

## 16.3.1

16a (משנה א') → 17b (תיקו)

Note: **רב מתנא** and **בר פדא** were fully analyzed in the first chapter in the context of the dispute between **משניות א-ד**

1. והזיר לה' את ימי נזרו והביא כבש בן שנתו לאשים והימים הראשנים יפלו כי טמא נזרו: במדבר פרק ו פסוק יב

- I תגלחת טהרה proper and acceptable date for משנה א'
- a if he took טהם נזירות – he shaves on day #31
- i if he shaved on day #30 – יצא
- b if he took explicit נזירות of “30 days” – he shaves on day #31
- i if he shaved on day #30 – לא יצא
- II נזירויות proper and acceptable dates for shaving of consecutive משנה ב'
- a if he took 2 נזירויות – he shaves on day #31 and day #61;
- i if he shaved on day #30, he may shave on day #60
- 1 if, in that case, he shaved on day #59 – יצא
- III מן טומאת מת encountering משנה ג'
- a if he declared טהם נזירות and became טמא on day #30 (before תגלחת טהרה)
- i חכמים: loses all 30 days
- ii ר"א: only loses 7 (until he can become טהור, bring his קרבנות and shave – thus ending the נזירות)
- b if he declared explicit נזירות of “30 days” and became טמא on day #30 – loses all
- IV נזירות extended טומאת מת encountering משנה ד'
- a if he declared נזירות for 100 days and encountered מן טומאת מת on the last day
- i חכמים: loses all 100 days
- ii ר"א: loses only 30
- b if, in such a case, he became טמא on day #101
- i חכמים: loses 30 days
- ii ר"א: loses 7 (as above)
- V נזירות while in a cemetery taking a vow משנה ה'
- a the vow doesn't take hold until he leaves
- i the time there doesn't count
- 1 even if avoids wine and hair-cutting the whole time
- 2 even if he is there for 30 days
- ii he isn't liable for קרבן טומאה until he leaves and comes back in
- 1 dissent (ר"א): he must be טהור for at least a day to become liable, as per v. 1
- 2 Discussion: is this נזירות in effect but in abeyance?
- (a) ד' יוחנן in effect
- (i) proof: משנה rules that in our case, he's exempt from קרבן → evidently, he is liable for all else
- (b) ד"ל: not in effect (exemption from קרבן טומאה means exempt from entire spectrum of restrictions)
- (c) challenge: ברייתא rules that in such a case, he is liable for מכות
- (i) defense: case where he is going in and out of בית הקברות
- (d) challenge: only difference between נזיר שנטמא and טמא שנזר is that for the latter, the 7<sup>th</sup> day counts
- (i) implication: נזירות takes hold
- (e) redirect (מר בר רב אשי): all agree that it takes effect; only dispute is vis-à-vis מכות
- (i) challenge (ר"ל → ר"י): משנה – not liable for קרבן טומאה → evidently, is liable for מכות
1. answer: parallel construction with סיפא
- (ii) challenge: only difference between נזיר שנטמא and טמא שנזר is reckoning of 7<sup>th</sup> day
1. implication: for מכות – they are equal
2. block: implication is that for תגלחת – they are equal (on 7<sup>th</sup> day) – but are split for מכות
- a. challenge: if so, why not state it?
- b. Answer: the ברייתא only listed proper consequences, not liabilities
- (iii) rejection: ruling (above) that if someone was טמא and took נזירות, he is לוקה for any violation
- iii related question (רבא): if he took a vow in the cemetery, must he remain there to be liable for מכות?
- 1 Challenge: question seems moot; once they warn him “don't take the ban”, no need for שהייה
- 2 Answer: he entered in protective box and someone stripped off the top...
- 3 Question: do we infer rules of טומאה from מקדש (requirement of שהייה) or not? תיקו