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Bechoros Daf 22

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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

Mishna

Rabbi Eliezer ben Yaakov says: if a large domestic animal has discharged a clot of blood, it (*the clot*) shall be buried (*for it is forbidden for benefit in case it was a male fetus which disintegrated and was sanctified as a firstborn*), and it (*the mother*) is exempted from the law of *bechor*. (21b)

Status of the Clot of Blood

Rabbi Chiya taught a *braisa*: [R' Eliezer ben Yaakov adds:] The clot of blood does not transmit *tumah* through contact, nor by being carried (*for it is not regarded as a neveilah – a carcass of an animal that died without slaughtering*).

The *Gemora* asks: Now, since it does not transmit *tumah* through contact, nor by being carried, why must it be buried (*for evidently, we are not concerned that there was a fetus here at all*)?

The *Gemora* answers: It is in order to make known that the mother is exempted from the law of the firstborn.

The *Gemora* asks: But does that not mean to say that it is a genuine offspring? If so, why does it not transmit *tumah* through contact, nor by being carried?

Rabbi Yochanan answered: That is because the principle that it is nullified by the larger portion is applied here. [*The blood of the mother and other substances - being the larger portion - nullifies the disintegrated fetus, and therefore, it is not susceptible to tumah.*]

The *Gemora* notes that Rabbi Yochanan is in agreement here with the opinion he expressed elsewhere, for Rabbi Yochanan said: Rabbi Eliezer ben Yaakov and Rabbi Shimon said the same thing (*that the disintegrated fetus can become nullified by the majority*). Rabbi Eliezer ben Yaakov's ruling is the one which we have just cited (*in the braisa*). What is Rabbi Shimon's statement? It was taught in a *Mishna*: If there is an afterbirth in a house (*a woman miscarried there, but a fetus was not recognizable*), the house is *tamei*. This is not because the afterbirth is considered a disintegrated child, but rather, it is because there cannot be an afterbirth without a child. But Rabbi Shimon says: The child disintegrated before it came forth (*and therefore, it was nullified by the majority*). (21b – 22a)

Whorl

We have learned elsewhere in a *Mishna*: [*If an embryo died inside a woman who was moved from house to house, and her uterus was opened in one house, but the stillborn did not emerge in that house but in another, the first house is tamei, as if it had been born there, for the tumah breaks through. If, the womb remained closed, the tumah cannot enter the house, for 'swallowed-up' tumah does not transmit tumah.*] The 'opening of the uterus' for stillborns (*to transmit tumah*) is not until the circumference of the fetus' head is at least the size of a whorl (*a small disk placed on the spindle; if it's less than that, it is still regarded as 'swallowed-up,' and cannot transmit tumah*).

Rav Huna explains that this is referring to a whorl of wool.

Chiya bar Rav said to Rav Huna: Can the Rabbi explain specifically whether the whorl of the warp (*small*) or the whorl of the woof (*thick*) is meant?

He replied to him: It has been taught in a *braisa*: The whorl of the warp (*is meant*); these are the words of Rabbi Meir. Rabbi Yehudah says: The whorl of the woof (*is meant*). Rabbi Eliezer the son of Rabbi Tzadok says (*that even a smaller opening is sufficient to allow the tumah to be transmitted*): From the time when the *tefifiyos* of her womb are visible.

Rav Yehudah said in the name of Shmuel, who said on behalf of Rabbi Eliezer the son of Rabbi Tzadok: In Jerusalem they used to explain it in this manner. It (*tefifiyos*) is like a female mule (*who crouches more than other animals*) which bends to urinate (*thus exposing her uterus*), and it has the appearance of a whorl emerging from a whorl.

Rav Huna said: I learned two rulings regarding whorls - one of the warp and the other of the woof, but I am unable to explain them (*as to what they are referring to*).

When Rav Dimi came (*from Eretz Yisroel*), he reported in the name of Rabbi Yochanan: I learned three rulings regarding whorls - one of the warp and the other of the woof, and a large one for weaving sacks (*where the whorl was even thicker*), but I am unable to explain them (*as to what they are referring to*).

When Ravin came (*from Eretz Yisroel*), he explained this in the name of Rabbi Yochanan: In the case of a woman (*who was delivering a stillborn*), the whorl is like a warp (*and if the head's circumference is less than that, it does not transmit tumah*). In the case of an animal, the size of the whorl (*to be regarded as an 'opening of the womb'*) is like the woof. And as to the large one for weaving sacks, it is as we have learned in the following *Mishna*: A clod (*of earth*) from a *beis haperas* (*a field in which a grave had been plowed over; which we rule to be tamei*) or a clod from 'the Land of Nations' (*where the*

Rabbis have decreed that it transmits tumah) must have the size of a large whorl used for weaving sacks, which (*in size*) is like the seal of cargo bags, and is found on the top part of the stopper of the Beis Lechem wine jug. (22a)

Arousing Tumah which has been Nullified

Rish Lakish said in the name of Rabbi Yehudah Nesiah: He who buys (*fish*) brine from an *am ha'aretz* (*unlearned fellow*) must bring it in contact with water of a *mikvah* (*the immersion here is valid based upon "hashakah," which means that any water connected to the mikvah water is regarded as being part of the mikvah*), and it is then regarded as *tahor*. For in either case (*whether there is more fish juice than water in the brine, or whether there is more water than fish juice there*), it will be *tahor*: if the larger portion (*of the brine*) is water, since he brings it in contact with the *mikvah* water, it is *tahor*; and if the larger part is fish juice, the juice is not susceptible to *tumah* (*at the outset*). We are not concerned for the small quantity of water in the brine, for it has been nullified in the larger portion of the brine.

Rabbi Yirmiyah said: This has been taught only with regard to dipping bread in it, but for cooking purposes (*to be used as seasoning*), the brine is not permitted, since that kind (*the forbidden water, which had not been nullified*) has met with its own kind (*the water in the pot*) and is aroused (*for the water is now the majority, and the fish juice cannot nullify the entire mixture*).

Rav Dimi was once sitting and repeated this ruling of Rabbi Yirmiyah: Abaye said to him: Can *tumah*, once nullified, be aroused again?

He replied to him: And do you not hold that the *tumah* can be aroused? Have we not learned in a *Mishna*: If a *se'ah* of *terumah* that was *tamei* has fallen into a hundred *se'ah* of *chullin* that were *tahor* (*which nullifies both the tumah and the terumah; the chullin did not become tamei, for they were*



never made susceptible to tumah), Rabbi Eliezer says: A *se'ah* is separated and left to rot (as if it was *tamei*), for I maintain that the same *se'ah* which fell in was the same as the one which was separated. But the Sages say: A *se'ah* is separated (for although it is completely nullified, a *se'ah* must be given to the *Kohen*, for otherwise it is as if he would be stealing from the *Kohen*) and eaten in a dried state (so it should not become *tamei*), toasted, kneaded in fruit juice, or divided into (*minute*) loaves (even when kneaded with water), so that there shall not be in one place the size of an egg (for that is the minimum size which can convey tumah). And a *braisa* was taught in connection with this: As to the *chullin* in the mixture, according to Rabbi Eliezer (who said that the *se'ah* which was removed was the one which was *tamei*), what shall become of it? It shall be eaten in a dried state (so it should not become *tamei*), toasted, kneaded in fruit juice, or divided into (*minute*) loaves (even when kneaded with water), so that there shall not be in one place the size of an egg (for that is the minimum size which can convey tumah). And Ulla explained the reason for this: It is a precautionary measure in case he brings a *kav* of *chullin* which is *tamei* from another source and a *kav* and a bit more from this kind, for he thinks that he nullifies it with the larger portion (that is completely *tahor*). However (this would not be effective), since there is this minute quantity of *tumah* in this mixture, its kind (the *tumah* of the new source) will find its own kind (the *tumah* which has been nullified) and the *tumah* will be aroused! [Evidently, nullified tumah can still be aroused!?] (22a – 23a)

INSIGHTS TO THE DAF

A matzah of chametz allowed on Pesach but there's a mitzvah to burn it!

This article concerns a matzah of *chametz* which became mixed with kosher matzos, eating a mixture of the forbidden and the permitted, burning a matzah allowed to be eaten and other topics.

The current *sugyos* address the subjects pertaining to *rov* - the majority. This concept includes a few different rules, including "follow the majority" and "becoming insignificant in a majority" (*bitul berov*). Our *sugya* deals with "follow the majority" while it inquires that if there is a doubt as to whether an animal gave birth for the first time, it should be considered as such because most animals give birth, so follow the majority.

Eating a mixture of the forbidden and the permitted: There is a great disagreement among the Rishonim concerning a food that became insignificant in a majority. A piece of *neveilah* that was mixed with two pieces of kosher meat may be eaten as it is *bateil berov* (we said "mixed" but not "cooked" because then there's a need for it to become *bateil* in 60 parts because of its taste absorbed in all the foods cooked with it). What about someone who wants to eat all three pieces, of which one, without any doubt, is *neveilah*? According to *Tosfos Rid* (Bava Basra 31a), it is forbidden and if he did so, he must bring a *chatas* because he ate *neveilah*! In his opinion, one person mustn't eat all three pieces but only two of them. However, his opinion stands alone and all the other Rishonim disagree, as the *Tur* rules (*Y.D.* 109) like his father, the *Rosh* (*Chulin*, Chapter *Gid HaNasheh*, §37), that "the forbidden article becomes permitted and it is permitted even to eat all of them at one time". The *Rashba* also agrees that from the Torah there's no prohibition but in his opinion, Chazal decreed not to eat the three pieces together and *Shulchan 'Aruch* rules likewise (*Y.D.* 109:1; see *ibid* for another opinion, and the *Remo*).

Does *bitul barov* dispel the article's essence? This disagreement of the Rishonim exposes the roots of the halachah of *bitul berov*. Does the very essence of the forbidden food become insignificant and depart or, perhaps, the forbidden food does not become entirely detached from its roots of *issur* and its characteristics do not cease to exist but, in its present condition, it is allowed to be eaten?



Now that we have become acquainted with this disagreement, we turn to a *beraisa* cited in our Gemara and not repeated elsewhere in *shas* and we find that, apparently, it contains both opinions together!

The *beraisa* says that impure articles become *bateil* in a majority of pure articles and, therefore, someone who touches, even all of them together, does not become impure. We thus see that the essence of the impure article becomes insignificant. On the other hand, the *beraisa* says that he who carries the whole mixture becomes impure with *tumas masa* (impurity because of carrying) because he who carries an impure article becomes impure. Didn't the *beraisa* say that the article's essence was dispelled? (See Tosfos, s.v. *Neveilah*, that we could make a distinction).

The difference between touching and carrying: HaGaon Rabbi Elchanan Wasserman zt"l explains that if we examine the form of becoming impure by **touching** the impure article and the manner of becoming impure by **carrying** it, we'll notice that they are essentially different. By its nature, the act of touching the whole mixture is accomplished by a few acts of touching gathered together. A person places his hand and every finger performs an act of touching, each part of his finger touches a different spot and all of them join in one great touching. As touching is composed of parts, we say that each individual act of touching did not extend impurity to the toucher because it surely touched the pure majority and not the impure part. The act of carrying is different: it only involves carrying its weight without any contact. We don't have a few individual acts joined together but a single act and therefore we can't say that he didn't carry the impure part.

You can conclude this article here but if you want to enjoy a witty question, you are invited to read on.

On the eve of Pesach a matzah of *chametz* became mixed with two kosher matzos. Apparently, it became insignificant in the majority and, indeed, *Magen Avraham* rules (442) that it is permitted to eat the three matzos on Pesach. However,

won't the prohibition to keep *chametz* during Pesach arise and eliminate the permission to eat them? It is forbidden to eat *chametz* during Pesach and it's forbidden to keep *chametz* at home: "You shall see no leavening throughout your domain." As the person possesses all the matzos, it turns out that just as someone who carries the whole mixture containing impurity becomes impure, as he certainly carried impurity, in the same way this person must immediately burn the three matzos as he possesses them all and one of them is surely *chametz*!

We thus have a matzah permitted to eat but forbidden to keep in one's possession...

It's a mitzvah to burn what's forbidden to eat: Rabbi Wasserman immediately solves the complicated predicament. We are commanded not to possess *chametz* forbidden to eat! This *chametz* succeeded in becoming insignificant due to *bitul berov* and may be eaten. The Torah did not command us to burn it... (*Kovetz Shi'urim*, II, in *Kovetz Beurim*, Bechoros, os 3; see also *Mikraei Kodesh*, Pesach, I, p. 241 and 236 from the *Semag*).

DAILY MASHAL

An Oath Relying on the Majority

People say that Rabbi Shalom of Belz zt"l once blessed a woman for children and even swore to her that his promise would come true. When he saw people wondering, he said, "What are you wondering about? The Torah ruled that one should follow the majority and the *Gemora* in Yevamos 119a says that 'most women give birth'."