

16.2.4

12b (משנה ו) → 13b (תיבעי)

- I קרבנות נזיר-1/2 committing to bring משנה ו'
- a formula: (each says): הרי עלי לגלח חצי נזיר
- i ruling:
- 1 מ"מ. each is committed to bring full קרבנות for a נזיר
 - (a) reason: when he says עלי, he is committed to a full offering (since there is no "נזירות 1/2")
 - 2 חכמים. each is committed to 1/2 of the offerings of a נזיר (and together they bring for one)
 - (a) reason: his נדר has a built-in פתח (when he says "half" that clarifies what he intended to bring)
 - 3 note: all agree that if he said "I will bring 1/2 of the קרבנות of a נזיר" – he brings half
 - 4 note: all agree that if he said "I will bring the קרבנות of a 1/2 נזיר" – he brings full (since there is no "נזיר-1/2")
- II 'ז משנה ז': commitment to נזירות made conditional on a future event
- a formula: if he says "I will become a נזיר when I have a son"
- i ruling: anything other than a full son (i.e. daughter, hermaphrodite) doesn't generate נזירות
- 1 note: counters possibility that "בן" means "be built up" (with any child)
- b formula: if he says: "I will become a נזיר when I have a child"
- i ruling: any child – even a hermaphrodite - generates נזירות
- 1 note: counters possibility that "child" means "significant child"
- III 'ח משנה ח': following the vow in the above מונה
- a if his wife miscarries
- i ת"ק – ר' יהודה (see his position re: נזירות conditioned on the granary having a certain amount): no נזיר
 - ii ר"ש: he should state:
 - 1 if: the child was viable, I am a proper נזיר
 - 2 but if: the child was not viable, I accept "voluntary נזירות"
- b if his wife subsequently has a living child
- i ת"ק – he is then a full נזיר
 - ii ר"ש – he should state:
 - 1 if: the first one was viable, that נזירות was obligatory and this one voluntary
 - 2 but if: the first one was not viable, that נזירות was voluntary and this one is obligatory
- c questions:
- i according to גד' יהודה, if, given the formula in 'ז משנה ז', he separated animals for נזיר קרבנות and then she miscarried, then subsequently gave birth (as per 'ח משנה ח'), do those animals have a status of הקדש? (according to ר"ש it's clear they do, since he is going to practice נזירות in any case)
 - 1 conceptual analysis: when she subsequently gives birth, does that generate the validity of נזירות from his original הפלאה (in which case animals designated afterwards are קדוש) or does the new birth generate it?
 - 2 implication: is it permissible to use and shear the animal?
 - (a) ruling: תיקו
 - ii Asked of אב"י dittoing one the formula in 'ז משנה ז'
 - 1 if A states "I will be a נזיר when I have a son" and B, hearing that, assents with "ועלי"
 - (a) Lemma1: do we understand ועלי as "I will likewise be a נזיר when A has a son" OR
 - (b) Lemma2: do we understand ועלי as "I will likewise be a נזיר when I have a son"
 - 2 if A states "I will be a נזיר when I have a son" and B, hearing that, assents with "ואני"
 - (a) Lemma1: do we understand ואני as "I will likewise be a נזיר when I have a son" OR
 - (b) Lemma2: do we understand ואני as "I love him so much that I will also be a נזיר when he has a son"
 - 3 If: you wish to argue that that is an embarrassing statement that wouldn't be made in A's presence – then –
 - 4 What if: A states "I will be a נזיר when X (absent) has a son" and B, hearing that, says ואני
 - (a) Lemma1: out of hearing range of X, he surely meant when he has his own son OR
 - (b) Lemma2: he meant to say "I love X as much as you and will become a נזיר when he has a son"
 - (i) Ruling: תיקו