

16.6.6

42a (משנה ג) → 43a (הא איתחיל)

1. כל ימי הזירו לה' על נפש מת לא יבא: במדבר פרק ו פסוק ו  
 2. לא יבאו ולא יאמרו לא יטמאו להם במתם כי נזר אלהיו על ראשו: במדבר פרק ו פסוק ז  
 3. לא יטמא בעל בעמיו לחתלו: ויקרא פרק כא פסוק ד

- I נזיר: permitted and forbidden forms of hair-care for a נזיר
- a he may shampoo and part it (with his fingers) but not comb it
- b *author*: follows ר"ש - unintentional acts are permitted; combing is for purpose of removing loose hairs
- II משנה ג: he may not use shampoo with earth as that removes hair
- a *Question* is wording of משנה: (תיקו)
- i A: prohibited because it does remove (in which case, the type of earth that doesn't remove is permitted) OR
- ii B: prohibited to protect against removal (in which case – all are prohibited)
- III משנה ד: possibility of multiple liabilities for repeating same offense
- a prohibitions – 3 (vine by-product, טומאת מת, hair-cutting)
- i if he did one – liable for מכות
- ii if he continued to do it all day – one set of מכות
- iii if he was consistently warned before multiple violations – liable one set for each warning/violation
- b *related discussion*: intensified violation of טומאת מת
- i *statement of הווא* vv. 1-2 → possibility of multiple violations of טומאה
- 1 רבה: only טומאת אהל following טומאת מגע רבה:
- 2 רב יוסף: even טומאת מגע following טומאת מגע רב:
- (a) *support*: הווא רב ruled that if he was in a cemetery and they handed him a corpse, he is liable
- (b) *challenge* from ברייתא – if a כהן was carrying a מת and then touched another – no violation
- (c) *note*: should challenge from our משנה (multiple violations)
- (d) *rather*: משנה vs. ברייתא resolved:
- (i) משנה: had already ceased touching the 1<sup>st</sup> מת (no חיבורין)
- (ii) ברייתא: was still holding the מת (טומאה בחיבורין)
- (e) *challenge*: טומאה בחיבורין is טומאה בחיבורין, since we only enforce it selectively (תרומה וקדשים) – not for נזיר or פסח
- (i) *answer*: if a person is touching another (live) – that חיבור is חיבור; if he is touching the מת – דאורייתא – מת – no violation
- (ii) *therefore*: טומאת מגע doesn't allow for more טומאת מגע at the same time (support for רבה)
- (iii) *challenge*: how do you construct a case where טומאת מגע happens before אהל?
1. *answer1*: ר' יוחנן – out in the open, it cannot happen, but if he enters a house (טהור), could be
- a. *Challenge*: as soon as he enters, he is טומא משום אהל
2. *answer2*: ר"א – if he keeps his hands to the side as he enters
- a. *Challenge*: but some part of him (e.g. nose) comes in first and incurs אהל
3. *answer3*: רבא – if his entire body comes into the אהל at once
- a. *Challenge*: but his toes enter first (אהל)
4. *answer4*: רב פפא – if he's brought into the אהל in a box and it's opened from underneath while there
5. *answer5*: מר בר רב אשי - he entered just before the fellow died

- c טומאת מת begins between חכמים and רבי about point at which מת begins
- i חכמים: v. 3 – until *the time* that he dies
- ii רבי: v. 2 – until he dies
- 1 what is the difference between them?
- (a) משמעות דורשין – ר' יוחנן (no difference – choice of which verse to use)
- (b) ר"ל – whether one may tend to a גוסס (חכמים – even a גוסס; רבי – may tend to him until he dies)
- (i) challenge: how do חכמים interpret במותם?
1. answer: as per רבי – a נזיר is only banned from טומאת מת, not מצורע זיבה ומצורע
2. question: from where will רבי infer that ruling?
- a. Answer: from odd wording – במותם
- (ii) Challenge: how does רבי interpret להחלו?
1. answer: as per above, violation only applies to one who isn't currently touching a מת
2. question: from where will חכמים infer that ruling?
- a. Answer: from odd wording – להחלו
- (iii) Challenge: ruling that טומאת מת doesn't begin until absolute death – even a crucified or staked man
1. answer: טומאה doesn't begin until then, but (ר"ל to חכמים acc.) אהן must leave at that point