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Nazir Daf 15

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

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

Mishnah

If someone said, “I will be a *nazir* when I have a son, and I am hereby a *nazir* for one hundred days,” and a son is born to him within seventy days, he has lost nothing (*he may observe his son’s nezirus alongside with his own*). If, however, a son is born to him after seventy days, he must interrupt his own *nezirus* (*and observe his son’s nezirus first, for it takes priority, and since the son’s nezirus will last longer than the “hundred-day” nezirus, the entire nezirus must be observed separately*), because there is no hair-cutting on a growth of hair which is less than thirty days (for a term of *nezirus* must be for at least thirty days). (15a1)

Counts for Two Days

Rav said: The seventieth day counts for the father’s *nezirus* and for the son’s *nezirus* (*if a son is born to him on day seventy, the first part of the day is regarded as day seventy for the father’s nezirus, and the second part of the day is counted for the son’s nezirus*).

The *Gemora* asks from our *Mishnah*: If someone said, “I will be a *nazir* when I have a son, and I am hereby a *nazir* for one hundred days,” and a son is born to him within seventy days, he has lost nothing (*he may observe his son’s nezirus alongside with his own*). Now, if you will say that if a son is born to him on the seventieth day, that day is counted for both terms of *nezirus*, he has even gained a day! (Why does the *Mishnah* say that he does not lose?)

The *Gemora* answers: Since the *Mishnah* states in the latter portion that if a son is born to him after seventy days he does lose, the *Mishnah*, in the first portion, states that he does not lose (*when, in truth, he actually gains a day*).

The *Gemora* asks from the latter ruling of our *Mishnah*: If, however, a son is born to him after seventy days, he does lose. (Now, according to Rav, even if a son is born to him on the seventy-first day, he still does not lose, for day seventy-one could be counted for both terms of *nezirus*, and his son’s *nezirus*, which will begin on day seventy one, will conclude on day one hundred!)

The *Gemora* answers: When the *Mishnah* states “after seventy days,” it means “after after” (*day seventy-two and on*).

The *Gemora* asks: If that would be the correct interpretation of the *Mishnah*, why would the *Mishnah* (in the first portion) say that if a son is born to him within seventy days, he has lost nothing? Even if a son is born to him after seventy days (*day seventy-one*), he also loses nothing! It is therefore evident that the *Mishnah* is contrary to Rav’s ruling. (15a1 – 15a2)

Support for Rav

The *Gemora* asks: According to which *Tanna* does Rav issue his ruling?

If you will say that he is following Abba Shaul, for we have learned in the following *Baraisa*: One who buried his dead three days prior to the festival, the decree regarding the seven days of mourning are cancelled. One who buried his dead eight days prior to the festival, the decree regarding the thirty days of mourning are cancelled. He may take a haircut on the eve of the festival; if he did not, he is forbidden from taking a haircut after the festival. Abba Shaul disagrees and holds that he would nevertheless be permitted to take a haircut after the festival, since in the same manner that three days of mourning prior to the festival cancels completely the seven days of mourning, seven days of mourning prior to the festival cancels completely the thirty days of mourning.

What is Abba Shaul's reason? Is it not because he maintains that part of the day is like the entire day and the seventh day counts for the last day of *shiva* (seven days of mourning) and for the first day of the *sheloshim* (thirty days of mourning)? [This supports Rav, who holds regarding nezirus that one day can count for two.]

The *Gemora* asks: Perhaps Abba Shaul ruled in this manner only by the *halachos* of *shiva*, which is only Rabbinical, but with respect to a *nazir*, where his *halachos* are of Biblical origin, he would not rule this way (that one day can be counted as two)?

Rather, Rav is following Rabbi Yosi's opinion, for we learned in the following *Baraisa*: Rabbi Yosi said: If a woman is a *shomeres yom kneged yom* – (This is the law during these days: If she saw blood only one day, she must observe one day in cleanness, corresponding to the day of uncleanness, i.e., she immerses on the day following the day of uncleanness, and if she does not see blood on this day, then she is clean in the evening.), and they slaughtered the *korban pesach* for her and sprinkled its blood on the Altar on her second day (her clean day was on *Erev Pesach*), and afterwards, on that day, she saw blood, she does not eat from the *korban pesach*, but she

is exempt from bringing the second *korban pesach* (on the fourteenth of Iyar).

What is Rabbi Yosi's reason (if she was *tamei* by the first *pesach*, she should be obligated to bring the second *pesach*)? Is it not because he holds that that part of the day is like the entire day (and since she immersed herself in the *mikvah* in the morning, she was *tahor* at the time that the *korban* was brought for her (because she is not regarded as being retroactively *tamei* from the beginning of the day); she therefore is exempt from bringing the second *pesach*)? [This supports Rav, who holds regarding nezirus that one day can count for two.]

The *Gemora* asks: Does Rabbi Yosi actually hold like this (the *tumah* is not retroactive)? But we learned in the following *Baraisa*: Rabbi Yosi said: If a *zav* of two emissions (who is classified as an *av hatumah* and must observe seven clean days and then he immerses himself in spring water), and on whose behalf the *korban pesach* has been slaughtered and its blood sprinkled on the seventh day of his purification, and similarly a woman, who is a *shomeres yom kneged yom* on whose behalf the *korban pesach* has been slaughtered and its blood sprinkled, if they afterwards, on that day, experience another discharge, then even though they render a couch and seat *tamei* (anything that they sit or lie upon, even if they do not directly touch it) retroactively (from the beginning of the day), they are not obliged to offer the second *korban pesach*.

The *Gemora* answers: The *tumah* is retroactive only by Rabbinic law.

The *Gemora* proves this: For if the *tumah* would be retroactive by Biblical law, why would they be exempt from bringing the second *korban pesach*?

The *Gemora* rejects the proof: Perhaps the *tumah* would be retroactive by Biblical law, and the reason why they are



exempt from bringing the second *korban pesach* is because we ruled leniently with respect to someone with *tumah* of the deep of *zivah* (since the *tumah* was *unknowable at the time that the korban was brought*). (15a1 – 15b2)

The Gemora notes: Rabbi Oshaya, as well, is of the opinion that the retroactive *tumah* is Rabbinic in origin, for it has been taught: Rabbi Oshaya said: One who observes a *zivah* discharge on his seventh day (of *taharah*), renders void the preceding (seven days of cleanliness, for the *zav* must observe seven consecutive clean days in order to become *tahor*; now, he must start all over again). Rabbi Yochanan said to him: It is only one day that becomes void.

The Gemora asks: But either way! [What is R' Yochanan saying?] If it (the discharge) renders void, it should render all (seven days) void, and if it doesn't (for we can count the first part of the day as the seventh clean day), it should not render void even the same day (and he should not be rendered a *zav*)?

The Gemora answers: Rather, he (R' Yochanan) said: It does not even render void the same day,

And he (R' Oshaya) said to him: Rabbi Yosi holds like you, for he said that the emission renders him *tamei* from the moment (of observation) and thereafter (and therefore it does not void any of the preceding days).

The Gemora asks: Now was it not Rabbi Yosi who said that the *tumah* was retroactive?

The Gemora answers: We see therefore that the retroactive *tumah* is Rabbinic in origin.

The Gemora asks: Now seeing that Rabbi Yosi is of the opinion that part of a day counts as a whole day, how is it ever possible for there to be a complete *zivah* (a *zivah*

gedolah; a woman who experiences a discharge on three consecutive days), who is obligated to offer the sacrifice, for since her (second) emission is observed during only part of the day, then the other part (first half) of the day counts as the period of 'waiting'?

The Gemora answers: If you prefer, say that she had a continual emission for three days, or alternatively, you can say that she experienced the emission on each of the three days near sunset, so that there is no part of the day that can be reckoned as a period of cleanness. (15b2 – 16a1)

WE SHALL RETURN TO YOU, HAREINI NAZIR

INSIGHTS TO THE DAF

A Partial Day is Regarded as an Entire Day

We have learned in the following *Baraisa*: One who buried his dead three days prior to the festival, the decree regarding the seven days of mourning are cancelled. One who buried his dead eight days prior to the festival, the decree regarding the thirty days of mourning are cancelled. He may take a haircut on the eve of the festival; if he did not, he is forbidden from taking a haircut after the festival. Abba Shaul disagrees and holds that he would nevertheless be permitted to take a haircut after the festival since in the same manner that three days of mourning prior to the festival cancels completely the seven days of mourning, seven days of mourning prior to the festival cancels completely the thirty days of mourning.

What is Abba Shaul's reason? Is it not because he maintains that part of the day is like the entire day and the seventh day counts for the last day of *shiva* (seven days of mourning) and for the first day of the *sheloshim* (thirty days of mourning).

The *Gemora* asks that perhaps Abba Shaul only ruled in this manner by the *halachos* of *shiva*, which is only Rabbinical, but with respect to a *nazir*, where his *halachos* are of Biblical origin, he would not rule this way (*that one day can be counted as two*).

*** Tosfos (Moed Katan 19b) cites Harav Yom Tov that since we have established that part of the seventh day counts for the last day of *shiva* (*seven days of mourning*) and for the first day of the *sheloshim* (*thirty days of mourning*), a mourner would be permitted to take a haircut on the twenty-ninth day, since the seventh day counts as two days. He then cites a dissenting opinion that with respect to the *halachos* of *sheloshim*, we do not rule that the seventh day counts as two days.

*** Reb Elchonon Wasserman in Koveitz Heoros (39:3) explains the dispute between the *Tanna Kamma* and Abba Shaul in the following manner: Abba Shaul holds that a partial day is regarded as a full day, and therefore a day can be split into two, and it may be counted as two days. The *Tanna Kamma*, however, holds that one who has observed the *halachos* of the day can be regarded as if he observed them for the entire day, but the day itself cannot be regarded as two days.

*** The Rosh holds that this *halacha* that part of the day is like the entire day is even applicable at night. If one observed the *halachos* of mourning on the night of the seventh day, it should be regarded as if he observed them the entire day. He cites a Rashbam, who says that the custom is for the mourning period to conclude by day. The Rosh does not understand the reason for this.

DAILY MASHAL

Nazir and his Korbanos

The Shem MiShmuel draws a parallel between the three areas from which the nazir must abstain, and the three

korbanos, sacrifices, that he offers at the end of his period of nezirus. This is part of his reentry into society, marking an end to his restrictive period. For a person to have undergone such a sanctified period of abstinence and not take some portion of it with him would be a waste. He has achieved an exalted status with which he must now continue life.

He accomplishes this through the three sacrifices which he offers. He brings a Korban Olah, Elevation /Burnt offering, a Korban Chatas, Sin offering; a Korban Shelamim, Peace offering. The Olah is a korban brought to atone for inappropriate thoughts. It reflects the nazir's intellect. The Chatas is an offering brought for sinful activities. The Shelamim is a sacrifice that is brought for the purpose of promoting peace between people, because it brings harmony between the owner and the Kohanim who share in this korban. It represents the positive relationship between two generally opposing forces. Likewise, speech is the product of a conjunction between the powers of the intellect and the body. The lips produce what the brain wills. Hence, the Korban Shelamim corresponds with the speech aspect of the nazir's ritual.

The nazir had taken great strides to ensure his spiritual ennoblement. The korbanos aim to provide a tangible and spiritual reminder of his ascension, so that once he has completed his period of nezirus, he will continue in his spiritual ascension with the appropriate resolve necessary for this drive upward and forward.