be liable until he drinks a *revi'is* (one-fourth of a log) of wine. Rabbi Akiva said: Even if he soaked his bread in wine and there is enough in it to equal a *k'zayis*, he will be liable. (*Rabbi Akiva disagrees with the earlier Mishna, and holds that even regarding drinking wine, the amount for which a nazir incurs lashes is a k'zayis, which is the amount displaced from a full cup of wine when an olive is placed within it; therefore, edibles combine with liquid to equal a k'zayis. He also teaches us that a permissible item can combine to equal the amount needed to be liable.*)

The Bartenura explains the first opinion of the *Mishna* to be like Rabbi Akiva that a *nazir* will be liable for eating a *k'zayis* of grapes or drinking a *k'zayis* of wine. The early *Mishna* maintains the exact opposite that he will only be liable if he eats a *revi'is* of grapes or drinks a *revi'is* of wine.

Rabbeinu Tam asks on this explanation: Why would the *Tanna* of the *Mishna* first state the later *Mishna's* opinion, then teach the early *Mishna's* ruling and then return to the later teaching? He asks other questions as well.

Tosfos therefore explains that when the *Mishna* taught that the required amount to be liable for grapes is a *k'zayis*, that is according to everyone. There is only an argument regarding drinking. According to the early *Mishna*, it is a *revi'is*, and according to Rabbi Akiva, it is a *k'zayis*.

The Rambam rules that a *nazir* is liable if he eats a *k'zayis* of grapes, and he would be liable if he drinks a *revi'is* of wine. It would emerge that he is ruling according to the earlier *Mishna*. This is extremely odd, for the ruling is usually according to the later teaching!

The Brisker Rav explains that the *Mishna* actually lists three opinions. The *Tanna Kamma* holds that grapes are a *k'zayis* and wine is a *revi'is*. The Rambam rules that this is indeed the *halacha*. The second opinion is the early *Mishna* which rules that he is not liable unless he eats or drinks the equivalent of a *revi'is*. Rabbi Akiva holds that everything is a *k'zayis*.