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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

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 not 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 *Mishnah* rules that they are all *nezirim*. (The *Mefaresh* 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 *Mishnah* to reflect the opinion of *Rabbi Shimon* who holds that they are all possible *nezirim*.) (34a1)

Nine Nezirim; Nine Nezirus

The *Gemora* cites two *Baraisos* which discuss the identical case of our *Mishnah*. 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 *Baraisa*, 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 *Mishnah*). However, what is the case of the nine terms? It is possible for there to be six terms, such as is taught in our *Mishnah* (one person made six different declarations in reference to the *koy*), but how can we find the last three (which according to our *Mishnah*, 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 *Mishnah* taught) A tenth person said, “I am hereby a *nazir*, and the *nezirus* of all of you (the other nine people) is upon me.” (34a2)

WE SHALL RETURN TO YOU, BEIS SHAMAI

Mishnah

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 *Mishnah*, 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 Mishnah, 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 Elazar 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*). (34a4 – 34b1)

The Vines, Leaves and Shoots

¹i.e., the scope, in this case of the prohibition, is as wide as possible, the restriction serving merely to exclude some one thing, here the twigs.

The *Mishnah* had stated: There are three different types of prohibitions relevant to a *nazir*. He is forbidden to become *tamei* through corpse *tumah*, etc.

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

Some draw the inference from the subsequent clause, viz.: While there is no penalty unless he eats an olive's volume of grapes. Grapes only [carry a penalty] but not the vine itself, so that our *Mishnah* differs from Rabbi Elazar, for it has been taught: Rabbi Elazar said that even leaves and shoots are included.

In what [essentially] does the difference [between Rabbi Elazar and the Rabbis of our *Mishnah*] lie? - Rabbi Elazar interprets [certain scriptural passages as consisting of] 'amplifications and limitations,' while the Rabbis interpret [them as] generalizations and specifications. Rabbi Elazar [argues as follows:] He shall abstain from wine and strong drink is a limitation, while, nothing that is made of the grape-vine is an amplification. When a limitation is followed by an amplification all things are embraced.¹ What then does the amplification serve to include [here]? Everything [coming from the vine],² and what does the limitation exclude? Only the twigs. The Rabbis, on the other hand, [argue as follows:] 'He shall

² And so also the leaves and the shoots.

abstain from wine and strong drink' is a specification; '[He shall eat] nothing that is made of the grape-vine' is a generalization; 'from the seeds even to the skin' is again a specification. When we have a specification, a generalization, and a [second] specification, only what is similar to the specification may be adjudged [to be within the scope of the prohibition]. In the specification fruit³ and fruit refuse⁴ are particularized, and so whatever is fruit or fruit refuse [is prohibited]. Should you object that in the specification ripe fruit is particularized, and so only what is ripe fruit [is prohibited], the reply is that [in this view] nothing would be left implicit in Scripture, everything being explicitly mentioned. Fresh grapes and dried grapes are mentioned, as are also wine and vinegar. It follows that the inference must be drawn not in the latter form, but in the first form. Again, seeing that we finally include everything [similar to fruit or fruit refuse], for what purpose is 'from seeds even to the skin mentioned [separately from the other specification]? To tell us that wherever a specification is followed by a general statement it is not permissible to extend [the terms of the specification] so as to include only whatever is similar to it, but the general statement widens the scope of the specification, unless Scripture indicates the specification in the manner in which it is indicated in the case of the nazir. (34b1 – 34b3)

The Master said: 'In the specification fruit and fruit refuse are particularized, and so whatever is fruit or fruit refuse [is prohibited].' 'Fruit' means grapes, but what is 'fruit refuse'? — Vinegar.

What is meant by 'Whatever is fruit'? — Unripe grapes. And by 'whatever is fruit refuse'? — Rav

³ Grapes and wine.

Kahana said that this serves to include worm-eaten grapes. [And what is the significance of] 'even to the skin'? Ravina said that this serves to include the intermediate part. (34b3)

The Master said: 'Should you object that in the specification raw ripe fruit is particularized, and so only what is ripe fruit [is prohibited], the reply is that [on this view] nothing would be left implicit in Scripture, everything being explicitly mentioned. Fresh grapes and dried grapes are mentioned, as are also wine and vinegar. It follows that the inference must be drawn not in the latter form, but in the first form. Again, seeing that we finally include everything [similar to fruit or fruit refuse], for what purpose is from seeds even to the skin mentioned [separately from the other specification]? To tell us that wherever a specification is followed by a generalization it is not permissible to extend [the terms of the specification] as to include only whatever is similar to it, but the general statement widens the scope of the specification, unless Scripture indicates the specification in the manner in which it is indicated in the case of the nazir. (34b3 – 35a1)

INSIGHTS TO THE DAF

K'zayis and Revi'is

The *Mishnah* 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 *Mishnah*, 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

⁴ Vinegar.

k'zayis, he will be liable. (Rabbi Akiva disagrees with the earlier *Mishnah*, 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 *Mishnah* 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 *Mishnah* 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 *Mishnah* first state the later *Mishnah's* opinion, then teach the early *Mishnah's* ruling and then return to the later teaching? He asks other questions as well.

Tosfos therefore explains that when the *Mishnah* 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 *Mishnah*, 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 *Mishnah*. This is extremely odd, for the ruling is usually according to the later teaching!

The Brisker Rav explains that the *Mishnah* 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 *Mishnah* 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*.

DAILY MASHAL

Benefits of a Nazir

The *Mishnah* 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.