



OVERVIEW of the Daf

1) Delaying fulfillment (cont.)

R' Acha bar Yaakov offers another example when the prohibition of **בל תאחר** applies to nezirus.

This example is unsuccessfully challenged.

R' Ashi infers from this discussion that a nazir who intentionally makes himself tamei violates **בל תאחר**.

R' Acha the son of R' Ika suggests that a nazir violates **בל תאחר** when he delays his haircut.

Mar Zutra the son of R' Mari proposes that a nazir violates **בל תאחר** when he delays offering his korbanos.

This explanation is challenged since there is a general exposition that one is not permitted to delay offering korbanos.

The necessity for an exposition concerning nazir is explained which requires the Gemara to identify a novel halacha of nezirus.

Two possible novelties are identified.

The second novel halacha is unsuccessfully challenged.

2) The authority of a father and husband to revoke

An earlier Baraisa derived from a heikesh that just as a father/ husband can revoke his daughter/wife's vows so too can a father/husband revoke his daughter/wife's nezirus.

The Gemara wonders why a heikesh is necessary when the same conclusion can be drawn from a **מי מצינו**.

The necessity for the heikesh is explained.

3) Clarifying the Mishnah

Shmuel explains that in order for the cases of the Mishnah where one declares that he is vowed or separated from his friend to be binding he must also state that he will not eat or taste food that belongs to his friend.

Shmuel's qualification is successfully challenged.

Shmuel is forced to revise his qualification and explains that when the one taking the vow includes the phrase, "That I will eat of yours," he is prohibited to benefit from his friends property, but if he does not include that phrase they are prohibited to benefit from one another's property. ■

REVIEW and Remember

- Name three ways one violates **בל תאחר** for nezirus?

- Is it possible for a person to limit his nezirus restrictions to certain items?

- What are two novelties found by nezirus?

- How does Shmuel suggest that the Mishnah's ruling should be qualified?

Distinctive INSIGHT

בל תאחר who is in violation of

אמר רב אשי הואיל וכן נזיר שטמא עצמו במזיד עובר משום בל תאחר דנזירות טהרה

Rashba (to 3b) writes that if a nazir who is in the middle of fulfilling his period of nezirus defiles himself intentionally, he is immediately in violation of not conducting his nezirus in a timely manner. His becoming ritually impure interrupts his ongoing observance of the nazir period. It must be restarted once he becomes pure, and its completion and its accompanying offerings will obviously be delayed. As a result of his own negligence, his commitment to complete a period of nezirus and bring the appropriate offerings has been delayed. Rashba derives his proof from the words of Rav Ashi, when he says that the violation is due to the nazir defiling himself "intentionally—**במזיד**." The reason for the infraction is not that he delayed in purifying himself, but rather in the act of exposing himself to ritual impurity, even if he is now diligent about rectifying the situation.

Rashba then wonders why, in fact, the nazir is in violation of **בל תאחר** immediately. Why should it be less than the normal time framework of three festivals? This question of the Rashba is consistent with his understanding that all cases of **בל תאחר** are learned from the verse found by **קרבנות**, where the time interval of three festivals is the threshold before the sin is in effect.

Rosh is of the opinion that the nazir who defiles himself is only in violation of **בל תאחר** if he remains in his state of impurity for three festivals. He understands the words of Rav Ashi who said that the nazir defiled himself "intentionally" to refer to his willingness to remain impure, and not to the initial

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HALACHAH Highlight

A mistaken commitment to be a nazir Shimshon

אבל גבי נזירות דאית ליה קיצותא דסתם נזירות שלשים יום אימא לא קא משמע לן

But regarding nezirus that has a time limit, for an undefined nezirus it is for thirty days, I would say that [the vow of nezirus may] not [be revoked]. [The verse therefore] teaches [it is possible to revoke a vow of nezirus]

The Gemara Nazir (14a) explains that there is a variety of nezirus that is different from the standard nezirus. Normally a person who vowed to be a nazir has the option to have his nezirus annulled by approaching a Torah scholar to find an opening of regret which allows the vow to be annulled. Nezirus Shimshon is a unique variety of nezirus in that it cannot be annulled. Therefore, a person who vows to become a nazir Shimshon remains under the restrictions of a nazir Shimshon for the remainder of his life without an option to have the vow annulled since Shimshon remained in his status of a nazir for his entire life.

There was once a young man who, out of ignorance, became involved in a Messianic group. He was very passionate about this group and when he was introduced to the concept of nezirus Shimshon he made a sincere vow to observe the restrictions of a nazir Shimshon. As he continued to grow and develop in his Yiddishkeit he became aware of the severity of the vow that he made and inquired whether it is possible to annul his vow to release him from the restrictions of nezirus Shimshon.

The Minchas Yitzchok¹ responded that in this exceptional

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contamination.

Minchas Chinuch (Mitzvah #374) asks why Rav Ashi uses the example of “defiling himself” as the manner by which the nazir interrupted his process. Why doesn’t Rav Ashi say that he cut his hair, which also interrupts the nazir process and causes it to be delayed for thirty days?

When a nazir cuts his hair, he must recount a minimum of a thirty-day period during which he grows his hair again. Tosafos (Nazir 39a) holds that this period coincides with the new nazir observance, while Rambam (Nezirus 6:1) holds that this thirty-day period must take place before the recounting of the new nazir observance. Either way, the new nezirus may commence soon, and the law of **בל תאחר** is not affected. ■

case one could be lenient and offers three explanations for this conclusion. There are Poskim who maintain that since the person did not understand the implications of his vow at the time that he made the vow it is not binding. A second rationale for leniency is based on the position that holds that it is permitted to release a person from nezirus Shimshon if it is needed to perform a mitzvah. Therefore, since in this case the questioner’s children are experiencing difficulty getting into a good school due to their father’s appearance, it is considered a case of a mitzvah, and even if the original vow was binding it could be annulled. The last rationale for leniency suggested by Minchas Yitzchok is that it appears from the historical account that the questioner was confused and lacking da’as at the time he made the vow. Thus the vow could be dismissed because he did not have the necessary presence of mind to make a binding vow. ■

1. שו"ת מנחת יצחק ח"ה סי' פ' ■

STORIES Off the Daf

The ousted Shochet

משום דלא אית ליה קיצותא

The community of Kozin in Poland once noticed that it was very difficult to find a shochet who did not rely on various leniencies of which their Rabbis didn’t approve. For example, although every shochet was proficient in hilchos shechitah, this was likely to be the extent of his Torah scholarship. Of course, such a shochet would not be able to decide any questions regarding what is a treifah, other questions of kashrus, or anything else for that matter!

In order to circumvent such unpleasantness, every shochet was required to sign

a document that verified his acceptance of a cherem if certain guidelines that circumvented any possible problem were violated. The shochet of Kozin violated the guidelines on two counts and was caught. The people of the town were incensed. Never had such a thing happened! They decided to band together and make a public oath to remove this man from his position. Later, they formally relieved him of his post.

When the shochet showed great remorse, they regretted their rash act and wished to reinstate him since he seemed so sincere. After all, he really hadn’t done anything so terrible, since no halachah had been intentionally violated. They asked their Rabbi, but he didn’t see how the man could be reinstated.

He said, “After all, the Shulchan Aruch decides clearly in Yoreh De’ah

219:3 that if a person prohibits something with a neder and does not specify a time limit, his vow takes effect immediately and stays in effect even after thirty days. This is unlike a vow of nezirus which only takes effect for thirty days, as we see from Nedarim 4a. The Ran in Nedarim 4b explains the reason for the distinction between nedarim and nezirus. A neder is likened to hekdesh which takes effect permanently. The Taz, zt”l, clearly states that the same law holds true for an oath without a time limit.”

As a last resort, the Rabbi referred the matter to the Tiferes Tzvi, zt”l. He answered promptly, “They can definitely reinstate the shochet. They only swore to remove him from his position, not to refrain from reinstating him!” ■

