

OVERVIEW of the Daf

1) Daily exams (cont.)

R' Zeira inquires whether a woman who does not handle taharos should do an exam.

R' Yehudah answered that she should not and explained his opposition.

R' Abba asked whether following relations a woman should do an exam.

R' Huna responded to the inquiry forcing the Gemara to slightly revise the question.

A second version of the exchange between R' Abba and R' Huna is recorded.

2) The exam of pious ones

R' Ami in the name of R' Yannai asserted that the exam mentioned in the Mishnah that precedes relations is the exam of pious ones.

R' Abba bar Mamal challenges this assertion and Rava explains the intent of R' Ami in the name of R' Yannai.

3) A woman without a fixed period

R' Zeira in the name of R' Abba bar Yirmiyah in the name of Shmuel rules that a woman without a fixed period must perform an exam before relations.

This ruling is unsuccessfully challenged.

Rava draws an inference from R' Abba bar Yirmiyah's answer.

Shmuel's ruling is unsuccessfully challenged from a Beraisa.

R' Pappa inquires whether a successful solicitation with a woman who handles taharos substitutes for an exam.

Rava answered that it should not be done.

R' Kahana confirmed that this was in fact the practice of these Amoraim.

A related Beraisa is cited.

Each point of the Beraisa is clarified and explained.

R' Yehudah in the name of Shmuel rules in accordance with R' Chanina ben Anignos that a woman without a fixed period may have relations as long as she performs an exam before and after.

The necessity for this ruling is explained. ■

הדרן עלך שמאי

Distinctive INSIGHT

The husband will be concerned

אם כן לבו נוקפו ופורש

On 11b, we learned that a woman generally does not have to check herself before and after being intimate with her husband. However, a woman who is involved in handling taharos must check herself after being with her husband before continuing to handle these items. R' Yehuda taught in the name of Shmuel that once this woman is already instructed to check herself after being with her husband, she should also check herself beforehand.

On our daf, R' Zeira asked R' Yehuda whether a woman should check herself before being intimate with her husband. R' Yehuda answered that a woman who is not required to check herself is prohibited to do so, because if she would conduct herself according to this stringency, her husband would notice and arrive at the conclusion that his wife had detected something unusual. This would cause the husband to become unnecessarily self-conscious and refrain from being intimate with his wife.

The Rishonim list several explanations to this reaction of a husband who notices his wife unexpectedly checking herself. Tosafos cites Rabeinu Chananel who says that the husband knows that it is not necessary for his wife to check herself at this point. If, nevertheless, she performs an inspection the husband figures that she must have detected some internal flow, and the halacha is that a woman is *temei'ah* as soon as the blood exits from the womb to the outer chamber, even before it is discharged from the body. Ramban and Ran add that even after the woman checks and finds nothing, the husband will still be concerned, because he will think that because his wife felt something, there must have certainly been blood, and a small trace amount might have fallen out without being detected.

Ramban also explains, according to Rashi (11b), that the cloth used to check is not inspected at night, but only the next morning. The husband will therefore suspect that there might be blood on the cloth, and being intimate with his wife would be problematic. Rashba notes that Rashi's comment on 11b was made in reference to a woman who is checking due to her handling of taharos, so she will not inspect the cloth until the next morning. However, a woman who is checking in order to be intimate with her husband will certainly check the cloth at night using the light of a candle.

The conclusion of our Gemara is that R' Yehuda ruled that a woman should not check before being intimate with her husband because this would cause the husband to arrive at a mistaken understanding. Shulchan Aruch (Y.D. 186:1) rules that a woman should not check herself where her husband is aware of what she is doing. This indicates, however, that she may check herself if it is done without her husband's knowledge. ■

HALACHA Highlight

Informing a questioner of a stringent position

דילמא אינהו מחמירי אנפשייהו

Perhaps they are personally stringent

Darchei Teshuvah¹ cites Sefer Shiv'im Temarim who poses the following question related to psak halacha. In an instance in which halacha rules that a particular item is permitted but a *ba'al nefesh* should be stringent, is the rov obligated to tell the person that a *ba'al nefesh* should be stringent since there is a possibility that the person would want to be stringent? His inclination is that the questioner should be informed that a *ba'al nefesh* should be stringent about the matter. The reason halacha is lenient is that most Poskim subscribe to the position that it is permitted, but one who wants to take into account the minority opinions certainly has the right to do so. Proof to this conclusion is found in the Tur². There is a disagreement regarding *nosen ta'am lifgam* on Pesach, and Maharam of Rottenberg wrote that he is personally stringent about the matter since Rashbam maintained a stringent position about the matter. However, when others ask for a ruling he informs them that the issue is subject to debate and many people choose to adopt a stringent position. This is a clear example of a rov informing questioners that there is a stringent position that they may choose to follow.

Our Gemara, on the other hand, seems to present the opposite position. The Gemara discussed the presumption that a man may make regarding the taharah of his wife when he re-

REVIEW and Remember

1. What is the עדן של צנועות ?

2. When does a traveler have the right to assume on his return that his wife is tehorah ?

3. Why did R' Kahana consult with the wives of R' Pappa and R' Huna the son of R' Yehoshua ?

4. What is the important ruling of R' Chanina ben Antigonus ?

turns from an out-of-town trip. R' Kahana relates that he asked the wives of R' Pappa and R' Huna the son of R' Yehoshua about their practice and they confirmed that they follow the lenient position. The Gemara wonders why R' Kahanah asked the wives of R' Pappa and R' Huna the son of R' Yehoshua rather than R' Pappa and R' Huna the son of R' Yehoshua themselves. The answer was that R' Kahana was concerned that perhaps they were stringent for themselves but would answer leniently for others. This clearly demonstrates that it is not necessary to tell others that there is a stringent position. Shiv'im Temarim rejects this proof since in that case the stringency they may have adopted would have been even more stringent than the level of a *ba'al nefesh* and in such a case it is certainly unnecessary for a rov to share that with a questioner. ■

¹ דרכי תשובה סי' קט"ז ס"ק קי"א.
² טור או"ח סי' תמ"ז. ■

STORIES off the Daf

The Chazon Ish's Words

"הא רשע לא מקרי..."

On today's daf we find that one who upholds the words of the sages is called modest while one who does not obey them is called wicked.

Yeshivas Tiferes Zion had a serious problem and required a solution. The yeshiva was conducted in Yiddish in the tradition of European yeshivos, but since it was located in Israel many bochurim wished to join who could not speak Yiddish. In some cases, the student were Ashkenazic and had not learned Yiddish be-

cause they were born and raised in an area of Eretz Yisrael where Hebrew was the only spoken language. Other boys only knew Hebrew because they were Sefardic. There were not many great options for top-notch yeshivos in those years, and the administration was unsure what to do. Should they change their tradition of teaching in Yiddish? How could they reject serious boys who wanted a sound Torah education and whose only fault was that they were never taught Yiddish?

They brought their question to the Chazon Ish, zt"l, for adjudication. His ruling was short and to the point. "The yeshiva must change its traditional policy and teach in Hebrew to accommodate these boys."

Not everyone agreed with the Chazon

Ish on this, however. Some Torah scholars ruled that it was forbidden for an Ashkenazic yeshiva to teach in Hebrew even if it meant that some boys would be turned away. One zealot actually had the nerve to go to the Chazon Ish and register his complaint. "I protest this travesty!" he belted at the gadol. People were astounded at this man's audacity and wondered how the Chazon Ish would respond. He didn't respond.

When telling over this story, Rav Aryeh Leib Steinman, shlit"l, added an important detail. "The man who acted in this manner did not live out the year!"¹ ■

¹ מאחורי הפרגוד, ע' 385 ■