

This month's Daf Digest is dedicated in memory of
 Rivka Yenta bas Asher Anshel & Yosef ben Chaim haCohen Weiss on 8 and 14th of Elul
 By Mr. and Mrs. Manny Weiss

OVERVIEW of the Daf

1) The haircut for one who took a vow of nezirus in a cemetery (cont.)

The Gemara is able to demonstrate from a Baraisa that one who takes a vow of nezirus in a cemetery does not shave his head when he completed the taharah process.

R' Chisda asserts that a Baraisa that was previously cited (17a-17b) is consistent with the opinion of Rabbi rather than the opinion of R' Yosi the son of R' Yehudah.

The dispute between Rabbi and R' Yosi the son of R' Yehudah is cited.

A Mishnah in Kareisos is cited, that R' Chisda explains, which conforms to the opinion of R' Yosi the son of R' Yehudah.

The rationale behind the dispute is explained.

It is suggested that R' Chisda who explained that the Mishnah in Kareisos follows R' Yosi the son of R' Yehudah indicates that he maintains that night is not *מחוסר זמן* – "lacking in time."

R' Ada bar Ahavah rejects this inference.

2) Becoming tamei on the seventh or eighth day of the tumah process

A Baraisa is cited that presents three differing opinions related to one who became tamei on the seventh or eighth day of the taharah process.

It is noted that the pesukim seem to conform to R' Eliezer and Rabanan but not R' Yishmael.

R' Yishmael explains the pasuk in light of his view.

The Gemara records how Rabanan respond to R' Yishmael's exposition and gives the source for their position. ■

REVIEW and Remember

1. According to the Gemara's conclusion, does a person who pledged to be a nazir while tamei have to cut his hair before he commences his nezirus?

2. What is the dispute between Rabbi and R' Yosi the son of R' Yehudah?

3. Explain the concept of *מחוסר זמן*.

4. What is the dispute among R' Eliezer, Chachamim, and R' Yishmael the son of R' Yochanan ben Bereokah?

Distinctive INSIGHT

One offering for multiple instances of tumah

כיון דלא יצא שעה הראויה להביא קרבן אינו חייב אלא קרבן אחד

The Mishnah in Kareisos (9a) lists five cases where a person would bring one offering even though he has committed multiple sins. The cases are where a person has multiple relations with a *שפחה*, a nazir who comes in contact with tumah multiple times, a husband who warns his wife not to be in seclusion with another man, a metzora who has had multiple afflictions, and a woman who has had several births. The Gemara (ibid., 9b) cites the verse from where we learn in each case that one offering suffices for the multiple occurrences. The only exception to this pattern is the case of nazir, about which no verse is quoted. The Rosh asks, if we are in need of a scriptural source to allow one offering to suffice for multiple incidents, this means that without the verse we would think that a separate offering would have to be brought for each event. Why, then, with respect to nazir, where there is no verse to allow him to bring just one offering, how do we know that this is the case? Several answers are suggested to deal with this problem.

Rosh himself suggests that perhaps there is a verse written in reference to nazir which teaches this halacha. He proposes that it might be learned from Bemidbar 6:21, where the word "תורת" is written in the singular. Rosh, however, notes that this is very unlikely to be the actual source for this halacha, as if it were correct, the Gemara itself would have cited it.

Shita Mikubetzes suggests that no verse is needed in reference to nazir to teach that one offering will suffice for an extended period of tumah. We would understand that a nazir who continually experiences tumah before finishing a term of nezirus is still involved in his initial nezirus which was never completed. When he does finish, he will bring one offering for what is, in effect, one long nezirus. In contrast, the Gemara brings a verse to teach that many births can be exempted with one offering, as we might have thought that each birth needs its own set of offerings. ■

HALACHAH Highlight

Restarting a nezirus after tumah

וחכמים אומרים קרבן אחד על הכל עד שיביא חטאתו

Chachamim say that he brings one Korban for the occurrences of tumah until he offers his Korban Chatas

The Gemara cites three opinions whether the offering of the korbanos is essential to restart observing nezirus. R' Yosi bar Yehudah maintains that the nazir can restart his count as soon as he immerses on the seventh day. Rebbi maintains that he restarts his count on the eighth day even if he did not yet offer his korbanos and Rabanan hold that he may not restart his count until he offers the Korban Chatas. Rambam¹ rules in accordance with the opinion of Rabanan. Meiri² cites numerous authorities who follow the position of Rebbi that the nazir resumes his count on the eighth day even though he did not bring his korbanos. Pesach Habiur cites many instances when the Gemara seems to support Rambam's position that the nazir does not resume his count until he has offered his Korban Chatas.

Authorities³ point out that the requirement to bring the Korban Chatas before resuming his count applies only when the nazir wishes to restart his nezirus but it is not

an impediment to begin another nezirus period. Thus if a woman took a vow of nezirus, became t'meiah, and then her husband revoked her vow of nezirus, she is still required to offer korbanos for the tumah which she contracted while she was yet a nezirah⁴. Although she is required to offer the korbanos for tumah, that requirement does not impede her from making a new vow of nezirus and beginning that new period immediately upon becoming tehorah.

Rambam⁵ emphasizes that although a nazir that became tamei is obligated to offer three korbanos, a Chatas, an Olah and an Asham, nevertheless, it is only the offering of the Chatas that is essential to restart the nezirus. There is a dispute with regards to the haircut that is scheduled to take place on the seventh day of the taharah process. A simple reading of Rambam⁶ indicates that the haircut is not essential to be able to resume counting nezirus but there are some authorities who maintain that the haircut is in fact essential⁷. ■

1. רמב"ם פ"ו מהלי נזירות הי"ב.
2. מאירי חגיגה ט.
3. ע' פתחי נזיר על הרמב"ם שם ס"ק קכ"א.
4. רמב"ם פ"ט מהלי נזירות הי"א.
5. רמב"ם פ"ו מהלי נזירות הי"ב.
6. רמב"ם פ"י מהלי נזירות הי"ט.
7. ע' פתחי נזיר שם ס"ק קי"א. ■

STORIES Off the Daf

Leaving the Peyos

"...שהוא טעון העברת שער"

Our daf discusses which defiled nazir must shave his hair.

Two people had a dispute regarding whether Jews always had peyos. "Of course they did," one argued. "Just look at the Yemenites. They were isolated from other Jews for many long centuries, yet they do have peyos—what they call סימנים, signs of Jewishness. They were in the same place since the destruction of the second Beis Hamikdash and endured relatively little persecution, so it

seems reasonable to assume that they were most successful at preserving the ancient Jewish customs. Virtually every other Jewish community in other lands were subject to many gezeiros to conform to non-Jewish mores, such as changing their dress. Besides this, they were often forced to move around and may have lost their mesorah."

"I don't agree," answered his friend. "Will you then say that we should all daven or lain as the Yemenites do? In any event, a certain very prominent Rav told me that it can't be that klal Yisrael always had peyos since the verse says they must shave their hair and the Gemara in Nazir 40 states that Levi'im,

metzoraim, and nazirim all shaved and if they left over two hairs did not fulfill their mitzvah. How could you say they always left peyos, then?"

The first man answered, "That's no proof whatsoever. The Ibn Ezra writes that they left the peyos and the Chid"ra brings in Shut Yosef Ometz that he saw an ancient kesav yad to that effect as well. Anyway, whether the Yemenites have the most historically accurate tradition in speech is a very old question. Rav Nosson Adler, zt"l, the Rebbe of the Chasam Sofer, zt"l, held that they did. He davened and read the Torah with Yemenite inflection!" ■

