

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) Renewing the nezirus count after becoming tamei

A Baraisa is cited that relates to a woman who became t'meiah while observing nezirus, and she set aside the appropriate birds and sheep for her tumah offerings. Her husband then nullified her vow. The ruling of the Baraisa is that she brings the **חטאת עוף** but not the **עולה**. R' Chisda asserts that this Baraisa follows R' Yishmael's opinion.

The Gemara clarifies R' Yishmael's opinion with regard to the mechanism involved in a husband revoking his wife's vow.

It is explained that R' Yishmael follows the opinion of R' Elazar Hakappar who holds that a nazir is a sinner.

The teaching of R' Eliezer Hakappar is cited.

2) Leaving and returning to the cemetery

The Mishnah's ruling related to leaving and returning to the cemetery is challenged.

Shmuel suggests the Mishnah refers to a case where the nazir became tahor before returning to the cemetery.

Another detail related to this explanation is clarified.

A related conversation involving R' Kahana and R' Assi with Rav is recorded.

3) Clarifying R' Eliezer's statement

Ulla clarifies R' Eliezer's statement in the Mishnah.

Rava offers a rationale for R' Eliezer's position.

Abaye successfully challenges Ulla's explanation.

R' Pappa asks Abaye to further clarify R' Eliezer's opinion which Abaye is unable to do.

Rava clarifies R' Eliezer's opinion for R' Pappa and he explains why, according to R' Eliezer, two expositions are needed.

4) **MISHNAH:** Beis Shammai and Beis Hillel disagree about what happens when a person who completed his term of nezirus outside of Eretz Yisroel travels to Eretz Yisroel. A related incident is recorded.

5) Clarifying the dispute between Beis Shammai and Beis Hillel

The Gemara begins to explain the rationale behind the dispute between Beis Shammai and Beis Hillel. ■

Distinctive INSIGHT

Clarifying the opinion of Rabbi Eliezer

אמר עולה לא אמר רבי אליעזר אלא בטמא שנזר אבל בנזיר טהור שנטמא אפילו יום אחד סותר

In the Mishnah, Rabbi Eliezer taught that the offerings for a nazir who becomes defiled are only brought if the nazir had counted at least two days of טהרה. The verse states that coming in contact with the dead results in the first days (ימים הראשונים) of the nezirus being lost. This indicates that this halacha applies only when "days" are included, not just one day. In our Gemara, Ulla clarifies from the implication of the verse that the rule of Rabbi Eliezer only refers to a case where a person who was already defiled declares himself to be a nazir (טמא שנזר), but a normal nazir would have to bring his offering even if his nezirus becomes interrupted with tumah on the first day (נזיר טהור שנטמא).

The Toras Nazir notes that according to Ulla, we hereby find a significant difference between a tamei who declares himself as a nazir and a nazir who becomes tamei. Why, then, does this distinction not appear in the Baraisa (18b) where these cases are contrasted, whereas the only difference listed is that in the former case, the seventh day can count toward the new term of nezirus, whereas a nazir who became tamei must wait until the eighth day before beginning his counting of a new term. According to Ulla, the Baraisa should have also listed whether the nezirus is ruined if the tumah occurred before the second day (in the former case the nezirus is not ruined, but in the second case it is.) Nevertheless, Ulla would simply explain that the Baraisa which does not list this case is following the opinion of Rabbanan in the Mishnah, and not the opinion of Rabbi Eliezer. ■

Today's Daf Digest is dedicated
By Dr. and Mrs. Merrill Zahtz
In loving memory of their father
ר' חיים אלטער בן ר' יחזקאל, ע"ה

Today's Daf Digest is dedicated
לעילוי נשמת דבורה בת יוסף מאניס ע"ה
From the Rimel family, Neve Tzuf, Israel

HALACHAH Highlight

Refraining from eating meat

המצער עצמו מכל דבר על אחת כמה וכמה

One who refrains from all things all the more so [is he considered a sinner]

Be'er Heitev¹ writes in the name of the Arizal and Shayarei Knesses Hagedolah that it is praiseworthy for a person to refrain from meat and wine during the week. Some authorities² connect some of the suffering that people experience after death with the pleasure they pursued during a time that was not appropriate for simcha. In this context simcha is expressed in terms of partaking of meat and drinking wine, and the days that one should not rejoice are days when tachanun is recited. Other authorities³ add that a person who has a weak constitution is not required to refrain from eating meat and drinking wine, and the general assumption for our generation is that people are weak and thus are not required to refrain from meat and wine.

There was once a rabbi who wrote critically of another who refrained from eating meat, but Rav Chaim Chizkiyahu Medini, the Sdei Chemed⁴, wrote a response in support of the practice. Amongst his comments he noted that one should not make fun of the practice, and fortunate is this ascetic individual who also refrains from wine unless it is wine that is used for a mitzvah. Many sins are the result of too much eating and drinking of wine and the Arizal has written in favor of the practice of refraining from eating meat and drinking wine. He also cites the sefer Shevet Hamussar who asserts that only absolutely righteous people are permitted to eat meat. Although exercising

REVIEW and Remember

1. What is the source for R' Elazar Hakapar's opinion that a nazir is a sinner?
2. How did Rav explain to his students why he did not teach them some things?
3. When does tumah cause a person to lose the days of nezirus that he already observed
4. Why is it necessary to redo a nezirus that was observed outside of Eretz Yisroel?

restraint in this regard is an act of piety rather than a halachic mandate, nevertheless, those who have the ability to exercise this degree of restraint are praiseworthy.

Rav Shlomo Zalman Auerbach⁵ once wrote about this topic in a letter to a Ba'al Teshuvah. In that letter he advised that the person should abstain from one of the treats that he enjoys (יסגף עצמו באחת מהמותרות שהוא מאד אוהב את זה), like smoking or chocolate that do not contribute to a person's good health.

1. באר היטב או"ח סי' קל"ד סק"ד.
2. ספר חסד לאברהם מעין חמישי נהר ו' ומובא דבריו במתיבתא למס' נזיר יט בפניני הלכה.
3. ספר סור מרע ועשה טוב הוספות מהרצ"א אות ל"ו ומובא במתיבתא שם.
4. שדי חמד אסיפת דינים מערכת אכילה אות א'.
5. ספר הליכות שלמה ח"א פ"ו הערה 23. ■

STORIES Off the Daf

Voluntary Surgery

"קסבר ר"א הקפר נזיר טהור נמי חוטא"

Acertain woman was very dissatisfied with her looks and found plastic surgery very appealing. For a fee, she could "redesign" herself and improve her self-image. What could be wrong with that? But being that this young woman was Torah observant, she brought the issue before her Rav. "Is there any halachic problem with getting plastic surgery solely to improve my looks?"

Her Rav was not sure. On the one hand, Rambam states that it is prohibited

to injure oneself, so perhaps going under the knife for aesthetic reasons alone falls under this category. On the other hand, is a voluntary surgery actually considered inflicting harm, since she believes that plastic surgery will make her happy? The Rav decided to consult with Rav Ovadiah Yosef, shlit"a.

Rav Yosef replied, "It is true that there is a dispute in Bava Kama 91 whether one may injure himself willingly. Rav Elazar Hakefar holds it is a sin to inflict any kind of physical harm upon oneself. We learn this from the fact that he holds that a nazir is a sinner because of the pain he assumes by abstaining from wine. How much more so is our case where one actually causes himself

physical injury! The Tur brings the opinion of Rambam who holds one may not inflict any injury upon himself, but also Rav Moshe Halevi who holds that he may do so. After bringing both opinions, the Shulchan Aruch rules according to Rambam.

Rav Yosef concluded, "However, this case is different than a regular case of someone injuring himself. First of all, she will be sedated so she will feel no pain. Secondly, everyone understands that the gain greatly outweighs the loss in this case. For these reasons, many great poskim permit this surgery, since when you take these factors into consideration, Rambam himself also allows it!" ■

