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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

Checking Before Relations

Rabbi Zeira asked Rav Yehudah whether a woman should check herself before relations with her husband, and Rav Yehudah answered that she should not. When Rabbi Zeira asked what harm is there in her checking, Rav Yehudah answered that doing so would make her husband avoid having, due to a concern that she didn't check properly.

Rabbi Abba asked Rav Huna if a woman should check herself immediately after relations, so that her husband can offer a *chatas* sacrifice if she is found to have menstruated.

The *Gemora* explains that it isn't actually possible to do a full internal check soon enough after relations to obligate a *chatas*, but the question was either if she should externally wipe immediately after, or do an internal check later, to obligate him in an *asham taluy*, offered on a possible transgression. He answered that she should not check, as this will also inhibit her husband from relations, lest she find herself impure afterwards. (12a)

Modest Women

The *Mishna* referred to the check that a woman must do before relations.

Rabbi Ami quotes Rabbi Yannai saying that this is the practice of modest women.

Rabbi Abba challenged this statement, as the *Mishna* says that a woman must do so, but Rabbi Ami implies that only modest women do so.

Rabbi Ami says that one who fulfills the command of the Sages is modest, and he therefore said that such a woman is modest.

Rava challenges this, as one who doesn't fulfill the command is not just immodest, they are wicked.

Rava therefore explains that all women must check, but the modest ones use a new cloth for each check. (12a)

Regular vs. Irregular Period

The *Gemora* returns to the statement of Rabbi Zeira in the name of Rabbi Abba bar Yirmiyah in the name of Shmuel that a woman who does not have a regular period must check herself before relations.

Rabbi Zeira asked Rabbi Abba bar Yirmiyah whether a woman with a regular period needs to check at all, and he answered that she must check only when awake, but one without a regular period must check even when she is asleep.

Rava notes that he didn't say that the difference was that the woman without a regular period must check before relations, even if she isn't involved with *taharos* - food that must be pure. This indicates that Shmuel says that if a woman has no contact with *taharos*, she never needs to check before relations.

The *Gemora* cites a *braisa* which states that a husband who returns home from a business trip or from a wedding or house of morning can assume that his wife is not a *niddah*, and therefore may be with her, whether she is awake or asleep, as long as she was not a *niddah* when he left. If she was a *niddah*, he must assume she is still so, until she tells him otherwise.



The *Gemora* asks how Shmuel explains this *braisa*. If the wife has a regular period, she should have to first check if she is awake, while otherwise, she should have to check in any case.

The *Gemora* answers that the *braisa* is referring to a wife who has a regular period, but the husband's indication that he wishes to have relations is tantamount to her checking herself.

Rav Pappa asked Rava if one may follow this *braisa* in practice, and have relations without his wife checking. He answered that one may, as if his wife checks, this will ruin her attraction to her husband.

Rav Kahana says that he asked Rav Pappa's and Rav Huna the son of Rav Yehoshua's wives if they required them to check before relations when they arrived home from study, and they said that they did not.

The *Gemora* explains that he didn't ask Rav Pappa and Rav Huna themselves, as he wanted to know what they actually did, and not what they would rule for others, as they may have been personally more stringent.

The *braisa* cites Rabbi Meir saying that a woman without a regular period may not have relations, and does not receive a *kesuvah*, nor its elements (*produce of her property eaten by her husband, support from her husband, and leftovers of her property that her husband used*). Her husband must divorce her, and never remarry her. Rabbi Chanina ben Antignos says that she simply needs to check herself before and after relations, and these can be her detriment (*if she finds blood*) or benefit (*if she doesn't find blood*). Abba Chanan was quoted as saying that woe is to her husband.

The *Gemora* explains the positions in the *braisa*. Rabbi Meir says that she may not have relations, as we are concerned that she will see blood during relations, leading her husband to transgress the prohibition of relations with a *niddah*. Since she is prohibited to her husband, she receives no *kesuvah*, nor any of the elements of one.

The *Gemora* explains that Rabbi Meir prohibits him from remarrying her, even if she starts to have a regular period. Although he should technically be allowed to remarry her, we prohibit it, to prevent him from claiming that he never would have divorced her, had he known she would have a regular period. If he would claim that after she married someone else and had children, it would cast aspersions on her divorce, effectively making her new children *mamzerim* – the product of an illicit relationship.

Some say Abba Chanan's quote is in response to Rabbi Meir, stating that he must still pay her *kesuvah*. Some say it is in response to Rabbi Chanina ben Antignos, as even with the check before relations, she still may see during relations, making her husband transgress the *niddah* prohibition.

Rav Yehudah quotes Shmuel ruling like Rabbi Chanina ben Antignos.

The *Gemora* asks what scenario Shmuel is ruling about. If it is about a woman who is involved in *taharos*, Shmuel already ruled that she needs to check, and if it is about a woman who is not involved in *taharos*, Shmuel ruled that she need not check at all, as Rabbi Zeira stated earlier.

The *Gemora* answers that this ruling is about a woman who has no regular period, and Rav Yehudah said this independently of Rabbi Zeira's statement.

WE SHALL RETURN TO YOU, SHAMMAI OMER

INSIGHTS TO THE DAF

Asleep

The *Gemora* says that a woman who doesn't have a regular period must check before relations whether she is asleep or awake, but one who has a regular period only must check if she is awake.

Tosfos (12a bain) questions how the *Gemora* can be discussing checking before relations when she is asleep, as one may not have relations with his sleeping wife.

Tosfos offers two answers:

1. This *Gemora* is only dealing with potential *niddah* issues, not with other potential issues with such relations.
2. The *Gemora* does not mean literally asleep, but drowsy. In such a state, she may have relations.

Tosfos cites the *Gemora* in Nedarim (20b) as the source for the prohibition on relations with a sleeping wife.

The Maharav Ranshborg notes that our text of that *Gemora* does not mention such a prohibition, although Maseches Kallah does.

Although the Shulchan Aruch does not cite this prohibition, the Elijah Rabbah and Pri Megadim (OH 240) do cite this, following the Rambam.

Checking Before and After Relations

The *Gemora* cites Rav Yehudah in the name of Shmuel ruling like Rabbi Chanina ben Antignos, who says that a woman without a regular cycle may remain married, but must check before having relations.

The *Gemora* asks in which case Rav Yehudah said this, as we already know that Shmuel requires checking for a woman who is involved in *taharos*, and he does not require checking for a woman who is not involved in *taharos*.

The *Gemora* answers that the one who taught this statement did not teach the other.

Rashi explains that Rav Yehudah is referring to a woman who is involved in *taharos*, but this is not redundant, as the other statement in the name of Shmuel was said by Rabbi Abba.

Rashi cites others who explain that the *Gemora's* conclusion is

that Rav Yehudah is referring to all women, whether they are involved in *taharos* or not. Although we had an earlier statement by Shmuel saying that a woman not involved in *taharos* need not check, Rav Yehudah argues with that statement.

Rashi rejects this, as one of the earlier statements limiting it to one who is involved in *taharos* was by Rav Yehudah himself.

However, Rabbeinu Chananel and others do explain the *Gemora* like Rashi's second explanation, and therefore rule that such a woman must check herself before relations.

The Shulchan Aruch (YD 186) cites the position of the Rif, Ramban, and Rashba that understand Rav Yehudah to refer to any woman without a regular period, but only require checking before and after the first three times she has relations. If she is clean all three times, she need not check again.

The Shulchan Aruch also cites the opinion of the Rambam and Rosh, who always require her to check, before and after relations.

The Shach (1) says that the Rif does not require any checking for such a woman, if she is not involved in *taharos*, and therefore rules that no checking is necessary.

DAILY MASHAL

Parshas Acharei Mos ends with a call to the Jewish people to create fences to avoid the pitfalls of sin and transgression. The possuk then proceeds to give four reasons for keeping these restrictions and fences. A) "statutes" - laws which defy our logic. One might begin to look at these laws as illogical. B) "that were done (by those) before you" - it is already part of society, one might therefore succumb - Ebn Ezra C) "Don't defile yourself" - Or HaChaim points out that even unintentionally these sins defile the person. D) "I am HaShem your G-d" - Rashi says I am your G-d only on condition you keep these laws of purity.