

## OVERVIEW of the Daf

### 1) Clarifying the opinions (cont.)

The Gemara relates that Rabanan and R' Shimon cited in a Mishnah and Beraisa respectively derive their positions from the same source.

Rabanan's reasoning is explained.

This explanation is unsuccessfully challenged.

R' Shimon's rationale is presented.

This explanation is unsuccessfully challenged.

An alternative explanation of the dispute between Rabanan and R' Shimon is suggested.

Another unsuccessful challenge to Shamai's position is presented.

An alternative explanation of Shamai's and Hillel's respective positions are suggested.

Shamai's position according to this explanation is unsuccessfully challenged.

A third explanation of the dispute is recorded.

This explanation is challenged and Abaye and Rava offer alternative explanations for the challenge.

The differences between the different explanations are presented.

A Beraisa is cited in support of the third explanation of the dispute.

Rava suggests another explanation of Shamai's position.

A Beraisa is cited that supports this explanation.

The Gemara unsuccessfully challenges the fourth explanation from the Beraisa that was cited to support the third explanation and unsuccessfully challenges the third explanation from the Beraisa cited to support the fourth explanation.

### 2) Discovering a sherez in a box that contained tohoros

Chizkiyah rules that if a sherez is discovered in a box that contained tohoros the tohoros are t'horim whereas R' Yochanan rules that they are teme'im.

Chizkiyah's position is unsuccessfully challenged from Shamai's and Hillel's opinion recorded in the Beraisa above.

Chizkiyah's position is challenged from a Beraisa.

One resolution to this challenge is recorded.

The Gemara begins a second defense of Chizkiyah's position. ■

*Today's Daf Digest is dedicated by Steve Jakubowski*

*In memory of the Alter Rebbetzin*

*Rebbetzin Eichenstein - Pinter*

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## Distinctive INSIGHT

### Why does Shamai not add a precaution?

ומיהו עשה סייג לדבריך דמאי שנא מכל התורה כולה דעבדינן סייג

The Gemara brought three explanations for the opinion of Shamai who holds that when a woman finds blood we only consider items she has been handling to be t'mei'im from that moment and onward, but not previously. One reason is that the woman's status was that she was t'horah until now, and that status is only changed from the moment we have a reason to declare her to be t'mei'ah, and not before that. The second reason is that if the blood had come earlier, the woman could have felt something. Her not having felt anything leads us to say that the blood only came now, and not earlier. The third explanation was that if the blood had flowed from the womb earlier, it would have been seen then, and it would not have tarried to exit. A Beraisa is cited to support this final explanation.

Rava offers yet another reason for Shamai's view that we do not declare a woman t'mei'ah any earlier than from when she actually saw blood. If we were to rule the holy items which she handled in the previous day to be t'mei'im, her husband would come to believe that the halacha considers that blood had appeared earlier in the outer chamber. The husband will always suspect that this may occur again, and he will abstain from being intimate with his wife in the future, and this will result in a decrease in the mitzvah of פרו ורבו. A Beraisa is brought that shows that this explanation for Shamai is correct.

The Gemara asks how to understand the Beraisos which present differing explanations of Shamai. The Gemara answers that the first explanation is correct, that if the blood had appeared that it would have come out earlier. Yet, Hillel argued that it is still appropriate to establish a rabbinic guard and declare the woman t'mei'ah as a precaution. Shamai then responded that it is impossible to do so here and add to the law of the Torah, because ruling the items handled by the woman to be t'mei'im will interfere with פרו ורבו.

The very first question of the Gemara on 2a was "What is the reason for Shamai?" Tosafos HaRosh explained that the Gemara's question was why does Shamai not establish an added rabbinic precaution, and the answer was that we do not do this when the woman has a status of being tehorah. Tosafos HaRosh cites R' Moshe from Ivra who asks why does Hillel again ask Shamai about setting a precaution, when this issue was already settled on 2a, and Shamai explained that the status of the woman of being tehorah is adequate?

He answers that Shamai's response is addressed to Hillel. Although the rabbis often establish precautions, as Hillel notes, Shamai notes that here it would be counter-productive to do so, as it would diminish the mitzvah of פרו ורבו. ■

# HALACHA Highlight

*Assuring the potential for pru u'rvu*

אי"כ בטלת בנות ישראל מפריה ורביה

*If so you have prevented Jewish women from procreating*

The Gemara teaches that according to Shamaï the reason a woman who saw blood is not *temei'ah* retroactively is that it could lead to an abolition of the mitzvah of procreation. Rashi<sup>1</sup> explains that people will be concerned that a woman may already be a *niddah* and will refrain from procreating. Although generally in halacha safeguards are adopted to keep a person from inadvertent transgressions, when such a safeguard will lead to the abolition of the mitzvah of procreation it is not adopted. Hillel asserts that his ruling that she is retroactively *temei'ah* applies only to matters of *taharos* and not to a woman's relationship with her husband but Shamaï responds that once it applies for *taharos* a couple will become concerned and will refrain from procreating.

Maharik<sup>2</sup> addresses the case of a mikvah about which there are slight concerns that it may be invalid and if invalid it would not be easy to fix the issue. If one was going to adopt a stringent position it would delay a woman's immersion by a day. Is it necessary to be stringent? Maharik answered that one should not be concerned that it may be invalid if it will cause a delay of the mitzvah of procreation. Shelah<sup>3</sup> warned that someone who issues halachic rulings for others must be careful not to issue an erroneous ruling that causes others to sin. However, he should not jump to the opposite extreme

# REVIEW and Remember

1. What tum'ah halachos are derived from the case of the Sotah ?

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2. What are the different explanations the Gemara offers for Shammaï's position ?

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3. According to the Beraisa what was Shammaï's criticism of Hillel's position ?

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4. What is the point of dispute between Chizkiyah and R' Yochanan ?

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and decide to be stringent in all matters since one is not called a moreh hora'ah by just issuing stringent rulings. Issuing stringent rulings that are incorrect is not the correct approach when issuing halachic rulings. The Gemara in Berachos (4a) relates that Dovid HaMelech's hands were filled with blood as a result of his efforts to assure that wives would be permitted to their husbands. The specific language in the Gemara indicates that Dovid HaMelech was not attempting to determine whether a woman is *tehorah* or *temei'ah*; rather the wording indicates that his intent was to assure that wives would be *tehoros*. ■

<sup>1</sup> רש"י ד"ה מפריה.

<sup>2</sup> שו"ת מהרי"ק שורש נ"ו.

<sup>3</sup> שלי"ה מסכת שבועות פרק נר מצוה אות פ"ט צ'.

# STORIES off the Daf

*The Laws of Niddah*

"אי בעית אימא היינו טעמא דשמאי..."

Today's daf continues to discuss the complex opinions of Shamaï and Hillel regarding one who saw impurity.

The Beis Yisrael explained, "For those who think that there is little need to learn the complex and, presently, theoretical laws found in Maseches Niddah, we find a powerful response in the words of the Maharsha. He asked rhetorically, 'Why does

Maseches Niddah conclude with the famous dictum, that all who learn halachah every day are guaranteed a place in the next world? It seems as though, since people were careful to act as though even a drop of impurity definitely renders one impure, one no longer needs to know the many distinctions discussed in this tractate. One who works hard, despite this, to know the halachos brought here demonstrates his belief in Moshiach and the rebuilding of the Beis HaMikdash, and truly waits for him every single day."

The Rebbe of Mattersdorf, zt"l, brings this Maharsha and adds, "When we had a Beis HaMikdash, it is clear

that the halachos brought in Maseches Niddah were very important to know well. As we find in Avos, 'Rabbi Elazar the son of Chasmah said, 'Niddah and Kinnin are the corpus of halachah.' Besides the centrality of these halachos in determining how many sacrifices must be brought, one had to be very careful not to err in the calculation of various times. One slight slip in the calculation could place a person in the category of doubtful *kareis*. What could be a more important focus of study than that!" ■

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