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Nazir Daf 38

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**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

Rav Ashi said to Rav Kahana: How are we to explain the following, where it is taught: [The verse:] Nothing that is made of the grapevine, teaches that the things forbidden to a nazir can combine together? For seeing that it is possible, according to Rabbi Akiva, for what is permitted to combine with what is forbidden, need we be told that the same is true of two species of forbidden substances? — [Rav Kahana] replied: What is permitted [combines with] what is forbidden only [if they are eaten] together, whereas two species of forbidden substances combine even [if eaten] consecutively.

Now Rabbi Shimon does not require the principle of combination. What interpretation does he put on the verse: Nothing that is made etc.? — He requires it for the rule that one cannot become a nazir without undertaking explicitly to abstain from all the things [that are forbidden a nazir]. (37b4 – 38a1)

Rabbi Avahu said in the name of Rabbi Elozar: Concerning all quarter-log measurements in the Torah, the permissible liquid does not combine with the forbidden one to complete the minimal punishable amount, except for the quarter-log measurement regarding a nazir, for the Torah has stated, *mishras* (anything which is soaked in wine, he may not drink).

The *Gemora* asks: What is the difference between Rabbi Yochanan and Rabbi Elozar (for Rabbi Avahu said in the name of Rabbi Yochanan: Concerning all prohibitions in the Torah, the permissible food does not combine with the forbidden one to complete the minimal punishable amount, except for the prohibitions regarding a nazir, for the Torah has stated, *mishras*)?

The *Gemora* answers: There is the following difference between them: Rabbi Yochanan includes food items, whereas Rabbi Elozar holds that this principle is only applicable to liquids. (38a1)

Rabbi Elozar said: With respect to ten topics, the Torah established the measurement of a *revi'is* (quarter-log). Rav Kahana divided them into two groups: Five of them are red (*wine or blood*) and five of them are white (*oil and water*). The mnemonic to remember the five red ones is as follows: “A nazir and a person making the *Pesach* who ruled in the Beis Hamikdash and died.”

The *Gemora* explains each of them. “A nazir” is referring to the *revi'is* of wine that a nazir drinks (for him to incur lashes).

“A person making the *Pesach*” is referring to that which Rav Yehudah said in the name of Shmuel: The

four cups of wine that one is obligated to drink on *Pesach* night must contain a *revi'is*.

“Who ruled” is referring to the *halachah* that a sage should not issue a halachic ruling after drinking a *revi'is* of wine.

“In the Beis Hamikdosh” is referring to the *halachah* that one who entered the Beis Hamikdosh after drinking a *revi'is* of wine is liable to death (*at the hands of Heaven*).

“And died” is referring to the *halachah* taught in the following *Baraisa*: How is it known that a *revi'is* of blood that emerges from two corpses will transmit *tumas ohel* (if the *tumah* source and a person or object is under the same roof)? It is because it is written [Vayikra 21:11]: And he may not approach any dead persons.

The mnemonic to remember the five white ones is as follows: “The *chalah* of a *nazir* and a *metzora* that became disqualified on *Shabbos*.”

The *Gemora* explains each of them. “*Chalah*” refers to the *revi'is* of oil that is necessary for the loaves of the *korban todah*.

“Of a *nazir*” refers to the *revi'is* of oil that is necessary for the loaves of the *nazir* (for his concluding *korbanos*).

“And a *metzora*” is referring to the *revi'is* of water necessary for the *metzora* (for his purification procedure).

“That became disqualified” refers to the following *Mishnah*: All liquids disqualify the body in the amount of a quarter-log.

“On *Shabbos*” refers to the following *Mishnah*: Regarding all other liquids (one is liable for carrying on *Shabbos*) – in the amount of a quarter-log, and all other waste water – in the amount of a quarter-log.

The *Gemora* asks: Are there no more? But there is (the case mentioned in the following *Mishnah*): One, and even two people may wash their hands from a cup containing one quarter-log of water.? [*This is because it originally had the required amount and the remaining water is regarded as a remainder of purification.*]

The *Gemora* answers: Things that are a matter of dispute are not mentioned (in the list).

The *Gemora* asks: But there is (the case mentioned in the following *Mishnah*): [*The Mishnah is continuing its discussion regarding the drinking procedure of a sotah and specifies the method of preparing the bitter waters.*] The *Kohen* would bring an earthenware container and pour half a *log* of water from the *kiyor* (the copper water basin located in the Temple Courtyard) into it. Rabbi Yehudah says: A quarter *log*.

The *Gemora* answers: Things that are a matter of dispute are not mentioned (in the list).

The *Gemora* asks: But there is (the case mentioned in the following *Baraisa*): How much water must he pour into it (the urine – in order to nullify it so he



should be permitted to pray)? Any amount (*is sufficient*). Rabbi Zakkai said: A *revi'is* (*a quarter of a log; approximately four ounces*).

The Gemora answers: Things that are a matter of dispute are not mentioned (in the list).

The Gemora asks: But there is the case of mikvah (where a mikvah of a quarter-log would be valid for the immersion of small utensils)?

The Gemora answers: Leave that be, for the Rabbis have already abolished it! (38a1 – 38a4)

The Mishnah had stated: He is not liable until he eats an olive's volume of grapes. [The Mishnah continued: 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.*)]

The Gemora notes: The Tanna Kamma does not compare all the (solid) things forbidden on a nazir as drinking (and therefore, he is liable on solids when he eats a kezayis, and he is liable on liquids when he drinks a quarter-log), whereas Rabbi Akiva, because of the verse: *he may not eat fresh grapes nor dried*

*grapes*, says that just as in eating, one is liable for an olive's volume, so too for all the prohibitions, an olive's volume (*is sufficient for liability*). (38b)

The Gemora cites a Baraisa: The verse: *he may not eat fresh grapes nor dried grapes* indicates that one is liable (for lashes) for eating this one by itself, and there is liability for eating the other by itself. [He will incur a separate set of lashes for each one.] From here a rule may be derived applicable to all (*nazir*) prohibitions of the Torah. Just as here, where we have a single kind (grapes) known by two different names (fresh and dried), he is liable for this by itself and this by itself, so too, wherever we find a single kind (of grapes) known by two different names, he is liable for this by itself and this by itself. In this way, new wine and grapes are included.

Abaye said: If a nazir ate grape-seed, he incurs lashes twice (one for the prohibition against eating grape-seed, and the other for the general prohibition against eating from anything made of grapevine). If he ate grape-skin he incurs lashes twice. If he eats both grape-seed and grape-skin, he incurs lashes three times.

Rava said: He incurs only one set of lashes in the first two cases since we do not incur lashes for violating a prohibition expressed in general terms.

Rav Pappa raised an objection from the following Baraisa: Rabbi Eliezer said: A *nazir* who was drinking wine the entire day will only be liable once (*he will only receive lashes one time*). If they told him, "Do not drink," "Do not drink," but he kept on drinking, he will be liable for each and every time (*that he drank*



after he was warned). If he ate fresh grapes and dried grapes, grape-seed and skin, and squeezed a cluster of grapes and drank the juice, he would incur five sets of lashes. Now (if Abaye is right), he should incur lashes six times, including once on account of: *He shall eat nothing that is made of the grapevine?*

Abaye replied: He mentioned some and omitted others.

The Gemora asks: But what other one is omitted, that the one referred to should have been omitted?

The Gemora answers: He omitted: *He shall not violate his word.*

The Gemora asks: Had this last, however, been the only one, it would not have been considered an omission, as it could be argued that Rabbi Eliezer mentioned only those prohibitions that are not found elsewhere, whereas this one is found in connection with ordinary vows as well.

Ravina of Parazikya said to Rav Ashi: But he has in any case omitted the pulp?

The Gemora answers: Rather, Rav Pappa said that the Baraisa does not really state five at all.

The Gemora asks: But he (Rav Pappa) quoted the Baraisa in contradiction (of Abaye) because of the five (lashes), and if five is not mentioned in it, why did he quote it as a contradiction?

Rav Pappa said: I thought that Abaye's opinion was not a tradition (he had received), and so he would

retract upon hearing my quotation, for I did not know that it was a tradition and that he would not retract. (38b1 – 39a1)

The Mishnah had said: Rabbi Elozar ben Azaryah said etc.

Rav Yosef said: In agreement with whom is the rendering in the Targum as: *mipurtzenin ve'ad itzurin* (from the seeds to skins)? It is in agreement with the opinion of Rabbi Yosi. (39a1)

### DAILY MASHAL

The second restriction imposed on a Nazir is the restriction against shaving his head. Rav Hirsch explains that hair is what protects our body from the outside world, since it protects the skin. The Nazir is creating a stronger barrier against the outside world by growing his hair long, so that he will focus more on becoming closer to God and not worrying excessively about the outside world.

Rabbeinu Bachya explains that hair represents strength. That is why when Shimshon's hair was cut, he lost all his strength (Shofetim 16). Therefore, the prohibition to not cut hair is again a constant reminder for the Nazir to strengthen his relationship with Hashem.