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Nazir Daf 53

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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

### **Quarter-kav of Bones**

Rami bar Chama inquired: Would a *nazir* be required to shave if he became *tamei* from a quarter-kav of bones from the spinal column and skull? When the *Mishnah* said that the *nazir* will be required to shave from a half-kav of bones, was that only with respect to other limbs? Perhaps, if it is from the spinal column and the skull, which have a greater degree of *tumah*, he will be required to shave even if he becomes *tamei* from a quarter-kav of bones. Or, perhaps, there is no difference at all.

Rava said: Let us resolve this inquiry from our *Mishnah*, which states that a *nazir* shaves for becoming *tamei* from the spinal column and for the skull. Now if you will think that a quarter-kav of bones will obligate the *nazir* to shave, shouldn't the *Mishnah* have said that case (which would be a bigger novelty than the case of a complete spinal column and skull)? [Rava assumes that the spinal column and skull would certainly consist of a quarter-kav of bones. By the fact that the *Mishnah* omitted this case, it would seem to indicate that only a half-kav of bones will obligate him to shave.]

The *Gemora* asks: But Rava himself said (in explanation of the *Mishnah* cited above, where Rabbi Akiva disputed the *Chachamim* regarding the spinal column and skull from two corpses and the case of a quarter-kav of bones from two corpses) that the *Mishnah*

mentioned the case of the spinal column and skull from two corpses to teach us that they will transmit *tumah* even if they do not contain a quarter-kav of bone? [Obviously, Rava knows that the possibility of a spinal column and skull not containing a quarter-kav of bone exists; and perhaps that is the novelty of our *Mishnah* as well. There is therefore no proof as to how much of the bone is needed for the *nazir* to be required to shave, when the spinal column and skull are fragmented.]

The *Gemora* answers: Rava realized this fact only after he learned it from Rabbi Akiva. [Rava's attempted proof from our *Mishnah* was before he learned the truth that it was possible for the spinal column and skull not to contain a quarter-kav of bone.]

The *Gemora* attempts to resolve the inquiry from the following *Baraisa*: Shammai said: Even a single bone, from the spinal column or from the skull will transmit *tumah* (through roof association). [It is assumed that Shammai holds that a bone from the spinal column or skull obligates a *nazir* to shave. And since we don't want the argument to be an extreme one, it is logical to say that the *Chachamim* will require the *nazir* to shave from a quarter-kav of bones (and not half a kav).]

The *Gemora* deflects this proof by saying that Shammai is different, as he takes a more stringent view.

The *Gemora* asks: But let us resolve from there that it is only Shammai who is strict, but the *Chachamim* would maintain that the bones will not transmit *tumah* unless there is half a *kav* of bones from the spinal column and the skull!

The *Gemora* answers: Do not infer like that! The *Chachamim* only dispute Shammai only with respect to one bone that comes from the spinal column and the skull (*and they maintain that it cannot transmit tumah unless it is complete*); however, with respect to a quarter-*kav* of bone from the spinal column or skull, even the *Chachamim* would agree. (52b3 – 53a1)

### **Dispute among the Elders**

Rabbi Eliezer said: Some of the earlier elders said that half a *kav* of bones and a half a *log* of blood are required for everything (*in order for it to transmit tumah via roof association, even for the nazir's requirement to shave his head*), but a quarter of a *kav* of bones and a quarter of a *log* of blood are not required for anything. And some of the earlier elders said that even a quarter of a *kav* of bones and a quarter of a *log* of blood are required for everything. However, the *Beis Din* that followed them said that a half a *kav* of bones and a half a *log* of blood are required for everything (*such as the requirement for the nazir to shave his head*), but a quarter of a *kav* of bones and a quarter of a *log* of blood are sufficient to prohibit someone from eating *terumah* and *kodoshim*, but it will not obligate a *nazir* to shave his head, nor will it prevent someone from offering the *korban pesach*.

<sup>1</sup> Although he becomes tamei by touching the stone, he need not shave.

The *Gemora* asks: How can the compromise of the third opinion be the decider (*the first two opinions said nothing about a distinction between the halachos of a nazir and korban pesach and the halachos of terumah and kodoshim; why would Rebbe follow this opinion in our Mishnah*)?

Rabbi Yaakov bar Idi answers: They had this as a tradition reported from Chaggai, Zechariah and Malachi. (53a2)

The *Mishnah* had stated: On account of these a nazir must shave. The word 'these' in the first clause serves to exclude a barley-grain's bulk of bone, for touching or carrying which he must [shave] though not for roof-association. — The word 'these' in the next clause serves to exclude a rock overhanging a grave.<sup>1</sup> (53a2 – 53a3)

### **Bones as Fine as Flour**

The *Mishnah* had stated that a half a *kav* of bones obligates a *nazir* to shave. Inferred from there is that a quarter of a *kav* of bones will obligate the *nazir* to shave. - What is the case? If included in this quarter-*kav*, there are bones the size of barley in there; it will transmit *tumah* because of them! - The *Gemora* answers: We are discussing a case where the bones were crushed into powder. (53a3 – 53b1)

### **Limb from a Corpse**

The *Mishnah* had stated that a limb from a corpse and a limb from a living person upon which there is a sufficient amount of flesh (*for the limb to regenerate*;

*this is necessary by the limb from a corpse as well) obligates the nazir to shave.*

The *Gemora* asks: What would the *halachah* be if there was not a sufficient amount of flesh on them?

Rabbi Yochanan said: The *nazir* will not be required to shave. Rish Lakish said: The *nazir* will be obligated to shave.

The *Gemora* explains: Rabbi Yochanan maintains that the *nazir* will not be required to shave, for the *Mishnah* stated that a limb from a corpse and a limb from a living person upon which there is a sufficient amount of flesh obligates the *nazir* to shave. Evidently, if it does not have a sufficient amount of flesh, he will not be required to shave. Rish Lakish said that he is required to shave, for the next part of the *Mishnah* does not mention this as a case where the *nazir* is not obligated to shave.

Rabbi Yochanan counters that if the *halachah* can be inferred from the first part of the *Mishnah*, it is not necessary for the end part of the *Mishnah* to mention it.

The *Gemora* asks: But the *Mishnah* states the *halachah* of a half a *kav* of bones, where the *nazir* is obligated to shave, and we may infer from there that he would not be required to shave if there were only a quarter-*kav* of bones, and yet the next part of the *Mishnah* explicitly states that the *nazir* is not obligated to shave for a quarter-*kav* of bones?

The *Gemora* answers: If the *Mishnah* would not have explicitly stated that a *nazir* does not shave for a quarter-*kav* of bones, we might have thought that he would not shave even if he touched or carried a

quarter-*kav* of bones. The *Mishnah* states the *halachah* to teach us that it is only by *tumas ohel* that the *nazir* would not shave, but if he touched or carried a quarter-*kav* of bones, the *nazir* would indeed be required to shave.

The *Gemora* asks: But the *Mishnah* states the *halachah* of a half a *log* of blood, where the *nazir* is obligated to shave, and we may infer from there that he would not be required to shave if there were only a quarter-*log* of blood, and yet the next part of the *Mishnah* explicitly states that the *nazir* is not obligated to shave for a quarter-*log* of blood?

The *Gemora* answers: It is mentioned again to exclude the opinion of Rabbi Akiva, who said that a *revi'is* (quarter-*log*) of blood, which emerges from two corpses will obligate a *nazir* to shave. [Our *Mishnah* teaches us that this is not the case.]

The *Gemora* asks: What is the case of the limb from the corpse? If the bone is the size of a barley-grain, what is Rabbi Yochanan's reason? If not, what is Rish Lakish's reason?

Rish Lakish would answer that we are discussing a bone which is less than the size of a barley-grain, but there is a special Scriptural verse, which teaches us that a *nazir* will be obligated to shave. For it was taught in a Baraisa: For it has been taught: [The verse,] And whoever in the open field touches one that is slain with a sword, or a corpse [...shall be tamei seven days, has the following significance]. 'In the open field' refers to one who overshadows a corpse. 'One that is slain' refers to a limb [severed] from a living body which is in such condition that [if attached to the body] it could have been restored. 'A sword' signifies that this is of the same [degree of tumah] as the corpse. 'Or a corpse'

refers to a limb severed from a corpse. 'Or a bone of a man' refers to a quarter [-kav] of bones. 'Or a grave' refers to a sealed grave; for a Master said that tumah breaks through [the ground] and ascends, and breaks through [the ground] and descends.<sup>2</sup> [Thus far tumah by 'overshadowing' has been discussed,] while as regards [tumah by] contact, Rav Yehudah said that it has been taught: [The verse] And upon him that touched the bone, or the slain [etc.] [has the following significance]. 'The bone' refers to a barley-grain's bulk of bone. 'Or the slain' refers to a limb severed from a living body which is not in such condition that [if attached to the body] it could have been restored. 'Or the dead' refers to a limb severed from a corpse. 'Or the grave' refers, said Rish Lakish, to the grave, [of those buried] before the revelation [at Sinai]. (53b1 – 54a1)

## DAILY MASHAL

### Lost Opportunities

The nazir brings three animals; a chatas, olah and a shelamim. It is not explained why a nazir brings a korban chatas. The Ramban writes that it is for the following reason: A nazir separates himself to serve Hashem in a manner of extreme sanctity. It is only fitting, that after he has reached such a high level, he should strive to remain on that level for the remainder of his life. Since he concluded his nezirus and he reverted back to the desires of this world, he is required to offer a korban chatas to atone for this reversal.

The Meshech Chochmah writes that the accepting of

nezirus upon oneself results in the forfeiture of many mitzvos, such as involving himself with the burial of his close relatives, reciting kiddush over wine and making havdalah. Although, a nazir accomplishes much in his abstainment and he is considered praiseworthy for this, he nevertheless is required to bring a korban chatas to atone for the mitzvos that he has lost.

<sup>2</sup> So that any one walking above or beneath such a grave is accounted as 'overshadowing' it and becomes tamei.