



т"о⊃

Intro

Today we will Be"H learn מסכת נזיר of דף מ"ג of מסכת נזיר. Some of the topics we will learn about include:

מחולל וווומד

The Gemara continues its discussion about the various scenarios where a Nazir is liable twice for טומאה.

גוסס ומגוייד

The Gemara discusses whether a Nazir or a Kohein may come into contact with someone who is on the verge of death or fatally wounded.



נקטע ראשו של אביו

The Gemara brings a מחלוקת whether a Kohein may become טמא to a part of his father's body.

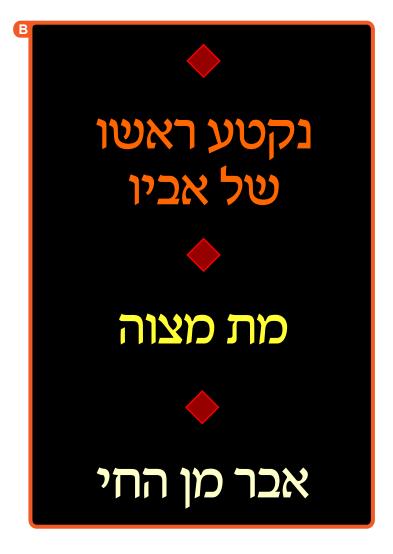
Through its discussion, the Gemara also references the following important ideas:

מת מצוה

A Kohein or a Nazir may attend to the needs of a deceased when there is no one else available to bury it.

אבר מן החי

A limb severed from a live person is מטמא just like a limb of a dead body.









So let's review...

The Gemara earlier brought the opinion of חבה להזהירו על הטומאה להזהירו על הביאה

The Pasuk 'לא יבא' adds an additional prohibition not to enter any roofed area that contains טומאה. However, טומאה וטומאה לא

He is not liable for coming into contact with טומאה when he is already טומא.

Apparently, if a Nazir is already טמא and then walks into a building that contains a corpse, he is liable for entering.

The Gemara now questions this distinction: טומאה וטומאה לא דהא מיטמא וקאים

One is not liable for touching a corpse a second time, because he is already אטט;

ביאה נמי הא מיטמא וקאי

Entering the building does not add טמא either?

2 רבי יוחנן answers כאן בבית כאן בשדה

When one enters a building that contains טומאה, he is liable for both transgressions simultaneously. On the other hand, when he touches a corpse outdoors, he is not liable for the second טומאה, since it took place AFTER he is already שמא טמא.

However, the Gemara points out that this is usually not the case;

כיון דאעיל ידיה איסתאב

As soon as part of his body enters the house he becomes אטמא, as תוספות explains;

דאהל המת כמליא טומאה דמי

The entire airspace of the building is considered to be 'filled with טומאה', and so he immediately comes into contact with טומאה. Therefore, when he fully enters the house, he is ימיטמא וקאי?





Dedicated By: \_





The Gemara therefore offers two possible scenarios:
One;

כגון שנכנס בשידה תיבה ומגדל ובא חבירו ופרע עליו את המעזיבה

He entered the house in a structure that protects him from סומאה, and then helped his friend take the roof off.

Alternately,

כגון דעייל כשהוא גוסס

ונפק נשמתיה אדיתיב

He entered the house while someone was dying. In both cases,

טומאה וביאה בהדי הדדי קאתיין

He comes into contact with the טומאה at the exact same moment that he enters the house, and so he is liable for both becoming אמא and for entering the house.

תוספות points out that from our Gemara's conclusion it seems

כהן אסור ליטמא לאחרים

אף כשהוא מטומא כבר לקרוביו

Even when a Kohein was permitted to become טמא to a relative, he may not touch another corpse.





Dedicated By: \_





From the Gemara's answer we see that a גוסט, someone on the verge of death, is not אטטא. The Gemara now discusses this Halachah:

The תנא קמא says להחלו עד שעה שימות

Only someone who is dead is טמא, as opposed to a מגוייד, someone fatally wounded. The תנא קמא interprets להחלו as saying that he is only forbidden to contact a חלל, an actual corpse.

רבי אומר במותם יטמא עד שימות

He learns this same Halachah from the Pasuk לא יטמא להם, not to touch a dead body, as opposed to someone who is still alive.

ר' יוחנן explains that there is no מחלוקת; משמעות דורשין איכא בינייהו

They simply bring different Pesukim in support of this position.

ריש לקיש, on the other hand, says גוסס איכא בינייהו

They are arguing regarding a אוסס. According to the תנא תנא,

אפילו גוסס

The Nazir may not even touch a גוסס, because he is already considered a corpse. However, according to רבי, עד שימות אין גוסס לא

He is only forbidden when he actually dies.

The Gemara explains that the תנא קמא uses the word 'בטותם' to teach us

במותם אינו מטמא אבל מטמא בנגעתם ובזיבתם

A Nazir is only forbidden to become טמא ; however, he may be in contact with the האוט ס טומאה זיבה די צרעת לקיש., on the other hand, uses the word 'בהחלו' to teach

ריש לקיש, on the other hand, uses the word 'בהחלו' to teach us

במי שאינו מחולל יצא זה שמחולל ועומד

A Kohein who is holding a corpse is not liable for touching a different corpse, as we learned on דף מ"ב.

The Gemara challenges the תנא קמא from a Mishnah: אדם אינו מטמא אלא עד שתצא נפשו אדם אינו מטמא אלא וואס אינו מאנייד ואפילו גוסס

A גוסט and a fatally wounded person are not אטטמ? The **G**emara differentiates:

טמויי עד דנפקא נפשיה לענין אתחולי הא איתחיל

All agree that he is not טמא until his soul leaves; however, the Kohein does profane himself by touching him, since he is already a החלל ה

=======

Dedicated By: \_









The Gemara now discusses particular cases when a Kohein may NOT become אמא to his relatives:

אמר רב חסדא אמר רב

נקטע ראשו של אביו אינו מטמא לו

If a Kohein's father was beheaded, he may not become אטט to him, because the Pasuk says

לאביו

And we say

בזמן שהוא שלם ולא בזמן שהוא חסר

The word 'father' implies a complete corpse. Therefore, he may not become טמא to his father's partial corpse, even though it is mostly intact.

Particular cases when a Kohein
may NOT become אמר רב חסדא אמר רב
אמר רב חסדא אמר רב
גקטע ראשו של אביו
אינו מטמא לו
אינו מטמא לו
אינו מטמא לו

However, the Gemara points out that this is actually a מחלוקת תנאים.

The Gemara on דף מ"ד cites a ברייתא regarding a Kohein who asked רבי יהושע בן אלישע about becoming א טמא to his father's remains three years after his death, and like רב אסור, he ruled that it was אסור, because בזמן שהוא שלם ולא בזמן שהוא חסר

On the other hand, the Gemara quotes the opinion of רבי? who makes the following distinction: מיטמא לשדרה ולגולגולת ולרוב בניינו ולרוב מניינו

It is מותר for a Kohein to be אטטא to his relative's incomplete corpse, חסר, if one of the following is intact:

The spinal column; the skull; a majority of the skeleton; or a majority of the bones – at least 125 of the 248 bones; because each one of these is considered a major part of the body;

However, רבי יהודה agrees that we learn from the Pasuk לה מיטמא

ואינו מיטמא לאבריה

A Kohein may not become wow to his relative's limb, a minor part of the body. So too;

ואינו מיטמא לכזית מן המת

וכזית נצל ומלא תרווד רקב

He may NOT be מטמא to a small piece of a corpse, or to putrefied or decomposed pieces of the corpse.

רבי יהודה however adds; אבל מחזיר הוא על עצם כשעורה

As חוספות explains, if he already became איט from the rest of the corpse, he may return to bury even a barley-size piece of the body. From this Halachah we also see that 'הודה allows him to become טמא originally for a יחסר, an incomplete body.









In the course of its discussion, the Gemara points out that if the father is a

מת מצוה

The son may become אטט to him according to ALL opinions, because

באחריני מיחייב באביו לא כל שכן

He is certainly no worse than any other מת מצוה, whom he is commanded to bury.

In the course of its discussion the Gemara points out

If the father is a מת מצוה

The son may become טמא to him according to ALL opinions

Because

אוריני איחייב באביו אל ל לכן

The Gemara explains that a מת מצוה is defined as מת מצוה is defined as, כל שאין לו קוברין, having no one to bury him; however, קורא ואחרים עונין אותו אין זה מת מצוה If others can be called to attend to the deceased he is not a מת מצוה.

In our case, even though אית ליה ברא, the son is here, and as תוספות explains, הא יש לו לשכור אחרים מתעסקין בו הא יש לו לשכור אחרים מתעסקין בו The son should hire others to bury him; yet he may personally attend to him, because כיון דקאזיל באורחא כמי שאין לו קוברים דמי Since it is often difficult to find others while traveling, he is considered a מת מצוה.





