

39.10.5

69b → 71a (של זבין חיים) (משנה ד)

Note: our *תנ"ך* invokes the special *טומאה* of *מקמא* (see v. 1); the referent is a boulder larger than a man's capacity to move (as in the example from the *תנ"ך*, the boulder that was used to seal *דניאל* into the lion's den). There is a unique *הלכה* affecting *יולדת*, *נדה*, *זבה*, *זב* and *מצורע* that if s/he is seated or lying atop such a boulder, anything underneath is *טמא*. *טמא* maintains that this is an extension of *טומאת מדרס*, along with *משא* (per the *אור שמח*), such that if a person is underneath, he is *טמא* due to *הזב*; *משא* *א* *כלי* which is fit for *מדרס* (e.g. a sheet or mat) is underneath, it is *טמא* as an extension of *הזב*. Note – *א* *מת* is not *מסמא* *באבן* *מסמא* and if he is lying atop the boulder, *כלים* underneath are not *מת* *טמאי*

1.	והייתיה אבן חדה ושמית על פם גבא וחתמה מלפא בעזקתה ובעזקת רברבנוהי די לא תשנא צבו בדניאל: דניאל ו, יח
2.	לא יוכל בעלה הראשון אשר שלחה לשוב לקחתה להיות לו לאשה אחרי אשר הטמאה כי תועבה הוא לפני ה' ... דברים כד, ד
3.	כי לא אחפץ במות המת נאם אדני ה' והשיבו וחיו: יחזקאל יח, לב
4.	אם יחטא איש לאיש ופללו אלהים ואם לה' יחטא איש מי יתפלל לו ולא ישמעו לקול אביהם כי חפץ ה' להמיתם: שמ"א ב, כה
5.	כי ה' אלהיכם הוא אלהי האלהים ואדני האדנים האל הגדל הגבר והנורא אשר לא ישא פנים ולא יקח שחד: דברים י, יז
6.	ישא ה' פניו אליך וישם לך שלום: במדבר ו, כו
7.	כי בחר ה' בציון אנה למושב לו: תהלים קלב, יג
8.	כי על אפי ועל קמתי היתה לי העיר הזאת למן היום אשר בנו אותה ועד היום הזה להסירה מעל פני: ירמיהו לב, לא
9.	כי ה' יתן חכמה מפיו דעת ותבונה: משלי ב, ו
10.	לי הפסוף ולי הנהב נאם ה' צבאות: חגי ב, ח
11.	הנה נחלת ה' בנים שכר פרי הבטן: תהלים קכו, ג
12.	ותבואנה נערות אסתור וסריסיה ויגידו לה ותתחלחל המלכה מאד ותשלח בגדים להלביש את מרדכי ולהסיר שקו מעליו ולא קבל: אסתר ד, ד

- I מת vis-à-vis טומאה היוצאת מגופו of הלכות: משנה ד
- a *זב*, *זבה*, *נדה*, *יולדת*, *מצורע*: who died in that state – have special *משא*
- i Challenge: all *מתים* are subject to *משא*
- ii Rather: "משא" here refers to *אבן מסמא* (see note), per v. 1
- 1 Reason (*רמב"א*): as a precaution against a case where the *זב* falls asleep (or faints) atop the *מסמא* and we think him dead and render *כלים* underneath to be *טהורים*
- (a) *ד' אליעזר*: this *טומאה* extends until his stomach bursts open (at which point he is assuredly dead – no *גרה*)
- b *גוי*: who dies, even though all *גויים* are considered *זבים* (from birth) *מדרבנן*, are not *במשא*
- i Reason: since their *טומאה* *זיבה* while alive is *מדרבנן*, they didn't extend it to *מיתה*
- c Status of all women: at death – whether adjudged to be "just" *מתות*
- i *ד"ש*: all considered *נדות*
- ii *ד"ה*: only if she died as a *נדה* is she considered thus
- II The 12 questions posed to ר' יהושע בן חנניא by the Alexandrian community
- a *הלכה*: 3 questions posed
- i *זב וכו'*: until when is *מסמא* *אבן* *טומאת* generated by *זב* (etc) after death?
- 1 Answer: until the flesh melts
- ii *בת משולחת*: is the daughter of a *גרושה* who remarried her husband (in violation of v. 2) permitted to marry *כהן*?
- 1 Lemma1: *כה"ג* from *אלמנה*, whose *איסור* only applies to *כה"ג*, yet the fruit of such a union is *חלל*
- 2 Lemma2: the *אלמנה*'s status itself is affected by *ביאה* with *כה"ג* (she becomes *חללה*), unlike *גרושתו*
- 3 Answer: only she (the *גרושה*) is "תועבה" and not the daughter (i.e. *מותרת לכהן*)
- iii *מצורע*: brought his *קרבן* with another; they got mixed and other *מצורע* died before he could offer the other
- 1 Solution: he disowns all property, then can bring *עני*
- (a) Challenge: the *אשם* still has to be brought (same animal, *עשיר* or *עני*)
- (b) Solution (*שמואל*): case where the other *מצורע* died after 2nd *אשם* was offered
- (i) Challenge: per *יד:יא*, there is no solution
1. If: we rule like *ר' יהודה* (wealth determined at moment of *אשם*) – he's "stuck" as *עשיר*
2. If: we rule like *ר"ש* (wealth determined at moment of *חטאת*); *ר"ש* allows bringing *עני* *קרבן* *מצורע* על *תנאי*
- a. Answer: *שמואל* accepts 1 ruling of *ר"ש* (*חטאת* is the *קובע*), but not the other (*קרבן מצורע על תנאי*)

- b *אגדה*: 3 questions – each identifying contradictions in פסוקים dealing with theology
- i *תשובה*: vv. 3 vs. 4
1 *Resolution*: if they do תשובה, ה' desires them to live; if not...
- ii *Favoritism*: vv. 5 v. 6
1 *Resolution*: before גזר-דין, favoritism is possible; afterwards, absolute justice
- iii *ירושלים*: vv. 7 vs. 8
1 *Resolution*: before בת-פרעה married שלמה (see יא:א-ו), it was “chosen”...
- c *Silliness*: 3 questions – all about טומאת מת
- i *אשת נח*: does she generate טומאת מת
1 *Answer*: only a מת – not a pillar of salt
- ii *בן שונמית*: who was revived/resurrected by אלישע (see מלכים ב ד:לד-לה) – would he generate טומאת מת (after resurrection)
1 *Answer*: only a מת generates טומאת מת – not one who is alive
- iii *תחיית המתים*: will the resurrected dead require הזאה on 3rd and 7th day
1 *Answer*: when they return, we will figure it out – or מרעה"ה will come with them and instruct us
- d *Practical advice*: 3 questions about how to attain the good life
- i *Wisdom*: how can a person become wise?
1 *Answer*: increase study and diligence, minimize business involvement
(a) *Response*: many tried that and were unsuccessful
(b) *Answer*: he must *also* pray to the one who imparts wisdom (v. 9)
(i) *Teaching*: that both are necessary
- ii *Wealth*: how can a person gain wealth?
1 *Answer*: increase business involvement and carry out all matters of business honestly
(a) *Response*: many tried that and were unsuccessful
(b) *Answer*: he must *also* pray to the one who imparts wealth (v. 10)
(i) *Teaching*: that both are necessary
- iii *Male children*: how can a person ensure having male children?
1 *Answer*: he should delay himself (per אשה כי תזריע...) and sanctify himself at the moment of coitus
(a) *Response*: many tried that and were unsuccessful
(b) *Answer*: he must *also* pray to the one who imparts sons (v. 11)
(i) *Teaching*: that both are necessary
(ii) *Note*: שכר פרי הבטן (v. 11) – the reward for delaying their own gratification is male children
- III Discussion of last clause in משנה – ש"ש' approach that all women who die have status of נדות
- a *Proposal*: per v. 11, women, when frightened, become נדות (and fear of seeing מלאך המוות makes them נדות)
i *note*: contradictistinctive from חרדה (anxiety) which suspends דמים (נדה ד:ז), terror generates them
ii *challenge*: ש"ש' rules the same way about men – all judged to die as זבים – but this would be an אונס (and only 1 ראייה)
1 *note*: ש"ה" area also consistent there – only considered זב if he was a זב at time of death
- b *rather*: per טז:ט תוספתא נדה – originally they were מטביל clothes of נדות (and זבים) who died in that state
i *result*: living נדות and זבים were embarrassed (anticipating this public humiliation after their deaths)
ii *therefore*: they ordained that all clothes of a מת are put in מקווה, to preserve the honor of the living נדות and זבים