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Niddos at Death

The *Mishna* had stated: Beis Shammai said: [Women who die are regarded as niddos at the time of their death].

The *Gemora* asks: What is Beis Shammai’s reason? It cannot be because of the concern that due to the fright of the Angel of Death, she experiences a discharge, for it was taught in a *Mishna* that fear causes the suspension of blood (and it is for that reason that, although a woman who has a fixed period is tamei if she did not examine herself in the right time – even if afterwards she finds no blood, a woman who is hiding from marauders during that time remains tahor; this is because “fright” suspends the expected discharge).

The *Gemora* answers: There is a distinction between the two cases. When the fright is extended over a period of time (like in the case of the marauders), the womb contracts (and, accordingly, her normal blood flow is suspended); however, a sudden fright (at the time of her death) loosens it (and the womb opens, causing the blood to flow out).

The *Gemora* asks: But then, let us consider that which was taught in the following *braisa*: Beis Shammai stated: All men die as zavim (and are regarded as tamei), and Beis Hillel stated: No dying man is deemed to be a zav unless he died when he was actually a zav; why (according to the explanation we gave for Beis Shammai that sudden fright causes a woman to become a niddah, and that logic

applies to a man becoming a zav at the time of his death as well); shouldn’t we apply here the rule that one becomes tamei as a zav only if the zivah discharge is “from his flesh” (naturally), but if it is discharged due to an external stimulus, he will not become tamei (so why would Beis Shammai rule that men who die are tamei as zavim)?

Rather, the *Gemora* explains Beis Shammai’s reason based upon the following *braisa*: Initially, they would subject to ritual immersion all garments that had been worn by dying niddos (even if they were removed prior to their death; this is because they transmitted the tumah to the garments); but as living niddos felt ashamed (that niddos in death were treated differently than other women), it was decreed that garments worn by all dying women should be subject to immersion, out of a deference to the living niddos. Initially, they would subject to ritual immersion garments worn by dying zavim, but as living zavim felt ashamed, it was decreed that garments worn by all dying men should be subject to ritual immersion, out of deference to the living zavim. (71a)

Mishna

If a woman died and a quarter of a log (*revi’is*) of blood issued from her (uterus), it transmits tumah as a bloodstain (and even if there would be less than a *revi’is*, it would convey tumah), and it also transmits tumah through *tumas ohel* (if the tumah source and a person or object is under the same roof; this would only occur if there was a *revi’is* of blood in one spot). Rabbi Yehudah said: It does not transmit tumah as a stain, since it was detached (from

her body) after she had died (and niddah blood is only when it was discharged when she was alive). Rabbi Yehudah, however, agrees that where a woman sitting on a birthing stool died and a *revi'is* of blood issued from her, it transmits *tumah* as a bloodstain (for some of it is presumed to have been discharged while she was alive). Rabbi Yosi ruled: Therefore, it does not transmit *tumah* through *tumas ohel* (for it is not regarded as the blood of a corpse). (71a)

Blood Detached after Death

Zeiri explains the dispute of the *Mishna* as follows: The first *Tanna*, who maintains that although the blood was detached after she died, it transmits *tumah* as a bloodstain, holds that the place of the uterus is itself *tamei* (and, therefore, it is capable of imparting *tumah* to any *tahor* blood that passes through it, and consequently, the blood that is discharged – even after death, is *tamei*). (71a)

Tevusah Blood

The *Mishna* had stated: Rabbi Yehudah, however, agrees [that where a woman sitting on a birthing stool died and a *revi'is* of blood issued from her, it transmits *tumah* as a bloodstain (for some of it is presumed to have been discharged while she was alive)].

The *Gemora* asks: Does it then follow that the first *Tanna* holds that it transmits *tumah* through *tumas ohel*!? [How can that be, seeing that the blood was discharged while she was still alive?]

Rav Yehudah replied: The difference between them is the question of *tevusah* (mingled) blood. [The blood of a corpse mingled with that of a living person is referred to as *tevusah* blood. R' Yehudah holds that it is doubtful whether all the blood was detached while the woman was still alive or whether part of it was detached after she died, and therefore, it is regarded as mingled blood, which Rabbinically transmits *tumah* through *tumas ohel* (though

Biblically, it cannot do so unless the prescribed minimum – a *revi'is*, had been detached after death), while R' Yosi maintains that, since the woman was sitting on the birthing stool, all the blood that has been discharged may be presumed to have been detached while she was alive, so that the issue of *tevusah* blood does not arise.] For it was taught in a *braisa*: What is meant by *tevusah* blood? Rabbi Elozar the son of Rabbi Yehudah explained: It refers to blood that issued from a slain man - either while he was still alive or when he was dead, and it is uncertain whether (a full *revi'is*) issued while he was still alive or when he was already dead, or whether it partly issued while he was alive and partly while he was dead; this is *tevusah* blood (where the *halachah* is that it transmits *tumah* through *tumas ohel* on a Rabbinical level). But the Sages ruled (in such a case): In a private domain, a case of doubt is *tamei*, while in a public domain, a case of doubt is *tahor*. [An Oral Tradition from Sinai teaches that whenever there is a case of doubtful *tumah*, the ruling depends on the domain where the uncertainty arises. If it arises in a private domain, the ruling is *tamei*; if it arises in a public domain, the ruling is *tahor*.] What then is meant by *tevusah* blood? It refers to a *revi'is* of blood that issued from a slain man both while he was still alive and when he was dead [and the flow had not yet ceased (seemingly, Rashi did not have these words in his version)], and it is uncertain whether the majority issued while he was alive and the minority of it after he was dead, or whether the minority issued while he was alive and the majority of it when he was dead; this is *tevusah* blood. [Since it is certain that the blood issuing after death did not make up the prescribed minimum, there will not be any Biblical *tumah* imposed – even in a private domain. The Sages decreed *tumah* on this blood because of the possibility that the majority of the blood oozed out after the person's death. If it was certain that the majority oozed out prior to his death, they would not have imposed any *tumah*.] Rabbi Yehudah said: The blood of a slain man, from whom a *revi'is* of blood issued while he was lying in a bed with his blood dripping into a hole, is *tamei*, because the drop of death is mingled with it, but the Sages hold that it is *tahor*, because each single drop (that dripped out from

his body) is detached from the other (and therefore, the blood that drips after his death is nullified in the blood that preceded it). [It is only where the flow of the blood is continuous, so that there is no chance for the blood to become nullified, that corpse tumah is imposed by the Sages. This applies as long as there is a possibility that most of the revi'is oozed out after his death.]

The Gemora asks: But didn't the Sages respond well to Rabbi Yehudah (that the post-death blood should become nullified by the other blood)?

The Gemora answers: Rabbi Yehudah follows his own principle, for he said that blood does not nullify blood. [This is because he maintains that when one kind becomes mixed with its own kind that it does not become nullified.]

The braisa continues: Rabbi Shimon said: If the blood of a man who was hung upon a beam was flowing steadily to the ground, and a revi'is of blood was found under him, it is tamei (since there was blood that issued after death, and it could not be nullified, it is subject to corpse tumah as tevusah blood). [If, however, the blood was falling in disconnected drops, each drop would have been nullified as it fell into the tahor blood that issued earlier while the man was still alive.] Rabbi Yehudah declared it tahor, since I can say that the drop of death remained on the beam.

The Gemora asks: But why shouldn't Rabbi Yehudah say to himself that I can say that the drop of death remained on the bed (and even in the case where the man died on the bed, it should be tahor)?

The Gemora answers: The case of blood in a bed is different since the bed shakes (and therefore, the post-death blood falls to the ground). (71a – 71b)

Mishna

Initially, it was said that a woman who is in the midst of observing her days of tohor (where any blood discharged

is regarded as clean; this occurs from the eighth to the fortieth day after giving birth to a boy, and from the fifteenth to the eightieth day after the birth of a female) may pour out water for (the washing of) the pesach offering. [She may pour water from one vessel to another, but she cannot touch the water itself; this is because she is subject to the second grade of tumah like a tevl yom until her days of tohar are completed; one who is subject to second grade of tumah would convey a third grade of tumah to the water, but not to the vessels.] Subsequently, they changed their view: in respect of kodashim (consecrated food), she is like one who came in contact with a person that was subject to corpse tumah. [Her tumah in this respect is of the first grade. In regard to unconsecrated things, however, she is still subject to the second grade of tumah only; she, therefore, will not transmit tumah to the water – even through direct contact.] This is according to the view of Beis Hillel. Beis Shammai ruled: She is even as one who is subject to corpse tumah (which means that she is regarded as being an 'av hatumah,' and therefore, she conveys a tumah of the first grade to vessels as well). (71b)

Status of Woman During her Taharah Days

The Gemora infers from the Mishna that she may pour out only, but she may not touch the water itself. Evidently, chullin (unconsecrated foodstuffs) prepared in conditions of holiness (for the water under discussion was being prepared for the washing of the pesach offering) are treated as holy (for if it would be treated as chullin, it could not be rendered tamei, for with respect of chullin, tumah can only extend to a second degree of tumah, but not a third, and since, she, as a tevl yom, has the status of a 'sheini' – second degree, if the vessel becomes a 'shlishi' – third degree, it proves that we are treating this chullin as kodesh). But then, let us consider the final clause: Subsequently, they changed their view: in respect of kodashim (consecrated food), she is like one who came in contact with a person that was subject to corpse tumah. The implication is that is only in respect of consecrated

food, but not in respect of unconsecrated food. Evidently (*in the Mishna's retraction*), *chullin* prepared in conditions of holiness are not treated as holy!

The *Gemora* notes that the author of our *Mishna* is Abba Shaul; for it was taught in a *braisa*: Abba Shaul said: A *tevel yom* is *tamei* in the first degree (*rishon l'tumah*) in respect of *kodashim*, and can subsequently render two further degrees of *tumah* (*what he touches will be a sheini and that food can render something else a shlishi*) and one degree of disqualification (*the shlishi can render something a revi'i, which is regarded as pasul*). (71b)

Mishna

But they (*Beis Shammai and Beis Hillel*) agree that she (*the woman who is in the midst of observing her days of tohor*) may eat *ma'aser sheini* (*a tenth of one's produce that he brings to Yerushalayim and eats there in the first, second, fourth and fifth years of the Shemitah cycle; any tevel yom may eat ma'aser sheini, but someone who is tamei with a status of a first degree of tumah may not*), and she may set aside her dough to be used as *challah* (*a portion of dough which is separated and then given to a Kohen; it has halachos like terumah; she may not, however, designate it while she is tamei, for then it would become tamei through her contact with it*), and she places it in a vessel near the dough, and then she designates it as *challah*.

They also agree that if any of her spittle or of her *tohar* blood (*which are tahor*) fell on a loaf of *terumah*, it remains *tahor*.

Beis Shammai ruled that she requires immersion at the end of her days of *taharah* (*prior to eating terumah*), and Beis Hillel ruled that she requires no immersion at the end. (71b)

Explaining the Mishna

The *Gemora* notes that the reason why the woman may eat *ma'aser sheini* is because a master had stated that if a person performed immersion and emerged from the *mikvah*, he may eat of *ma'aser sheini*. [*So too, this woman, is permitted to eat ma'aser sheini, for she has immersed herself in the beginning of her taharah days; she is therefore viewed as an extended tevel yom.*]

The *Mishna* had stated: She may set aside her dough to be used as *challah*. The *Gemora* explains that this (*that the dough does not become tamei through her contact with it*) is because *chullin* which is *tevel* to *challah* is not treated as *challah* (*but rather, as regular chullin food, which may be made impure*).

The *Mishna* had stated: She places it in a vessel near the dough. The *Gemora* explains that this is because a master had stated that it is a *mitzvah* to set aside *terumah* from produce that which is in close proximity to it. (71b)

DAILY MASHAL

He Who Anchors in a Stormy Sea

A *siyum* on the *Shas* was held in 5744 and HaGaon Rabbi Eliezer Menachem Shach zt"l spoke before the assembly and said: The verse *halichos 'olam*, from which Chazal interpret learning every day, is in the book of Chavakuk and forms part of the verses describing extremely stormy eras: "He stood and measured the earth; he saw and abandoned peoples and lasting mountains exploded, ancient hills bent down; He maintains practices of the world (*halichos 'olam lo*)."
This concerns hard times with world wars and commotion the world over. What should a person do at that time? He can he be saved? *Halichos 'olam lo* – don't read *halichos* but, rather, *halachos*. The Torah protects and saves. It is the rock and the anchor in such a stormy sea.