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Nazir Daf 64

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamot of

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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

### **Floating Tumah**

The *Mishna* had stated: If the *nazir* (who became *tamei* from a *sheretz*) descended into a cave to immerse himself and a corpse was found floating at the mouth of the cave (but we are uncertain if it was there at the same time as the *nazir*), he is *tamei* (since the cave was in a private domain, we rule stringently; this is not a case of *tumas tehom*, for the floating corpse is visible to all).

The *Gemora* explains that in a case where there was a dead *sheretz* found floating, we rule that the objects (of which we were uncertain if they were in contact with the *sheretz* or not) remain *tahor*. For we learned in a *Mishna*: If a *sheretz* was floating on water, and it (the water) was in a container or on the ground (and we are uncertain if an object came in contact with the *sheretz* or not), it (the object) is *tahor*. Rabbi Shimon said: If the water was in a container, the object is *tamei*; if the water was on the ground, the object is *tahor*.

The *Gemora* explains the reason for the *Tanna Kamma*: Rabbi Yitzchak bar Avdimi says: It is written: *With any swarming things that swarm*. This verse would seemingly indicate that a (dead) *sheretz* can transmit *tumah* any place that it swarms. But a different verse states: *on the ground*. (The other verse seems to say that it can transmit *tumah* when it is on the ground.) How is this to be explained? If something definitely

touched the *sheretz*, it is ruled to be *tamei* (whether the *sheretz* was in water or on the ground). However, if there was a question if the object touched the *sheretz*, the object is *tahor* (if the *sheretz* was floating in the water).

The *Gemora* explains the reason of Rabbi Shimon (who distinguishes between a *sheretz* found in a container or if it was on the ground). Ulla said: It is written [Vayikra 11:36]: *But a spring (or a pit wherein is a gathering of water shall be tahor; but he who touches the carcass will be tamei)*. How is this to be explained? [The first part of the verse indicates that a *sheretz* floating on water does not transmit *tumah*, but the second half of the verse seems to say that it does transmit *tumah*!?] If the *sheretz* was floating in water that was in a container (and we are uncertain if an object touched the *sheretz* or not), it (the object) is *tamei*. (The *Rosh* explains: Generally, we are lenient with respect of a floating *tumah* because it is regarded as if the *tumah* does not have a place; however, when it is found in a container, it has a set place and therefore may transmit *tumah*.) However, if the water was on the ground, the object is *tahor*.

The *Gemora* cites a *braisa*: All *sheratzim* that were being taken or dragged (across a body of water; *Tosfos*), and we are uncertain if an object touched the *sheretz* or not, the object is ruled to be *tamei* (if the doubt took place in a private domain), for they (the

source of the tumah) is regarded as if they are resting (in the person's hand; and it is not regarded as a floating tumah). If, however, they were being thrown, and we are uncertain if an object touched the sheretz or not, the object is ruled to be tahor (for it is regarded as a floating tumah), except if it was a k'zayis from a corpse (and we are uncertain if it overshadowed something or not), or if something tahor was thrown over the k'zayis from a corpse (forming a roof over it), and anything that transmits tumah from above (if a zav is sitting on a boulder, all the mattresses underneath the boulder are tamei, even though they did not come in direct contact with the source of tumah) and from below (all the utensils which are piled one on top of the other are tamei if the bottom one is resting on top of the zav), which includes a zav and a zavah. [The leniency of floating tumah was said only in regard to sheratzim, which transmit tumah through contact. In the exceptions mentioned above, the objects are contracting tumah through a means other than contact. They therefore are governed by a different set of rules. There is a dispute among the Rishonim if the leniency of floating tumah would apply to a case where we were uncertain if the k'zayis from a corpse came in direct contact with an object.] (63b – 64a)

### **Bunk-bed Inquiries**

Rami bar Chama inquired: If there is a k'zayis from a corpse in a container, and the container is floating on the water, what is the halachah? Do we go after the container (and it would be a case of floating tumah), or do we go after the corpse (and that is resting in the container)? [The question is regarding a case where we were uncertain if something came into direct contact with the corpse, and the special leniency of floating tumah would apply if we determine that we go according to the container.]

The Gemora continues: If you should resolve that we do not go after the container (and it would not be a case of floating tumah), what would be the halachah if a k'zayis from a corpse is resting upon a sheretz (and the sheretz is floating on the water, and we are uncertain if something came into contact with the corpse)? Since tumah from a sheretz lasts only until the evening, and tumah from a corpse lasts seven days, it is as if the corpse is resting upon a container (and it would not be regarded as a floating tumah), or perhaps, it should be viewed as one thick layer of tumah (and the corpse should be regarded as a floating tumah)?

The Gemora continues: If you should resolve that it is as if the corpse is resting upon a container (because they each possess a different degree of tumah), and therefore we would rule the object to be tamei, what would be the halachah if a sheretz was resting upon a neveilah (carcass of an animal that was not slaughtered properly) and the neveilah was floating on the water (and we are uncertain if something came into contact with the sheretz)? Since both the tumah from a sheretz and the tumah from a neveilah last until the evening, it should be viewed as one thick layer of tumah (and the sheretz should be regarded as a floating tumah), or perhaps they are different from each other, since the neveilah transmits tumah when it has a minimum amount of a k'zayis, and the sheretz transmits tumah even from a lentil (and therefore, it should be regarded as the sheretz is resting on top of the neveilah, and not as a floating tumah)?

(The Gemora is assuming that it is not regarded as a floating tumah, since the minimum amount of tumah required for a sheretz is different than that of a neveilah.) What would be the halachah if one sheretz

was resting upon another *sheretz* (and we are uncertain if something came into contact with the top *sheretz*)? Since they have the same minimum amount for *tumah*, it should be regarded as one thick layer of *tumah* (and the *sheretz* should be regarded as a floating *tumah*), or perhaps, since each one is separate from the other, it should not be viewed as one (but rather, as if one *sheretz* is resting upon the other)?

The *Gemora* continues: If you should resolve that since each one is separate from the other, it should not be viewed as one, but rather, as if the top *sheretz* is resting in a container, what would the *halachah* be if the *sheretz* was resting upon a liquefied animal carcass (which was floating on the water)? Perhaps the *neveilah* should be viewed as a liquid (and therefore, it cannot serve as a separation between the *sheretz* and the water), or perhaps, since it came from a food, it should be regarded as a food (and then the *sheretz* will not be regarded as a floating *tumah*)?

The *Gemora* continues: If you should resolve that the liquefied *neveilah* is regarded as a food (and therefore the *sheretz* would be considered as a floating *tumah*), what would the *halachah* be if the *sheretz* is resting upon semen (which was floating in the water)? [Is the semen considered a liquid or a solid?]

And if you will resolve that the semen is regarded as a solid because it is ejected from the body, what would be the *halachah* if the *sheretz* was resting upon the purification water (mixed with the ashes of the red heifer), and the purification water (which is somewhat thicker) is floating on the regular water? [Do we look at the purification water as an ordinary liquid, and therefore, it will not serve as a separation between the *sheretz* and the water; the *sheretz* would therefore be regarded as a floating *tumah*, or perhaps, its thickness

will constitute a separation, and it would not be regarded as a floating *tumah*?]

The *Gemora* concludes: We do not know. Let all these inquiries remain unresolved. (64a)

### **Prior to Completion**

Rav Hamnuna said: If a *nazir* and someone who was offering the *korban pesach* walked over a grave of the deep on the seventh day of their purification process, they are *tahor*. [Our *Mishna* had stated that this leniency applies only to someone who is *tahor*; Rav Hamnuna is stating that is applicable even in this case.] What is the reason? It is because *tumah* of the deep is not strong enough to cause forfeiture in this case.

Rava asked from our *Mishna*: (If the corpse was found sunk in the floor of the cave, where in all likelihood, nobody ever knew about it) If he immersed in order to purify himself from corpse *tumah*, he is *tamei*, for one who is *tamei* is presumed to remain *tamei*. (How can Rav Hamnuna say that he is *tahor*?)

Rav Hamnuna replied: I agree with you in a case where the *nazir* did not shave his head for *tumah* yet (which is the case of the *Mishna*; Rav Hamnuna is referring to a case where he already shaved).

Rava said to him: I also agree to you with respect to one who offered his *korban pesach* (and realized that after his immersion on the seventh day of his purification process, he encountered *tumah* of the deep; he is ruled to be *tahor*), since he has done everything that is needed to do to become *tahor*.

Abaye asked: But he is required to wait until sunset (in order to become completely *tahor*)?

Rava answered: Sunset comes by itself.

And Abaye also retracted from this, for we learned in a *braisa*: [A woman who gives birth to a girl is *tamei'ah* for the next fourteen days. After she immerses in a *mikvah*, any bleeding, for the next sixty-six days does not make her *tamei*. During those days, she has the *halachah* of a *tevil yom* (one who was *tamei*, but has immersed himself in a *mikvah*; he is considered a *tevil yom* until nightfall); she is *tahor* enough to eat *ma'aser sheini*, but she may not touch *terumah* or *kodoshim* until the eighty-first day when she brings her *korbanos*.]

If she miscarried on the day of completion (the eighty-first day), she is required to bring another offering (for the miscarriage). However, if she miscarries before her day of completion, she is not required to bring another offering (the *korban* she brings for the live birth counts for the miscarriage as well). The *braisa* continues that even if she miscarries again (a second time) on a day after the completion day from her daughter's birth, she is still not required to bring another offering, provided that the second miscarriage was prior to the completion day from the first miscarriage. This, the *braisa* derives from Scriptural verses.

Rav Kahana explains the *braisa*: The reason why she is required to bring only *ne korban* is because she is still missing the initial *korban* (and since there was not yet a time where she was able to bring that *korban*, it is regarded as if both miscarriages occurred prior to the completion day from her daughter's birth, and therefore, she may discharge her obligation for all three births with just one *korban*).

The *Gemora* asks: But in the case of the *braisa* (where she miscarried on the eighty-first day), she is required

to wait until sunset (so it should be regarded as prior to completion)!?

Abaye answers: Sunset comes by itself. [The *Gemora* demonstrates from Abaye's answer that he in fact retracted his opinion, and agrees with Rava that as long as the person did everything that they were capable of doing, it is not regarded as a deficiency in their status.] (64b)

## DAILY MASHAL

### *Finding Connection*

Our *Gemora* discusses cases where there is uncertain *tumah*. There can be other uncertainties as well – where we are striving for purity and a relationship with Hashem. There are times when we find ourselves depressed, confused by our lack of feeling of connection to HaShem. The solution to this is to contemplate one's current actions and mind-set and attempt to go to the opposite extreme. This will ensure that in place of depression and failure will come appreciation of the sublime, just as *klal Yisrael* achieved when leaving behind the idolatry of their past when they left Egypt. Indeed, our Sages promise us: If one comes to purify oneself, one is helped. (Yoma 38b) This means that when we embark on a project of spiritual improvement we are guaranteed not only success, but even Divine assistance, once we initiate the project. Let us hope that we make use of this great gift.