



OVERVIEW of the Daf

1) Wearing a woman's garment (cont.)

Another version is presented of the discussion related to R' Yochanan's ruling that a man who removes the hair of his armpits or **בית הערוה** incurs lashes.

The Gemara explains what the Tanna will do with the verse of **לא ילבש גבר** after he rejects the existence of a Biblical prohibition against removing the hair of the armpits and **בית הערוה**.

R' Nachman rules that a nazir is permitted to remove the hair of his armpits and **בית הערוה** when he shaves his head.

The Gemara rejects this ruling.

Two related rulings are presented.

The Gemara presents two discussions between Rav and R' Chiya related to the prohibition against removing the hair of the body.

A second version of the second discussion is presented.

2) MISHNAH: This Mishnah continues the discussion of the earlier Mishnah where one of two people is tamei and there is uncertainty which one is tamei. Our Mishnah presents a discussion what should be done in the event that one of the two people died.

3) Clarifying the Mishnah

R' Yehudah in the name of Shmuel explains that R' Yehoshua agrees with Ben Zoma and his objection was intended to merely sharpen the minds of his students.

R' Nachman notes a weakness in the argument presented by R' Yehoshua.

4) MISHNAH: The Mishnah presents the laws of a nazir who is uncertain whether he became tamei from a cadaver or whether he was a confirmed metzarah. ■

REVIEW and Remember

1. What is the point of dispute between Tanna Kamma and R' Eliezer ben Yaakov?
2. Why did R' Ami release a person from the punishment of lashes?
3. Explain the dispute between R' Yehoshua and Ben Zoma.
4. How long does it take for a nazir who may be tamei and may be a metzarah to be fully released from nezirus?

Distinctive INSIGHT

Issuing a warning not to violate a conditional nezirus

יבקש אחד מן השוק שיודר כנגדו בנזיר

The perek began (57a) with a case of two nezirim who were informed that one of them had become exposed to tumah. They were not told, however, which one of them was tamei. The Mishnah proposed a solution to deal with their dilemma. They together should bring a set of offerings for a nazir tamei, and thirty days later they are to bring a set of offerings for a nazir tahor. With the appropriate conditional statements to cover the possibilities, each nazir walks away having satisfied his obligations.

Our Mishnah introduces a complication where, as the previous case developed, one of the two nezirim dies, before the settlement arrangement was put into motion. The Mishnah therefore suggests that the surviving nazir, who is unsure whether he or his deceased counterpart was the one who was tamei, should find a willing volunteer from the community who would assist by accepting upon himself a conditional nezirus. The solution is that the previous, surviving nazir should say, "If I was tamei, you will be a nazir now, but if I was tahor, you will be a nazir only in thirty days." They wait thirty days and bring offerings of a nazir tamei and a nazir tahor. They wait another thirty days, and they bring one set of offerings for a nazir tahor. The Mishnah lists the necessary conditions and how this satisfies all possible scenarios.

The Yerushalmi here (8:1) notes that the volunteer will observe two thirty-day nazir terms, and only one the terms will be genuine. If this nazir would drink wine during any of these terms, he would not be liable for lashes for having violated his commitment. The witnesses themselves who see him about to indulge in grapes or wine do not know whether the first thirty days are the real nazir period, for example if the first nazir was tahor, or if the second period is the actual term for this gentleman, if the first nazir was tamei (and this first thirty days was a make-up period for his earlier defiled attempt). Therefore, any warning issued by witnesses would be invalid, as it would be an **התראת ספק**, an uncertain warning, which is invalid. Rabbi Yochanan and Reish Lakish argue regarding a case where the witnesses warn him in a comprehensive manner by saying, "Do not drink wine the entire sixty days!" Rabbi Yochanan holds that this would be a valid warning, but Reish Lakish holds that it would be inadequate.

HALACHAH Highlight

Are women permitted to carry guns?

ר' אליעזר בן יעקב אומר מנין שלא תצא אשה בכלי זיין למלחמה
וכו'

R' Eliezer ben Yaakov says, how do we know that a woman is not permitted to go out with weapons to war?

The sefer Toldos Adam¹ recounts that the wife of Rav Zalman of Vilna once took a sword to cut a rope and her husband rebuked her and instructed her to put the sword down. He explained that although holding the sword does not represent an outright violation of the prohibition against dressing like a man, nonetheless, it stands on the threshold of the prohibition. Precedent for this can be found in the incident in Sefer Shoftim when Yael took a peg rather than a sword in order to kill Sisra. She selected this implement in order to avoid violating the prohibition against dressing like a man. Torah Temimah² disagrees, because Chazal state שלא תצא בכלי זיין למלחמה—a woman should not go out with a weapon to war. This clearly limits the prohibition to battle and it was for that reason that Yael chose a peg rather than a sword, but if a woman wants to take a sword for some purpose that is not related to war there is no restriction whatsoever.

Rav Ovadiah Yosef³ was asked whether women who live in dangerous areas in Eretz Yisroel are permitted to carry guns for protection. One source for leniency is found in Sefer Chassidim⁴ where he writes that if a Jewish city is under siege or if women are traveling on a dangerous road they are

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The Yerushalmi compares this to a case where witnesses issued a warning to someone not to do prohibited labor on the first day of Yom Tov and the next day, the second day of Yom Tov in the Diaspora. If the witnesses said, "Do not do labor for the next two days," again we find a dispute between Rabbi Yochanan who holds that the warning is valid, and Reish Lakish who says that it is not valid. ■

permitted to dress like men and even carry swords. The reason that Yael used a peg rather than a weapon, according to this approach, is because Sisra was tired and sleepy and did not present a significant danger to Yael. Since he could be killed with a tent peg there was no necessity for her to take a weapon. But when there is possible danger it is certainly permitted for a woman to bear arms. Furthermore, Taz⁵ cites his father-in-law, the Bach, who maintains that the prohibition against dressing like a man applies only to adornments, and even that is prohibited only when a woman wears men's adornments in order to resemble a man. If, however, she is not wearing an item that is a man's adornment or even if she is wearing a man's adornment but it is not with the intent to resemble a man, it is permitted. Therefore, since the women in question are carrying guns to protect themselves rather than to resemble men, it is permitted. ■

1. ספר תולדות אדם ח"ב פ"ב דף יב.
2. ספר תורה תמימה דברים פרק כ"ב הע"מ מ"א.
3. שו"ת יחווה דעת ח"ה סי' נ"ה.
4. ספר חסידים סי' ר'.
5. ט"ז יו"ד סי' קפ"ב סק"ד. ■

STORIES Off the Daf

Sharpening the Mind

"אלה לחדד בה את התלמידים..."

On today's daf we find that a teacher should sometimes use misdirection in order to sharpen his students' minds. This process is a more important aspect of Torah learning than many realize.

Once, when Rav Yerucham Levovitz, zt"l, was describing the importance of this technique he said, "The Gemara says in Sota 3: One doesn't sin until a spirit of folly enters

him. The Ramchal explains that as long as one's intellect is sharp he will not sin, since why should he? It is only if his intellect is blunted that he sins. See how important sharpening one's understanding is!"

A certain brilliant American bochur attended Yeshivas Be'er Ya'akov for a year. While there he was very inspired by the lectures of the famous Mashgiach Rav Wolbe, zt"l, and the seduah shlishis of Rav Moshe Shmuel Shapiro, zt"l. He decided to dedicate much of his day to learning Mussar and sifrei machshavah.

After his year in Be'er Ya'akov, the young man learned elsewhere in prepa-

ration for his return home. Rav Wolbe said to this young American's new mashgiach, "This young bochur who is headed back to America developed an affinity for mussar while here in Be'er Ya'akov. Although he has great potential and has a penetrating understanding, it is a pity that he doesn't dedicate himself to learning Gemara, Rashi, and Tosafos. Mussar study when these essentials are lacking is usually very ineffectual... You should encourage him to get into learning strongly and to sharpen his mind. If he becomes inspired to learn with an intensity, he will, b'ezras Hashem, merit splendid growth!" ■