

TIME 4 MISHNA

key terms

נזיר

Rules:

- אין אדם מוציא דבריו לבטלה** - One doesn't make statements of legal significance without intending for it to be valid
- בגמור דבריו אדם נתפס** - A person's statement is judged (also) by its end
- תפוס לשון ראשון** - A statement is interpreted based on its beginning
- כל המתנה על מה שכתוב בתורה, תנאו בטל** - A condition which goes against the תורה is invalid
- לא מעייל אינש נפשיה לספיקא** - When one makes a declaration, he has intention for it to include only things which certainly fulfil the conditions of the declaration
- מקצת היום ככולו** - Part of a day is considered like the entire day

Concepts and terms:

- **כינוי** - A foreign language term
- **יד** - An incomplete formula
- **אנדרוגינוס** - One who has both male and female signs
- **טמטום** - One who has neither male nor female signs
- **תגלחת הטהרה** - The process of shaving and bringing **קרבנות** at the end of one's נזירות
- **תגלחת הטומאה** - The process of bringing **קרבנות** and shaving if a נזיר becomes טמא
- **מלקות** - Lashes
- **מכת מרדות** - Lashes which are issued **מדרבנן**
- **דבר שאינו מתכוין** - A consequence which he doesn't intend for
- **פסיק רישא** - An inevitable consequence
- **טומאת מגע** - When טומאה is transferred via touching
- **טומאת משא** - When טומאה is transferred via carrying
- **טומאת האהל** - When טומאה is transferred by being under the same roof, over or under the source of טומאה

TIME 4 MISHNA

key terms

נזיר

Rules:

- הקדש טעות** - A designation to the **בית המקדש** which involves a mistake
- תמורה** - When one switches an animal designated as a **קרבן** for a different animal and thus the law requires that both animals are now designated as a **קרבן**
- לשון בני אדם** - The way that people speak
- נולד** - An unlikely consequence of a **נדר**
- כוי** - An animal regarding which it is unknown whether it's a **חיה** (wild animal) or **בהמה** (domesticated animal)
- שיעור** - Minimum amount to be **חייב**
- כזית** - The size of an olive
- מת מצוה** - A dead body which is found and there is nobody else around to bury him
- התראה** - Warning of the prohibition and punishment involved
- שרץ** - One of the 8 small animals listed in the **תורה** which are a source of **טומאה** when dead
- מצרע מחלט** - One who has been declared **טמא** due to **צרעת** (particular types of spots on one's body)
- טומאת התהום** - A source of **טומאה** which was hidden and unknown about
- רגלים לדבר** - Basis for an assumption and law
- זב** - One who is **טמא** due to certain substances exiting his body

TIME 4 MISHNA

summaries

נזיר

• Accepting upon oneself to become a נזיר:

- If one accepts upon himself to be a נזיר using a 'כינוי' – **foreign language term** – or a 'יד' – **incomplete formula**, it is **valid**.
 - E.g. if he sees a נזיר and states "I will be", or if he holds on to his hair and states that he will be beautiful or let his hair grow.
 - **ר' מאיר**: If one sees a נזיר טהור and he states that he is **accepting upon himself birds**, he is a נזיר since קרבנות of birds must be offered up by a נזיר who becomes טמא and since this particular נזיר isn't טמא it's evident that he wishes to become a נזיר himself and not to bring קרבנות on the other נזיר's behalf.
 - חכמים**: He isn't a נזיר, since he didn't express his intentions clearly enough.
- If one **accepts upon himself even one of the prohibitions** of נזירות, he becomes a **fully-fledged נזיר**.
- If one declares himself to be a נזיר **without specifying the duration**, he is a נזיר for **30 days**.
 - This is true even if he declares that he is **accepting a small or large נזירות**, and even if he likens it to the distance "from here until the end of the world", since he is referring to how difficult it seems for him.
 - If one declares himself to be a נזיר **for less than 30 days**, he is automatically a נזיר for **30 days**.
 - If one states that he will be a נזיר **for 30 days and an hour**, he is a נזיר for **31 days** since the duration is calculated by days.
- If one **sets out on a journey and declares himself to be a נזיר until his destination**, he is a נזיר for the number of days that it should take to arrive there, or for 30 days if it's a shorter journey.

Alternative types of נזירות:

- 1) One who accepts upon himself נזירות שמשון has all of the prohibitions of a regular נזיר for the rest of his life, except that he **may become טמא** like שמשון.
 - 2) One who accepts upon himself to be a נזיר עולם has all of the prohibitions of a regular נזיר for the rest of his life, except that **he shaves his hair and bring קרבנות once a year**.
 - 3) **חכמים**: If one declares himself to be a נזיר **like the hairs on his head or like the dust of the earth**, he is a regular נזיר for **30 days repeatedly** for the rest of his life.
 - If one declares himself to be a נזיר **like the number of the days of the solar year**, he must observe **365 30-day periods of נזירות**.
 - If one declares himself to be a נזיר "a houseful" or "a box-full", he should be asked if his intention was just to say that he views it as a large undertaking, or if he intended for his words to be interpreted by the **חכמים** in which case **he is a regular נזיר repeatedly**, as if a box was full of countless small seeds.
- רבי**: If he speaks about himself being a נזיר and not about the period of נזירות, he is a נזיר עולם.

TIME 4 MISHNA

summaries

נזיר

Declarations of נזירות which have alternative implications or conditions:

- בית שמאי**: If one **declares himself to be a נזיר from figs**, he is a full נזיר but may still eat figs, since 'אין אדם מוציא דבריו לבטלה' – one doesn't make statements of legal significance without intending for it to be valid – and his addition of "from figs" isn't taken into account.

בית הלל: He is only **forbidden under a נדר to eat figs**, since 'בגמור דבריו אדם נתפס' – a person's statement is judged (also) by its end.

→ **ר' יהודה**: He isn't a נזיר according to everybody, and only **בית שמאי** hold that he is **forbidden under a נדר to eat figs** if this was his intention.
- בית שמאי**: If one has **difficulty in getting an animal to stand up** and he declares himself to be a נזיר if he manages, and the animal then stands up by itself, he is a נזיר.

בית הלל: He isn't a נזיר.

→ **ר' יהודה**: He isn't a נזיר according to everybody, and only **בית שמאי** hold that he is **forbidden under a נדר to benefit from the cow** if this was his intention.
- תנא קמא**: If one is being **pressurised to drink wine** and he declares himself to be a נזיר from wine, he is a נזיר.

חכמים: He is **forbidden under a נדר to drink wine**.
- חכמים**: One who **declares himself to be a נזיר without one of the prohibitions** is a full נזיר, since 'כל המתנה על מה שכתוב בתורה, תנאו בטל' – a condition which goes against the תורה is invalid.

ר' שמעון: He isn't a נזיר at all unless he accepts upon himself all of the prohibitions.

→ **חכמים**: If one declares himself to be a נזיר and then **finds out that a נזיר is forbidden to drink wine**, he is a full נזיר.

ר' שמעון: He isn't a נזיר.

→ **חכמים**: If one declares himself to be a נזיר, **assuming that he would be permitted to drink wine** due to it being difficult for him to live without it, he isn't a נזיר.

ר' שמעון: He is a נזיר, but a חכם can cancel his נדר based on this mistake.
- If one accepts upon himself to become a נזיר and **to provide for the קרבנות of a different נזיר**, and somebody hears him and accepts the same upon himself, **they can provide each other with קרבנות**.
- ר' מאיר**: If one accepts upon himself **to provide a נזיר's קרבנות for half a נזיר**, he must provide **the full קרבנות** for a נזיר since 'תפוס לשון ראשון' – a statement is interpreted based on its beginning.

חכמים: He only needs to provide **half of the קרבנות** for a נזיר.
- If one **declares that he will be a נזיר if his wife gives birth to a son**, and she gives birth to a daughter, 'אנדרוגינוס' – one who has both male and female signs – or 'טמטום' – one who has neither male nor female signs, he isn't a נזיר since a נדר is interpreted based on 'לשון בני אדם' – the way that people speak.

TIME 4 MISHNA

summaries

נזיר

- **חכמים**: If his wife miscarries, such that it's a doubt whether his condition was fulfilled, he isn't a נזיר since 'לא מעייל אינש נפשיה לספיקא' – when one makes a declaration, he has intention for it to include only things which *certainly* fulfil the conditions of the declaration.
 - If she later on gives birth to a son, he is a definite נזיר.
- ר' שמעון**: He is a נזיר out of doubt, so he should accept upon himself to be a נזיר on the condition that his condition wasn't fulfilled, so that he'll be a certain נזיר and thus able to bring the קרבנות to end his נזירות.
 - If she later on gives birth to a son, he is again a נזיר out of doubt so must repeat this process.
- If one declares himself to be a נזיר and to be a נזיר when his son is born, and his son is born in the middle of his נזירות, he should complete that נזירות first.
 - If he first declares the one which was conditional on his son's birth, then he stops his first נזירות in the middle and his other נזירות begins, and after completing this he continues his first נזירות.
 - If there remains less than 30 days of the נזירות which he is continuing, he must nevertheless be a נזיר for 30 days in order to grow his hair for the 'תגלחת הטהרה' – process of shaving and bringing קרבנות at the end of one's נזירות.

TIME 4 MISHNA

summaries

נזיר

- **Duration of נזירות and when one's נזירות can be ended:**

- One who declares himself to be a נזיר **without specifying the duration** is a נזיר for 30 days, and if he ends his נזירות by bringing the קרבנות in the middle of the 30th day, he fulfils his obligation since 'מקצת היום ככולו' – part of a day is considered like the entire day.
 - If he states explicitly that he'll be a נזיר for 30 days, he can only end his נזירות on the 31st day.
 - ר' פפיס: If he accepts upon himself 2 periods of נזירות, the second one begins on the day that the first one ends, since due to ככולו היום מקצת that day counts for both periods of נזירות. Thus he could bring the קרבנות for his second נזירות on the 59th day and fulfil his obligation.
- חכמים: One who becomes a regular 30-day נזיר and becomes טמא on the 30th day uproots his entire נזירות, and the rule of ככולו היום מקצת is irrelevant since he was still within his נזירות period when he became טמא.
 - ר' אליעזר: He doesn't because ככולו היום מקצת, rather he should bring his קרבנות once טהור again after a week.
 - If he states explicitly that he'll be a נזיר for 30 days, he uproots his entire נזירות.
- חכמים: One who declares himself to be a נזיר for 100 days and becomes טמא on the 100th day uproots his entire נזירות.
 - ר' אליעזר: It is learnt from פסוקים that one who becomes טמא on the final day of their נזירות must be a נזיר for another 30 days.
 - חכמים: If he becomes טמא on the 101st day, which is the day that he is supposed to bring his קרבן, he must be a נזיר for another 30 days, so that people don't come to think that a regular 30-day נזיר who becomes טמא on the day that they are able to bring their קרבן (i.e. the 30th day) doesn't uproot any of their נזירות.
 - ר' אליעזר: He doesn't uproot any of his נזירות, since this isn't a concern.
- If one becomes a נזיר whilst טמא, his days only begin to be counted from once he purifies himself and if he becomes טמא directly from a dead body, he is exempt from bringing a קרבן.
 - Once he becomes טהור, the regular laws apply that if he becomes טמא indirectly from a dead body then the previous days of נזירות aren't uprooted and only the days that he is טמא don't count, and if he becomes טמא directly from a dead body then he must bring a קרבן and restart his נזירות.
 - ר' אליעזר: The requirement to bring a קרבן and restart his נזירות only applies if he had observed more than one day of נזירות טהור.
- בית שמאי: One who becomes a נזיר outside of ארץ ישראל, which is מדרבנן, then once he comes to ארץ ישראל he is obligated to count 30 days of נזירות.
 - בית הלל: He must count his entire נזירות again.

TIME MISHNA

summaries

נזיר

→ בית הלל issued this ruling to המלכה הילני after she was a נזירה for 7 years outside of ארץ ישראל, and she became טמא on the last day of her second cycle of 7 years, so ended up being a נזירה for 21 years.

ר' יהודה: She was only a נזירה for 14 years.

- **בית שמאי**: If one pair of witnesses testify that somebody declared upon himself 2 periods of נזירות and another pair testify that he declared upon himself 5 periods of נזירות, he isn't a נזיר since the testimonies conflict with each other so are invalid.
בית הלל: He must be a נזיר for 2 periods of נזירות, since they agree regarding this.

TIME 4 MISHNA

summaries

נזיר

- If **ראובן declares himself to be a נזיר** and **שמעון declares “and I”** or “my mouth/hair should be like his mouth/hair” immediately after **ראובן** finishes his declaration, and **לוי** declares “and I” immediately after **שמעון**, **they are only a נזיר for as long as the previous person is still a נזיר** and it hasn't been cancelled by a **חכם**.
- If one declares himself to be a **נזיר**, and **asks his wife whether she also wishes to be a נזיר**, **he may annul hers** if she responds that she does.
 - If she declares herself to be a **נזיר**, and **asks him if he also wishes to be a נזיר** and he accepts this, **he can no longer annul hers**.
- If a **woman who is a נזיר violates a prohibition of נזירות**, she **receives 2 sets of ‘מלקות’** – lashes – just like every **נזיר**, since she also violates the **נדר** which created her **נזירות**.
 - **ר' יהודה**: If her **husband had already annulled her נזירות** but she didn't know, then **she receives ‘מכת מרדות’** – lashes which are issued **בנזיר**.
- If a woman completes her **נזירות** and **separates קרבנות**, **but before offering them her husband annuls her נזירות**:
 - If the **animals belong to her husband**, **their designation is invalid**.
 - If the **animals belong to her**, their designation is valid so the **שלמים** and **עולה** should be offered as **voluntary קרבנות**, and the **חטאת** should be left to die.
 - The time limit for eating the **שלמים קרבן** is until the end of that night, like a **נזיר's שלמים**, but the loaves of bread which are generally offered with a **נזיר's שלמים** are not offered.
 - If she designated **money for the sake of her 3 קרבנות**, **she should give it to the בית המקדש** for it to be used for **voluntary קרבנות**.
 - If she designated **money separately for each one of the קרבנות**, the money of the **עולה** and **שלמים** should be used for a **voluntary עולה** and **שלמים** and the **money of the חטאת** should be thrown into the sea.
- One the **blood of one of a woman's קרבנות** has been thrown onto the **מזבח**, her husband **can no longer annul her נזירות** since the prohibitions have been lifted, so she must complete the process of the **טהרה** are shave her hair.
 - ר' עקיבא**: He **may not annul it** once **one of her קרבנות has been slaughtered**, since the process of the **קרבן** would need to be halted.
 - רבנן**: He **may annul it** until **she shaves her hair**, claiming that he is particular about his wife shaving her hair off.
 - He **may annul her נזירות** at any point of the **תגלחת הטומאה**, since she's in the middle of her **נזירות**.
- There is a **למשה מסיני** that **a man can make a נדר for his son who is not yet a בר מצוה to become a נזיר**, but if the son or his relatives object and protest to this upon hearing about it then it's invalid.

TIME 4 MISHNA

summaries

נזיר

→ If they object after the father had separated the קרבנות, then the laws stated above regarding designated קרבנות and money apply.

- **חכמים**: There is a הלכה למשה מסיני that a man can accept נזירות on condition that he'll use the money which his father had designated for his own קרבנות as a נזיר but then died.

ר' יוסי: In this case, the money is automatically designated to the בית המקדש when his father dies. Rather the הלכה למשה מסיני applies in a case when he accepts נזירות during his father's lifetime.

TIME 4 MISHNA

summaries

נזיר

- **Declarations which are based on a mistake:**

- **בית שמאי**: 'הקדש טעות' – a designation to the המקדש which involves a mistake – is valid, just like 'תמורה' – when one switches an animal designated as a קרבן for a different animal and thus the law requires that both animals are now designated as a קרבן – which is valid even if based on a mistake.

בית הלל: It's invalid.

- For example, if one designates "the black ox which exits my house first" as a קרבן and a white ox exits first, it's valid according to בית שמאי since he intends to designate the first ox that exits and he just assumed that it would be black.
- If one finds out that his נדר to become a נזיר was invalid, then any קרבנות which he separated for his נזירות are invalid and the animals aren't sanctified, however this isn't proof for בית הלל's opinion since this person was never a נזיר so he wasn't able to designate קרבנות for his נזירות.
- If one mistakenly counts the 9th or 11th animal passing through the gate of a pen (for the sake of separating every 10th animal as מעשר בהמה) as the 10th animal, the animal still becomes מעשר בהמה, however this isn't proof for בית שמאי's opinion since this is only true for the 9th and 11th animal and is a unique law learnt from the פסוקים.
- If one's animals are stolen after he becomes a נזיר, this isn't sufficient basis for a חכם to cancel his נדר since it's 'נולד' – an unlikely consequence of a נדר – so even if he would have thought about this possible occurrence when making the נדר he still would have made it since he would assume that this wouldn't happen.
 - **נחום המודי** incorrectly ruled that when the בית המקדש was destroyed, this was a sufficient basis to cancel any נדר's נזיר since they wouldn't be able fulfil the תגלחת הטהרה to end their נזירות, but the חכמים ruled that the destruction of the בית המקדש is נולד so only those who became a נזיר after it was destroyed can use this as basis for cancelling his נדר.
- **בית שמאי**: If a group of people argue about a particular fact and each one declares that they will be a נזיר if they are correct, they are all נזירים just like הקדש טעות.
 - בית הלל**: Only one whose condition is fulfilled is a נזיר.
 - ר' טרפון**: None of them are a נזיר, since it's learnt from פסוקים that a נדר of נזירות is only valid if it's certain at the time of his acceptance that he is going to be a נזיר.
 - **חכמים**: If they don't end up finding out who was correct, they aren't נזירים because 'לא מעייל אינש נפשיה לספיקא'.
 - ר' שמעון**: He should make a new declaration to become a נזיר on condition that his condition wasn't fulfilled, and then he will be a certain נזיר.
- If one declares himself to be a נזיר if a 'כוי' – an animal regarding which it is unknown whether it's a חיה (wild animal) or בהמה (domesticated animal) – is a חיה or if it's a בהמה or both or none, he is a נזיר since it has certain laws which are those of a חיה alone or a בהמה alone or both or none.

TIME 4 MISHNA

summaries

נזיר

- **The prohibitions of a נזיר:**

1) A נזיר is forbidden **to consume any part of a grape or its products.**

→ Different parts of the grape and its products **combine to make up the 'שיעור'** – minimum amount to be (מלקות) – **חייב** – which is a **'כזית'** – **the size of an olive.**

- Originally, the law was understood to be that the **שיעור** for wine is a **רביעית** (a liquid measurement).

ר' עקיבא: **Even bread which is dipped into wine combines** to make up the **שיעור**.

→ Each part of the grape is forbidden by a different prohibition, such that one who consumes a **שיעור** of each one is **liable to מלקות for each one.**

ר' אלעזר בן עזריה: One is liable to lashes upon consuming the skins or pips only if he has **at least two pips and the skin**, regardless of how large that is.

→ **ר' יהודה**: **'חרצנים'** in the תורה refers to the skins and **'זגים'** refers to the pips.

ר' יוסי: The opposite is true.

→ If one **has a מצוה to consume grapes or wine**, e.g. he made an oath to have wine, **he is still forbidden** to drink wine.

2) A נזיר is forbidden **to shave his hair.**

→ If his hair is shaven off, even if he isn't at fault at all, **he cannot end his נזירות within the next 30 days** since the shaving of the **טהרה תגלחת** must be done with hair which has grown for 30 days.

→ **He may rub or scratch** his hair, even though this might cause hair to come out, since it's a **'דבר שאינו מתכוין'** – a consequence which isn't intended for.

- However, it's **forbidden** to **comb** his hair since it's a **'פסיק רישא'** – inevitable consequence – that some of his hair will be taken out.

ר' ישמעאל: It's **forbidden** to **rub earth** on his hair for this reason.

→ If he **becomes a מצרע** and thus **has a מצוה to shave his hair**, **he is obligated** to do so.

3) A נזיר is forbidden **to become טמא from a dead body.**

→ If he finds a **'מת מצוה'** – a dead body which is found and **there is nobody else around to bury him**, **he is obligated** to become **טמא** to bury him.

→ One who violates this prohibition **must go through the process of תגלחת הטומאה**:

- The solution containing the **ashes of a פרה אדומה** is **sprinkled onto him** on the **3rd and 7th day** since becoming **טמא**.

- He **goes to the מקוה** on the **7th day** and then **shaves his hair**.

- He **brings 3 קרבנות** on the **8th day**.

- If he **only shaved on the 8th day**, **he can still bring his קרבנות on that day**, since the shaving isn't part of the purification process itself, unlike a **מצרע** who would need to wait until the following day.

- A נזיר is liable to **מלקות** for every time that he violates one of the prohibitions right after receiving **'התראה'** – warning of the prohibition and punishment involved.

TIME 4 MISHNA

summaries

נזיר

- **תגלחת הטהרה:**

- 1) At the end of one's נזירות period, he must offer 3 קרבנות: A חטאת, עולה and שלמים.
 - רבן שמעון בן גמליאל: If a נזיר designates the 3 animals needed for his קרבנות without specifying which animal is for which קרבן, it's valid since it's obvious.
- 2) ר' יהודה: Ideally, he should shave his hair after offering the שלמים קרבן.
 - ר' אלעזר: He should do so after offering the חטאת קרבן, the first קרבן.
 - חכמים: If he shaves after offering one of the קרבנות with invalidating intentions, the shaving is invalid and he must be a נזיר for another 30 days before restarting the תגלחת הטהרה.
 - ר' שמעון: If it's the עולה or שלמים, whose law in such a situation is that the קרבן is valid but the one who offered it doesn't fulfil his obligation, then the shaving is valid but he must offer that קרבן again.
- 3) He throws his hair underneath the pot in which the שלמים קרבן is cooking.
 - חכמים: If he shaves his hair outside of the המקדש בית, and if he shaves his hair during the תגלחת הטומאה, he doesn't throw his hair.
 - ר' מאיר: Only a נזיר who shaved his hair outside of the המקדש בית for the תגלחת הטומאה doesn't throw his hair.
- 4) After cooking the שלמים קרבן, the כהן would take the שלמים's front right leg, one of each of the 2 kinds of loaves which were offered with this קרבן, and the limbs which are to be given to the כהנים, and he waves them together with the נזיר.
 - חכמים: It is from this point that the נזיר's prohibitions are lifted.
 - ר' אליעזר: If he becomes טמא before this stage, he must restart the process of offering the קרבנות once he becomes טהור.
 - ר' שמעון: The prohibitions are lifted as soon as the blood of the first קרבן has been thrown onto the מזבח.

TIME 4 MISHNA

summaries

נזיר

- **The prohibition and consequences of a נזיר becoming טמא:**

- **ר' אליעזר**: If a נזיר and a כהן גדול were alone together and they found a מת מצוה, **the כהן גדול should bury him**, since his prohibition of becoming טמא doesn't carry with it the requirement to bring a קרבן.
 - **חכמים**: **The נזיר should bury him**, since his sanctity and prohibition is only temporary.
- 1) A נזיר is obligated to go through the process of the **תגלחת הטומאה** and **must restart his נזירות** only if he becomes טמא מדאורייתא directly from a dead body, for example:
 - The **majority** of a **human skeleton**, in size or in number of bones;
 - A **כזית** of a **dead body** or the **liquid which oozes out** of a decaying body;
 - **2-handfuls** of **solid decay** of a dead body;
 - The **spine, skull** or any **full limb**;
 - A **limb which has been detached from somebody who is still alive** and which has enough flesh that it could be fused back onto his body and return to its function.
 - **½ קב of bones**, even though he becomes טמא even from **¼ קב**.
 - **½ לג of blood**, even though he becomes טמא even from **¼ לג**.
 - One becomes טמא from these sources by **touching** ('טומאת מגע'), **carrying** ('טומאת משא') or **being under the same roof, over or under it** ('טומאת האהל').
 - However, he can become טמא from **a bone the size of a barley-grain** only via **טומאת מגע** or **טומאת משא**.
 - **ר' עקיבא**: If טומאה from a bone the size of a barley-grain requires a נזיר to restart his נזירות, despite not having the ability to be transmitted via טומאת האהל, all the more so **¼ לג of blood** – which can transmit טומאה even via טומאת האהל – **should require a נזיר to restart his נזירות**.
 - ר' יהושע**: Although this is a logical argument, it's irrelevant since the law regarding a bone the size of a barley-grain is a **הלכה למשה מסיני**.
 - 2) If a נזיר becomes טמא in a different way, then **he resumes his נזירות count from where he was up to, after becoming טהור**.
 - 3) There is a **הלכה למשה מסיני** that if one is a **זב** (a person who is טמא due to certain substances exiting his body) or if he is **being kept alone for 1 or 2 weeks before returning to a כהן to see if he has צרעת**, **even these days count towards his נזירות count** despite him being טמא.
- **ר' אליעזר** in the name of **ר' יהושע**: If one **became טמא from a dead body and he enters the המקדש**, he is **חייב** only if it is a טומאה which would require a נזיר to restart his נזירות.
 - **ר' מאיר**: He is **חייב** for any טומאה מדאורייתא from a dead body, as evident from the fact that he's חייב even for טומאה received not from a dead body but from a 'שרץ' - one of the 8 small animals listed in the תורה which are a source of טומאה when dead.

TIME 4 MISHNA

summaries

נזיר

- If **somebody tells 2 נזירים** that **he saw one of them become טמא**, they should shave their hair and bring a **קרבן טומאה** and **קרבן טהרה** at the end of their **נזירות**, stipulating that the **קרבן טומאה** should be for the one who became **טמא** and the **קרבן טהרה** should be for the one who didn't. Then they should observe **נזירות** for another 30 days and bring a **קרבן טהרה** for the one who had become **טמא**.
 - **ר' יהושע**: If **one of them dies** before they do this, the remaining **נזיר** **should find somebody who is willing to become a נזיר**, and he should declare that if the remaining **נזיר** is **טמא** then he is starting his **נזירות** and if the remaining **נזיר** is **טהור** then he is starting his **נזירות** when the remaining **נזיר's** **נזירות** was supposed to end, and then the above process is followed. Only the bird **חטאת** is offered as part of the **קרבן טומאה**, since it can be offered even in case of a doubt.
 - בן זומא**: This is impractical, rather the remaining **נזיר** **should offer the bird חטאת** as his **קרבן טומאה** and the **עולה** of his **קרבן טהרה** at the end of his **נזירות**, and then 30 days later offer all 3 **קרבתות** of the **קרבן טהרה**, stipulating that if he was **טהור** then the original **עולה** was part of the **קרבן טהרה** and this **עולה** is a voluntary **קרבן**.
- If a **נזיר** at the beginning of his **נזירות** is **possibly טמא and possibly a 'מצרע מחלט'** – one who has been declared **טמא** due to **צרעת** (particular types of spots on one's body), **he is a נזיר טהור out of doubt** for the next **4 periods of 30 days**, and a **מצרע out of doubt** for the **first 2 periods** since a **מצרע** must shave twice and his **נזירות** doesn't start until after that. A shaving cannot count both for **נזירות** and for the **מצרע's** obligation.

TIME 4 MISHNA

summaries

נזיר

- There is a **למשה מסיני** that if a **נזיר** shaves and brings his **קרבנות** after ending his **נזירות**, and then **discovers that he had been טמא from a 'טומאת התהום'** – a source of **טומאה** which was hidden and unknown about – then **his תגלחת הטרהרה was still valid**.
 - Even though a doubtful case of **טומאה** which occurs in an area where there aren't many people is ruled strictly, if he was **already טהור** and **the doubt concerns טומאת התהום**, then it is ruled leniently and **he remains טהור**.
 - Similarly, although in general one may transfer a dead body with some earth to a different location, as long as it's not buried in a graveyard, if one **finds 3 dead bodies which are spread out in a fairly regular manner** for a graveyard, then if **any grave is found within 20 אמות** then it is also considered to be part of the graveyard and **may not be transferred**, since there is **'רגלים לדבר'** – basis for the matter.
 - Similarly, a doubt concerning **צרעת** is ruled strictly if the person concerned is **already מצרע**.
 - For one to become a **'זב'** – one who is **טמא** due to certain substances exiting his body – we take into account other factors which may have caused this, e.g. his eating or exertion, but this isn't the case for the third time that substances exit his body, since he is **already a זב** and the third occurrence just obligates him to offer a **קרבן**.
 - **חכמים**: If one injures somebody with a critical **injury which is enough to kill him**, and **his condition improves and then deteriorates and he dies**, the one who injured him **is liable**.
ר' נחמיה: **He is exempt**, since his improvement in condition is basis to assume that it wasn't the injury that he gave him that killed him.
- A **non-Jew cannot be a נזיר**, but a **woman** and a **slave can be a נזיר**.
 - One **can force his slave to violate his נזירות**.
 - **ר' מאיר**: If a **slave's master protests to him being a נזיר** and then the slave **runs away, he doesn't need to observe the נזירות laws** since he is still owned by his master.
ר' יוסי: **He is obligated**, in order to encourage him to return to his master.
 - One **can annul his wife's נדר to become a נזיר**, and it is annulled forever.
- **ר' נהוראי** **שמואל הנביא** was a **נזיר**, so if somebody declares that he be like **שמואל**, **he becomes a נזיר**.
ר' יוסי: He wasn't a **נזיר**.