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### **Caesarean**

Rabbi Yochanan had stated that Rabbi Shimon agrees that an animal born via caesarean is invalid as a sacrifice, as the same word “was born” is used in the context of an animal for a sacrifice, and a firstborn sacrifice. Just as a firstborn is only offered if born naturally, as it must be the first one to exit the womb, so too an animal is valid for a sacrifice if born naturally.

Rabbi Chiya the son of Rav Huna quotes Rava citing a *braisa* supporting Rabbi Yochanan’s statement, in which Rabbi Yehudah explains the verse which says “*this is the rule of the olah, it is the olah...*” This verse, which is inclusive (*the rule of*) to teach that even invalid items that are on the altar need not be removed, has three limiting words (*this, it, the olah*), teaching that three items must be removed: a sacrifice slaughtered at night, one whose blood was spilled, and one whose blood left the courtyard.

Rabbi Shimon says that the inclusive phrase includes all invalid sacrifices, including ones:

1. Slaughtered at night
2. Whose blood spilled
3. Whose blood left the courtyard
4. Whose blood wasn’t applied the whole night
5. That are impure
6. Whose meat was leftover
7. Which was slaughtered with intention to eat improperly
8. Whose blood was received and applied by someone invalid
9. Whose blood was applied in the wrong place (inside vs. outside altars, top vs. bottom of the altar)
10. A *pesach* or *chatas* slaughtered as a different sacrifice

The limiting word *this* excludes the following animals, which are invalid before becoming sanctified:

1. One which sodomized a person, or if it was sodomized by a person
2. One designated for idolatry
3. One worshipped as idolatry
4. One given as payment to a prostitute for relations
5. One used to buy a dog
6. A hybrid, born from two different species parents
7. A *tereifah* – with a fundamental anatomical defect
8. One born via caesarean

The *Gemora* assumes that the case of caesarean that Rabbi Shimon listed refers to any sacrifice, supporting Rabbi Yochanan’s statement.

The *Gemora* attempts to deflect this, saying that it refers to firstborn animal only, but rejects this, as we already know that such an animal isn’t even sanctified, since it is not the “*first out of the womb.*” We therefore would know that it must be removed from the altar.

The *Gemora* challenges this support, as Rabbi Yochanan said the source for his statement was the same word *imo* – *its mother* used in the context of an animal and a firstborn, making any such animal not sanctified, and therefore obviously removed from the altar.

The *Gemora* answers that the word *imo* teaches that if someone tried to directly sanctify such an animal, it is not sanctified, but the *braisa* is teaching that even an animal designated as a sacrifice, which gave birth to an offspring via caesarean, it must be removed from the altar, even though a regular offspring of a sacrifice would become sanctified on birth. However, there is no such analogous case of firstborn, making the *braisa*’s listing of this case

unnecessary. [Therefore, the braisa does provide support for R' Yochanan's ruling.]

The Gemora notes that this interpretation of the braisa is indeed reasonable, for the braisa taught the following cases: One which sodomized a person, or if it was sodomized by a person; one designated for idolatry; one worshipped as idolatry; a hybrid, born from two different species parents. Now, is the law concerning these derived from this verse (the word "this")? Is it not in fact derived from a different verse: 'From the animals' excludes an animal that sodomized a person, or one that was sodomized by a person; 'from the cattle' excludes an animal that was worshipped; 'from the flock' excludes one that was designated for an idolatrous purpose; 'and from the flock' excludes one that goes?

The Gemora asks further: And do we derive a hybrid from this verse? Do we not derive it from another verse as follows: 'An ox or a sheep or a goat': 'an ox' excludes a hybrid; 'or a goat' excludes a nidmeh (a mutant; one that resembles a different species)?

The answer must be that two series of verses are required; one in connection with an unconsecrated animal and the other in connection with a consecrated one. Accordingly, in our case as well (regarding an animal born through caesarean), two verses were similarly required.

The Gemora cites a braisa: If a woman (during her zivah period) was in protracted labor for three days (with bleeding on each of the three days), but the fetus was born via a caesarean cut, she is to be regarded as having given birth in zivah (for only in the case of normal birth is the blood during the labor preceding it exempt from the tumah of zivah). Rabbi Shimon, however said: A woman in such circumstances is not regarded as having given birth in zivah (for he maintains that such a birth is regarded as a valid birth).

The braisa continues: The blood that emerges from that place is tamei, but Rabbi Shimon declared it tahor.

The Gemora asks: The first clause of the braisa may be well understood, since Rabbi Shimon follows his established opinion (that a birth through caesarean is regarded as a valid birth), and the Rabbis follow theirs; but on what principle, however, do they disagree in the second clause?

Ravina replied: The braisa refers to a case where the child was born through caesarean, while the blood emerged from the womb (through the vaginal canal), and Rabbi Shimon follows his view (that it is a valid birth, and the blood is therefore tahor), while the Rabbis follow theirs.

Rav Yosef asked: Firstly, isn't the second clause then identical with the first? And, furthermore, 'from that place' means, does it not, the place of birth (that the blood issued from the same place as the birth)?

Rather, said Rav Yosef, the case is where both the child and the blood issued through the abdominal wall, and the point at issue between them is whether the place of the uterus is tamei (and, therefore, capable of imparting tumah to any tahor blood that passes through it) or not. The Rabbis holds that the blood is tamei because it comes through the uterus, and Rabbi Shimon maintains that the place of the uterus is tahor.

Rish Lakish stated (a different explanation): According to the one who holds the blood to be tamei, the woman also is tamei (for it is regarded as a niddah discharge), and according to the one (R' Shimon) who holds the blood to be tahor, the woman also is tahor.

Rabbi Yochanan, however, stated: Even according to the one who holds the blood to be tamei, the woman is tahor. In this Rabbi Yochanan follows a view he previously expressed, For Rabbi Yochanan Said in the name of Rabbi Shimon ben Yochai: How is it known that a woman is not tamei as a niddah until the flow of blood emerges through her nakedness (the normal passage)? It is from the verse: And if a man cohabits with a menstruating woman, and he uncovers her nakedness etc. This teaches us that a woman is not tamei as a niddah until the flow of blood emerges through her nakedness. (40b – 41b)

## Uterus and Outer Chamber

Rish Lakish said in the name of Rabbi Yehudah Nesiah: If (some of) the uterus became detached and dropped upon the ground, the woman is tamei, for it is written: Because your nether part was poured out, and your nakedness uncovered.



The *Gemora* notes that it cannot mean that she is *tamei* for seven days, for the Torah spoke of blood (*being tamei through discharge*) and not of a solid piece; rather, the reference is to *tumah* until evening (*on account of the woman's external contact with the uterus which is tamei*).

Rabbi Yochanan said: If the uterus produced a discharge that was like two pearl drops (*clear and white*), the woman is *tamei*.

The *Gemora* notes that it cannot mean that she is *tamei* for seven days, for there are just five *tamei* kinds of blood for a woman, and no more; rather, the reference is to *tumah* until evening (*on account of the drops' contact with the uterus which is tamei, and subsequently, the woman becomes tamei*).

The *Gemora* notes further that this, however, applies only to two drops, but if there was only one drop, it may be assumed that it originated elsewhere.

The *Mishna* had stated: All women are subject to *tumah* (*of niddah*) if blood appeared in the outer chamber (*even prior to emerging from the body*).

Rish Lakish said that the outer chamber is the part which, when a child sits, is visible (*for the outermost part of the vagina opens slightly*).

Rabbi Yochanan said to him: Isn't that place deemed exposed regarding contact with a *sheretz* (*that tumah is conveyed to the woman though contact with a sheretz in that place, and an internal organ conveys no tumah; evidently this is regarded as being outside of the body, so how then can Rish Lakish say that this is the outer chamber – an internal organ*)?

Rather, said Rabbi Yochanan, it is the part which is regarded as "between the teeth" (*so once the blood passes by these loose pieces of flesh which protrude into the vaginal canal, the woman becomes tamei*). (41b)

## INSIGHTS TO THE DAF

### *Tanu Rabanan*

*Tanu Rabanan* is the commonest opening for new *sugyos*.

**The difference between *tanu rabanan* and *tanya*:** Daf HaYomi learners have surely noticed that there are *beraisos* starting with the word *tanya* while others start with *tanu rabanan*. In this article we shall briefly address the difference between *tanya* and *tanu rabanan* and the difference between the *beraisos*.

Rabbi Sherira Gaon writes that *beraisos* starting with *tanu rabanan* are preferred to other *beraisos* because they originate from the *beis midrash* of Rabbi Chiya and Rav Hoshaya (cited in *Sefer Yuchasin*, Crackow edition, p. 111, and in *Yad Malachi*, os 658).

A more essential difference is mentioned by the Rema' of Pano (Responsa, 25, cited in *Yad Malachi*, *ibid*), that *tanu rabanan* indicates a well-versed *beraisa* learnt by everyone and therefore authentically heard from many. Also in the era when people still learnt orally and each person learnt Torah from his teachers and not from anything written, everyone recognized these *beraisos*: *tanu rabanan* – our Rebbes learnt, all the Rabanan. Other *beraisos* were called *tanya* because only individuals learnt them and when they brought them to the *beis midrash*, they were accepted.

However, sometimes there are *beraisos* brought in one place as *tanya* and elsewhere as *tanu rabanan*. Does this fact undermine all the aforesaid? Rema' of Pano explains that these *beraisos* are *tanu rabanan* but when they are cited by the way, to ask a question or bring proof, they used the term *tanya*. Also, sometimes the person asking the question, aided by the *beraisa*, heard this *beraisa* from an individual and didn't know that it was widespread among everyone and therefore he called it *Tanya*, but those who composed the Gemara knew that this *beraisa* was accepted from many and called it *tanu rabanan*.