



OVERVIEW of the Daf

1) **MISHNAH:** The Mishnah presents the consequences of many different nezirus declarations.

2) Clarifying the Mishnah

The Gemara inquires why a declaration to be a nazir [for] a boxful is interpreted as a boxful of mustard seeds, thus producing an unlimited nezirus, when it could be interpreted as a boxful of melons or gourds and the person would eventually complete his nezirus.

Chizkiyah answers that the Mishnah reflects R' Shimon who maintains that a person would subject himself to circumstances of doubt.

R' Yochanan explains how the Mishnah could even reflect the position of R' Yehudah who disagrees with R' Shimon.

R' Yochanan's explanation is challenged.

In defense of his position R' Yochanan asserts that R' Yehudah follows the position of Rabbi regarding a declaration for an unlimited number of days and a declaration of an unlimited number of terms of nezirus.

The assertion that R' Yehudah follows Rabbi is challenged from two different points.

Both challenges are resolved with one answer.

This resolution is unsuccessfully challenged.

3) Nezirus declarations

Three Baraisos are recorded that present the outcome of different nezirus declarations.

4) Tzara'as of the house

Digressing from the last Baraisa that mentioned Greek numbers, another Baraisa is cited that teaches that only a four-wall house is subject to tzara'as.

The source for this ruling is cited. ■

הדרן עלך כל כנויי

REVIEW and Remember

1. What is the dispute between Tanna Kamma and Rabbi?

2. How is it possible to explain the Mishnah according to R' Yehudah?

3. Why does adding the word "מנין—number" change the meaning of a declaration?

4. Can you count to five in Greek?

Distinctive INSIGHT

Rabbi Yehuda holds that a doubt regarding nazir is treated leniently

רבי יהודה מתיר שספק נזירות להקל

The Mishnah teaches that when a person declares that he will be a nazir "as the basket is filled," we interpret his words to refer to a basket filled with mustard seeds. Accordingly, he must observe nezirus his entire life, as the number of seeds which would fill the basket would be well into the thousands, and each corresponds to a period of nezirus he has accepted upon himself.

The Gemara notes that the Mishnah is considering the contents of the basket to be countless mustard seeds, instead of considering the basket to be filled with large gourds, which fill the basket with just a few. The reason we use a strict approach and use the larger number, rather than use a smaller number, is that this Mishnah is the opinion of Rabbi Shimon who holds that in a case of doubt of nazir, a person intends to enter into a stricter interpretation of his words. Rabbi Yehuda disagrees and holds that in a case of doubt for nazir, we are lenient.

In his explanation of the opinion of Rabbi Yehuda, the מפרש says that the reason Rabbi Yehuda is lenient when we are faced with doubt is that we want to avoid this person observing a period of nazir and then bringing offerings to the Beis Hamikdash if it is unnecessary. In other words, whenever we have a doubt, the reality is that the person might not have accepted upon himself to be nazir. If he later brings an offering to conclude this observance, the offerings will be fraudulent, which is a situation which must be avoided.

(71) שו"ת מהר"ם פדווה notes that today, when we currently do not have a Beis Hamidash, the problem of improper offerings is not a risk. Would we still say that a doubtful nazir situation should be treated leniently according to Rabbi Yehuda?

He answers that in many situations we find that the halacha remains the same in our days just as if the Beis Hamikdash was in existence. We function based upon the premise that "מהרה יבנה בית המקדש," we assume that the Beis Hamikdash will be rebuilt imminently, and we con-

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 מרת ח'י' בת ר' ארי' לייב, ע"ה
 Mrs. Chaya Futерko o.b.m.

HALACHAH Highlight

Observing consecutive periods of nezirus

הריני נזיר כשער ראשי

"I am a nazir like the hairs on my head"

Rambam¹ rules that when a person makes a vow, "I will be a nazir like the hairs on my head" he is obligated to keep periods of nezirus (i.e. thirty days) for the remainder of his life. Therefore, he observes a thirty day period of nezirus, cuts his hair on day thirty-one and then observes another thirty day period of nezirus followed by a hair cut and continues this pattern for the remainder of his life. At each haircut he is not permitted to drink wine or have contact with a corpse and if he does drink wine or have contact with a corpse he receives lashes. Commentators² note that according to Rambam he is not permitted to drink wine even after he has brought his korbanos and has not yet cut his hair. This halacha requires explanation, since after offering even one Korban the nazir is technically permitted to drink wine and seemingly the second nezirus does not begin immediately, for if it did why would it be permitted for him to cut his hair? In other words if the second nezirus began why is he permitted to cut his hair and if the second nezirus did not begin why isn't he permitted to drink wine?

Malbim³ infers from a pasuk that it is only haircuts in general that are restricted during the period of nezirus but it is permitted, in the midst of a period of nezirus, to take a haircut connected with a nezirus period that was already

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duct ourselves in accordance with these parameters. We do not want to be "out of practice" in case we will merit to enter the Beis Hamikdash at any moment, so we therefore use the rule of ספק נזירות להקל even in our times.

Rema (Toras Haolah 3:71) notes that for nazir, we treat a doubt leniently, whereas for other nedarim, we are strict in a case of doubt. Why is there this fundamental difference between these two cases? He answers that the nazir who distances himself from the simple pleasures of this world is essentially a bad thing. We want to avoid this, as any case of extremism, unless the person accepts it as a certainty, where we have no choice. ■

observed. Therefore, although the second period of nezirus begins immediately after the first, it is still permitted for him to cut his hair since that haircutting is related to the first period of nezirus. Sefer Pischei Nazir⁴ suggests that a vow to be a nazir like the hairs on his head does not become a consecutive series of independent periods of nezirus; rather it is one unending period of nezirus that is divided into periods of thirty days. Therefore, although he does not yet begin to count the second period of nezirus, since he did not finish the first period of nezirus entirely, being that he did not cut his hair, nevertheless, the sanctity of the second period begins which prohibits him from drinking wine and having contact with a corpse. ■

1. רמב"ם פ"ג מהל' נזירות הי"ח.
2. ע פתח הביאור לספר פתחי נזיר שם ד"ה ובכל תגלחת.
3. מלבים לספרי פ"ו פ"ה.
4. פתח הביאור שם. ■

STORIES Off the Daf

Going to Extremes

"ספק נזירות להקל..."

Rema, zt"l, explains that we are lenient regarding questionable nezirus, since nezirus involves going to extremes. Since the general rule is that extremes are not good, we are lenient: a person is better off not becoming a nazir. Pushing oneself too hard is often not worthwhile.

Going to extremes can even prevent one from learning properly. One is in such a rush to get to the kashia or

teirutz that he has no time to actually learn the sugya. Rav Shach, zt"l, told of a certain bochur who asked him what the sevara is regarding the fifteen women who don't need yibum. "Why don't they?"

"The Gemara says this is a limud from pesukim," Rav Shach replied.

Sadly, the bochur had trouble with this simple concept. "But there has to be some sevara ..." he pressed.

When relating this story, Rav Shach would conclude, "This lack of patience causes many to fail to truly develop."

Rav Isser Zalman Melzer, zt"l, mentioned this problem long ago. "A bo-

chur starts Bava Kamma, 'there are four primary types of damages,' and immediately tries to work out the question of the Maharsha! He should first learn **what** the four are, no?"

On another occasion, Rav Shach said, "Even the Brisker Rav agreed that bochurim using time that should be devoted to learning Shas to the 'stencils' of Rav Chaim Brisker is a 'churban haTorah.'

"I can prove it to you," Rav Shach insisted. "Rav Chaim Brisker himself learned and became such a gadol that today we all learn his Torah...and all this without once learning the stencils!" ■

