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Nazir Daf 8

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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

### **Mishnah**

If one said, “I am hereby a *nazir* in the amount of hair on my head,” or “in the amount of the dust on the earth,” or “in the amount of sand by the sea,” he is a *nazir* for life and he shaves every thirty days (*he is not a permanent nazir, but rather, he is required to observe perpetually repeating thirty days of nezirus until the end of his life, since he vowed to be a separate nazir for each and every speck of dust, granule of sand, or piece of hair!*)! Rebbe says: He may not shave his hair once every thirty days. [Rather, he is a nazir forever, for the number of days included in this nezirus exceeds the number of days in his lifetime. He is not even allowed to shave every twelve months.] What type of *nazir* may shave once every thirty days? If someone says: “It is upon me an obligation of *nezirus* terms like the hairs on my head,” or “like the hairs on my head,” or “like the sand by the sea.”

If someone says: “I am a *nazir* like this empty house,” or “this empty box,” we check his intent. If he meant that he is taking upon himself one large (*i.e. difficult*) *nezirus*, then he is a *nazir* for thirty days. If he made the vow without special intent, the box is looked upon as if it were filled with mustard seeds, and he must remain a *nazir* forever (*akin to the first case in the Mishnah*).

If one says, “I am hereby a *nazir* from here until such-and-such a place,” we evaluate how many days it would

take to travel from here until that place. If it would take less than thirty days, he is a *nazir* for thirty days. If it would take more than thirty days, he is a *nazir* for that amount of days. If someone says, “I am hereby a *nazir* like the amount of days in a solar year,” he must be a *nazir* for that period of time. Rabbi Yehudah says: There was an incident where someone in fact made this vow. After he completed his *nezirus*, he died. (8a1)

### **Nezirus Terms**

The Mishnah had stated: The box is looked upon as if it were filled with mustard seeds, and he must remain a *nazir* forever

The *Gemora* asks: Why (does the *Mishnah* say we should view the box as if it were filled with mustard seeds)? Let us view it as if it were filled with melons and gourds (and, as relatively few of them fit into the box, he should only be a *nazir* for a limited time) and he will have a remedy (and not remain a nazir forever)!?

Chizkiyah says: This is indeed a matter of dispute, and this opinion (in the Mishnah) is that of Rabbi Shimon, who says that a person does indeed place himself into something (when taking vows) whose doubtfulness will result in a more stringent ruling than in a case of certainty, for it was taught in a Baraisa: If one says, “I am hereby a *nazir* if there are a hundred *kors* of grain in this pile,” and he found that the grain was stolen or

lost (*and they could no longer be measured*), Rabbi Shimon forbids (the vower to do whatever a nazir is forbidden to do), for a doubtful nezirus is ruled stringently. Rabbi Yehudah permits (all activities, for he is not a *nazir*, as doubtful nezirus is ruled leniently).

Rabbi Yochanan (disagrees with Chizkiyah and) says: Our *Mishnah* could even follow the opinion of Rabbi Yehudah, for there (in the case where he said, "I am hereby a *nazir* if there are a hundred *kors* of grain in this pile"), he has not entered into nezirus at all (*for his vow was conditional, and that is why Rabbi Yehudah says it should be resolved leniently*). Here (in our *Mishnah*), he has definitely entered into nezirus (and the question is merely what type of *nezirus*). How can we go about removing him from it?!

The *Gemora* asks: Why not? Again, let us view the box as if it were filled with melons and gourds, and he will have a remedy (as his nezirus will conclude at the end of the "melon and gourd" term), for it is assumed that he has accepted upon himself multiple nezirus terms (and as soon as the first one is completed, we should rule that the next one does not begin)?

The *Gemora* answers: Rabbi Yehudah holds like the opinion of Rebbe, as we have learned in our *Mishnah*: Rebbe says: He may not shave his hair once every thirty days. [Rather, he is a nazir forever, for the number of days included in this nezirus exceeds the number of days in his lifetime. He is not even allowed to shave every twelve months.] What type of *nazir* may shave once every thirty days? If someone says: "It is upon me an obligation of *nezirus* terms like the hairs on my head," or "like the hairs on my head," or "like the sand by the sea."

The *Gemora* asks: Does Rabbi Yehudah really hold like Rebbe? But we have learned in our *Mishnah*: If someone says, "I am hereby a *nazir* like the amount of days in a solar year," he must be a *nazir* for that period of time. Rabbi Yehudah says: There was an incident where someone in fact made this vow. After he completed his *nezirus*, he died. Now, it is understandable if you say (that R' Yehudah holds like the Sages) that this man (by using this formula of saying a number of items in his declaration) accepted upon himself multiple terms of nezirus, that is then the reason why R' Yehudah said that when he completed his nezirus he died. But if you say (that R' Yehudah holds like Rebbe) that he has accepted upon himself a single term of nezirus (unless he explicitly stated a number of terms in his vow), is there any 'conclusion' at all?

Additionally, does Rabbi Yehudah really agree with Rebbe? But it was taught in a Baraisa: Rabbi Yehudah said: If someone says, "I am hereby a nazir like the amount of piles of the dried figs," or "the number of furrows in a field during Shemitah," he must count as many *nezirus* as the amount of piles of the dried figs or the number of furrows in a field during Shemitah. [*This implies that Rabbi Yehudah holds that when he mentions an uncountable number of items in his vow, he has accepted upon himself consecutive terms of nezirus forever, although he did not explicitly state that he is accepting multiple terms.*]

The *Gemora* answers: If a person specifies an "amount" (of piles or furrows) it is different. [R' Yehudah holds that by saying "amount" or "number," he is indicating that he is accepting multiple nezirus terms. If, however, he just says "like the furrows," it is looked at as one long term of nezirus.]

The *Gemora* asks: Does Rebbe hold that there is a distinction if he used the word “amount” or not? But it was taught in a *Baraisa*: If someone says, “I am hereby a *nazir* like the amount of days in a solar year,” he must count as many terms of *nezirus* as there are days in the solar year. If someone says, “I am hereby a *nazir* like the amount of days in a lunar year,” he must count as many terms of *nezirus* as there are days in the lunar year. Rebbe says: [He does not count multiple terms] unless he says, “*Nezirus* terms should be upon me like the amount of days of the solar year,” or “like the amount of days of the lunar year.” [This implies that without saying the word *nezirus*, Rebbe holds that the intent is one long term of *nezirus*; how can we say that R’ Yehudah holds like Rebbe and holds that saying “the amount of” is enough to obligate him to multiple terms of *nezirus*?]

The *Gemora* answers: Rabbi Yehudah holds like Rebbe in one matter, and argues with him regarding another matter. He agrees with him in one matter that a person (when mentioning a number of items in his vow) accepts upon himself one period of *nezirus*, but argues with him on one issue, for Rabbi Yehudah makes a distinction between one who mentions the word “amount” and one who doesn’t, and Rebbe does not make a distinction between one who mentions the word “amount” and one who doesn’t. (8a1 – 8b2)

### **Nazir Forever**

The *Gemora* cites a *Baraisa*: If one says, “I am hereby a *nazir* for all the days of my life,” or “I am hereby a permanent *nazir*,” he is a permanent *nazir*. However, if he says, “I am hereby a *nazir* for a hundred years,” or “for one thousand years,” he is not a permanent *nazir*, but rather, he is a *nazir* forever (since he most probably will not live that long; he is not permitted to trim his hair

at all, because his term of *nezirus* is for a hundred years; this is in contrast to the case where he says for all the days of his life, which is an indeterminate amount of time, he therefore is a permanent *nazir*). (8b2)

### **Nazir Plus**

The *Gemora* cites a *Baraisa*: If someone says, “I am hereby a *nazir* plus one,” he must observe two thirty-day periods of *nezirus*. If he adds, “and another,” he must observe three. If he adds, “and again,” he must observe four.

The *Gemora* asks: This last statement is obvious!

The *Gemora* answers: One might have thought that (the expression) “and again” is referring back to all of them (the three periods of *nezirus* previously mentioned), so that there will be six (terms of *nezirus*); the *Baraisa* therefore teaches us that this is not so (it is only looked upon as one added period of *nezirus*). (8b2)

### **Greek**

The *Gemora* cites a *Baraisa*: If someone says, “I am a *nazir*,” *Sumchus* states: If he adds “*Hein*,” he means for one period of *nezirus*. If he adds “*Digun*,” he means two. If he adds “*Trigun*,” he means three. If he adds “*Tetragon*,” he means four. If he adds “*Pentigon*,” he means five. [These are all the translations of these Greek words.] (8b2)

### **Impurity of Four Walls**

The *Gemora* cites a *Baraisa*: A circular house, a two cornered, three cornered, or five cornered house, do not become impure through *tzara’as* (biblical leprosy). A four- cornered house does become impure.



The *Gemora* asks: What is the halachic difference between these types of houses? The verse states the word “walls” (instead of “wall”) twice regarding tzaraas (with each word implying two walls), totaling four. (8b2)

WE SHALL RETURN TO YOU, KOL KINUYEI

### INSIGHTS TO THE DAF

#### ***Ruling Leniently by a Nazir, Even Nowadays***

It was taught in a Baraisa: If one says, “I am hereby a *nazir* if there are a hundred *kors* of grain in this pile,” and he found that the grain was stolen or lost (*and they could no longer be measured*), Rabbi Shimon forbids (the vower to do whatever a nazir is forbidden to do), for a doubtful nezirus is ruled stringently. Rabbi Yehudah permits (all activities, for he is not a *nazir*, as doubtful nezirus is ruled leniently.

The Mefarsh explains that we do not rule that he should be a *nazir* based upon our uncertainty, since we do not want that he should offer unconsecrated sacrifices (*if he is actually not a nazir*) into the Beis Hamikdosh upon conclusion of his *nezirus*.

It should emerge, according to this logic, that nowadays, when there are no *korbanos*, and the aforementioned concern is not applicable, Rabbi Yehudah should agree that we should rule stringently that he is a *nazir*.

However, the Maharam Mipadava (71) writes that we find many places that the ruling does not change because perhaps the Beis Hamikdosh will be built the following day. So too, here, we say that the Beis

Hamikdosh might be built the following day, and he will be bringing unconsecrated offerings into the Beis Hamikdosh. Therefore, the ruling remains that he is not regarded as a *nazir*.

### DAILY MASHAL

#### ***Uncertain Nezirus and Nedarim***

The Ram”a asks: Why is that be nezirus we rule leniently in a case of doubt, but regarding an uncertainty related to a vow, we rule stringently?

He answers: The fact that a nazir is distancing himself and abstaining from certain pleasures in this world is a bad thing, for the Torah does not want a person to go to extremes, and all extremes are bad, but if he does accept it upon himself, he must fulfill it; however, if there is a doubt regarding his acceptance, we rule leniently, for it is not appropriate to attach oneself to a bad thing merely out of doubt.