



OVERVIEW of the Daf

1) Making one's child a nazir (cont.)

Rebbi responds to the challenge to his position from the comment of R' Chanina.

Another unsuccessful challenge to Rebbi is presented.

2) **MISHNAH:** The Mishnah rules that a man may shave using his father's funds but a woman may not shave using her father's funds. A dispute is presented regarding the exact case when a son may shave using his father's funds.

3) Clarifying the Mishnah

R' Yochanan explains that the source for the Mishnah's ruling is Halacha L'Moshe M'Sinai.

The necessity for the Mishnah's ruling that a daughter cannot use her father's money is challenged.

The Gemara answers that the Mishnah's ruling is needed in a case when there is only a daughter to inherit her father's property.

The Gemara questions whether Rabanan disagree with R' Yosi and if so do they argue with his first ruling or second ruling?

A Beraisa is cited which demonstrates that Rabanan disagree with R' Yosi's first ruling.

Rabbah, Rava and the Gemara present numerous questions that relate to the exact parameters of this halacha that a son may use his deceased father's money for his korbanos.

הדרן עלך מי שאמר

REVIEW and Remember

1. Under what conditions is it permitted for one to use his father's funds for his own nazir offerings?

2. Why was it thought to be obvious that a daughter may not use her father's funds for her own haircut?

3. What is the case that is disputed by Rabanan and R' Yosi?

4. Is a son permitted to use the nazir funds if his father was a different variety of nazir?

Today's Daf Digest is dedicated
By the Kandelman family
In loving memory of their son and brother
דוד אביחיל, ע"ה בן ר' ירחמיאל, נ"י

Distinctive INSIGHT

Two sons and the father's nazir funds

בעי רבה יש לו שני בנים נזירים, מהו?

The question of Rabbah is regarding a case where, as he concluded his nezirus, a father set aside money for his own offerings to be brought, but he then died. The Halacha from Moshe m'Sinai teaches us that these funds may be used for his son to pay for his nazir offerings. The question is, however, what is the halacha if the man has two sons? Are the parameters of the Halacha from Moshe m'Sinai such that whoever among the sons shaves to complete his nezirus first merits to use all the money for himself, or do the rules demand that we divide the money among all sons equally as inheritors? Perhaps the halacha is that the father's money which was set for his nazir offerings is treated as his regular assets, such that it should be divided among the sons, regardless of which of the sons is ready first to disburse the funds for a nazir offering.

Tosafos and Rosh explain that the issue is, according to Rabbi Yose, where the sons declared their intent to be nezirim after the death of the father, and their nezirus was accepted with the clear intent to use the resources of the father. According to Rabbanan, the case can even be where the sons were already nezirim, or where they had declared their intent to be nezirim during the lifetime of the father.

Rabbi Obadiah of Bertinoro and Rambam in his Commentary to the Mishnah, rule that the first of the sons to use the money merits to have it all for himself, and the money is not divided as inheritance. Rabbi Akiva Eiger notes that this issue was left unresolved in the Gemara, as well as two other inquiries of Rabbah and one from Rav Ashi regarding technical applications of the Halacha from Moshe m'Sinai. Why, then, do these Rishonim determine with certainty that the answer to this question is that the first one to use the money merits to have it? This is especially puzzling in light of the rule of Rambam that whenever the Gemara pursues a particular

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HALACHAH Highlight

Erasing part of a suffix to Hashem's name

בית שמאי אומרים הקדש בטעות הקדש

Beis Shammai maintains that an item mistakenly sanctified is nonetheless sacred

There¹ was once a sofer who was supposed to write the word א-להיך but mistakenly thought he was supposed to write the word א-להים. After he made what looks like a “ח” he realized that he was supposed to make a “ך” rather than a “ם” so he extended the right leg to the length of a “ך” and then scratched off the left leg so he would be left with a “ך”. The question this raises is whether it was permitted to erase part of a letter that was originally written as a suffix to Hashem's name. Shulchan Aruch² states that not only is it prohibited to erase Hashem's name but it is also prohibited to erase even a suffix to Hashem's name. Accordingly, the left leg of what originally was to be a “ם” would seemingly qualify as a suffix to Hashem's name and therefore should be invested with sanctity. Consequently, it should have been prohibited to erase the left leg.

Teshuvos Daas Kohen³ writes that it is clear to him that there is no prohibition against erasing the left leg of the name and he bases his position on the premise that when an object is mistakenly sanctified (הקדש בטעות) it does not acquire any sanctity whatsoever, unlike the opinion of Beis

(Insight. Continued from page 1)

alternative using the “אם תמצוי לומר” expression, this is an indication of the halacha. Here, the Gemara pursues the possibility of the money being inheritance with this expression, thus seemingly signaling that the sons should divide the money.

רש"י explains that the opinion of Rif and Rambam in general in these situations is that if one of the two parties grabs the funds for himself, he may keep the money. Here, too, the sons perhaps should have divided the money. Regardless, though, if one grabbed it, he may keep it. ■

Shamai in the Mishnah who maintain that an object mistakenly sanctified is nonetheless sanctified. Regarding this point, however, he draws a distinction between the actual name of Hashem that was written by mistake and a suffix to Hashem's name that was written in error. Concerning Hashem's name, he maintains that even if it was written in error it is nonetheless sacred; according to some authorities this is a Biblical law and according to others it is Rabbinic. This is different from suffixes in that there is no precedent that indicates that suffixes become sanctified when written in error and therefore, halacha will adopt a lenient approach that permits erasing the suffix that was written in error. ■

1. עי באריכות בשו"ת דעת כהן עניני יו"ד סי' קס"ה.
2. שו"ע יו"ד סי' רע"ו סעי' ט'.
3. שו"ת דעת כהן הנ"ל. ■

STORIES Off the Daf

True Comfort

“האיש מגלה על נזירות אביו...”

The following is from a letter that Rav Wolbe, zt”l, sent to another gadol who lost his mother in 1977:

“...During your shivah I was unable to visit and comfort your precious family...so I am writing the following lines in an effort to comfort you. Comforting a mourner does not entail enabling him to forget his mourning, as many mistakenly believe. We see this from the verse in Parshas Chayei Sora, ‘And Yitzchak was comforted after his mother...’ He was comforted when he re-

turned to the tent and saw that everything was on exactly the same spiritual level as when his mother was alive. From here we learn the definition of true consolation. When someone loses a relative, they often find that they had been leaning on the parent to enable their spiritual level. For this reason, people often fall spiritually after the death of a close relative. This, then, is the definition of consolation and comfort: to encourage the mourners and help prevent them from falling spiritually.

The letter continues, “...Your mother, the daughter of gedolim, surely helped you stand at your present exalted level... To one as understanding as yourself, it is surely apparent that

this is an opportunity for spiritual growth to ensure that the new generation without her will not fall short of the earlier generation in any way, but will continue to grow spiritually, maintaining the high standards of the past. This is an aspect of: “כי אבי ואמי עזבוני” —for my father and mother have abandoned me, but Hashem will gather me in’...”

Rav Wolbe's words help us to understand the Mishna that a son can become a nazir and bring the offerings that his deceased father set aside for his own nezirus. “כי אבי ואמי עזבוני וה'” - This symbolically shows that the new generation is committed to live up to the high standards of the old. ■