

**Daf Hashvuah Halacha Gemara and Tosfos Taanis Daf 17**  
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**Daf 17a**  
**New Sugya**

We learned: why does the general people of the Mishmar may drink wine at night, but not during the day (if they're not designated to do the service)? Since, perhaps, there will be too much volume of Korbanos to bring for the Beis Av to handle themselves, and the people of the general Mishmar will need to help them.

Why can't the Beis Av drink by day or night? Since they're constantly doing the service (by placing the limbs on the Mizbeach, or retrieving those that fall off, which they did all night).

From here we say (nowadays) any Kohain who recognizes which Mishmar and Beis Av he belongs to, and recognizes that his forefathers were established to do the service then (that they weren't Chalalim), then he's only prohibited to drink wine that day (that's designated for his Beis Av to do the service).

**Tosfos explains that you can't drink wine outside your meal. However, you may drink wine within the meal, since it doesn't intoxicate.**

If he recognizes which Mishmar, but not which Beis Av he belongs to, and recognizes that his forefathers were established to do the service then, then he's prohibited to drink wine that week (of the Mishmar). If he doesn't recognize neither which Mishmar or Beis Av he belongs to, and recognizes that his forefathers were established to do the service then, then he's prohibited to drink wine the whole year. (After all, he's prohibited to drink wine whenever he's in doubt that it may be the day his Beis Av does the service, since, if the Beis Hamikdash gets rebuilt then, he shouldn't be drunk and unable to fulfill his duties.) Rebbi says: I would hold that every Kohain should be prohibited always to drink. However, what can I do that the fix to the situation (to allow them to drink) is the ruined situation (that it's taking a long time for the Beis Hamikdash to be rebuilt, so we don't worry that it will be built while he's drunk). Abaya commented: who do our Kohanim do according to that they drink wine nowadays? Like Rebbi.

**New Sugya**

The Mishna says that the Mishmar can't take a haircut or wash their clothes. Why? R' Yochanan says: so that they (should make sure to do those things before they arrive) and shouldn't enter the Mishmar while being disheveled.

**Tosfos explains: what's the reason the Kohanim can't take a haircut until Thursday, in order not to come into the Mishmar disheveled, i.e., so he shouldn't wait until one of the days of the next week, so he'll take his haircut before he comes to the Mishmar. After all, if he won't take a haircut then, he won't be able to take one the whole next week until Thursday. Thus, since he won't be able to have a haircut the whole next week, he'll make sure to take one before he comes to the Mishmar and he won't be disheveled.**

We learned: a king takes haircuts everyday. A Kohain Gadol takes one every Friday. A regular Kohain takes one once every thirty days.

**Tosfos explains: he can't wait any longer without a haircut.**

**Tosfos is bothered by a question: it says later that once it says “a Pera (long hair) don't grow on them,” it means first get to the Pera, (but don't grow more than that). This seems that he may have a Pera, which is defined as a thirty day growth.**

**Tosfos answers: it means; he may have a Pera (long hair) up to thirty days if he wants, (but not including the thirtieth day).**

Why is this? R' Ada b. Zavada explains by a king by quoting the Pasuk: “a king shall be seen in his beauty.” What's the reason why the Kohain Gadol takes one every Friday? R' Shmuel b. Yitzchok says: (to look nice) for the new Mishmar of that week. Why is a regular Kohain once in every thirty days? We learn a Gezeira Shava of “Pera Pera” from Nazir. It says by Kohain “their head shouldn't be shaved, nor should a Pera (long hair) be grown on them.” It also says by Nazir “he should be holy, he should grow a Pera on his head.” Just like by Nazir it's thirty days, so too by Kohain, it's thirty days. The Gemara asks: how do we know by Nazir (that he must grow his hair for thirty days)? R' Masna says: since we say the unspecified Nazir is for thirty days, since the Pasuk says 'Yiyeh' (shall be) and the Gematria of Yiyeh is thirty. R' Pappa asks Abaya: perhaps the Pasuk is saying that he shouldn't grow hair at all.

**Tosfos quotes Rashi: even up until thirty days. Tosfos asks: (if you can't grow at all), what's the need of the Gezeira Shava of Pera (to say that it's thirty days). Tosfos answers: the Gemara means; perhaps you shouldn't allow it to grow for thirty days, but you need to cut it on the twenty-ninth day.**

Abaya answers: if it says “don't grow a Pera,” I would agree to you. However, it says “a Pera (long hair) don't grow on them,” it means first get to the Pera, but don't grow more than that. (**Tosfos explains: more than thirty days.**)

The Gemara asks: if so, a Kohain shouldn't grow their hair long. The Gemara answers; it similar to the prohibition of drinking wine. Just like drinking wine, it's only prohibited during the time it's applicable to enter (the Mikdash to perform the service) and not when you can't enter, so too by the prohibition of haircuts. The Gemara asks; but didn't we learn that Rebbi said: I would hold that every Kohain should be prohibited always to drink. However, what can I do that the fix to the situation (to allow them to drink) is the ruined situation (that it's taking a long time for rebuilding the Mikdash, so we don't worry that it will be built while he's drunk). Abaya commented: who do our Kohanim do like that they drink wine nowadays? Like Rebbi.

## **Daf 17b**

This implies that the Rabanan forbid it.

**Tosfos explains: this tells us that the Rabanan forbid them to drink wine because; perhaps the Beis Hamikdash will be built and you would need a Kohain that is fit to do the service, and you won't have one (and the same applies to a haircut). The Gemara answers: we can always give him a haircut and let him in (to do the service).**

The Gemara answers: why is this? Since, the Beis Hamikdash shall be rebuilt speedily, and they'll look for a Kohain that's fit to do the service and they won't have one (since they'll be drunk).

**Tosfos asks: even without wine, you won't have a fit Kohain since they're all Tamai from being in contact with a corpse. So, you'll anyhow need to wait to sprinkle the Para Adumah waters for the third and seventh day, so why forbid them to drink wine?**

**Tosfos answers: they're still permitted to do the service for communal Korbanos since the Torah permits Tamai Kohanim to do communal service (if there is no Tahor person around).**

However, (if they find them to have long hair), they can just give them haircuts (and they can do the service). The Gemara asks: if so, even if they're drunk, they could be put to sleep for a little bit and then they'll be fit to serve. After all, Rami b. Abba said: walking a Mil and sleeping a little bit removes someone from his drunkard state. The Gemara answers: didn't we teach on that statement: R' Nachman quotes Rabbah b. Avuah; we only said this when he only drank a Revious. If he drank more than a Revious, of course the walking will make him more in a stupor and sleeping will keep him drunk.

R' Ashi answers (the difference between drinking and having his hair long): the rabbis only decreed forbidding drinking wine, since it will invalidate the service. They didn't decree forbidding growing the hair long since it wouldn't invalidate the service. **(Tosfos: since the Pasuk doesn't say "to separate (between the valid service etc)" to show it's invalid like it does by drinking wine.)**

The Gemara asks: the Braisa says; these (prohibitions) cause a punishment of death (from heaven); (doing service) while you're drunk and with your hair long. The Gemara analyzes: I understand why a drunk gets the punishment since the Pasuk says explicitly; "don't drink wine or other intoxicates (and you won't die)." However, how do we know the same applies to one with long hair? As the Pasuk says "their heads they didn't shave and they didn't grow a Pera (long hair)." Right away, the Pasuk says "no Kohain coming to the inner courtyard should drink any wine." So, we have a Hekish between drinking wine and growing hair. So, just like you're punished with death for drinking wine, you're punished with death for growing the hair long. (So, because of this same Hekish we should say), just like by drinking wine, it invalidates the service, **(Tosfos explains: As it says "you shouldn't drink wine or other intoxicates etc. to separate between the holy and the profane.")** so too does long hair (invalidates the service). [One version of the Gemara has an answer: the Hekish was only said regarding punishments and not regarding invalidating the service.]

Raveina asked R' Ashi: (since this Hekish is brought in the book of Yechezkel), who said these Halachos before Yechezkel came? R' Ashi counter asks: according to you, how would you explain R' Chisda's statement: the following wasn't learned from Moshe's Torah (i.e., from Chumash) but from Novi: "all strangers; i.e., those that have an uncircumcised heart (not religious) or uncircumcised flesh, can't come into the Mikdash." After all, before Yechezkel came and said, who said it?

**Tosfos asks: let's learn it from a Kal V'chomer. We see that a blemished Kohain may eat Kodshim, like we Darshined in Kiddushin; "all Minchas of frying pans and pots to the Kohain, a man like his brother (even a blemished one)." Even so, he can't do the service. So of course someone who didn't have a Mila who's forbidden to eat Kodshim, as we learn in Yevamos from a Gezeira Shava "Toshav V'sachar" from a Korban Pesach, of course can't do the service.**

**Tosfos answers: a Challal (a child from a relations forbidden to a Kohain) disproves it. After all, a Challal doesn't eat Kodshim although his service is (B'dieved) valid. As the Gemara says in Kiddushin from the Pasuk "Hashem will bless his 'Cheil,' and he'll accept his service." Hashem accepts the service, even from the Challalim.**

**Alternatively, you can't really learn it from a blemished Kohain, since we can ask on it; a blemished Kohain may be worse since the Torah invalidates blemished people doing the service just like it invalidates Korbanos to be brought from blemished animals. However, you can't extrapolate to an uncircumcised Kohain since you can't say the same logic, that we're invalidating the one who does the service like the Korban he's bringing, since it's not applicable to say that an animal is uncircumcised.**

We must say that it's a Halacha L'moshe Misinai, and Yechezkel wrote an Asmachta for it in a Pasuk. The same here with the haircuts, we must say that it's a Halacha L'moshe Misinai, and Yechezkel wrote an Asmachta for it in a Pasuk.

### **New Sugya**

We learned in Megilas Taanis: these are the days that you can't fast, and some of them you can't eulogize: from Rosh Chodesh Nissan until the eighth day, they enacted, because of winning the dispute about the Tamid, not to eulogize on them.

**Tosfos explains: like it's explained in Megilas Taanis; the Baitusim claimed that an individual may donate a Korban Tamid since the Pasuk says "you do it" in the singular. The Chachumim disproved it from the Pasuk "My Korban, my food to my fire, you should guard to makes sure it's brought" in the plural.**

From the eighth day until the end of Peasach, they enacted, because of winning the dispute of scheduling the Yom Tov of Shvuos, not to eulogize on them. The Gemara asks: why did they enact from Rosh Chodesh? They should have only enacted from the second day of Nissan since Rosh Chodesh itself is a Yom Tov when it's forbidden (to fast and eulogize).

Rav answers: it's only needed to forbid the day before. The Gemara asks: the day before is anyhow forbidden for being the day before Rosh Chodesh. The Gemara answers: Rosh Chodesh is from the Torah, and Torah law doesn't need any extra support (to enact the prohibition for the day before). As we learned in a Braisa: they enacted to forbid the day before and the day after of the days written in Megilas Taanis. However, it's only forbidden on Shabbos and Yom Tov itself, but the day before and the day after are permitted. What's the difference between the two? Those (Shabbos and Yom Tov) are from the Torah, and Torah laws don't need extra support, and the others (Megilas Taanis) are rabbinic, and you need to give extra support for rabbinic laws.