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Nazir Daf 39

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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**

An ordinary *nezirus* is for thirty days (*if he doesn't specify for how long he wishes to be a nazir, he is a nazir for thirty days; he also cannot specify for any time less than thirty days*). If he shaved his head, or if bandits shaved his head, he forfeits thirty days (*since he is required to have at least a thirty-day growth of hair before concluding his nezirus*). If he shaves with a scissors or a razor, or even if he plucks out his hair by hand, even only one hair, he is liable (*and he receives lashes*). (39a1)

**How does Hair Grow?**

They inquired: Does the new growth of hair grow from the bottom or from the top (*and the hairs closest to the head do not move at all*)?

The *Gemora* explains a halachic difference between them. The case is as follows: Bandits shaved a *nazir's* head and they left over enough hair to bend the top of the hair to its root. If hair grows from the bottom, they have removed his hairs of *nezirus* (*and his days are forfeited*). However, if hairs grow from the top, the hair which he sanctified still remains (*and his days are not forfeited*).

The *Gemora* says: Let us resolve this inquiry by observing a live nit, which remains by the hair closest to the head. If hair grows from the bottom, the nit should eventually be found at the top of the hair.

The *Gemora* deflects the proof: In truth, the hair grows from the bottom. The reason the nit remains on the bottom is because it's alive, it constantly slides towards the head of the person (*in order to survive from the head's moisture*).

The *Gemora* says: Let us resolve this inquiry by observing a dead nit, which ends up at the top of the hair. If hair grows from the top, the nit should remain at the bottom.

The *Gemora* deflects the proof: Perhaps the reason the dead nit ends up at the tip of the hair is because it has no power, and it therefore slides down the hair (*as hair grows longer, it hangs down*).

The *Gemora* says: Let us resolve this inquiry by observing the Kushites' braids (*they left some hair on their head as an idolatrous practice and braided it close to the head*), which eventually becomes loose on the bottom. (*This would seemingly prove that hair grows from the bottom.*)

The *Gemora* deflects the proof: Perhaps the reason it loosens is because a person lies on it at night, and since it is braided tightly, it is forced to bend.

The *Gemora* says: Let us resolve this inquiry by observing the sheep's wool after it has been painted red, which is loose (*the wool*) on the bottom (*proving that the wool, and presumably human hair as well, grows from the bottom, for otherwise, the wool at the bottom should be stiff from the paint*). The fact that they would paint the

wool of a sheep is seen in a *Baraisa* (regarding the tithing of animals, where they would dye the tenth animal).

And furthermore, we can learn from the following observation: When old men dye their beards black (in order to appear younger), their hair on the bottom (closest to the skin) is nevertheless white. This is indeed a proof that hair grows from the bottom. (39a1 – 39b1)

### **Seven Day Growth**

The *Gemora* challenges this from the following *Baraisa*: If bandits shaved a *nazir's* head and they left over enough hair to bend the top of the hair to its root, he does not forfeit his days. Now if hair grows from the bottom, he should forfeit his days (for his hair which was initially sanctified has been removed)!

The *Gemora* answers: The *Baraisa* is discussing a case where the bandits shaved his head after he completed his term of *nezirus* (but before he brought the *korbanos*) and it is following Rabbi Eliezer's opinion. For Rabbi Eliezer said: Whatever happens (if he becomes *tamei* or if he shaves his hair) after a *nazir* completed his term, he only forfeits seven days (in order to become *tahor*, but he is not required to start his *nezirus* all over again; so too here, if the bandits left over a seven-day growth of hair, he is not required to wait at all).

The *Gemora* explains Rabbi Eliezer's reasoning: He learns the case regarding a *nazir tahor* who shaves his head from the case of a *nazir tamei*. Just like one who becomes *tamei* (after his *nezirus* term has been completed) is required to wait seven days until he brings his *korbanos*, so too, in a case where he shaves (illegally) after his *nezirus* term has been completed, he is only required to wait seven days.

It was known to the Rabbis that every seven days, a person's hair would grow enough that it would be able to bend from the top to its root. (39b1)

### **Manner of Shaving**

The *Mishnah* had stated: If he shaves with a scissors or a razor, or even if he plucks out his hair by hand, even only one hair, he is liable (and he receives lashes).

The *Gemora* cites a *Baraisa*: The word "razor" (written in the Torah) teaches me the law regarding a razor (that a *nazir* is forbidden from removing his hair with a razor). If he plucked his hair with his hand, or removed it (with a depilatory), or picked it (by hand), how do we know that he committed a transgression? The Torah states: *It shall be holy – he shall grow the tresses of the hair of his head (he has transgressed a positive commandment and would therefore not incur lashes)*; these are the words of Rabbi Yoshiyah. Rabbi Yonasan says: The word "razor" (written in the Torah) teaches me the law regarding a razor (that a *nazir* is forbidden from removing his hair with a razor). If he plucked his hair with his hand, or removed it (with a depilatory), or picked it (by hand), a small amount, he is exempt.

The *Gemora* asks: But it is written: *It shall be holy?*

The *Gemora* answers: This teaches us that if he shaved his hair with a razor, he has violated both a positive commandment and a prohibition.

The *Gemora* cites another *Baraisa*: The word "razor" (written in the Torah) teaches me the law regarding a razor (that a *nazir* is forbidden from removing his hair with a razor). If he plucked his hair with his hand, or removed it (with a depilatory), or picked it (by hand), how do we know that he committed a transgression? The Torah states: *may not pass over his head*. The *Baraisa* asks: Now, since everything is included in the prohibition, why does the verse say: *a "razor" shall not pass over his head?* The *Baraisa* answers: For we have not learned (from any other source) that the last shaving (the *nazir's* concluding ritual)

should be done with a razor. It is impossible to learn this from *metzora*, for we may not derive a law for something lenient (the *nazir* – as it is only his head that is shaved) from the law of something stringent (the *metzora* – whose entire body is shaved) to be stringent by it (and require a razor). Rebbe said: It is not necessary, for it says: *a “razor” shall not pass over his head until the completion.* The Torah is saying: After completion, the shaving should not be done except with a razor.

The Gemora asks (on Rebbe): But it is written: *a “razor” shall not pass over his head?*

The Gemora answers: This teaches us that he (a *nazir* who shaves with a razor) has transgressed two prohibitions. (39b1 – 40a1)

## INSIGHTS TO THE DAF

### **Stubble Left Behind**

They inquired: Does the new growth of hair grow from the bottom or from the top (*and the hairs closest to the head do not move at all*)?

The Gemora explains a halachic difference between them. The case is as follows: Bandits shaved a *nazir's* head and they left over enough hair to bend the top of the hair to its root. If hair grows from the bottom, they have removed his hairs of *nezirus* (*and his days are forfeited*). However, if hairs grow from the top, the hair which he sanctified still remains (*and his days are not forfeited*).

It is evident from this Gemora that if the bandits left less than enough to bend the top of the hair to its root, the *nazir* will forfeit all his previous days.

Tosfos HaRosh asks that this would seemingly be inconsistent with Rav Chisda's ruling below (40a), who states that a *nazir* is only liable if he cuts his hair similar to

that of a razor. This means that he cuts the hair down to the skin, leaving no stubble at all!

He answers that Rav Chisda is only referring to a case where the *nazir* shaved most of his head (*but not all the hairs on his head*). That is when the *halacha* is that the hairs must be completely cut in order to forfeit the previous days. However, if he (*or the bandits*) cuts all the hairs on his head, he will forfeit his previous days even if the hairs are not completely cut.

The Sfas Emes (*and others*) say that Rav Chisda disagrees with our Gemora.

## DAILY MASHAL

### **Shimshon and his Hair**

It is noteworthy that when Shimshon revealed the source of his strength to Delilah, he mentioned that as a *Nazir* he was forbidden to cut his hair, and were he to cut his hair he would be rendered weak as a normal man. Why did Shimshon neglect to mention that as a *Nazir* he was also forbidden to drink wine? Because the central defining characteristic of a *Nazir* is his hair, *Ki Nezer Elokav Al Rosho*. In fact the, the hair of a *Nazir* who has completed his *Nezirus* is to be burned on the altar and it is forbidden to derive any benefit from it. That is why Shimshon told Delilah that his power derives from his hair as the symbol of his *Kedusha*. As long as he or any leader of a generation retains their aspect of *Kedusha* that identifies them as a leader they will be victorious.