



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

### Nazir Daf Lamed Beis

#### GEMARA

- **Q:** A Braisa says, if a nazir didn't live with his restrictions (e.g. he drank wine) for a number of days, he must then make up the days that he lived without the restrictions (e.g. if he drank wine for 40 days out of a 60 day nezirus, he must keep an additional 40 days of nezirus). **R' Yose** says he must only make up a maximum of 30 days of nezirus. Now, our Mishna says that a nazir who drank wine counts the days towards his nezirus. This seems not to follow any shita of the Braisa!? **A:** We can say the Mishna follows **R' Yose** and the Mishna is discussing a long term of nezirus, and the Mishna means to say that some days of the living without restrictions will be counted towards his nezirus (since according to **R' Yose** only 30 days must be added). We can also say that the Mishna follows the **Rabanan**, and the Mishna means to say that he will have to count *like* the time from the beginning of his nezirus, meaning that he will have to repeat all the days that he lived without the nezirus restrictions.

#### NISHAL LACHACHOMIM V'HITIRUHU...

- **R' Yirmiya** said, from the ruling of **B"S** we can learn what **B"H** would hold in a particular case. We know **B"S** hold that an erroneous hekdesch creates hekdesch. Still, in this Mishna they say that if the nezirus was not accepted properly, the animals that were made hekdesch lose all their kedusha. Similarly, when **B"H** say that a temurah done erroneously takes effect, that will only be if the original kadosh animal remains kadosh. However, if that animal were to be released of its kedusha, the temurah animal would be released as well.

#### AMAR MAR IY ATEM MODIM SHE'ILU KARA...

- **R' Nachman** said, that only a mistake can make the 9<sup>th</sup> animal kadosh, but if it was called the 10<sup>th</sup> deliberately, it would not become kadosh. **R' Chisda and Rabbah bar R' Huna** said, that a mistake and certainly a deliberate calling would make the 9<sup>th</sup> animal kadosh.
  - **Q: Rava** asked **R' Nachman**, according to you, when **B"S** asked **B"H** from the case of maaser, why didn't **B"H** answer and say that maaser is different since the 9<sup>th</sup> and 11<sup>th</sup> animals cannot become kadosh if done deliberately!? **A: R' Simi bar Ashi** said, this would not have been a good answer, because **B"S** would say we have a kal v'chomer! If maaser, which would not become kadosh when done deliberately, still becomes kadosh when done by mistake, then hekdesch which does become kadosh when done deliberately, will surely become kadosh when done by mistake!
    - However, this kal v'chomer is not valid, because hekdesch becomes kadosh when done deliberately, as stated in the pasuk. It cannot be said that it is easier to become kadosh when done by mistake.

#### MISHNA

- If a person accepted nezirus assuming that he had the animals he would need for his korbanos, and he then found out that they were stolen, if he accepted nezirus before they were actually stolen, the nezirus cannot be annulled based on this. If the animals were stolen before he had accepted the nezirus, he is not a nazir.
  - This is a mistake that Nachum Hamadi made. When nezirim came from galus to bring their korbanos and found that the Second Beis Hamikdash was destroyed, Nachum said to them "if you would have known that the Beis Hamikdash would be destroyed would you have accepted nezirus?" They said they would not have accepted nezirus, and based on that Nachum released their nezirus. When the **Chachomim** heard about this they said, anyone who accepted nezirus before the Beis Hamikdash was destroyed must

remain a nazir. Anyone who accepted nezirus after it was destroyed (but didn't know) is not a nazir.

#### GEMARA

- **Rabbah** said, we know that **R' Eliezer** holds that we may annul a neder based on a new development (nolad). From the fact that he does not argue in our Mishna, it must be that the **Rabanan** convinced him of their view and he ultimately agreed with them.
- **Rava** said, although the **Rabanan** hold that we may not release a neder based on nolad, they would agree that we can release a neder in a case that involved nolad to some degree. For example, if we would say to the nezirim in the Mishna, if when you were making your neder someone would have come to you and told you that the Beis Hamikdash would be destroyed, would you have still made the neder? If he says that he wouldn't have, his neder would be released.
- **R' Yosef** said, we have a pasuk which teaches that the second Beis Hamikdash was going to be destroyed. Therefore, if I would have been there, I would have told the **Rabanan** that since this was known, it is not considered to be nolad, and could be used to release them from their nedarim.
  - The Gemara says, although they knew it would be destroyed, since they did not know when, it is still called nolad.
    - **Q: Abaye** asked, a pasuk teaches that it would be destroyed 490 years after the destruction of the first Beis Hamikdash!? **A:** Still, since they did not know which day it would be destroyed, it is considered to be nolad.

#### MISHNA

- Regarding the following case: There were 6 people walking down a road and a person was walking towards them. One of the six said "I am hereby a nazir that the person coming is Reuven". The second person says "I am hereby a nazir that the person coming is not Reuven". The third person says "I am hereby a nazir that one of you 2 are a nazir". The 4<sup>th</sup> person says "I am hereby a nazir that one of you is not a nazir". The 5<sup>th</sup> person says "I am hereby a nazir that both of you are nezirim". The 6<sup>th</sup> person says "I am hereby a nazir that all of you are nezirim". In this case **B"S** say that all six of them are nezirim. **B"H** say none of them are nezirim, except for the one whose words are not fulfilled. **R' Tarfon** says not even one of them is a nazir. Now, if the person coming towards them turned around and walked away (thus making his identity unverifiable forever), none of the people are a nazir. **R' Shimon** says, the person who made the neder should say, "if I was correct then I will keep nezirus as part of my neder obligation, and if I was incorrect, I hereby accept a new voluntary nezirus that I will now keep" (in this way he can certainly shave his head and bring the korbanos).

#### GEMARA

- **Q:** Why does **B"H** say that the one whose words were *not* fulfilled becomes a nazir!? **A:** **R' Yehuda** said, we must change the words to read "the one whose words *were* fulfilled". **Abaye** said, **B"H** is referring to the case where the person said "if it is not Reuven I will be a nazir", and **B"H** mean to say that if the first person's words are not fulfilled (meaning that it was actually not Reuven), then this second person becomes a nazir.