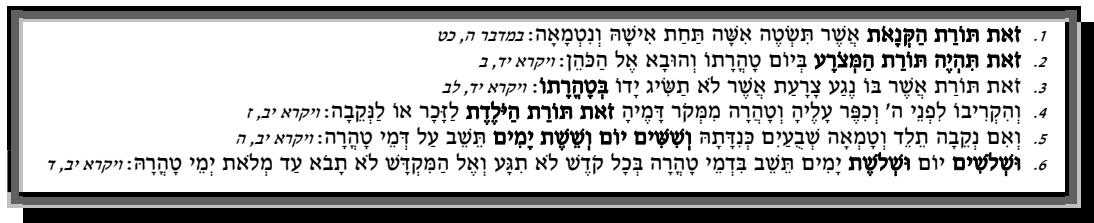


34.2.2

9b (משנה ג) → 10b (וש"מ חומרא אית ליה קולא לית ליה ש"מ) → 10b (משנה ג)



- I סוטה ומצורע (continuation of list of 1 קרבן for multiple incidents) משנה ג
- a **סוטה**: if he warned her about multiple men and she was secluded with each of them
- i **Source**: v. 1 תורת הקנאות - one מנחת קנאות
- b **מצורע**: who had more נגעים (after טהרה)
- i **Source**: v. 2- תורת המצורע - one תורה for multiple צרעות
- c **If**: he had more נגעים after the צפרים, not considered a new event if before he brings his חטאת
- i **אשם יהודה**: point of demarcation is offering of אשם
- ii **Clarification**: last clause (אשם vs. חטאת) is about what point determines his financial status
- 1 **Background**: מצורע has sliding scale of קרבן, based on his means
- 2 **Associated**: מצורע's status determined at moment of חטאת per ר"ש; ר' יהודה - at moment of אשם
- (a) **צפורין** - ר"ב - follows status at time of **ברייתא**
- (b) **Explanation**: all three interpret v. 3 - בטהרתו
- (i) **חטאת** - ר"ש
- (ii) **יהודה** - ר"י - that which allow him to proceed (with קדשים)
- (iii) **צפרין** - ר"ב - that which leads to his טהרה
- II מי טוהר (continuation of list of 1 קרבן for multiple incidents) a woman who has a miscarriage during טוהר
- a **If**: she had a הפלה (female) during 80 days of טהרה (for girl), then again during 80 from 2nd incident - 1 קרבן
- i **Source**: v. 4 - 1 קרבן for multiple לידות
- 1 **Note**: not extended to לידה which takes place after מלאת (מי טוהר) (after correction of **ברייתא**) - per זאת
- b **Similarly**: if she had multiple births from one conception, each within 80 days of last (female) - 1 קרבן
- c **יהודה**: no קרבן for #2, but קרבן for #3, no קרבן for #4 (i.e. "clock" isn't reset with each incident)
- III Analysis of ר' יהודה's opinion
- a **Observation**: ר' יהודה maintains that the first birth's "clock" continues; חכמים hold that it is final birth that sets period
- i **Challenge**: this is obvious
- 1 **Answer**: קמ"ל - ר' יהודה would agree (per סיפא) that if one pregnancy (per סד"א)
- ii **Question**: what would ר' יהודה rule vis-à-vis טומאה?
- 1 **Lemma1**: he only "ignores" 2nd וולד for קרבן, but she keeps מי טומאה in the middle of מי טוהר and then completes
- 2 **Lemma2**: he would only apply לחומרא, but not to allow her מי טוהר for the 1st beyond the 80 days
- iii **Proposal** (שחיטה זריקה עליה) included (תוס' פסחים ז:יא: (ר' הונא מסורה) on 40th day for boy or 80th day for נקבה
- 1 **Challenge**: she's still טמאה on day 40/80
- 2 **Answer** (ר"ח): authored by ר' יהודה (case is twins born a day apart; this is day #40 to 2nd)
- (a) **Conclusion**: ר' יהודה holds that וולד שני isn't there at all vis-à-vis טומאה
- (b) **Rejection**: פסח הבא בטומאה may "count"; case is בטומאה
- (i) **Challenge**: פסח הבא בטומאה (and זב etc.) doesn't eat יולדת (and זב etc.)
- (ii) **Answer**: they don't eat without טבילה; in our case, she already went to מקווה
1. **Question**: if so, she should be fit from day #8
2. **Answer**: he holds זב (יולדת::) is a זב (this is extended יום טבול)
- a. **Challenge**: then she shouldn't be fit on day #40 either
- b. **Answer**: he holds זב מחוסר כפורים (יולדת::) is not a זב
- (iii) **But**: to רבא, who holds that זב מחוסר כפורים is a זב - how can it be answered?
- (iv) **Answer** (רבא אשי): רבא would explain it as being day #40/80 of conception
1. **Per**: ר' ישמעאל - for זכר, she gets 41 days, for נקבה - 81 days
2. **Challenge**: in any case, she's נדה טמאה
- a. **Answer**: might have been "dry" (bloodless) delivery
- b. **Teaching**: that it is possible to have womb open without blood

- iv *Proposal (ר' שמעיה)*: interpretation of v. 5 – ששים יום – must be consecutive
 - 1 *Must be*: according to ר' יהודה; רבנן, no possibility of “non-consecutive” as last birth resets calendar
 - 2 *And*: since he insists on consecutive days – he is מחמיר (not allowing interrupting ימי טומאה to extend טוהר)
 - (a) *Rejection*: could be רבנן – case where she “birthed” male within 80 of נקבה
 - (i) *Challenge*: in that case, 80 aren't complete when she completes ימי טומאה of 1st (no קולא here)
 - (b) *Rather*: case where she had twins, 1st a נקבה, then זכר in midst of ימי טוהר for נקבה
 - (i) *And*: she needs to keep 7 days of טומאה in the middle of her ימי טוהר
 - (ii) *And*: בריתא is considering whether she should keep ימי טומאה in middle and “split” טוהר
- v *Proposal (אבוי)*: interpretation of v. 6 – שלשים must be consecutive
 - 1 *Must be*: ר' יהודה → he isn't מקיל with 2nd וולד
 - 2 *And*: brings associated דרשה from ושת ימים (v. 5)