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***Liabie for a Chatas***

It was stated: Abaye said in the name of Rabbi Chiya bar Rav: He (*one who withdraws from cohabiting with a menstruant woman*) is liable to bring two *chataos*. And so said Rava that Rabbi Shmuel son of Rabbi Sh'va said that Rav Huna said: He is liable to bring two, one for entering and one for withdrawing.

Rava asked: What are the circumstances? Shall we say, it was near the time of her regular period? And with whom? Shall we say that it was with a learned man? Granted, then, for entering he should be liable, for he thought that he would be able to cohabit (*before she became a niddah*), but for withdrawing, why should he be liable (*for a korban*), since he acted willfully. And if he was an unlearned man, then both acts are the same as eating two portions of forbidden fat, each the size of an olive, in one lapse of forgetfulness!? Perhaps then, shall we say, it was not near the time of her period. And with whom? Shall we say that it was with a learned man? Then he should not be liable to bring even one; for, in entering he was the victim of a pure accident, and in withdrawing he acted willfully! And if it was with an unlearned man, he is liable to bring one - for withdrawing?

Rava then said: The case is when it is close to her regular period, and is regarding a learned man. However, while he knows one law (*that he should not be with his wife when she is close to her regular period*), he does not know

the other law (*that if his wife becomes a niddah while they are having relations he must only withdraw "b'aiver meis" – not with a live organ*).

Rava continues: Both of these sins, entering and withdrawing, are stated in the *Mishnah*. Withdrawing is stated in the *Mishnah*, as it says that if a man was cohabiting with his wife who is *tahor* and she says that she became a *niddah*, if he immediately withdraws, he is liable. Entering is stated, as the *Mishnah* says that if *niddah* blood was found on his cloth immediately after they had relations, they are *tamei* and liable to bring a *korban*. This last *Mishnah* must be discussing a case where he had relations when she was expecting her period, and he is liable for entering when she was a *niddah*!

Rav Adda bar Masna says to Rava: Perhaps this *Mishnah* is referring to a case where it was not when she was expecting her period, and is referring to being liable for withdrawing? If you will ask me that it cannot be discussing entering, as the first *Mishnah* quoted by Rava already clearly discussed entering, this is not so. The *Mishnah* had to discuss the novel teaching that *niddah* blood was found on her cloth immediately after they had relations that they are only considered doubtfully impure and are exempt from bringing a *korban*. Being that it mentioned this novel law, it also mentioned the law regarding a case where blood was found on his cloth.



Ravina asked Rav Adda: Can you really say this second *Mishnah* is referring to a case when she was not expecting her period and is referring to withdrawing? The *Mishnah* says the blood was “found” on their cloths. This implies it was found after the fact. If this was the classic case of having to withdraw, he would have known before the blood was found that she had become a *niddah*!

Rava said to Rav Adda: Listen to what your teacher (*Ravina*) has to say!

Rav Adda persisted: How can you say it is discussing entering? Doesn't the *Baraisa* say: This is the positive commandment of *niddah* that one is liable for. If this is regarding entering, it is a negative commandment!?

Rava answered: If you teach this *Baraisa*, read it as follows: This is the negative commandment of *niddah*. If a person was having relations with his wife who is pure and she says that she became impure, if he immediately pulls away he is liable. This is the positive commandment etc. (17b3 – 18a3)

Mar (*the Baraisa*) states: If he immediately withdraws he is liable.

The *Gemara* asks: What is he supposed to do?

Rav Huna says in the name of Rava: He should stick his ten fingernails into the ground until his member grows soft (*and then withdraw*), and then he will be praised.

Rava says: This indicates that one who has relations while his member is soft is exempt. If he would be liable, why would the *Baraisa* here state that he is exempt for withdrawing while soft? If you will say this is different as he is a victim of forced circumstance, he should also be exempt if he withdraws with a live organ!

Abaye argues: Really, one who has relations while his member is soft is liable. Why is he exempt in this case? He is exempt because he is a victim of forced circumstances. You might ask, why is he liable, then, if he withdraws when his organ is live? The reason he is liable is because he should have withdrawn with less pleasure, and instead withdrew with more pleasure.

Rabbah bar Chanan said to Abaye: If so, we find that there is a difference between staying for a long time (*for which he is exempt*) and staying for a short time (*for which he is liable*). However, the *Mishnah* only mentions a difference between staying for a long time and for a small amount of time regarding someone who finds out he is impure when in the *Mikdash*, not regarding *niddah*!?

The *Gemara* answers: The reason the *Mishnah* does not list both cases are because they are opposites. When staying for a long time here one is exempt, as opposed to being exempt for staying the shortest possible time in the *Mikdash*. Similarly, staying for a short time here is the same as staying for a long time in the *Mikdash*. The *Mishnah* therefore did not list both categories.

Rav Huna the son of Rav Nassan asked: Did Abaye say the man was a victim of forced circumstances? This implies that the case is when she was not expecting her period. However, Abaye said he is liable twice, implying this was close to her period. (*Otherwise, why would he be liable for entering?*) [*Which one is it?*]

The *Gemara* answered: When Abaye said he is liable for two sins, he meant that it is possible to be liable for two sins. (*He did not mean that when she is not expecting her period that one would be liable for two sins.*) (18a3 – 18b1)



Rabbi Yonasan ben Yosi ben Lakunya asked Rabbi Shimon ben Yosi ben Lakunya: Where in the Torah do we see that one is warned not to have relations with a *niddah*?

Rabbi Shimon took some earth and threw it at Rabbi Yonasan. He exclaimed: A warning for having relations with a *niddah*?! The verse clearly states: *And to a woman who is in her niddah impurity one should not come close!*

Rather, Rabbi Yonasan meant to ask where in the Torah do we see that if a man was having relations with his wife who is pure and she says that she became impure, he should wait to withdraw.

Chizkiya says: The verse says: *And her niddah will be upon him.*

The *Gemara* asks: This is a source for the positive commandment. What about the negative commandment? Rav Pappa says: The verse says: *do not come close*. Do not come close also means do not separate, as the verse says, Those who say to you “*krav alecha*” -- “*be close to yourself (i.e. stand still)*” *do not come close to me lest I will make you impure*. (18b1 – 18b2)

The *Baraisa* states: *And you will separate Bnei Yisroel from their impurity*. Rabbi Yoshiya says: This is the source for the warning that Bnei Yisroel should not have relations with their wives when they are expecting their period.

The *Gemara* asks: How long is this separation? Rabbah says: One *onah* (*either one day or one night*). Rabbi Yochanan says in the name of Rabbi Shimon bar Yochai: Whoever does not separate from his wife when she is close to having her period, even if he has sons like those

of Aharon, they will die young. This is as the verse says: *And you will separate Bnei Yisroel from their impurity and the impure woman who is a niddah*. After this verse, the Torah states *after the death (of the sons of Aharon)* etc.

Rabbi Chiya bar Abba says in the name of Rabbi Yochanan: Whomever separates from his wife when she is expecting her period will have male children. This is as the verse says: *To divide between the impure and pure*. It then says: *When a woman will conceive and she will give birth to a male etc.*

Rabbi Yehoshua ben Levi says: He will have children who can rule on *halachic* questions. This is as the verse says: *To divide and rule*.

Rabbi Chiya bar Abba says in the name of Rabbi Yochanan: Whoever makes *havdalah* on wine on *Motzei Shabbos* will have male children. This is as the verse says: *To divide between the holy and the mundane...to divide between the impure and impure*. It then says, *When a woman will conceive and she will give birth to a male etc.*

Rabbi Yehoshua ben Levi says: He will have children who can rule on *halachic* questions. This is as the verse says: *To divide and rule*.

Rabbi Binyamin bar Yefes says in the name of Rabbi Elozar: Whoever sanctifies himself during relations will have male children. This is as the verse says: *And you sanctify yourself, and you will be holy*. It then says: *When a woman will conceive and she will give birth to a male etc.* (18b2 – 18b4)

The *Mishnah* had stated: Rabbi Eliezer says that the verse *the crawling creature...and it is forgotten from him* (*teaches that one is only liable for entering the Mikdash*



*while impure if he forgot he was impure beforehand, not if he forgot that this is the location of the Mikdash).*

The *Gemara* asks: What is the difference between these opinions? Chizkiyah answers: The difference is becoming impure through a crawling creature or *neveilah* (*improperly slaughtered animal*). Rabbi Eliezer says one must know if he became impure through a crawling creature or a *neveilah*. Rabbi Akiva says: He does not have to know how he became impure, but rather that he became impure.

Ulla also gave this answer. This is because he saw a contradiction between two statements of Rabbi Eliezer, and gave this answer. He thought, did Rabbi Eliezer really say he must know if he became impure through a crawling creature or a *neveilah*? A *Mishnah* (in *Kerisus*) states that he said: In any event, he either ate forbidden fats or *nossar* (*leftover from a korban*)! He either transgressed *Shabbos* or *Yom Kippur*! He either had relations with his wife who is a *niddah*, or his sister! Rabbi Yehoshua responded to him: The verse says: *Or if his sin that he sinned became known to him*. This implies he must know exactly what he did. Ulla answered this contradiction by explaining that regarding *korbanos* the verse says: *that he sinned and he will bring*. This implies that as long as he knows he committed a sin that mandates bringing this *korban*, he should bring it. Regarding impurity, the verse says: *or with any impure thing*. Why did it then say *or with the neveilah of an impure crawling creature*? It must be to teach us that he must know whether he became impure through a crawling creature or *neveilah*.

And Rabbi Akiva? — Because Scripture wishes to write domestic animal and beast for the sake of Rebbe's deduction, it writes also creeping thing; as was taught in the School of Rabbi Yishmael: Any Biblical passage that

was stated once, and then repeated, was repeated only for the sake of something new that was added to it. - And what does Rabbi Eliezer do with the word wherein [he has sinned]? — To exclude one who occupies himself [with a permitted thing and unintentionally does that which is prohibited]. - And Rabbi Yochanan said: 'Inferences of expounders' is the difference between them. And so said Rav Sheishes: 'Inferences of Expounders' is the difference between them, for Rav Sheishes was wont to change the words of Rabbi Eliezer for those of Rabbi Akiva, and the words of Rabbi Akiva for those of Rabbi Eliezer. (18b4 – 19a1)

## DAILY MASHAL

### ***Between the Animal that will not be Eaten***

The *Gemara* in Yoma 82b recounts the story of two pregnant women who desired a certain food that they smelled on Yom Kippur. Rabbi advised that someone should whisper to them that the day was Yom Kippur and thus perhaps quiet their appetite. One of the women obeyed and had the merit to give birth to Rabbi Yochanan. Her companion, who ate on Yom Kippur, gave birth to a son who became a sinner.

Rabbi Akiva Eiger zt"l revealed a wonderful allusion to this story. The Torah says "to distinguish between the pure and the impure and between the animal (*chayah*) that is eaten and the animal that will not be eaten" (Vayikra 11:47). If you want know which infant will be a pure *tzadik* and which an impure sinner, look well at the pregnant woman (also called a *chayah* in the Tanach) who ate on Yom Kippur and who bore a sinner and at the *chayah* who didn't eat, who gave birth to a *tzadik* (*Telalei Oros*, Vayikra, I, 226).