

לעילוי נשמת

מנוח מלכה מחלה הגדולה כהן מרדכי וסקנה ליל ת.נ.צ.ב.ה.

Devoted by our friends DAVID & JOY HAGER

מאורות הדף היומי

Meorot HaDaf Ha Yomi

A Weekly Letter for Learners of the Daf Ha Yomi

לעילוי נשמת

הרב יוסף חולץ ז"ל ב"ד ברך חנדל הי"ד ת.נ.צ.ב.ה.

י"ל ע"י ביהמ"ד למנידי שיעור "דף היומי" בראשות הגר"ד קובלסקי שליט"א וע"י קרן ברכה ומוטי זיסר

גליון מס' 469

מסכת נזיר נ"ט-ס"ה

בס"ד, י"ג אייר תשס"ה

- ◆ May a Man Use a Woman's Umbrella?
- ◆ Two Aspects of the Prohibition against Cross-Dressing
- ◆ Dying One's Beard to Get a Job
- ◆ Dressing Boys in Girls' Clothes

השבוע בגליון

- ◆ A Convert's Obligation to Honor his Parents

- ◆ Touching Food before Washing Hands in the Morning
- ◆ May Gentiles Build a Shul in Yerushalayim?
- ◆ Accepting Donations from an Apostate
- ◆ Checking a Sefer Torah for Mistakes

דף נט/א כל זמן שהוא גודל נושר

May a Man Use a Woman's Umbrella?

The Torah commands us: "A man may not wear the clothes of a woman" (*Devarim* 22:5). Based on this *posuk*, the Gemara rules that men are forbidden to shave their armpits, as women commonly do. The Gemara asks that a man might shave his armpits only to prevent discomfort, with no intention to appear like a lady. The Gemara then answers that the discomfort caused by armpit hairs is not so great as to cause a man to shave them. Rather, his intention must be to appear like a lady. Therefore, this is forbidden. Tosefos (s.v. *Gvule yeish lo*) infers from this discussion, that if his intention is truly to prevent discomfort, then it is permitted.

A woman's scarf: Accordingly, the Bach (Y.D. 182) rules that if a man wears woman's clothes only to protect himself from cold weather, with no intent to adorn himself, this is permitted. The Shach (*ibid.* s.k. 7), however, stipulates that he may only wear a single female garment, such that the rest of his apparel reveals his true sex.

Two separate restrictions: The Chochmas Adam (90) argues that even if a man's intention is not to adorn himself, it is still forbidden to wear a woman's garment. Tosefos permits only practices that are commonly performed by women. He does not permit wearing feminine garments.

The Chochmas Adam proceeds to explain that there are two separate restrictions included in this prohibition. A man may not wear women's clothes, and he may not perform practices that women commonly do to beautify themselves – such as dying their hair or shaving their armpits. If a man performs these same practicea without intention to beautify himself, they are permitted. However, he may not wear women's clothing under any circumstances.

A woman's umbrella: Accordingly, the Chochmas Adam permits men to carry objects particular to women. For example, he permits elderly men to use walking sticks designed for women. So too, he would permit a man to carry a woman's umbrella, to keep himself dry in the rain. Carrying a woman's walking stick or umbrella is a feminine practice, but these are not feminine garments. Therefore, they are permitted when necessary.

However, the Chochmas Adam cites the Smag, who does not distinguish between these two restrictions. As such, our *sugya* would seem to prove that a man may wear a woman's raincoat if necessary. However, since this is a question of a Torah prohibition, the Chochmas Adam rules that one must be stringent. Other Poskim agree (see *Kerem Shlomo* commentary on *Shulchan Aruch*, by R' Mordechai Gross).

Torah prohibitions and Rabbinic prohibitions: It is worth noting that according to the Rambam (*Avoda Zara*, ch. 12) and *Shulchan Aruch*, there is only a Rabbinic prohibition against men shaving their armpits, as we find in a *beraisa* in our *sugya*. Dying one's hair, wearing women's jewelry, and certainly wearing their clothes, are all forbidden by Torah law. These practices are all punishable by lashes. The Smag and Yerei'im argue that the prohibition against shaving armpits is from the Torah.

דבר העורך

The Mashgiach and the Accountant

R' Yechezkel Levenstein *zt"l* served as Mashgiach of the Mir Yeshiva in Poland before World War II. Together with his entire yeshiva, he fled the terrors of the Holocaust, making his way across the length and breadth of Russia, before finally arriving in Shanghai, where the yeshiva survived the war. Later, he arrived in Eretz Yisroel, where he accepted a position as Mashgiach in the Ponevetzh Yeshiva of Bnei Brak.

Countless stories are told of "Reb Chatzkel", testifying to his greatness in Torah, tefilla and avodas Hashem. Once, a student of his yeshiva got engaged. In the student's community, it was customary for a chassan to receive a gold watch as an engagement present. Since his kalla's family could not afford a gold watch for him, they bought him a regular watch instead. R' Chatzkel noticed that the chassan seemed disappointed, so he offered to trade watches with the chassan – giving the chassan his own gold watch, and taking the regular one in exchange. R' Chatzkel explained that the gold trinket meant nothing to him. He was just as happy with a regular watch, which served the same function, and was even more happy to relieve his student's disappointment.

(Incidentally, R' Chaim Pinchas Sheinberg *shlita* of Yeshivas Torah Ohr offered an interesting explanation for the custom to give a chassan a gold watch. Normally, jewelry is made with the less precious substance encasing the more precious. For



IN MEMORY OF

האשה היקרה מרת ג'וליה תשובה ע"ה
ליום השלושים לפטירתה נלב"ע חוה"מ פסח תשס"ח
תנצב"ה

נר ה'
נשמת אדם





example, a gold ring is used to encase a diamond stone. By putting a time piece in a gold watch, we teach the chasan that his time is more precious than gold, and he must use it wisely.)

The above story is particularly interesting in light of R' Chatzkel's life story, and his remarkable rise to greatness. R' Chatzkel's childhood was marked with hardship. He lost his mother at the tender age of five, and suffered through such terrible poverty, that he was forced to make his own livelihood from the age of thirteen. At first, he found a job as a delivery boy, and later tried his hand as a vendor, buying and selling merchandise at a profit. His initial success gave him a feeling of accomplishment, and alleviated some of the financial stress at home. If at such a young age he was already seeing the fruits of his labors, than he surely could look forward to a bright future as a successful businessman.

One Friday, while washing himself in the public bath-house in preparation for Shabbos, his entire outlook on life changed. He had entered the bath-house with his hard-earned weekly profit in his pocket, and left without it. When the young Chatzkel realized he was robbed, he felt as if the entire world around him had collapsed. What purpose was there in working so hard to gain something that was so easily lost? He then began to think that the rewards of this world must be far less desirable than they appear. He reconsidered his future, and decided to invest his efforts in a reward that can never be lost – the rewards of spiritual growth. He applied himself to his Torah study with great diligence, and grew to become one of the great Torah leaders of the previous generation. The thief had taken from him the profits of one week's labor, and unwittingly given him a lifetime of Torah in exchange.

★ ★ ★

R' Chatzkel realized the true purpose of his life at a young age. However, it is never too late to start. The following story tells the story of an accountant, who revealed his potential for greatness at a later age.

Mr. Avner Shira works as an accountant in the Azrieli Towers office building in Tel Aviv. For many hours each day, he applies himself to his work, earning an honest livelihood for his family. In

Dying one's beard to get a job: R' Moshe Feinstein (*Igros Moshe*, Y.D. II 61) permits graying men to dye their beards black to make them appear younger, if they find it necessary in order to find a job. However, they must be able to perform the job as well as a younger person could. Otherwise, they are guilty of tricking their employers.

In this case, their intention is not to beautify themselves, but simply to get a job. Therefore it is permitted. If, however, their intention is to beautify themselves, they transgress a Torah prohibition (*Shulchan Aruch* Y.D. 182:6). Other Poskim argue, forbidding a man to dye his beard even to get a job (*Kerem Shlomo*, *ibid*).

Dressing a boy in girls' clothes: The *Minchas Yitzchak* (II, 108) ruled that a young boy should not be dressed in girls' clothes, even if he has not yet reached the age to be educated in mitzva observance. At that age, a father need not teach a child to do mitzvos, or refrain him from aveiros, but he may not cause a child to sin.

דף סא/א במי שמוזהר על כיבוד אביו

A Convert's Obligation to Honor his Parents

The Gemara rules that a gentile is not obligated to honor his parents. This ruling is also discussed in *Maseches Kiddushin* (31a), where we learn about a gentile named Dama ben Nesina, who greatly honored his father, and was rewarded for doing so. Nevertheless, the Gemara there concludes that he received the reward for non-obligatory mitzvos, since he was in fact exempt from the mitzva to honor one's parents.

A convert must respect his parents: Strictly speaking, a convert to Judaism is also exempt from the obligation to honor his parents. Although he is obligated in all the other mitzvos of the Torah, he is exempt from this mitzva, since the moment he converted he became like a newborn child (*Yevamos* 48b), and is no longer considered his parents' child. Therefore, he need not honor them.

Nevertheless, the Poskim (*Shulchan Aruch* Y.D. 241:9; *Otzar Kibud Av V'Eim*, *ibid*) rule that he must still respect them, so that people will not degrade him for converting, suggesting that he descended to a lower level of holiness. As a gentile he honored his parents, and now as a Jew he does not.

The Poskim (*Beis Hillel*, *ibid* 3) question this reasoning, based on our Gemara, in which we learn that he was also not obligated to honor his parents when he was a gentile. Why then would he feel that he "descended" in holiness when he converted? The Poskim present several answers.

Why was Cham punished? The *Yad Avraham* (gloss on *Shulchan Aruch*) answers that although a gentile need not honor his parents, he is punished for disgracing them, as was Cham, who disgraced his father, Noach. Therefore, a convert must honor his biological parents, just as he honored them before he converted. (*The Zera Chaim*, 13, cites several proofs that gentiles are obligated in the mitzvos that reason dictates, even if they are not listed among the seven Noachide mitzvos).

Gentile manners: R' Akiva Eiger (Gloss to *Shulchan Aruch*, citing introduction of *Pri Megadim*, *Eishel Avraham*: 20) answers that gentiles are indeed obligated to honor their parents – not according to the dictates outlined by the Torah, but according to the accepted customs in their own community. Our Sages required converts to continue giving their parents this same modicum of honor, as they did before they converted. Otherwise, their conversion would seem a descent in their moral decency.

Visiting a gentile grandmother: A woman who converted to Judaism was once asked to visit her sick mother, and bring her Jewish children along for the visit. R' Moshe Feinstein instructed her to fulfill her mother's request, to show appreciation for all her mother had done for her. However, she should not bring her children to visit too often, lest her mother's influence over the grandchildren draw them off the path of Torah. She must be especially careful that the children not eat non-kosher foods during their visits.

Praying for gentile parents: Interestingly, the Poskim write that a convert should pray on behalf of his gentile parents. If they are sick, he should pray that they recover. He should also pray that they recognize the path of truth, and also convert (*Mora Horim U'Kevodam*, 1:63).

The *Zakein Aharon* (II, Y.D. 87) adds that a convert should even say kaddish on behalf of his gentile parents, after they pass away. They should also lead davening, learn *Mishnayos*, and say *Tehillim* for the benefit of their souls. However, they should not do so too often, lest thoughtless people come to mock them.

דף סא/ב יצא עובד כוכבים שאין לו טומאה

Washing Hands before Touching Food

Our Gemara teaches that a gentile cannot become a *nazir*. The Torah forbids a *nazir* from becoming impure by exposure to a dead body. Since a gentile does not become impure, this



prohibition does not apply to him. From here, the Gemara learns that the entire concept of *nazirus* is irrelevant to him.

The forces of impurity grasp onto holiness: The Ohr HaChaim (*Vayikra* 11:29; 19:8) explains why Jews become impure by exposure to dead bodies and the like, while gentiles do not. He writes that the forces of impurity seek any opportunity to grasp onto a source of holiness, from which they feed. They do not grasp onto gentiles, since they receive no benefit from grasping onto a gentile soul.

Washing hands in the morning: When a Jew wakes up in the morning, he must immediately wash his hands, to remove the impurity that rests on them while he sleeps at night. He may not touch food before washing his hands. If he does so, his impurity is imparted to the food, and he must wash the food three times to remove the impurity (*Mishna Berura* 4, s.k. 14). The Chayei Adam (2:2) cites opinions that the food should not be eaten. However, both he and the *Mishna Berura* conclude that *b'dieved*, the food is permitted. Regarding drinks that are touched before washing hands in the morning, the *Mishna Berura* remains uncertain whether they are permitted even *b'dieved* (see *Biur Halacha* s.v. *Lo yiga b'gigis*).

All this is true of a Jew who did not wash his hands. However, if a gentile touched food before he washed hands, the food is certainly permitted, since the aforementioned impurity does not rest on his hands (*Mishna Berura* s.k. 10). The *Shulchan Aruch HaRav* (*Tinyana*, 4:2) explains that when a Jew sleeps, his soul ascends above, and the forces of impurity descend upon the "vessel of holiness" that has been emptied. When he awakes, this impurity departs from his body, remaining only on his hands. A gentile, however, is not considered a "vessel of holiness." Therefore, the forces of impurity do not rest upon him at all.

Buying bread from a gentile: Although bread baked in a gentile bakery is permitted by the strict dictates of halacha, many have a pious custom to eat only bread baked by Jews. The *Shulchan Aruch* rules that in places where this custom has not been accepted, one may buy bread from a gentile bakery, if it is tastier than Jewish baked bread - provided that it is perfectly kosher (*Shulchan Aruch* Y.D. 112:5).

Based on this, the Poskim write that when faced with the option of buying bread baked by Jews who did not wash their hands in the morning, or kosher bread baked in a gentile bakery, the latter option is preferable, since there is no spirit of impurity on their bread (*Leket HaKamech HaChadash*, 4:23; *Keren L'David* O.C. 1). Today, many kashrus organizations are careful to ensure that Jewish workers wash their hands before handling food. They do not require gentiles to wash hands, since gentile hands are not impure.

דף סב/א לרבות את העובדי כוכבים, שהן נודרים נדרים ונדבות כישראל

May Gentiles Build a Shul in Yerushalayim?

Based on our Gemara, the Rambam (*Ma'aseh Korbanos* 3:2) rules that overseers of the Beis HaMikdash may accept korbanos offered by gentiles. However, this is true only of korbanos such as *nedarim* and *nedavos*. Elsewhere, the Rambam (*Matanos Aniyim*, 8:8) rules that Kohanim should not accept a gentile's monetary donations towards the construction or upkeep of the Beis HaMikdash. *B'dieved*, if the Kohanim did accept such donations, they should not return them.

However, if a gentile donated a specific building material, such as a brick or wooden beam, it should be returned, lest the gentile feel that he has a portion in the Beis HaMikdash. Similarly, gentile donations should not be accepted towards any building project in Yerushalayim, as the *possuk* states, "You have no portion ... or memorial in Yerushalayim" (*Nechemia* 2:20).

Gentile donations for a shul: Nonetheless, the Rambam rules that we may accept a gentile's contribution towards the upkeep of a shul. The Rambam makes no distinction between monetary donations, or specific building materials, thus implying that both are permitted. However, the Sdei Chemed (*Beis HaKnesses*, 49) cites from the Shvilei David (Y.D. 254) that according to the Rambam, we may not accept a gentile's donation towards a shul's construction. We may only accept his donation for objects required in the shul - such as benches. Others argue that a gentile's donations may be accepted even for a shul's construction (*Chasam Sofer*, Y.D. 225; *Prisha* Y.D. 259 s.k. 12; *Derech Emuna* on the Rambam, *ibid*, citing the Maharsham).

Donations from an apostate: In this regard, the rules concerning a Jewish apostate are stricter than those regarding a gentile. An apostate's donations for a shul may not be accepted. Nor may his korbanos be offered in the Beis HaMikdash. If he donates candles for use in the shul, they may not be lit (*Shulchan Aruch* O.C. 154). However, if he donates money to write a Sefer Torah, we may accept it (*Mishna Berura*, *ibid*).

addition, he makes time for not one, but three Daf Yomi shiurim each day. His day begins before dawn, with a Daf Yomi shiur at 5:40 AM, given before Shacharis, in the Tefilla L'Moshe shul on Hertzog St. in Bnei Brak. After davening, he hurries to the Sokotchov Beis Midrash on Chasam Sofer St., to hear another Daf Yomi shiur from R' Chaim David Kovalski, director of Meoros HaDaf HaYomi. At 7:00 PM, his workday ends, and he attends a third Daf Yomi shiur in the "Rishonim" shul.

Avner's love for Torah, and his dedication to completing Shas with a thorough understanding of each daf, helps him carve the necessary time out of his busy work schedule. Avner recalls the days when he used to stay in his office working until 10:00 at night. Eventually, he realized that his life had no real purpose. He found himself working for working's sake, with one day's work spilling into the next, and no end in sight. He then decided that he must set a limit to his struggles for worldly gain. Whatever work there is to do in the office must be done by 7:00, thus allowing him to end his day with something more meaningful - a Torah shiur. He found that he was able to manage his workload, and still leave the office at a reasonable time. Hashem grants the necessary strength.

Avner asked that we convey a message from him to all our readers, "I feel that learning Daf Yomi gives a person an entirely different perspective on life. He begins to view things in their proper proportions. His spiritual growth becomes central to his life, and his entire family is influenced in many ways. One need only start. I began by attending one shiur each day, and from there continued to increase the holiness in my life, by adding shiur after shiur. Daf Yomi grants its students true spiritual wealth, and strengthens their faith."

Dear Readers,
Meoros Daf HaYomi is interested in hearing your comments, criticisms and suggestions, in order to improve the quality of our newsletter. Please contact us at: daniel@meorot.co.il

Sincerely,
The Meoros Staff

פנינים

דף סב/א היתר נדרים פורחון באויר

The Source for *Hataras Nedarim*

The Gemara tells us that the *hataras*



nedarim (annulling *nedarim* by consent of a Torah scholar) "flies through the air, and has no basis on which to be supported." Rashi explains that there is no explicit *possuk* upon which *hataras nedarim* is based. The Meor V'Shemesh (*Mattos*) notes the unusual expression of "flies through the air." What did the Gemara wish to add with this?

Furthermore, although there is no explicit *possuk* discussing *hataras nedarim*, many laws are learned by inference from other *pesukim*, or as a tradition Moshe Rabbeinu received on Har Sinai. What is unique about *hataras nedarim* that our Sages chose to make special note, that it has no basis in an explicit *pesukim*?

The Me'or V'Shemesh explains that the first instance in history in which a scholar ever annulled a *neder*, was when Moshe Rabbeinu annulled Hashem's *neder* to destroy the Jewish people. The Midrash states that after the incident of the Golden Calf, Moshe Rabbeinu prayed for mercy on behalf of the Jewish people. Hashem told him that He could not forgive them, since He had already sworn in His Torah, "Anyone who sacrifices to idols will be destroyed" (*Shemos* 22:19). Moshe Rabbeinu answered by quoting the *possuk*, "If a man makes a *neder* to Hashem, or swears a *shavu'ah* ... he shall not desecrate his word" (*Bamidbar* 30:3). Moshe inferred from here that he may not desecrate his own word, but others may desecrate it for him. Moshe then wrapped himself in a tallis, and sat before Hashem as a *dayan* to annul His *neder* (*Shemos Rabba* 43:4).

This incident is the source for *hataras nedarim*. Since it took place in Heaven, the Gemara states that "*hataras nedarim* flies through the air." Furthermore, Hashem never actually commanded Moshe Rabbeinu concerning *hataras nedarim*. Moshe himself made the inference, and realized that Hashem agreed when Hashem allowed him to annul the His *neder*. Therefore, the Gemara states that *hataras nedarim* has no basis – meaning, it has no basis in

Building a shul in Yerushalayim: Once R' Eliezer Waldenberg *zt"l* (author of *Tzitz Eliezer*) met with the Rav of Yerushalayim, R' Yitzchak Kulitz *zt"l*, who mentioned an interesting question that he had recently received. A group of gentiles had donated a large sum of money to build a shul in Yerushalayim. Is it permitted to accept their donation?

R' Waldenberg then went home to consider the question, and composed a responsum discussing the issue. Therein, he concludes that although we may accept a gentile's donations to build a shul, we may not accept his donations for any building project in Yerushalayim – including a shul.

The gentile's intent: It is important to note, that a gentile's donation for a shul may be accepted only if he expressly says that he is offering it "according to the will of the Jews." Otherwise, we must be concerned that he had idolatrous intent in his donation, or *l'havdil*, he intended to sanctify the money, as if it would be used for the Beis HaMikdash. In either case, the money could not be used for the shul. However, when he states that his donation is "according to the will of the Jews," then the Jewish recipient can decide its purpose.

The Aruch HaShulchan (Y.D. 259:14) writes that this was true in days gone by. Today, however, when a gentile donates money to a shul, he knows its true purpose. He has no intention to donate the money towards idolatry, or *l'havdil*, towards the Beis HaMikdash. Therefore, he need not say that his offering is, "according to the will of the Jews."

דף סה/ב עילא מצאו וטיהרו את ארץ ישראל

Checking a Sefer Torah for Mistakes

The Mishna (64b) discusses the permissibility of transferring bodies from one burial location to another. If only one or two bodies are found, they may be transferred. Since there were so few bodies, we can assume that this place was not meant to be a permanent burial ground. Rather, the bodies were placed there only temporarily. Therefore, they may be moved. However, if three or more bodies are found, we must assume that this was meant to be a permanent burial ground. Furthermore, we must suspect that there are more bodies in the area that we did not yet find.

The Gemara discusses a case in which two bodies were found and moved, and then a third body was discovered. Since there were three bodies found in total, perhaps this is considered a burial ground, and therefore the third body may not be moved. Furthermore, the surrounding area must be checked for more bodies.

On the other hand, since the first two bodies were already transferred, and only one known body remains, perhaps the area loses its status of being a burial ground. The Gemara expands on this point, explaining that our Sages searched for opportunities to purify Eretz Yisroel from graves strewn around. They wished to grant Kohanim and others who must remain pure the ability to travel around Eretz Yisroel (*Rosh*). According to the accepted halacha, the third grave may be moved in this case (*Likutei Halachos; Aruch HaShulchan* 21:17).

A Sefer Torah with three mistakes: The Shulchan Aruch (Y.D. 279:3) rules that if three mistakes are found in a Sefer Torah, the entire Sefer must be checked from beginning to end. In light of our *sugya*, the Poskim (see *Pischei Teshuva*) ask what would be the halacha if one mistake was found and corrected, and then another was found and corrected, and then another. Need the entire Sefer Torah be checked? Or perhaps since the first mistake was corrected before the second was discovered, this is similar to our own case, in which the first two graves were transferred before the third was discovered. Therefore, it does not have the status of "three mistakes", and the entire Sefer Torah need not be checked.

The Nachalas Tzvi (*ibid*) rules that the entire Sefer Torah must be checked. In our *sugya*, the Gemara explains that our Sages searched for opportunities to purify Eretz Yisroel. This implies that if not for this consideration, they would have forbidden moving the third body, in light of the two bodies that were found before it. Here too, the third mistake requires the entire Sefer Torah to be checked, in light of the two mistakes found before it. The Eliya Rabba (O.C. 143:14) accepts this ruling (contrary to the *Sefer Bnei Yona*).

Checked by an expert: The Keset HaSofer (19:2) writes that according to the accepted custom, if a Sefer Torah was checked by an expert after it was written (as should always be done), then if the first mistakes are corrected before the third mistake is found, we need not check the entire Sefer Torah again. The Mishnas Sofer commentary adds that this is true only if this Sefer Torah alone was found to have mistakes. If mistakes are found in other Sifrei Torah checked by this "expert", he loses his status of being an expert, and all the mistaken Seforim must be checked.

Furthermore, if nine mistakes are found on three different sheets of the Sefer Torah, three on each sheet, this is a more serious halachic problem. Therefore, the entire Sefer Torah must be checked, even if each mistake was corrected before the next was found.

מאורות הדף היומי

Main Office: משרד ראשי:
Wagman street 1 רח' ווגמן 1 (פינת חתם סופר 5)
P. O. B. 471 Beni-Brak ISRAEL ת.ד. 471 בני-ברק
tel: +972-3-5775333 טל: 03-5775333
Fax: +972-3-7601020 פקס: 03-7601020
E-mail: meorot@meorot.co.il אימייל:

in U.S.A. call: 212-738-9425