

Today's Daf Digest is dedicated
לעילוי נשמת צבי בן יחזקאל יוסף גרין, מחסידי דעעש
From the Grin family, Sao Paulo, Brazil

OVERVIEW of the Daf

1) Clarifying the Mishnah (cont.)

The Beraisa continues to retell the incident involving R' Yehudah's challenge to R' Meir's formulation of the Mishnah and relates that R' Yosi stood up to defend R' Meir's teaching.

The Gemara challenges R' Yosi's explanation.

One explanation is suggested that is based on a teaching of R' Yochanan.

Rava offers an alternative explanation for R' Yosi.

2) נצל

A Beraisa presents two definitions of the term נצל.

The Gemara challenges the first definition that נצל is congealed corpse flesh.

R' Yirmiyah explains that the teaching is needed for a case where one has substance from a corpse but its origin is unknown. If the substance congeals it is known that it is corpse flesh.

3) נצל of an animal

Abaye asked Rava whether the halacha of נצל applies to animals, meaning does נצל from an animal transmit tumah.

The Gemara identifies the opinion to which this question is relevant.

An unsuccessful attempt is made to resolve this inquiry and the question is left unresolved.

4) Streams of liquid and food

A Mishnah is cited that teaches that tahor liquids that pour do not become tamei when poured into a tamei liquid and there is dispute regarding the exceptions to this rule.

Rami bar Chama inquires whether the halacha of "streams" applies to solid foods.

Rava attempts to resolve this matter from a Beraisa.

R' Zeira and Mar the son of Ravina reject this proof.

Ravina suggests a resolution to this inquiry.

This resolution is rejected.

5) Corpse-dust

Chizkiyah and R' Yochanan debate how much corpse-dust would require a nazir to follow the nazir tamei procedure.

A Beraisa is cited as a challenge to Chizkiyah's position.

This challenge is rejected.

Another resolution to this challenge is recorded. ■

Distinctive INSIGHT

The substance that congeals

היכי דמי אילימא דלא ידעינן דדידיה הוא כי קרש מאי הוי

The Beraisa defines *netzef* as flesh of a corpse that congealed. The Gemara analyzes the Beraisa's contention that the substance from the dead body must be congealed. What are the circumstances where this applies? "If we do not know that this substance is from a dead body," asks the Gemara, why does its being congealed make a difference? The Gemara concludes that, in fact, we know that this substance comes from this corpse, but we are not sure whether it is a fluid such as saliva or mucus, which are not sources of tumah. If it congeals, however, it must be a secretion from decomposing flesh, and it is therefore tamei.

When the Gemara stated "if we do not know if the substance is from a corpse," the מפרש understands that we are certain that it did not come from the corpse. Keren Orah explains that the מפרש uses this approach because as the Gemara arrives at its conclusion, only then does Rabbi Yirmiyah suggest that we do not know whether the substance is from the body, which is tamei, or whether it is a different secretion, which is not tamei. Because the Gemara realizes this only later, it must be that in its initial approach the Gemara felt that we knew for certain that the substance was not from the body.

Tosafos, however, explains that even in its initial approach, the Gemara's uncertainty — לא ידעינן — is whether the substance is from the corpse or if it is a non-tumah material, such as saliva. The Gemara did not think that the substance's becoming congealed is enough of an indication to allow the nazir to interrupt his term. Rabbi Yirmiyah answers that although we do not know the origin of this material, that it congeals is conclusive proof that it is from a corpse. ■

HALACHAH Highlight

When does an embryo become a fetus?

הכא נמי בנפל שלא נתקשרו אבריו בגידין

Here also [the Mishnah] refers to a stillborn whose limbs were not yet bound together by sinews.

Rambam¹ rules that a stillborn transmits tumah by means of touching, carrying and ohel, even if its limbs were not yet bound together. Mishnah Lamelech² writes that if the fetus was less than forty days from conception it is not halachically a stillborn – נפל – and will not transmit tumah. He cites support for this position from a Mishnah in Ohalos (18:7) that states that one does not have to be concerned about the presence of a buried stillborn in a house occupied by an idolater if he lived there less than forty days. This implies that if there was a miscarriage that occurred when the fetus was less than forty days it would not transmit tumah.

Rav Yechezkel Landau³, the Noda B'Yehudah, was asked whether a stillborn needs to have a well-formed face and limbs in order to transmit tumah by means of an ohel or perhaps even if the fetus has no clearly defined form it is necessary for a Kohen to be strict and avoid being under the same roof as the stillborn? Noda B'Yehudah expressed astonishment at the question since the Rambam rules explicitly that a stillborn transmits tumah by means of an ohel even if the limbs are not yet bound together by sinews. The only point that requires

REVIEW and Remember

1. What is נצל?

2. What is the relevance of the question whether animals are subject to the Halacha of נצל?

3. What are the two possible explanations why thick liquids would become tamei when poured into a tamei liquid?

4. What is the dispute between R' Meir and Chachamim?

clarification is whether it is necessary for the limbs of the fetus to take shape (ריקום אברים) because this matter is not addressed in Rambam. He cites, however, the ruling of Mishnah Lamelech and notes that within forty days it is possible for the limbs of the fetus to take shape. Consequently, since we are not experienced to know what constitutes limbs taking shape a kohen would be required to avoid being in the same room (אהל) as a stillborn that was more than forty days old. Rav Chaim Ozer Grodzinski⁴, the Achiezer, also ruled that a stillborn less than forty days old is not considered a stillborn that transmits tumah by means of an ohel. ■

1. רמב"ם פ"ב מהל' טומאת מת ה"א.
2. משנה למלך שם.
3. שו"ת נודע ביהודה קמא יו"ד סי' צ"ז.
4. שו"ת אחיעזר ח"ג סי' ס"ה. ■

STORIES Off the Daf

A Kohen's Dilemma

"חלב המת שהוא שלם..."

The atrocities of the Holocaust stagger the imagination. Every imaginable pain was inflicted on the Jewish people, and even after their deaths their murderers attempted to steal their victim's human dignity. After much experimentation, the evil Nazis, ימח שמו, found that gassing was the most efficient way to kill the most Jews. Tragically, they gassed countless Jews and cremated most of the bodies. One would have thought that death would free the hapless victims from their tormentors, but sadly, the sadists found ways to desecrate the bodies as well.

One method was to use the bodies to form various objects which could be used by the German members of the "master race." That the Germans used Jewish hair, and the gold fillings from their teeth, is well known. Horribly, in order to add to their victims' psychological torture, the Germans spread false rumors that they were even making lampshades and soap out of the bodies of Jews. These lies were believed by the Jews (and are still believed by some Jews today, after they have been proved to be false), who knew that there was no atrocity of which their German captors were incapable. After the war, whenever such objects came to light, they were buried in various places of honor. In one community in Israel, they buried the ashes and soap of the victims in a public courtyard.

One kohen asked the Minchas

Yitzchak, זט"ל, if he could enter the covered courtyard. After all, Jewish remains transmit ritual defilement to the entire room they are in.

"You can definitely enter," the Minchas Yitzchak replied.

He explained, "The Gemara on Nazir 50 brings the Tosefta in Ohalos that states that a k'zayis of fat of a deceased that was melted down only transmits ritual impurity if the fat was of a single piece. If not, it does not. Since the process by which these murderers produced the soap in question is not clear, we may be lenient." (See Minchas Yitzchak, I, 30, for a long analysis.)

He continued, "Ashes are definitely no problem since the Rambam rules that ashes do not transmit ritual impurity."

May Hashem protect the Jewish people from all suffering! ■