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Niddah Daf 25

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Sac – Clear or Muddy?

A question was asked in the presence of Rebbe: What is the ruling where a woman miscarried a sac full of flesh? He said to them: I did not hear of such a law. Rabbi Yishmael the son of Rabbi Yosi said before him: My father said: If it was full of blood the woman is *tamei* as a *niddah*, but if it was full of flesh she is *tamei* as a woman after childbirth. Rebbe said to him: Had you told us something new in the name of your father we would have listened to you; but now, since his first ruling (*regarding the case when the sac was filled with blood*) was given in accordance with the view of an individual, viz., in agreement with Sumchos who said so in the name of Rabbi Meir, his second ruling also might be one given in accordance with the view of Rabbi Yehoshua; but the *halachah* does not follow Rabbi Yehoshua, for it was taught in a *braisa*: If a woman miscarried a sac with no fashioned limbs, Rabbi Yehoshua ruled: It is regarded as a valid birth, but the Sages ruled that it is not a valid birth.

Rabbi Shimon ben Lakish said in the name of Rabbi Oshaya: The dispute refers only to a sac that was muddy (*for then there is a concern that the fetus had been crushed*), but if it was clear, all agree that it is not a valid birth. Rabbi Yehoshua ben Levi, however, stated: The dispute refers to the case of a clear sac.

They inquired: Do they differ only in the case of a clear sac, but in that of a muddy one, all agree that it is a valid birth, or is it possible that they differ about the one as well as about the other? The *Gemora* leaves this unresolved.

The *Gemora* asks from a *braisa* which states that a verse was necessary to teach that a sac is regarded as a child; if the dispute is only regarding a muddy one, why would a verse be necessary; is it not a logic that it should be regarded as a child? This proves that the dispute refers to a clear sac.

Rav Nachman citing Rabbah bar Avuha also stated: They differ only in regard to a muddy sac, but regarding a clear one, all agree that it is not a valid birth.

Rava challenged Rav Nachman from a *braisa*: The Sages have declared: A sign of offspring in small cattle is a discharge (*soiling from the womb*); in large cattle, the afterbirth; and in a woman, the signs are an embryo or an afterbirth. We may infer from here that the embryo in cattle provides no exemption (*for the next birth*). Now, if you grant that they differ in the case of a clear sac, one can well see the reason why only a woman, whose case the Torah specifically included, was granted exemption (*for the next birth*) in respect of a sac, while cattle, whose case the Torah did not teach any exemption, was granted in respect of a sac; but if you maintain that the dispute concerns only a muddy sac, let us consider the following: Since the validity of such a birth is dependent upon a logical reason, what difference in this respect could there be between a woman and cattle?

The *Gemora* answers that Rabbi Yehoshua was uncertain regarding this matter, and regarding a firstborn by an animal (*where the prohibition against shearing it or working with it applies*) and regarding the mother being *tamei* he ruled stringently, but with respect of the woman, where the issue is only a monetary one (*regarding the redemption money*), he ruled leniently.

The *Gemora* notes that although he cited a Scriptural verse, that was merely being used as a support for the Rabbinical ruling. (25a)