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Nazir Daf 29

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Mishnah

A father can impose upon his son a *nezirus* vow, but a mother cannot impose a *nezirus* vow on her son. If he shaves his head, or his relatives shaves his head, or he protests, or his relatives protest on his account (*immediately upon hearing of the father’s declaration*, which stops his *nezirus*); if the father had designated an unspecified amount of money for his son’s *korbanos*, they are to be used for voluntary communal offerings. If the money was specified, the *halacha* is as follows: The money set aside for the *chatas* must be cast into the Dead Sea. It is prohibited to benefit from it, but one does not commit *me’ilah* by using it (*since it is not destined to be brought on the Altar*). The money set aside for the *olah* should be used for a voluntary *olah*, and one does commit *me’ilah* if he uses it. The money set aside for the *olah* should be used for a voluntary *olah*. The *shelamim* can only be eaten for one day, but it does not require the breads. (28b2 – 28b3)

Explaining the Mishnah

The *Gemora* asks: The *Mishnah* had taught that a man – yes (may impose upon his son a *nezirus* vow), but a woman – not. What is the reason for this?

Rabbi Yochanan said: This (that a father may impose *nezirus* upon his son but not a mother) is a Halachah (received by Moshe at Sinai). Rabbi Yosi son of Rabbi Chanina said in the name of Rish Lakish: This is in order to train his son to fulfill the commandments.

The *Gemora* asks: If so, even a woman should be allowed to impose *nezirus* upon her son!?

The *Gemora* answers: He holds that a man is obligated to train his son to fulfill the commandments, but a woman is not obligated to train her son.

The *Gemora* asks: It is understandable according to Rabbi Yochanan who said that it is a Halachah by *nezirus* (that a father imposes *nezirus* upon his son), that would be the reason why it applies by “his son,” and not “his daughter” (for that was the tradition); but according to Rish Lakish (who holds that it is in order to train his son to fulfill the commandments) – even a daughter as well (a father should be empowered to impose *nezirus* upon his daughter)!?

The *Gemora* answers: He holds that a father is obligated to train his son, but he is not obligated to train his daughter.

The *Gemora* asks: It is understandable according to Rabbi Yochanan who said that it is a Halachah by *nezirus* (that a father imposes *nezirus* upon his son), that would be the reason why it applies by *nezirus* (for that was the tradition), but not by ordinary vows; but according to Rish Lakish (who holds that it is in order to train his son to fulfill the commandments) – even vows as well (a father should be empowered to impose a vow upon his son)!?



The Gemora answers: it was said in a “not only..., but even...” format. “Not only” vows, where there is no deprivation for the son (if he is now forbidden to eat a certain item of food), “but even” nezirus, where there is deprivation for the son, even so, the father is obligated to train him.

The Gemora asks: It is understandable according to Rabbi Yochanan who said that it is a Halachah by nezirus (that a father imposes nezirus upon his son), that would be the reason why the Mishnah stated: If he or his relatives protested etc. (for the Halachah allowed them to protest); however, according to Rabbi Yosi son of Rabbi Chanina who said in the name of Rish Lakish (that it is in order to train his son to fulfill the commandments), why would the relatives have the right to say to him (i.e., the father), “Do not teach you son to fulfill the commandments”?

The Gemora answers: He will hold that any training which is not approved (by the relatives) is not pleasing to the child.

The Gemora asks: It is understandable according to Rabbi Yochanan who said that it is a Halachah by nezirus (that a father imposes nezirus upon his son), that would be the reason why he (the son) shaves his head and rounds the corners (of his hair; even though this is a Biblical prohibition, the force of the Biblical nezirus may override another Biblical prohibition); but according to Rabbi Yosi son of Rabbi Chanina who said in the name of Rish Lakish (that it is in order to train his son to fulfill the commandments), it is (a Rabbinic enactment) in order to train him to fulfill the commandments!?! But behold, he is violating the Biblical transgression of rounding the corners (of his head)?

The Gemora answers: He holds that “rounding one’s entire head” is a Rabbinic prohibition, and training one to fulfill commandments is a Rabbinic obligation, and the

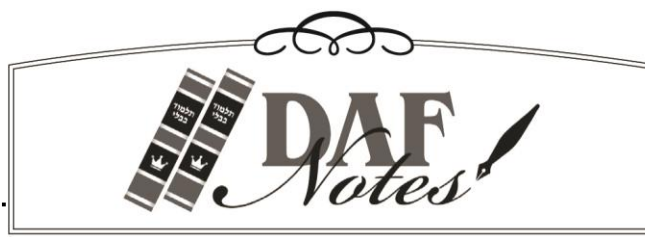
Rabbinic obligation of training comes and overrides the Rabbinic prohibition of rounding.

The Gemora asks: It is understandable according to Rabbi Yochanan who said that it is a Halachah by nezirus (that a father imposes nezirus upon his son), that would be the reason why when he (the son) shaves his head, he (the father) brings the (concluding) sacrifices; but according to Rabbi Yosi son of Rabbi Chanina who said in the name of Rish Lakish that it is in order to train his son to fulfill the commandments, behold he is violating the transgression of bringing unconsecrated animals into the Temple Courtyard !?

The Gemora answers: He holds that the prohibition of bringing unconsecrated animals into the Temple Courtyard is not a Biblical prohibition (and the Rabbinic obligation of training the son overrides the Rabbinic prohibition of bringing unconsecrated animals into the Temple Courtyard).

The Gemora asks: It is understandable according to Rabbi Yochanan who said that it is a Halachah by nezirus (that a father imposes nezirus upon his son), that would be the reason why when he (the son) becomes tamei, they bring bird offerings and the Kohen will eat of them (even though they were killed) - by melikah (the special manner of killing the birds performed in the Temple – although this service, when performed on a non-consecrated bird would render its meat a neveilah, and it would thus be forbidden from eating); however, according to Rabbi Yosi son of Rabbi Chanina who said in the name of Rish Lakish (that it is in order to train his son to fulfill the commandments), he (the Kohen) is eating neveilah!?

The Gemora answers: Rabbi Yosi son of Rabbi Yehudah holds that the obligation to slaughter a bird (through shechitah) is not Biblical, and the prohibition of bringing unconsecrated animals into the Temple Courtyard is not a Biblical prohibition.



The Gemora asks: Does Rabbi Yosi indeed hold like that? But it was taught in a Baraisa: Rabbi Yosi son of Rabbi Yehudah said: From where is it known that a chatas bird which comes for a situation of doubt is not to be eaten? The Torah states: *Concerning a person, whether male or female, who emits his discharge*. The Torah compares the laws of a female to that of a male. Just as a male brings a sacrifice for a definite (transgression), so too a female brings a sacrifice for a definite (transgression).

And just as a male brings a sacrifice (an asham taluy) for a doubtful (transgression), so too a female brings a sacrifice (chatas) for a doubtful (transgression).

And just as a male – from the same type of animal that he brings for a definite (transgression) he brings for a doubtful (transgression), so too regarding a female, from the same type of animal that she brings for a definite (transgression) she brings for a doubtful (transgression).

And just as with a male, he brings a sacrifice and it is eaten (by the Kohanim), so too with a female, she brings a sacrifice (the chatas bird which comes for a situation of doubt) and it is eaten. You will say (to refute this): No! If you say by a male, for there is only one prohibition (of eating an unconsecrated animal that was slaughtered in the Temple Courtyard), should you say the same regarding a female, where it involves two prohibitions (eating an unconsecrated animal that was slaughtered in the Temple Courtyard, and the eating of a bird that was not slaughtered)?

What are the two prohibitions? Are they not the prohibition of (eating a) neveilah and the prohibition of (eating from) an unconsecrated animal that was slaughtered in the Temple Courtyard (and this would prove that R' Yosi son of R' Yehudah regards this as a Biblical prohibition)?

The Gemora answers: Rav Acha the son of Rav Ikka asks: Perhaps he is liable for it appears as if he is violating two Rabbinic prohibitions. (28b3 – 29b1)

The Gemora suggests that the dispute (between R' Yochanan and Rish Lakish) is actually a matter of a Tannaic dispute (for it was taught in a Baraisa): Until when may a father impose nezirus upon his son? It is until he grows two (pubic) hairs; these are the words of Rebbe. Rabbi Yosi son of Rabbi Yehudah says: Until he reaches the age of vows. Now, is this not the Tannaic argument? Rebbe holds (as R' Yochanan) that it is a Halachah by nezirus (that a father imposes nezirus upon his son), and even though he has reached the age of vows, he still may impose nezirus upon him until he grows two (pubic) hairs. And Rabbi Yosi son of Rabbi Yehudah, who says that it is until he reaches the age of vows, he holds (as Rish Lakish) that it is in order to train his son to fulfill the commandments, and once he (his son) has left his father's jurisdiction (with regard to vows), he is no longer obligated (to train him to fulfill the commandments).

They said: No; for everyone can hold that it is a Halachah by nezirus (that a father imposes nezirus upon his son), and over here they disagree regarding an informed minor who has almost reached adulthood. Rebbe holds that the vow of an informed minor who has almost reached adulthood is valid only on a Rabbinic level, and the Biblical force (of the father to impose nezirus upon his son) comes and overrides the Rabbinical (capacity for the son to make a valid vow), and Rabbi Yosi son of Rabbi Yehudah holds that the vow of an informed minor who has almost reached adulthood is valid on a Biblical level.

Alternatively, the Gemora answers, everyone can hold that a father imposes nezirus upon his son in order to train him to fulfill the commandments, and the vow of an informed minor who has almost reached adulthood is valid only on a Rabbinic level. They argue as follows: Rebbe holds that the obligation of training (one's son in

the fulfillment of mitzvos) overrides the Rabbinic law governing the vow of an informed minor who has almost reached adulthood. Rabbi Yosi son of Rabbi Yehudah, who said that a father may impose nezirus upon his son until he reaches the age of vows, holds that the obligation of training (one's son in the fulfillment of mitzvos) does not override the Rabbinic law governing the vow of an informed minor who has almost reached adulthood. (29b1 – 29b2)

The Gemora suggests that the dispute amongst these Tannaim (Rebbe and R' Yosi the son of R' Yehudah) is actually the same as the dispute amongst the following Tannaim, for it was taught in a Baraisa: There was an incident with Rabbi Chanina, that his father imposed a nezirus vow upon him and then brought him before Rabban Gamliel (to be examined). Rabban Gamliel examined him to discover whether or not he had two (pubic) hairs. Rabbi Yosi said: It was to discover whether he had reached the age of making vows. [Seemingly, they have the identical disagreement as was recorded above.] Rabbi Chanina said to him, "Rebbe, do not exert yourself to examine me (for either way, I will be a nazir). If I am a minor, then I am a nazir because of my father, and if I am an adult, I will be a nazir on my own account." Thereupon, Rabban Gamliel rose and kissed him upon his head, and said, "I am certain that this one will issue halachic decisions for Israel. They said: In a very short amount of time, he began issuing halachic decisions for Israel.

Now, according to Rabbi Yosi son of Rabbi Yehudah's view, who said that the father may impose nezirus upon his son until he reaches the age of vows, we can understand why he should have said, "If I am a minor (I have not yet reached the age of vows), I shall be a nazir because of my father (and if I am an adult, I will be a nazir upon my own acceptance)," but according to Rebbe's view that a father may impose nezirus upon his son until he grows two (pubic) hairs, of what value was the statement, "while if I am an adult (I have reached the age

of vows), I undertake it on my own account" (which implies that at that point, his father could not impose nezirus upon him), but he is still in his father's jurisdiction!?

The Gemora answers: Rebbe will reply that he (R' Chanina) really said, "(If I did not grow two pubic hairs) I intend to be a nazir on my father's account (but if I have grown two pubic hairs), I will declare myself to be a nazir on my own account."

The Gemora asks: Now, if he had in fact grown two (pubic) hairs before that time, his own nezirus would take effect; if it happened afterwards, he would have observed his father's nezirus. But suppose he reaches this stage during this period, what is to happen then?

Now, according to Rabbi Yosi son of Rabbi Yehudah's view that the father's right lasts until he reaches the age of vows, all will be well, but according to Rebbe's view that the right lasts until he grows two (pubic) hairs, what can one say?

The Gemora answers: In point of fact, according to Rebbe's view, no other solution is possible, than that he should observe nezirus both on the father's account and on his own account. (29b2 – 30a1)

INSIGHTS TO THE DAF

Chinuch for Girls

Even though a boy who has not yet reached the age of *bar mitzvah* is not obligated by Torah law in any of the *mitzvos*, there is a rabbinical command for a father to train his child even at a young age in the performance of *mitzvos*. Does this parental obligation of *chinuch* extend to the mother as well, and does it apply to training a daughter as well as a son?

The impression gained from our *gemara* is that the responsibility of *chinuch* is limited to a father training a son. The Sage Rish Lakish explains the *Mishnah* ruling that a father can impose on his pre-*bar mitzvah* age son a vow to be a *nazir* as being a function of *chinuch* and not a Torah law. When challenged as to why it is only the father who can impose such a vow and only in regard to a son, Rish Lakish responds that a mother is exempt from the obligation of *chinuch*, and that even a father is responsible only for the *chinuch* of a son and not of a daughter.

Regarding a mother's obligation for *chinuch* there is a difference of opinion amongst the authorities. Magen Avraham (*Shulchan Aruch, Orach Chaim 243:1*) concludes from our *gemara* that she has no such obligation, and that Queen Helenie's training of her young children in the *mitzvah* of *succah* (*Mesechta Succah 2b*) was something she did voluntarily. Machatzis Hashekel, however, cites authorities who contend that a mother is also obligated as the case of Queen Helenie would indicate, and dismiss the view stated in our *gemara* as the position of Rish Lakish which is not in accordance with the halachah.

With respect to the parental obligation to train a daughter, even Magen Avraham agrees that the rabbinical *mitzvah* of *chinuch* applies to girls as well. This is based on the observation made by Tosefos here that the *gemara* (*Mesechsa Yoma 82a*) clearly states that a parent should train both underage sons and daughters in fasting on Yom Kippur. Since this seems to be in direct contradiction to what Rish Lakish says in our *gemara*, Tosefos concludes that some distinction must be made, but does not elaborate on what that distinction is.

Magen Avraham expresses an uncertainty as to the nature of this distinction: It is either that fasting on Yom Kippur is such an important *mitzvah* because it is a day of atonement, and therefore even a girl should be trained,

while *chinuch* will not apply to her in other *mitzvos*; or that all *mitzvos* are like fasting on Yom Kippur and she should be trained in all of them except for the *mitzvah* of *nezirus* which is not really obligatory and may never be relevant to her adult life. He cites a midrash (*Yalkut Parshat Emor*) which supports the latter approach, and Machatzis Hashekel cites a Tosefos Yeshanim (*Yoma ibid.*) to the same effect. This is why the halachic authorities such as Mishna Berura categorically state that *chinuch* applies to daughters as well as sons.

By: Rabbi Mendel Weinbach
Ohr Somayach – the Weekly Daf

DAILY MASHAL

Chinuch

Rav Shimon Schwab, in his work, *Me'ein Beis HaShoeva*, makes an astounding point. Manoach's wife is informed first about being blessed with a child. She is told that he (Shimshon) will be a Nazir and that both parents are instructed to follow the identical laws that Shimshon will need to follow (no cutting of hair, contact with a corpse and no grape products). After Manoach initially hears from his wife that their unborn child will be a Nazir, he is intent on hearing the news straight from the angel's mouth. Why didn't he believe his wife?

Rav Schwab explains that Manoach was bothered by the following, "How can I teach my son to be a Nazir if I myself am not a Nazir?". To this, Hashem sent an angel who tells Manoach, *mikol asher amarti eileha tishmor* – if you want your son to follow these laws, you personally must also follow them. The lesson, as has been discussed many times before, is clear. If we want to be successful in educating our children, we must lead by example