

## FIRST OF FENCE

*Excerpted and adapted from a shiur by Dayan Yitzhak Grossman*

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[http://baishavaad.org/wp-content/uploads/2020/06/BAM80\\_002\\_Nasso\\_Aundance-of-Caution-Nazir-and-Other-Gezeiros-in-the-Torah.mp3](http://baishavaad.org/wp-content/uploads/2020/06/BAM80_002_Nasso_Abundance-of-Caution-Nazir-and-Other-Gezeiros-in-the-Torah.mp3)

*And grapes, fresh or dried, he shall not eat. (Bemidbar 6:3)*

Why does the Torah forbid a *nazir* to eat grapes and not just to drink wine? The Midrash (Bemidbar Rabbah) explains that by forbidding the consumption of grapes, the Torah is creating a *syag* (fence) for the *nazir*, to distance him from the prohibition of drinking wine. Avos D'Rabbi Nasan and the Midrash here say that the prohibition of *lo sikrav*, barring close contact with a forbidden woman, is another example of a Biblical *syag*.

However, some *mefarshim* argue that there is no such concept as a *syag de'Oraisa*. The Rashbatz says the Torah legislates prohibitions, not *gezeiros* to distance us from prohibitions. The Sdei Chemed agrees but suggests that an exception is made in the cases of *nazir* and *nida* because they both were previously permitted, so there is greater concern that one will sin.

Rabbeinu Yonah in Sha'arei Teshuva argues that these examples do indeed demonstrate that the Torah institutes *gezeiros*. R' Yosef Engel also suggests numerous examples of apparent *gezeiros* in the Torah. For instance, the prohibition of *yichud* (seclusion with a woman) is assumed by many *Rishonim* to be *de'Oraisa*, and the Sefer Hachinuch explains that the purpose of *yichud* is to prevent *gilui arayos* (illicit relations).