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**Mishna**

Regarding the blood of an idolatress (*which is generally not regarded as being tamei*) and the *taharah* blood (*of a woman in the specified days after childbirth*) of a *metzora* woman, Beis Shammai declare it to be *tahor* and Beis Hillel hold that it is like her saliva or her urine (*which conveys tumah when moist but not when dry*). [Beis Shammai maintains as follows: Although the Sages regarded an idolatress as a *zavah*, and her saliva and urine is *tamei* when it is moist, in order that people should realize that this is merely Rabbinic in nature and *terumah* and *kodashim* cannot be burned on its account, they declared that her blood is *tahor*. By a *metzora* – although her saliva and her urine are *tamei*, her blood is not. Beis Hillel, however, holds that the distinction between the blood of an idolatress and the blood of a Jewish woman who is a *zavah* is that a *zavah* conveys *tumah* whether the blood is moist or dry, and the blood of an idolatress is only *tamei* if it is moist. They further maintain that the *tohar* blood of a *metzora* woman is the same as her saliva and urine.]

The blood of a woman after childbirth who (*completed her days of tumah, but*) did not immerse in a *mikvah*, Beis Shammai ruled, is like her saliva or her urine (*which conveys tumah when they are moist, but not when they are dry; they maintain that legally the blood discharged in these days is tahor, for it is not dependent on her immersion, but rather, it is contingent on the amount of days after childbirth; the Sages, however, did not want people to err and believe that blood discharged even during her days of tumah is also tahor, they therefore decreed that her blood is tamei, and in order that people should realize that this is merely Rabbinic in nature and terumah and kodashim cannot be burned on its account, they declared that her blood is tamei only when moist and not like the tamei blood discharged after childbirth which conveys tumah when moist and when dry*), but Beis Hillel ruled that it conveys *tumah* both when moist and when dry. They agree, however, that if she gave birth while in a state of *zivah* that it conveys *tumah* both when moist and when dry. (34a)

**Secretions of an Idolater**

The *Gemora* asks: But doesn't Beis Shammai uphold the following decree: *Speak to the Children of Israel and say to them: when a man has a discharge. A braisa* taught that only the Children of Israel convey *tumah* by *zivah* and idolaters do not convey *tumah* by *zivah*, but a decree has been enacted against them that they should be regarded as *zavim* in all respects (*even when they did not experience any discharge*). [Why does Beis Shammai rule that the blood of an idolatress is *tahor*?]

The *Gemora* answers: Beis Shammai will argue as follows: What should the Sages decree? If it were to convey *tumah* both when moist and when dry, you would treat it as a Biblical *tumah* (*and this might lead to the erroneous assumption that it also causes the burning of terumah and kodashim*). If it were to convey *tumah* only when moist and not when dry, you might also make the same distinction in a Biblical *tumah* (*of a zavah by a Jewish woman*). [They therefore were 'forced' not to decree *tumah* at all on the blood of an idolatress.]

The *Gemora* asks: If so, shouldn't the same provision be made in the case of her saliva and her urine as well (*that they should be tahor, for otherwise, one might confuse this case with a Biblical tumah, and this will result in the erroneous assumption that it also causes the burning of terumah and kodashim*)?

The *Gemora* answers: Since the Sages made a distinguishing rule regarding her blood (*that it is tahor*), it is sufficiently known that her saliva and her urine are only Rabbinically *tamei*.

The *Gemora* asks: And why shouldn't the distinguishing rule be laid down regarding her saliva or her urine (*that they are tahor*), while her blood should be ruled to be *tamei*?

The *Gemora* answers: Concerning her saliva and her urine, since they are more commonly discharged, the Sages have enacted a decree (*that*

they are *tamei*), but concerning her blood, which is not as commonly discharged, the Sages have enacted no decree.

Raba ruled: The discharge (of an idolater) in *zivah* is *tamei* even according to Beis Shammai (who ruled that the *zivah* blood of an idolatress is *tahor*), and his discharge of semen is *tahor* even according to Beis Hillel (who ruled that the blood of an idolatress is *tamei* when it is moist).

The *Gemora* explains their reasoning: The discharge (of an idolater) in *zivah* is *tamei* even according to Beis Shammai, since a distinguishing rule can be made in connection with the discharge of his semen (that it is *tahor*). His discharge of semen is *tahor* even according to Beis Hillel, since the Sages have enacted a distinguishing rule in order that *terumah* or *kodashim* shall not be burned on its account.

The *Gemora* asks: But why shouldn't the distinguishing rule be enacted in regard to his discharge in *zivah*, while his discharge of semen should be declared *tamei*?

The *Gemora* answers: Concerning his discharge in *zivah*, which is not dependent on his action, the Sages have enacted a preventive measure, but concerning a discharge of his semen, which does depend on his action, the Sages did not enact any preventive measure.

The *Gemora* suggests that the following *Mishna* provides support to Rava's ruling: If an idolatress discharged the semen of a Jew, it is *tamei* (she, however, is not *tamei*, for an idolatress is not subject to any *tumah*); but if a Jewish woman discharged the semen of an idolater, it is *tahor*. Now, does not this mean that it is completely *tahor* (even on a Rabbinic level)? [This would be a proof to Rava.]

The *Gemora* deflects the proof by saying that '*tahor*' means on a Biblical level, but Rabbinically, it will be *tamei*.

The *Gemora* attempts to provide proof from the following *braisa*: It therefore emerges that the semen of a Jew is *tamei* everywhere (wherever it may be found), and even in the womb of an idolatress, while that of an idolater is *tahor* everywhere, even in the womb of a Jewish woman, with the exception of any urine of hers that is mixed up with it (since her urine is *tamei*). [And since the idolater's semen is ruled to be *tahor* everywhere, support is adduced for Raba's ruling.]

And should you argue that here also it is only Biblically *tahor* but it is *tamei* Rabbinically, we can ask: Does then her urine convey *tumah* Biblically? [Of course, it does not; its *tumah* is only Rabbinical, and yet the *braisa* states that it is *tamei*.] Consequently, it may be inferred that

the semen of an idolater is *tahor* even Rabbinically. This is indeed conclusive.

The master said (in the *braisa* cited above): The semen of a Jew is *tamei* everywhere (wherever it may be found), and even in the womb of an idolatress.

The *Gemora* asks: May you not therefore resolve an inquiry of Rav Pappa, for Rav Pappa inquired: What is the law regarding the semen of a Jew in the womb of an idolatress? [Is it *tamei* or not?]

The *Gemora* answers: Within three days (since intercourse), Rav Pappa did not inquire (for certainly, the semen that emerged from her body is *tamei*, for it is still viable); his inquiry related only to one after three days. What, he asked, is the law? Is it only in the case of Jewish women, who are anxious to observe the *mitzvos*, their bodies produce heat and the semen decomposes (and it is therefore ruled to be *tahor*), but in the case of an idolatress, who are not anxious to observe the *mitzvos*, their bodies do not produce heat, and the semen (inside their womb) therefore does not decompose, or is it possible that on account of their consumption of abominable creatures and reptiles, their bodies also produce heat and their semen also decomposes? The *Gemora* leaves this question unresolved.

The *Mishna* had stated: Regarding the *taharah* blood (of a woman in the specified days after childbirth) of a *metzora* woman, Beis Shammai declare it [to be *tahor* and Beis Hillel hold that it is like her saliva or her urine (which conveys *tumah* when moist but not when dry)].

The *Gemora* asks: What is Beis Hillel's reason?

Rabbi Yitzchak said: Whether it be a male (an extra phrase in the verse discussing *zivah*) includes a male *metzora* regarding his secretions; or a female (which is superfluous as well) includes a female *metzora* regarding her secretions. Now, what could be meant by 'her secretions'? If it would be suggested that it is referring to her other secretions (such as her saliva and her urine), the objection could be made that the *tumah* of these could be derived from that of the male (regarding that which is common among both of them). The reference consequently must be to the *tumah* of her blood - to declare her *taharah* blood (after childbirth) to be *tamei*.

The *Gemora* explains that Beis Shammai maintains that the *tumah* of a female could not be derived from that of a male, for it can be objected that a male is different than a female since he (a *metzora*) is also required to leave his hair unkempt and to rend his clothes, and he



is also forbidden in sexual relations; how then could his *tumah* be compared to that of a female, who is not subject to these restrictions?

Beis Hillel, however, will derive it through the following *kal vachomer* (literally translated as *light and heavy, or lenient and stringent; an a fortiori argument; it is one of the thirteen principles of biblical hermeneutics; it employs the following reasoning: if a specific stringency applies in a usually lenient case, it must certainly apply in a more serious case*): The Torah could have written down the restrictions (regarding the secretions which are *tamei*) in regard to the female, and there would have been no necessity to repeat them in regard to the male; for I could have said as follows: If in the case of a female, who is not required to leave her hair unkempt or to rend her clothes, and who is not forbidden in sexual relations, the Torah included her secretions (in the laws of *tumah*); how much more so then should this be the rule in the case of the male. Now, since the verse serves no purpose in regard to the male (for it may be derived through the *kal vachomer*), apply it to the female; and since it serves no purpose as far as her secretions are concerned (for that was derived from the verse, 'or a female'), apply it to her blood - to declare her *taharah* blood (after childbirth) to be *tamei*.

The *Gemora* explains that Beis Shammai will argue that the *tumah* of a male cannot be derived from that of a female, for the *kal vachomer* can be refuted as follows: A female is different, since she becomes *tamei* (through *zivah*) even as a result of a stimulus (and not only when it is discharged because of an ailment afflicting her flesh); how then could her *tumah* be compared to that of a male, who is not subject to this stringency?

Beis Hillel, however, will respond that the subject dealt with is the *tumah* of the *metzora*; how can they refute the derivation from that of *zivah*?

Beis Shammai will explain that they raise objections from any form of *tumah*.

Alternatively, Beis Shammai can answer you that the phrase 'whether it be a male' is required for the following exposition: 'Whether it be a male,' irrespective of whether he is an adult or only a minor (he is subject to the *tumah* of *zav*).

Beis Hillel would derive this ruling from the following verse: *This is the law concerning the zav*, which implies, whether he is an adult or only a minor. (34a – 34b)

## DAILY MASHAL

### ***Jews and Idolaters – Bodies are Different***

Rav Pappa inquired: What is the law regarding the semen of a Jew in the womb of an idolatress? [*Is it tamei or not?*]

The *Gemora* explains: Within three days (since intercourse), Rav Pappa did not inquire (for certainly, the semen that emerged from her body is *tamei*, for it is still viable); his inquiry related only to one after three days. What, he asked, is the law? Is it only in the case of Jewish women, who are anxious to observe the *mitzvos*, their bodies produce heat and the semen decomposes (and it is therefore ruled to be *tahor*), but in the case of an idolatress, who are not anxious to observe the *mitzvos*, their bodies do not produce heat, and the semen (inside their womb) therefore does not decompose, or is it possible that on account of their consumption of abominable creatures and reptiles, their bodies also produce heat and their semen also decomposes? The *Gemora* leaves this question unresolved.

The Chasam Sofer (courtesy of Parshablog) writes: And because of this, it is difficult for me to rely on the instructions of the doctors of our times, even a Jewish doctor, in the matter of *niddah* and the like. For all of their expertise is based on the medical works which were made via experimentation that they had upon the bodies of the nations of the world. And so too, all of their science in dissection (*anatomy*) is based on what they tried upon their own bodies, where *chavil gufayhu*; and this is not then a proof to the bodies of Israelites, and there is not to apply legally from their words to be lenient in any prohibition, except for *chillul Shabbos* and eating on Yom Kippur, for this is only a doubt of danger to life, which also pushes off *Shabbos*. But to trust in them entirely and absolutely, it does not appear to me.