

## INSIGHTS FROM OUR CHABUROS

Delays in giving tzeddakah

בל תאחר דנזירות כהיכי משבתחת לה...אמר רבא כגון  
דאמר לא איפטור מן העולם עד שאהא נזיר

The halacha of בל תאחר is that one is prohibited to delay fulfillment of one's pledges. Rava explains that although this halacha appears primarily in reference to fulfillment of the promise to offer a קרבן, and it teaches that a person who commits to offer a קרבן must do so within three festivals of when he makes his promise (Rosh Hashana 4a), this halacha also has application in other areas of verbal commitments, such as when a person declares that he will observe nezirus. The parameters of how בל תאחר applies to nezirus are presented in our Gemara.

In Massechta Rosh Hashana (6a), Rava rules that when a person pledges to give tzeddaka, the law of בל תאחר applies immediately if the person does not redeem his pledge and give the tzeddaka right away. Tosafos there questions why this should be the case, as the Baraisa (ibid., 4a) lists tzeddaka among the items for which a person is not in violation of בל תאחר until the passage of three festivals. Tosafos answers that if there are poor people present, it would immediately be prohibited to withhold the funds. If there are no poor people present, the speaker would have up until three festivals to give the money.

Rashba disputes Tosafos. The verse from which we learn the prohibition against delaying the fulfillment of one's commitments features phrases referring to ותקרב as well as tzeddaka and פאה. It is not logical to say that the parameters of this halacha change from one item to the next. If one has up until three festivals to fulfill his pledge to bring an offering, the same should apply to tzeddaka, as well. Another difficulty would be that people living in Yerushalayim, who have immediate access to the Beis Hamikdash, should be liable for delays in bringing their offerings even before the passage of three festivals.

Therefore Rashba learns that when Rava says that regarding tzeddakah that one must give it immediately, this is in order to fulfill the positive precept of "That which you pronounce with your mouth you shall keep," (Devarim 23:24). However, a person would not be in violation of the negative command of בל תאחר until three festivals have passed.

## STORIES OF THE DAF

The hasty oath

לא אפטור מן העולם עד שאהא נזיר

A certain man swore in front of witnesses that he will prepare or invite his daughter for her nisuin. It was obvious that he meant to swear to marry her off.

After he cooled down, he wondered what exactly he had done. This question was submitted to the Rivash, zt"l, who responded, "Despite the fact that he gave no time limit and one does not transgress a vow unless one fails to fulfill the terms of the vow within the time limit, this man's oath takes effect immediately. He is obligated to make every effort from this moment onward until his vow is fulfilled. The reason why he may not slacken but must make every effort is that he is dutybound to fulfill his vow before a time or circumstance arises that could render his vow impossible to fulfill. Perhaps he will die before her marriage, and will have to go to judgment having failed to fulfill his oath?

The Rivash explained further, "This is similar to the Gemara in Nedarim 3b that states that one who made a vow that he will not die without becoming a nazir must immediately assume all the obligations of nezirus. If he waits, he transgresses the prohibition of בל תאחר, which means that one may not put off that which one is obligated to fulfill.

The Rivash concluded, "In our case, the father doesn't have the ability to marry off his daughter before finding a suitable match, and making all the preparations for the wedding. Even so, he must certainly make every effort to bring about the nisuin with minimal delay!"

## POINT TO PONDER

The Gemara says that if someone says that he will not leave this world without first being a נזיר he is עובר בל תאחר and the גמרא compares it to a wife of a כהן who can't eat תרומה if her husband gave her a גט to be valid one hour before the husband dies. If we are concerned about the כהן dying, how can the wife of a כהן ever eat תרומה? For example, if her husband is away overseas, do we have to worry that maybe he died there? Second, this is not a דאורייתא דין so how can we compare it to בל תאחר of נזיר which is דאורייתא?

### Response to last week's Point to Ponder:

The Mishna says that כינויים are a valid נדר. Does the person making the vow need to understand the meaning of the כינוי? The Rambam writes that even if one doesn't understand the כינויים it's a valid נדר. However the R"i in רמ"א writes that one must understand the meaning, and if he doesn't understand it's not a valid נדר.

## HALACHA HIGHLIGHT

### Making a Shehecheyanu on a new fruit during the Three Weeks

לא איפטר מן העולם עד שאהא נזיר דמן ההיא שעתה הוה ליה נזיר

*"I will not leave this world without being a nazir." From that moment he is a nazir*

**R**ambam<sup>1</sup> rules that one who takes a vow that he will not leave this world without observing a period of nezirus becomes a nazir immediately. The reason he is obligated to immediately observe a period of nezirus is the fear that he may die and will not fulfill his vow to be a nazir.

Shulchan Aruch<sup>2</sup> writes that it is appropriate to refrain from reciting the beracha of shehecheyanu on new clothing or fruit during the three weeks. The reason, explains Mishnah Berurah<sup>3</sup>, is that the period between shiva asar b'Tamuz and tisha B'Av are tragic times and it is inappropriate to recite the beracha of shehecheyanu during that period. Rema<sup>4</sup> adds that if there is a new fruit that is not commonly found and there is a concern that if one waits until after the three weeks it will no longer be obtainable it is permitted to make the beracha of shehecheyanu even during the three weeks.

Rav Dovid Halevi<sup>5</sup>, the Taz, writes that the rationale of the Rema could be extended an additional step. If the concern that the new fruit will no longer be available after the three weeks is reason to allow making a shehecheyanu on a new fruit there should be a general leniency to permit making a shehecheyanu due to the concern that perhaps the person will die before the three weeks passed. This extension is based on our Gemara which out of concern that a person may die mandates the person to observe nezirus immediately. Rav Chezkiyah Medini<sup>6</sup>, the Sdei Chemed, disagreed with this conclusion by noting that the two cases are not parallel. The only time halacha recognizes a concern that a person may die is if his death will result in the violation of a prohibition, like the case in the Gemara. Since the person committed to observe a period of nezirus, if he never observes that period he will have violated his commitment. On the other hand, if the person's death will not produce a transgression, like in the case of making a shehecheyanu on a new fruit, halacha is not concerned with the possibility that one may die and thus he prohibits making a shehecheyanu during the Three Weeks out of that concern that the person may die.

1. רמב"ם פ"א מהל' זירות ה"ד
2. שו"ע או"ח סי' תק"א סע' ז'
3. מ"ב שם ס"ק צ"ח
4. רמ"א שם
5. ט"ז שם ס"ק י"ז
6. שדי חמד מערכת ח' כלל קל"ח ובפאת שדה מערכת ח' כלל ב'

## MUSSAR FROM THE DAF

### Every minute, an opportunity

אמר רבא: כגון דאמר "לא איפטר מן העולם עד שאהא נזיר", דמן ההיא שעתה הוה ליה נזיר... דאמרין: דילמא השתא מיית

**T**he Gemara tells us that if a person accepts himself a vow of nezirus "before they leave this world," they are required to accept upon themselves the nezirus immediately since they have to be concerned that they may die soon and they will have no carried out the vow.

The concept of being חושש למיתה, being concerned about an imminent death appears here regarding Nazir. The other example the Gemara quotes is where a kohen says to his wife, that a moment before he dies she is divorced. The halacha is that she can no longer eat terumah because we are concerned that he may die at any moment.

This concept is an important tool in all matters of רוחניות. If a person is presented with a מצוה he should be a זריז to both start and complete it since maybe he will die and therefore lose the opportunity. For example, a person can keep pushing off the mitzvah of tzedakah as he keeps finding excuses. Or another person may push off finding another chavursa or attending a shiur with a list of rationalizations. However, with this halacha in mind, a person will be much more eager to fulfill the mitzvah in a more timely fashion out of the concern that he does not know how long he will live. In an ironic way, the concept of death itself is a chesed to us because without it people would lack motivation to accomplish. We learn from this gemara a new way upon looking at life and mitzvos.

## PARSHA CONNECTION

**In this week's daf**, the גמרא describes נזירות as a type of נדר. The reason for this special type of נדר can be attributed to the danger inherent in drinking too much wine. We learn of this risk very early on, beginning with the אדם הראשון of חטא which some say was eating (drinking) from grapes, followed by נח getting drunk as well as the לוט who we learn in פרשת וירא used wine to get their father drunk. רב סעדיה גאון writes that the תורה recounts their story as well as the story of סדום to teach us the following three lessons. First, to avoid the bad behavior of סדום; second, to be very careful when drinking wine, and third to avoid speculation and rely on תפלה. The first two reasons are easy to understand, but how do we see the third reason in the פרשה? The possuk (בראשית פרק י"ט פסוק ל"ב) says as follows:

ל"ט: "לכה נשקה את־אבינו יין ונשכבה עמו ונחיה מאבינו זרע" Why didn't the daughters discuss this issue directly with their father, who would have likely consented and would have cooperated with them willingly? Second, the next פסוק says "ואיש אין בארץ לבוא עלינו כדרך כל הארץ" Why didn't they simply say "ואיש אין בארץ"? Why add "כדרך כל הארץ"? On the first question the הקדוש suggests that if ל"ט's daughters would have asked לוט he probably would only have selected one of his daughters and not lived with both. They both wanted to have children and that is why they gave him wine. On the second question, the מפרשים explain that there were people in the world, like it says earlier when לוט asked the מלאכים to spare צוער, so why not marry someone from צוער? The answer is that ל"ט's daughters assumed that people will shy away from them because they came from סדום and people from סדום were condemned (see רד"ק). Perhaps this explains what הרב סעדיה גאון means about not speculating. Both of these points show assumptions on their part which were possibly wrong.

For more points to ponder by Rabbi Yechiel Grunhaus, or insights by Rabbi Yitzchok Gutterman, please visit our website, [dafaweek.org](http://dafaweek.org), or download the app

To share an insight from your Chabura please email [info@dafaweek.org](mailto:info@dafaweek.org)

The shavua matters is published by the Daf a week program under the rabbinical guidance of Harav Meir Stern shlita and Harav Shmuel Kamenetsky shlita

To sponsor a publication, please contact Rabbi Zacharia Adler, Executive Director at [info@dafaweek.org](mailto:info@dafaweek.org) or call 507-daf-week. Sponsorship for one week is \$100

Sections reprinted with permission from the Chicago Torah Center