



т"оച

Intro

Today we will Be"H learn דף נ"ז, the beginning of the eighth Perek of מטכת נזיר, Perek שני נזירים.

Some of the topics we will learn about include:

ספק טומאה בשני נזירים

If two נזירים are unsure which one of them touched a אכא, they must both undergo the purification process of both a נזיר טהור and a נזיר טהור, as described in our Mishnah. Their קרבנות are brought jointly, and are offered on behalf of whoever is obligated in each one.

הקפת הראש

The Gemara discusses the prohibition against shaving the corners of the head, and brings a מחלוקת whether an adult may shave a minor, and whether a woman may shave a man.

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

ספק טומאה ברשות היחיד טמא

A case of doubtful טומאה in a private domain, which is defined as occurring in the presence of no more than two people, is assumed to be אטמא. On the other hand, ספק טומאה ברשות הרבים טהור

A doubtful טומאה in a public domain, in the presence of three or more people, is assumed to be טהור.









So let's review...

As we begin the Eighth Perek, our Mishnah discusses a Nazir who is uncertain whether he became טמא, and how this affects his purification process:

Zugt di Mishnah: שני נזירים שאמר להן אחד ראיתי אחד מכם שנטמא ואיני יודע איזה מכם

If someone tells two זירים that he saw one of them become טמא, but he does not know which of the two it was; In this case, each וזיר טהור is now uncertain if he has the status of a ינזיר טמא or of a נזיר טהור, and he must therefore undergo the purification process of BOTH possibilities. However, he cannot shave immediately as a ינזיר טמא would, because he might be שהור ond forbidden to shave during his term. Therefore, they wait 30 days, and then

מגלחין ומביאין קרבן טומאה וקרבן טהרה

They both shave after thirty days, when they are BOTH obligated to shave – either as a נזיר טמא, or as the concluding shaving of a קרבנות. They then bring the קרבנות of both a נזיר טמור;

ואומר אם אני הוא טמא קרבן טומאה שלי וקרבן טהרה שלך ואם אני הוא הטהור קרבן טהרה שלי וקרבן טומאה שלך They agree that each קרבן should be designated for whichever one of them needs it.

At this point, one of them has concluded his נזירות, while the other now starts to recount his term.

וסופרין שלשים יום ומביאין קרבן טהרה

They must both observe another term of נזירות, in case they were the אנזיר , and then they bring a קרבן טהרה together, ואומר אם אני הוא הטמא

קרבן טומאה שלי וקרבן טהרה שלך וזה קרבן טהרתי ואם אני הוא הטהור

קרבן טהרת שלי וקרבן טומאה שלך וזה קרבן טהרתך And they designate it for whoever still needs it.









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Essentially, our Mishnah is dealing with a הפק טומאה, a situation of uncertain טומאה, and both נזירים are assuming the stringencies of either possibility. This is due to the principle

ספק טומאה ברשות היחיד טמא

A case of doubtful טומאה in a private domain is assumed to be טמא.

תוספות points out that a ספק טומאה is usually considered טמא ודאי, certainly טמא However, that is only if אפשר אפשר, the אפשר is at least possible. In this case לא אפשר לטמאות שניהם

דודאי אחד טהור

We cannot declare each one טמא ודאי, because we know that one of them is טפק טמא, and so they both remain ספק.

This rule is derived from the Halachah of סוטה, a suspected adulteress. The Gemara therefore asks מה סוטה בועל וגבעלת

אף כל ספק טומאה ברה"י כגון דאיכא בי תרי

Since the incident with the סוטה involves only two people, we consider any event that occurred in the presence of two people as taking place in a private domain. In our case, however, there are THREE people present – the two נזירים and the observer – and so it should be considered a ספק a situation of doubtful הרבים in a PUBLIC domain, and they should be assumed יטהור?

The Gemara answers that the observer actually said ראיתי טומאה שנזרקה ביניכם

He saw טומאה fall between them, but he was too far away to observe who touched it. Therefore, the incident indeed occurred in the presence of merely two people, and they must assume the stringencies of a נויר טמא.

This explanation is supported by his expression איני יודע, which implies

שלא נודע לו מעולם משום דלא הוי בהם

He never knew who was טמא due to the distance between them - as opposed to a case where he said שכחתי, that he was close enough to observe, but simply forgot which one became טמא.

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Dedicated By: _

Our Mishnah is dealing with a

ספק טומאה

אפק טואא פיטומ פיטיד טאל

מה סוטה בועל ונבעלת

מה סוטה בועל ונבעלת

אף כל ספק טומאה ברה"י

In our case there are

THREE people present?









The Mishnah described how they both perform the procedures of both a נזיר טמא and a נזיר טמא, including their shaving after thirty days. Presumably, they both shave at the end of sixty days as well, in case they were originally the נזירות בטהרה, and are now concluding their בטהרה.

The Gemara therefore asks דילמא לאו טמאין אינון וקעביד הקפה

The one who was NOT אטמא is now unnecessarily shaving a second time in violation of לא תקיפו פאת ראשכם

You shall not round the corners of your head?

שמואל answers; באשה וקטן

We are only discussing a Nazir who is not prohibited to shave their head, namely a woman or a minor.

The Gemara points out that since a נזיר shaves his entire head, this question depends on whether הקפת הראש שמיה הקפה או לאו שמיה הקפת Whether shaving the entire head is also considered rounding the corners.

Since שמואל agrees that an adult WOULD be liable for unnecessarily shaving, it is clear that he holds הקפת הראש

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The Gemara continues:

The Pasuk says לא תקיפו פאת ראשכם ולא תשחית את פאת זקנך

Not to shave the פאות or the beard;

The Gemara brings two מחלוקת in the interpretation of this Pasuk:

1.

אמר רב הונא

המקיף את הקטן הרי הוא חייב

An adult is liable for shaving a minor's פאות.

רב אדא בר אהבה disagrees and holds that the adult is פטור.

The $\boldsymbol{G}\text{emara}$ explains that both agree

אחד הניקף ואחד המקיף במשמע

In general, when one adult shaves the head of another adult, both are liable.

The ייקן, the one being shaved is חייב, because the Pasuk says פאת ראשכם, your head.

The מקיף, the one shaving the other's head is מקיף, because the Pasuk did not say א לא תוקפו, your head shall not be shaved, but rather א עלא תקיפו, you shall not shave, also addressing the one doing the shaving. This implies הוסב הלאו גם על המקיף

One is also liable for shaving someone else's head.

However, in the case of המקיף את הקטן,

רב אדא בר אחלה holds even the adult is פטור, because איתקש מקיף לניקף איתקש מקיף לניקף

כל היכא דניקף מיחייב מקיף נמי מיחייב

However,

האי קטן

הואיל והוא גופיה לאו בר עונשין הוא דמיחייב

מקיף נמי לא מיחייב

Only where the חייב is חייב, is the מקיף also חייב. But in this case, since the קטן is not חייב, the גדול המקיף is not גדול המקיף. חייב וkewise not חייב.

In other words, it is only forbidden to shave someone who is forbidden to have his head shaved. Therefore, an adult is not forbidden to shave a minor, since the minor is not prohibited.

רב הונא however, does not compare מקיף לניקף in this way. Therefore, he rules

המקיף את הקטן הרי הוא חייב

The חייב si מקיף of any ישראל.

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The second Machlokes is as follows: אשה א holds that a הנא, a woman may shave, not only her הנא, but even the אפאות of a man.

While רב אדא בר אחבה holds that she may only shave her איש, but is חייב for shaving the איש of a איש.

Their reasoning is as follows: רב הונא או האטומל וב הונא א הקיפו פאת ראשכם את הקיפו פאת ראשכם לא תקיפו פאת ראשכם ולא תקיפו פאת זקנך את הקנו ולא תשחית את פאת זקנך ולא תשחית את פאת זקנך Does NOT apply to women, because כל שיש לו השחתה יש לו הקפה כל שיש לו השחתה יש לו הקפה והני נשי הואיל וליתנהו בהשחתה ליתנהו נמי בהקפה The prohibitions not to shave the head and the beard are linked, and only someone for whom both prohibitions are applicable is forbidden. However, since women do not grow beards, and are therefore not included in that prohibition, they are also exempt from the prohibition of shaving the אונים אונים וויינים וויינים אונים וויינים וויינ

תוספות באדא בר אדא בר אדא בר אחבה מgrees, as תוספות explains, that a woman may shave her own head, because of the היקש of the subject of Pasuk, namely the היקש, but not to the subject of Pasuk, namely the גייקף, but not to the grow, which is not mentioned openly in the Pasuk. Therefore, even though a woman may shave her own head, she may NOT shave a man's head.

The Gemara relates that based on א'רב הונא opinion, his wife would shave the heads of their minor sons. However, רב אדא בר אהבה, as per HIS opinion, did not approve of this practice.





