

OVERVIEW of the Daf

1) Unspecified funds (cont.)

R' Pappa challenges R' Shimi bar Ashi's assertion that animals and birds are considered unspecified funds.

R' Shimi bar Ashi responds to R' Pappa's challenge.

R' Hamnuna unsuccessfully challenges the Gemara's earlier assertion that blemished animals are considered unspecified funds.

Rava begins the citation of a long Baraisa that will ultimately serve to challenge the assertion that blemished animals are considered unspecified funds.

The primary topic of the Baraisa relates to the Torah's emphasis that one must offer his own offering rather than use another's offering even if that person committed a transgression of equal severity.

HALACHAH Highlight

Funding one's nezirus obligations with his father's resources

"קרבנו" בקרבנו הוא יוצא ואינו יוצא בקרבן אביו
 "His Korban," [teaches] that one discharges his obligation with is own korban and one does not discharge his obligation with his father's korban

Rambam¹ rules based on Halacha L'Moshe M'Sinai that a son may use his father's nazir money to fund his own offerings. Therefore, if there was a father who took a vow of nezirus, set aside unspecified money to purchase animals for his offerings and then died, his son may take a vow of nezirus on condition that he is allowed to pay for his offerings with the money his father set aside. Another case where a son is allowed to use his father's nazir money is when the father and son took vows of nezirus and the father died after setting aside unspecified money for his offerings. The son may declare, after

Distinctive INSIGHT

Applying the הלכה למשה מסיני to use the father's funds for the son's offering

תא שמע כיצד אמרו האיש מגלח על נזירות אביו

This Baraisa is found in the Tosefta (3:1). There, it begins with a case of a father and son who were each nezirim. The father set aside money for his offerings, but he then died. The סיפא of the Baraisa is quoted here, where we find only the father who was a nazir, and he set aside money for his offerings, and he died.

The halacha is that on the day a nazir completes his term, he is to bring his offerings and shave his hair. The Baraisa illustrates a scenario whereby a person may discharge his obligation by bringing offerings from funds which his father, who was also a nazir, had set aside for his own offerings. The case would be where the father died after setting aside the money, and the son declared himself to be a nazir on the condition that he would use his father's money. This is a Halacha of Moshe m'Sinai, and it applies specifically in a situation where the son accepted his nezirus on the condition that he would use his father's funds which were already earmarked for nazir offerings. It does not apply, for example, to where the father had eaten forbidden fats (חלב), but the father died after having set aside money for a chattas. Here, even if the son also eats חלב and therefore becomes obligated to bring a chattas, he cannot use the money his father set for his own chattas.

In a case where both the son and the father were nezirim simultaneously, and the father set aside money (without specifying which funds would be for which animal), upon completing his nezirus the son may not finish his term by shaving and using his father's money. Rather, the son must use his own funds, and the money from the father will be directed to be used for נדבה.

The Meiri and Rabeinu Azriel (cited in Shitta Miku-betzes) and Rambam (Hilchos Nezirus 8:15) hold that even in the case where the son was already a nazir, and the father had designated money for his nazir offerings before he died, the son may use the funds his father intended to use before his demise. If the son does not wish to use the father's money, then the money will be channeled to be used for נדבה. ■

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his father's death, that he is going to fund his own haircut with his father's funds.

Rambam does not make any distinction about the language used by the father when he set aside the money and it seems that the only criterion is that the money should be unspecified. Tosafos², however, makes a distinction about the words the father used when he set aside the money. If the father said, "This money is for my nezirus," the son may use that money to fund his offerings but if the father said, "These are for my nazir offerings," there is an uncertainty in the Gemara whether the son could use that money. Sefer Pischai Nazir³ adds that according to Tosafos even if the father declared, "This money is for my obligations," it is treated the same as if he stated that the money is for his nazir offerings.

Another point that is important to emphasize is that the Halacha L'Moshe m'Sinai that allows a son to use his father's resources to fund his own nezirus vow is limited to where the father set aside money for

REVIEW and Remember

1. What is done if a nazir brings three animals without specifying their purpose?

2. Who has the power to specify the purpose of animals set aside for nazir offerings?

3. When is a son allowed to use his father's funds for his own nazir offerings?

4. What is derived from the word קרבנו?

his offering. Our Gemara cites a Baraisa that teaches that if the father set aside an animal for his offering the son may not use those animals no matter what the conditions⁴. ■

1. רמב"ם פ"ח מהלי נזירות הט"ו.
2. תוס' ל: ד"ה בעי רבא.
3. ספר פתחי נזיר פ"ט ה"ד ס"ק כ"ח.
4. ספר פתחי נזיר פ"ח הט"ו ס"ק קל"ד. ■

STORIES Off the Daf

The Poor Man's Offering

"דתן רשב"ג אומר..."

The Midrash Vayikra Rabbah states, "King Agrippas once wished to sacrifice a thousand sacrifices and ordered that no other personal sacrifices be offered that day. A poor man came to the Mikdash with two birds and asked the Kohen Gadol to sacrifice them.

"But the King forbade any personal sacrifices for today," he protested.

"My lord Kohen Gadol: every day, I hunt until I catch four birds. Two of the birds I live on

and two I bring as a sacrifice. Why should you ruin my livelihood by turning me away?"

He acquiesced and sacrificed them.

That night Agrippas had a dream, "The poor man's paltry sacrifice was before yours."

The next day, Agrippas confronted the Kohen Gadol, "I ordered that no other sacrifice be brought yesterday!"

"But your majesty, a poor man came and told me that every day he catches four birds and sacrifices two. He was afraid if I didn't sacrifice them, this would damage his livelihood. Should I have refused him?"

The king admitted vehement-

ly, "You did exactly right!"

Once there was a woman who brought a simple flour offering and the Kohen shamed her for her paltry sacrifice. That night he had a dream, "Don't embarrass the poor woman's sacrifice. She brings it with such dedication and self-sacrifice; it is as if she was offering herself!"

With all the discussion of offerings on today's daf, it's important to remember that the main element in sacrifices is the intention and self-sacrifice involved. Better a small sacrifice with true מסירות נפש than a thousand without! ■

