

39.4.5

35b (דם היוולדת שלא טבלה...) → 36a (בין לחומרא)

1. דבר אל בני ישראל לאמר אשה כי תזריע וילדה זכר וטמאה שבועת ימים כימי נדת דותה תטמא: ויקרא יב, ב

- I Analysis of 2<sup>nd</sup> dispute דם טמא – ב"ה (רוק; like ב"ש) ימי טומאה מקוה who didn't yet go to טמאה ב"ש/ב"ה – status of דם יולדת who didn't yet go to טמאה ב"ה argued that a נדה who didn't yet go to מקוה is fully טמאה
- Counter (ב"ש): if נדה sees after טבילה, she's טמאה again; a יולדת who sees after טבילה is fully טהורה
  - Counter (ב"ה): יולדת proves it; if she sees afterwards, still טהורה; yet if she isn't טובלת, fully טמאה
- 1 ד"ש: we disagree there as well – same issue
- II Dispute מעין רב/לוי about מעין –
- ד"ב: there is one מעין – the תורה declares it impure (right after birth) and then pure (7/14 days later)
  - ל"י: there are 2 מעינות – when one is closed, the other opens (מעין after 7/14 days is the "pure" one)
    - Split the difference: if her flow continues, unabated, from one segment to the next
      - ד"ב: if her flow continues from day 7→8, now she is טהורה; from day 40→41, now she is טמאה
      - ל"י: if her flow continues from day 7→8, still טמאה (old מעין still open); from day 40→41, still טהורה
    - Challenge: our משנה (dispute ב"ש/ב"ה); assumption – she ceased bleeding between day 7 and when she saw
      - ל"ב: we understand ב"ה – since she wasn't טובל and it is all from one מעין, not yet טהור
      - ל"י: why is this דם considered טמא (לח ויבש) – it should be coming from other מעין?
        - Defense: case is where she was שופעת (uninterrupted flow)
        - Challenge: if שופעת, why would ב"ש rule that it is only מטמא like any other משקה (only moist)?
          - Answer: ב"ש holds that it is 1 מעין
          - ל"י: we understand that the dispute ב"ש/ב"ה is whether it is 1 מעין or 2
          - ל"ב: what is dispute?
            - Answer: whether טהרה requires just days (ב"ש) or days and טבילה (ב"ה)
    - Challenge: ב"ש agree that דם זיבה is מטמא like יולדת בזוב (if she wasn't yet טובל)
      - Assumption: she had had a cessation of דם
        - ל"ב: we understand why it is מטמא לח ויבש – from same source
        - ל"י: why is it מטמא לח ויבש – this דם is from a טהור source
          - Answer: must be case of שופעת (uninterrupted flow)
          - Challenge: if it is שופעת, why need to mention it all?
            - Answer: for ב"ש who hold it to be a single מעין and טהרה depends only on calendar
              - Limitation: this only applies to a standard יולדת; but not יולדת בזוב, who also requires נקיים
    - Challenge: ברייתא (ת"כ) on דותה תטמא (v. 1) – extends to בועל, extends to nights (in spite of "ימים") and to יולדת בזוב – ו' נקיים – יולדת בזוב – ו' נקיים
      - ל"ב: we understand the need for נקיים
      - ל"י: why require נקיים – should only need a momentary cessation (to consider טמא sealed up)
        - Answer: read "she requires any הפסקה, to be considered like נקיים"
    - Challenge: ברייתא – cessation of flow (for 90 days – to restore her to status of דינה שעתה) can be combination of days during pregnancy and days while nursing
      - ל"ב: we understand why she requires 3 full עונות of cessation
      - ל"י: she should only require a momentary cessation (as above)
        - Answer: read "she requires any הפסקה, to be considered like 3 עונות"
    - Challenge: ברייתא – all (ב"ש וב"ה) agree that when she sees דם after טהרה, there is no טומאת מעל"ע
      - ל"י: understood – it is from a different מקור
      - ל"ב: unclear – why shouldn't there be טומאת מעל"ע
        - Answer: case where she saw on day 81 – can't go back a full 24 (→also don't employ לפקידה)
    - Challenge: ברייתא – יולדת בזוב – דם, ב"ש and ב"ה stick to their respective שיטות
      - ל"י: follows other report (above) that they agree that if she sees after טהרה, דם, טהור, no מעל"ע
        - Or: that is a case of uninterrupted flow
          - Challenge: it states ספרה (how can she count נקיים if still bleeding?)
          - Answer: she was נקבה בזוב, and had no דם the first week (but did have שופעת the next week)
            - And: he holds that earlier יולדת days without דם count towards נקיים
    - Final ruling: follows רב, in spite of report that מר זוטרא ruled like לוי when it was לחומרא