

OVERVIEW of the Daf

1) Unspecified funds (cont.)

Rava finishes citing the Baraisa that challenges the premise that blemished animals are considered unspecified funds.

Rava formulates his challenge to the assertion that blemished animals are considered unspecified funds.

The Gemara resolves the challenge.

2) **MISHNAH:** The Mishnah presents a discussion of whether the husband can revoke his wife's vow of nezirus once her offerings have begun to be offered.

3) Identifying the author of the Mishnah

The Gemara states that the Mishnah does not follow the position of R' Eliezer who maintains that the haircut is essential to conclude a term of nezirus.

In light of this explanation, the Gemara explains that the dispute between Tanna Kamma and R' Akiva relates to whether the husband can revoke his wife's vow of nezirus after the animal was slaughtered but before the blood was applied to the altar.

R' Zeira challenges the rationale behind R' Akiva's opinion that once the animal was slaughtered the husband may no longer revoke his wife's vow due to the consideration of a loss to the offerings.

The Gemara resolves the challenge.

4) Clarifying the second dispute in the Mishnah

The dispute between Tanna Kamma and R' Meir at the end of the Mishnah is explained.

5) **MISHNAH:** The Mishnah begins with the halacha that a father, not a mother, may declare his son to be a nazir. The discussion proceeds to discuss the outcome of the son or someone else rejecting the the nezirus and what will be done with animals or money set aside for offerings that will not be offered.

6) Making one's child a nazir

R' Yochanan suggests one explanation why it is only a father that can make his son a nazir.

R' Yosi bar Chanina in the name of Reish Lakish offers an alternative explanation. ■

Distinctive INSIGHT

Re-appropriating an animal or the funds designated for an offering to atone for one sin to another

שכן אם הפריש בהמה על החלב והביא על הדם, או על הדם והביא על החלב שהרי לא מעל

The Baraisa states that if a person had designated an animal to be used for atonement for a particular sin, he may not take that animal and use it for atonement for a different sin. This is true even if both sins were of the same severity. For example, if he had set aside an animal for a chattas because he had eaten חלב inadvertently, he may not take that same animal and offer it as a chattas for his having eaten blood unintentionally, even though both sins are of the same degree of severity. The Baraisa adds that the law of מעילה does not apply unless an object belonging to the Beis Hamikdash is taken and removed from the ownership of the holy by means of being used for non-holy utility. In our case, the animal for a particular offering is not being dislodged from its holy status, but it is rather being re-assigned as an offering for this same person, just for atonement for a different sin. At the same time, though, the person does not achieve his atonement for the second sin.

Tosafos connects the fact that מעילה does not apply in this case to the fact that the animal cannot be used to atone for a different sin other than the one originally planned. If the attempt to re-assign the animal would result in מעילה, the animal would thereby lose its sanctity. Accordingly, the owner would now be able to use the animal to atone for a different sin. However, because מעילה does not apply, the animal remains holy as before, and it is set to atone for the first sin, and not the second one. ■

REVIEW and Remember

1. Is it permitted to use an animal designated as atonement for one transgression for atonement for a different transgression?

2. At what point does the husband lose his right to revoke his wife's vow of nezirus?

3. What is the point of dispute between Tanna Kamma and Rabbi Akiva in the Mishnah?

4. Who is authorized to declare the son as a nazir?

HALACHAH Highlight

Is a married woman permitted to shave her head?

ר' מאיר אומר אף בתגלחת הטהרה יפר שהוא יכול לומר אי אפשר באשה מגלחת

R' Meir said that even concerning her head shaving of taharah the husband may revoke her vow because he can claim that he does not wish to have a wife who shaves her head

R' Meir maintains that a husband retains the right to revoke his wife's vow of nezirus up until the time that she cuts her hair. The reason is that as long as she has not shaved her hair the husband has the right to claim that he does not want his wife to have a shaven head. Rav Naftali Tzvi Yehudah Berlin¹, the Netziv, noted that this seems to indicate that in the time of Chazal married women did not have the practice to shave the hair on their head. He then suggests that the reason later authorities guided women to shave the hair on their head was to avoid the issue of squeezing water from one's hair that could easily occur when a woman immerses in the mikvah on Shabbos.

Teshuvos Shoel U'Meishiv² expressed concern that the practice of married women to shave the hair on their head violates the prohibition against a woman grooming herself like a man. Darkei Teshuvah³, however, cites different

authorities who attempt to resolve this difficulty. Sefer Shvilai Dovid asserts that the prohibition against a woman cutting her hair like a man is limited to unmarried women (בתולות) but does not apply to married women (נשואות). Darkei Teshuvah suggests that the reason to distinguish between married and unmarried women is that the prohibition against adorning one's self like a member of the opposite gender is limited to where the person seeks to look like a member of the opposite gender, but it does not apply when a person cross-dresses for some other reason, e.g. because it is cold or raining. Therefore, if a married woman shaves her head for modesty purposes it does not violate the prohibition. Darkei Teshuvah also cites an explanation of Teshuvos Chikrei Lev who addresses this concern. In order for a woman to violate the prohibition against grooming herself like a man she would have to leave her payos intact, which is the way men shave off the hair on their head, but if she shaves all the hair off of her head, including her payos, it does not resemble the way men shave their heads, consequently the prohibition is not violated. He cites as evidence of this assertion the halacha that a woman is permitted to take a vow of nezirus even though it will necessitate shaving off all her hair. ■

1. העמק שאלה פרשת אחרי שאילתא צ"ו אות ז'.
2. שו"ת שואל ומשיב מהדורה א' ח"א סי' ס"ה.
3. דרכי תשובה סי' קפ"ב סי"ק י"ב. ■

STORIES Off the Daf

Inadvertent Sin

"עד שיהא קרבנו לשום חטא..."

During one Pesach, when the final day fell out on Shabbos, a certain man locked the door to his room and went to sleep. When he woke up, he was disconcerted to note that the lamp was in a different place and one of the lights was extinguished. The next day he spoke with his friend who was a great scholar. He confessed, "I must have woken up and profaned the Shabbos although I remember nothing. What do you think I ought to do to atone for this?"

The scholar replied, "I think that

during Mincha you should accept to fast tomorrow. This depriving of your body will atone for your sin like a sacrifice." The man did just that.

The next day, he arrived home but refused his lunch. When his wife asked why he explained what had happened. The Jewish live-in help blurted out, "But that was me! I remembered that you left a lit lamp in your room so I took the key and removed it. I did it inadvertently since I thought it was only Yom Tov. It was only the next day that I recalled that it was also Shabbos."

The man had already fasted half a day. "The truth is that I have a different sin that I would like this fast to go towards, atoning as an offering instead of what turned out to be this

non-existent chillul Shabbos. He consulted with the illustrious Ben Ish Chai, zt"l, to ascertain whether if he completed his fast this would actually count as a sacrifice with regards the other sin.

After hearing the entire story the Ben Ish Chai replied. "In Nazir 28 it states that the verse, "His offering for his sin," teaches that his offering only atones if it was brought for the sake of the sin for which it was originally designated. The same is true in your case. You took on the fast to atone for the sin of chilul Shabbos; you can't change in the middle just as you can't change what an offering atones for!" ■

